



April 2, 2008

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED ORDINANCE NO. 695**

Enclosed for your information is a copy of proposed Ordinance No. 695. 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

The purpose of Ordinance 695 is to ensure that when road resurfacing to a minimum 5-year wearing surface and 22-foot width is required as part of development review approval, the affected local street or neighborhood route will be improved between the development site and the nearest collector or arterial street likely to attract the greatest number of trips. Ordinance 695 will also ensure that street lighting is provided in conjunction with new half-streets that are required as part of development review approval.

Who Is Affected

Persons seeking permits to develop land within urban unincorporated Washington County where the development is subject to application of the Public Facilities and Services standards set forth in Article 5 of the Community Development Code (Type II and III development requests).

What Land is Affected

Lands on which new Type II and Type III development proposals are located and that are within the Urban Growth Boundary of unincorporated Washington County.

Key Provisions

- Amends existing requirement for new development relating to roadway surfacing and width (5-year wearing surface/22' width) so that such resurfacing will be done between the development site and the nearest adequate arterial or collector roadway that is likely to attract the highest traffic flow. (CDC Section 501-8.1 B.(2)).
- Amends existing standards for all new Local, Neighborhood Route, Collector and Arterial streets to require provision of street lighting when half street improvements are required as a condition of development review approval (CDC Section 501-8.2 C.).

Initial Public Hearings

Time and Place

Planning Commission
1:30 pm
May 7, 2008

Board of County Commissioners
10:00 am
June 3, 2008

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

On June 3, 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 July 3, 2008.

**Urban Comprehensive
Plan Policies Amended**

➤ None

**Community
Development Code
Standards Amended**

➤ CDC Sections 501-8.1 B.(2) and 501-8.2 C.

**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. **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

Gregg Leion, Senior Planner
155 North 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Telephone: 503-846-3969 Fax: 503-846-4412
e-mail: gregg_leion@co.washington.or.us

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

- The Washington County Department of Land Use and Transportation, Planning Division, 155 North 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.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

MAR 20 2008

FOR WASHINGTON COUNTY, OREGON

**Washington County
County Clerk**

ORDINANCE NO. 695

An Ordinance Amending the
Community Development Code
Element of the Comprehensive Plan
Relating to Standards for Local and
Neighborhood Route Roads and Street
Lighting on Half-Street Improvements

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

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon, (Board) recognizes that the Community Development Code (CDC) Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677 and 682-686.

B. Subsequent ongoing planning efforts of the County indicate a need for a general update to the CDC relating to the standards for development for critical and essential services that are part of the public facility and service requirements. The Board

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1 takes note that such changes are necessary for clarification and the benefit of the residents
2 of Washington County, Oregon.

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

9 D. 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
11 Ordinance complies with the Statewide Planning Goals, and the standards for legislative
12 plan adoption, as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the
13 Washington County Charter, and the Washington County Community Development Code.

14 SECTION 2

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

- 17 A. Exhibit 1 (2 pages) amending CDC Section 501-8.1 Standards for
18 Development – Critical Services for PUBLIC FACILITY AND SERVICE
19 REQUIREMENTS; and
20 B. Exhibit 2 (1 page) amending CDC Section 501-8.2 Standards for
21 Development – Essential Services for PUBLIC FACILITY AND
22 SERVICE REQUIREMENTS.

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 (2007 Edition).

8 SECTION 5

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

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1 SECTION 7

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

3 ENACTED this 3 day of June, 2008, 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 Tam Bruen
CHAIRMAN

10 Barbara Hejtmanek
RECORDING SECRETARY

11 READING

12 PUBLIC HEARING

13 First June 3, 2008
14 Second _____
15 Third _____
16 Fourth _____
17 Fifth _____
18 Sixth _____

13 June 3, 2008
14 _____
15 _____
16 _____
17 _____
18 _____

19 VOTE: Aye: Brian, Schouten, Rogers, Nay: _____
20 Strader, Duyck

21 Recording Secretary: Barbara Hejtmanek Date: June 3, 2008

Community Development Code Section 501-8.1 Standards for Development – Critical Services for PUBLIC FACILITY AND SERVICE REQUIREMENTS is amended to reflect the following:

501-8.1 Critical Services

- A. An applicant for development shall provide documentation from the appropriate non-County service provider that adequate water, sewer and fire protection can be provided to the proposed development prior to occupancy. The documentation shall be no more than ninety (90) days old.
- B. No development shall be approved without an adequate level of access to the proposed development in place or assured at the time of occupancy, with “adequate” defined for critical road services as:
 - (1) Those Local and Neighborhood Route roads, new or existing, lying wholly within the property’s real property boundaries, or future roadway alignments designated in the Washington County Transportation Plan, shall be developed in accordance with Washington County’s Uniform Road Improvement Design Standards; and
 - (2) For those access roads lying adjacent to and between the property owner’s proposed development and the nearest adequate Collector or Arterial road, as defined in Essential Services, or future roadway alignments designated in the Washington County Transportation Plan, likely to attract the highest traffic volume from the proposed development (based on existing and/or forecast traffic volumes) the road(s) must meet the following minimum standards:
 - (a) Have a wearing surface and structural life expectancy period of no less than five (5) years (paved) as determined by the County Operations Engineer;
 - (b) Paved surfaces for existing roadways shall be twenty-two feet or greater in width. New roads shall meet the adopted County Road Standards;
 - (c) On-site means all lands in the land use application and one half (½) the right-of-way of existing roads lying adjacent to such lands;
 - (d) On-site entering sight distance meets standards as specified in “A Policy on Geometric Design of Highways and Streets,” American Association of State Highway and Transportation Officials (AASHTO), 1990; and
 - (e) Right-of-way on or adjacent to the frontage property meets Washington County functional classification standards.

- (3) For a proposed development which abuts an existing Local or Neighborhood Route stub street, the applicant must develop a site plan which extends the stub street into or through the development site.
- (4) For those existing Local and Neighborhood Route roads which are not improved in accordance with Washington County's Uniform Road Improvement Design Standards and abut a development in a transit oriented district, or abut a development outside a transit oriented district which is adjacent to a designated special area street, a half street improvement along the site's frontage shall be constructed.
- (5) Outside of transit oriented districts, a half-street improvement may be required on Local or Neighborhood Route roads at the discretion of the Review Authority.

Community Development Code Section 501-8.2 Standards for Development – Essential Services for PUBLIC FACILITY AND SERVICE REQUIREMENTS is amended to reflect the following:

501-8.2 Essential Services

C. Street Lighting

For all new Local, Neighborhood Route, Collector and Arterial streets, and half street improvements an applicant shall provide street lighting consistent with County engineering standards and procedures and the requirements of the electrical utility company providing service to the area. The applicant shall ensure the construction, maintenance and power costs of street light facilities through the annexation and petition for service to an existing County service district for lighting or other funding method approved by the County Engineer.
