



WASHINGTON COUNTY OREGON

June 8, 2012

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED A-ENGROSSED ORDINANCE NO. 745**

On March 28, 2012, you were notified about initial public hearings on proposed Land Use Ordinance No. 745 before the Planning Commission on April 18, 2012, and the Board of County Commissioners (Board) on May 15, 2012. After public hearings on Ordinance No. 745 and Ordinance No. 748, the Board ordered substantive amendments to Ordinance No. 745 on June 5, 2012. These changes have been incorporated into proposed **A-Engrossed Ordinance No. 745** and are summarized below.

Included as part of the amendments to Ordinance No. 745, the Board consolidated the changes proposed by Ordinance No. 748 and then rejected Ordinance No. 748. The ordinances were consolidated because they amend overlapping sections of the Comprehensive Framework Plan for the Urban Area, the Bethany Community Plan, and the Community Development Code. Consolidating the ordinances will make it easier for hearing participants to track the proposed amendments to these elements of the Comprehensive Plan. It will also create a clearer historical record of the amendments. A summary of the changes proposed by Ordinance No. 748 is provided in the summary of changes to Ordinance No. 745.

Ordinance Purpose and Summary

Ordinance No. 745 proposes to amend elements of the Washington County Comprehensive Plan relating to implementation of the North Bethany Subarea Plan (Subarea Plan) of the Bethany Community Plan. Ordinance exhibits address several outstanding placeholder issues identified by the Board in 2010, 2011, and 2012.

Who and What Land Is Affected

Property owners and residents in the North Bethany Subarea.

Summary of Changes to Ordinance No. 745

A summary of the changes that were made to Ordinance No. 745 begins on page 3.

Public Hearings before the Board of County Commissioners - Time and Place

10:00 am
June 19, 2012

6:30 pm
June 26, 2012

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

On June 26, 2012, 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 26, 2012.

**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 in advance of the public hearings in care of the Long Range Planning Division. **We are unable to accept e-mail as public testimony.**

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

Staff Contact

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

- Washington County Department of Land Use & Transportation
Long Range Planning Division, 155 North 1st Ave.
Hillsboro, OR 97124-3072 Telephone: 503-846-3519
- www.co.washington.or.us/LUT/Divisions/LongRangePlanning/land-use-ordinances.cfm
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-821-1128 for a directory of CPOs.

SUMMARY OF CHANGES TO ORDINANCE NO. 745

Bethany Community Plan

Amendments made to the text and maps of the initially filed ordinance for the North Bethany Subarea Plan (Subarea Plan) are described below.

1. Community Design Goal 4 was amended by adding text that states the county will consider the possibility of readdressing the timing and process to acquire park land in North Bethany.
2. In General Design Element 10 (Circulation), the proposed new standards to move the centerline of a Primary Street through a development application were amended by adding the following requirements:
 - In Section 2, applications to move the centerline of a Primary Street up to 75 feet (a) must demonstrate that the new alignment maintains the functional classification of the Primary Street and, and (b) cannot shift the location of the land use districts.
 - A Primary Street centerline may move more than 75 feet through a development application when specifically permitted by an Area of Special Concern.
3. General Design Element 20 (describes the residential density transect) was amended to state that the largest concentration of residential density in the North Bethany Subarea is located along the Park Blocks, the Main Street area and the two community parks. The Placeholder note for this General Design Element was deleted.
4. New General Design Element 21 was added which describes the residential bonus provisions unique to the North Bethany Subarea.

5. In Area of Special Concern 5, the following changes were made:
 - In the Park Blocks, a provision was added that requires two north-south pedestrian-bicycle accessways to be provided if fewer than five north-south streets are provided in the Park Blocks area.
 - The name for the referenced trail was changed to the Waterhouse Powerline Trail Corridor.
 - A provision was added that curb bump-outs shall be used for streets in the vicinity of the Park Blocks, subject to design approval of the County Engineer.
6. Changes to the maps of the initially filed ordinance are:
 - The map titled "Areas Eligible for a Density Bonus in the R-6 NB District" was amended by reducing the number of sites that would be eligible for a density bonus in this district.
 - The "North Bethany Subarea Northeast Neighborhood" map was amended to show the new alignment of Primary Street P-16. The alignment of P-16 was previously modified by A-Engrossed Ordinance No. 744.
7. Section IV, North Bethany Subarea Plan and Maps, was amended to add text designating four maps as official regulatory maps for the locations of principal features of the Subarea.

Comprehensive Framework Plan for the Urban Area

Amendments made to the text of the initially filed ordinance for Policies 43 and 44 are described below.

1. Changes to Policy 43 (Community Design for New Urban Areas):
 - The policy statement was amended to specify that the lands subject to this policy are lands added to the Urban Growth Boundary in or after 2002.
 - Implementing Strategy e. was amended to state that the four small commercial corner commercial areas in the Subarea Plan are to be located at a corner of the intersection shown in the Neighborhood Plan maps.
 - Implementing Strategy e. was amended to state that the higher densities in the Subarea Plan are to be located in the Main Street and Park Blocks areas and along the community parks.
2. Policy 44 (Managing Growth in New Urban Areas) was amended by removing the proposed new implementing strategy related to street improvements in the Subarea Plan. In its place, a paragraph was added to the Summary Findings and Conclusions section of this policy that describes the level of street improvements required in the Subarea Plan and how those requirements are different than standards for other parts of urban unincorporated Washington County.

Community Development Code

Amendments made to Community Development Code standards in the initially filed ordinance are described below.

1. Density bonus standards are added to the R-6 NB, R-9 NB, R-15 NB and R-24 NB Districts, and cluster housing is listed as a new Type II allowed use in each district.
2. Sections 390-8.1, 390-9.1, 390-10.1, and 390-12.1 were amended to state that a density bonus may be permitted in the R-6 NB, R-9 NB, R-15 NB, and R-25+ NB Districts through a Planned Development.
3. Section 390-27 was added as the appropriate reference for development standards for Cluster Housing in the R-6 NB, R-9 NB and R-15 NB Districts.
4. The proposed standards for cluster housing and the provision of a density bonus were removed in the R-24 NB District.
5. Sections 390-8.5, 390-9.5, and 390-10.5 were amended to allow density bonus units in the R-6 NB, R-9 NB, and R-15 NB Districts to be any type of housing permitted in those land use districts.

6. Section 390-10 was amended for the R-15 NB District, stating that detached dwellings may be permitted through a Type III Planned Development.
7. In the R-25+ NB District, the maximum permitted building height through a Planned Development was changed from 65 feet to 70 feet.
8. The following changes were made to the proposed standards for Planned Developments (PD) in North Bethany, Section 390-17.
 - a. The definitions of Work Force Housing were changed to include the word "affordable", which is then defined in a foot note.
 - b. The definition of rental Work Force Housing was amended to state that the reference to the cost of rents includes the cost of utility services.
 - c. A reference to Section 390-17.5 A was added to Section 390-17.5 B.
 - d. Modifications were made to Sections 390-17.5 D, 390-17.5 E. (6) and 390-17.5 G. to make grammatical corrections and make the text easier to understand.
 - e. The word "adjacent" was added to Section 390-17.7 B.(1)(c)(i) clarify the reference is to land adjacent to the site of a proposed PD application.
 - f. Section 390-17.7 B.(6)(b) was amended to require a PD to provide receptacles for recycling.
 - g. Section 390-17.8 B. was amended to include a reference to Density Restricted Lands.
 - h. A new option was added to the PD standards that allows an applicant to provide a combination of ownership and rental units when the proposed PD includes the provision of Work Force Housing.
 - i. Section 390-17.10 was amended to state that flag lots and the provisions of Section 390-17.7 B. (5) cannot be used to satisfy this requirement.
 - j. Planned Development Standards for a Density Bonus were added.
 - k. Planned Development Standards for Detached Dwelling Units in the R-15 NB District were added.
 - l. Planned Development Standards for Superior Building and Site Design and Construction were added.
9. Building Design & Variety standards in Section 390-20 were amended to resolve placeholders for garage frontage standards for single-family detached and attached units, and for multi-family street-facing façade articulation; and to refine requirements for siding materials of non-residential buildings.
10. The second sentence of Section 390-21.1 was rewritten to make grammatical corrections and to be more easily understood.
11. New Section 390-26 was added, which allows the adjustment of land use district boundaries when specific standards are met.
12. New Section 390-27 was added, which contains the standards for cluster housing and cottage housing.
13. Section 501-2.6 that was proposed to be added by Ordinance No. 748 was amended and added as a new standard in Section 501-2.2. The new standard requires all development in North Bethany to be subject to standards of Section 501-12, except for one single family dwelling on an existing lot of record.

14. Section 306-7.2 C. in the R-24 District was amended to state that the front yard setback in the R-24 NB District is 10 feet.

Ordinance No. 748 Provisions Added to A-Engrossed Ordinance No. 745

The following proposed amendments from Ordinance No. 748 were added into A-Engrossed Ordinance No. 745:

Bethany Community Plan:

1. Area of Special Concern (ASC) 7 is amended to clarify requirements of the ASC related to the construction of the following improvements, particularly in relation to the final location of Bethany Creek's resource boundary: Primary Street P-2, an off-street trail, a linear park, regional stormwater facilities, potential wetland mitigation sites, and a neighborhood park. A new provision is also added that allows new lots for detached single family dwellings in the R-6 NB District to have access to P-2 when the lots have less than 70 feet of frontage on P-2.
2. New ASC 9 is added, which addresses a multi-family site at the southwest corner of the intersection of NW Brugger and NW Kaiser Roads. The current land use designations of portions of the area are proposed to be changed from R-15 NB and R-6 NB to R-24 NB, as shown on page 2 of Exhibit 3. The requirements proposed in ASC 9 are intended to create a quality pedestrian environment and mitigate the proposed density increase, including potential grade changes and the mass and height of future multi-family buildings.
3. New ASC 10 is added, which addresses a multi-family site in the Main Street Area along Kaiser Road, as shown on page 5 of Exhibit 3. The ASC 10 requirements are intended to allow the land in ASC 10 to develop prior to the adoption of the Main Street Area Urban Design Plan. Proposed requirements address a number of site and building design issues to help ensure that development in advance of the Urban Design Plan will be compatible with future development in the Main Street Area. Other properties in the Main Street Area will continue to be required to develop under the site and building design requirements that will be part of the Urban Design Plan that will be developed in the future.
4. Clarifying amendments are made to some of the provisions in the Central Neighborhood. A new Design Element is also added to the Central Neighborhood which states that the planned Gateways at the intersection of NW Kaiser Road and future Primary Street P-2 will be located between future P-2 and Bethany Creek.
5. The following amendments are made to Subsection E (the Main Street Program Guide):
 - The title is changed to be consistent with its usage in other parts of the Subarea Plan. The amended title is: "North Bethany Main Street Program Guide."
 - A provision is added to the introductory section stating that development in ASC 10 is permitted before the Main Street Urban Design Plan is adopted.
6. Map amendments:
 - A. The "Land Use Designations" map was amended to change the following land use designations:
 - Three properties at the southwest corner of NW Brugger Road are changed from R-6 NB to R-9 NB.
 - Two properties at the southwest corner of the intersection of NW Brugger and NW Kaiser Roads are changed from R-15 NB and R-6 NB to R-24 NB.
 - B. The boundary of Area of Special Concern (ASC) 7 was expanded by adding an area south of Primary Street P-2, between Primary Street P-15 and the western boundary of the Subarea Area Plan.
 - C. The following new Areas of Special Concern were created:

- ASC 9, located at the southwest corner of the intersection of NW Brugger and NW Kaiser Roads.
- ASC 10, located on the west side of NW Kaiser Road within the Main Street Area. The subject property is designated R-25+.

Community Development Code:

New Section 390-28 was added, which contains the standards for an alternative partitioning process for the conveyance of land in North Bethany for parks and regional stormwater facilities.

Comprehensive Framework Plan for the Urban Area:

Amendments were made to the following maps in Policy 40 (Regional Planning Implementation):

- The Transit Corridor map was changed by designating missing sections of NW Springville Road as a Transit Corridor. The Transit Corridor designation was removed from a small area of land due to the realignment of the future intersection of 185th Avenue and Springville Road.
- The Neighborhood Boundaries map was amended to designate the North Bethany Subarea Plan as a Neighborhood, except for the following areas: the land along NW Kaiser Road that is designated as a Main Street and the land along NW Springville Road that is designated as a Transit Corridor.

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Rec.

AGENDA

Continued from 06/19/12

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Fourth Reading and Fourth Public Hearing
Land Use & Transportation; County Counsel (CPO 7)

Agenda Title: **PROPOSED A-ENGROSSED ORDINANCE NO. 745 – AN
ORDINANCE AMENDING ELEMENTS OF THE
COMPREHENSIVE PLAN RELATING TO IMPLEMENTATION
OF THE NORTH BETHANY SUBAREA PLAN OF THE
BETHANY COMMUNITY PLAN**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

On October 25, 2011, the Board authorized filing a new land use ordinance in 2012 to address outstanding placeholder issues related to implementation of the North Bethany Subarea Plan of the Bethany Community Plan. Ordinance No. 745 addresses some of those placeholder issues.

Ordinance No. 745 includes amendments to the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan), the Comprehensive Framework Plan for the Urban Area, and the Community Development Code. Ordinance No. 745 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2012-land-use-ordinances.cfm>

On June 5, 2012, the Board held its second public hearing on Ordinance No. 745 and ordered engrossment of the ordinance, which included the consolidation of Ordinance No. 748 changes. The Board held the first of two public hearings on the engrossed ordinance on June 19, 2012. The staff report for the June 26 hearing will be posted on the above land use ordinance web page prior to the hearing.

- Consistent with Board policy, testimony about the ordinance is limited to three minutes for individuals and twelve minutes for a representative of a group.

Copies of the report will also be available at the Clerk's desk.

DEPARTMENT'S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 745 by title only and conduct the fourth public hearing. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 745.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

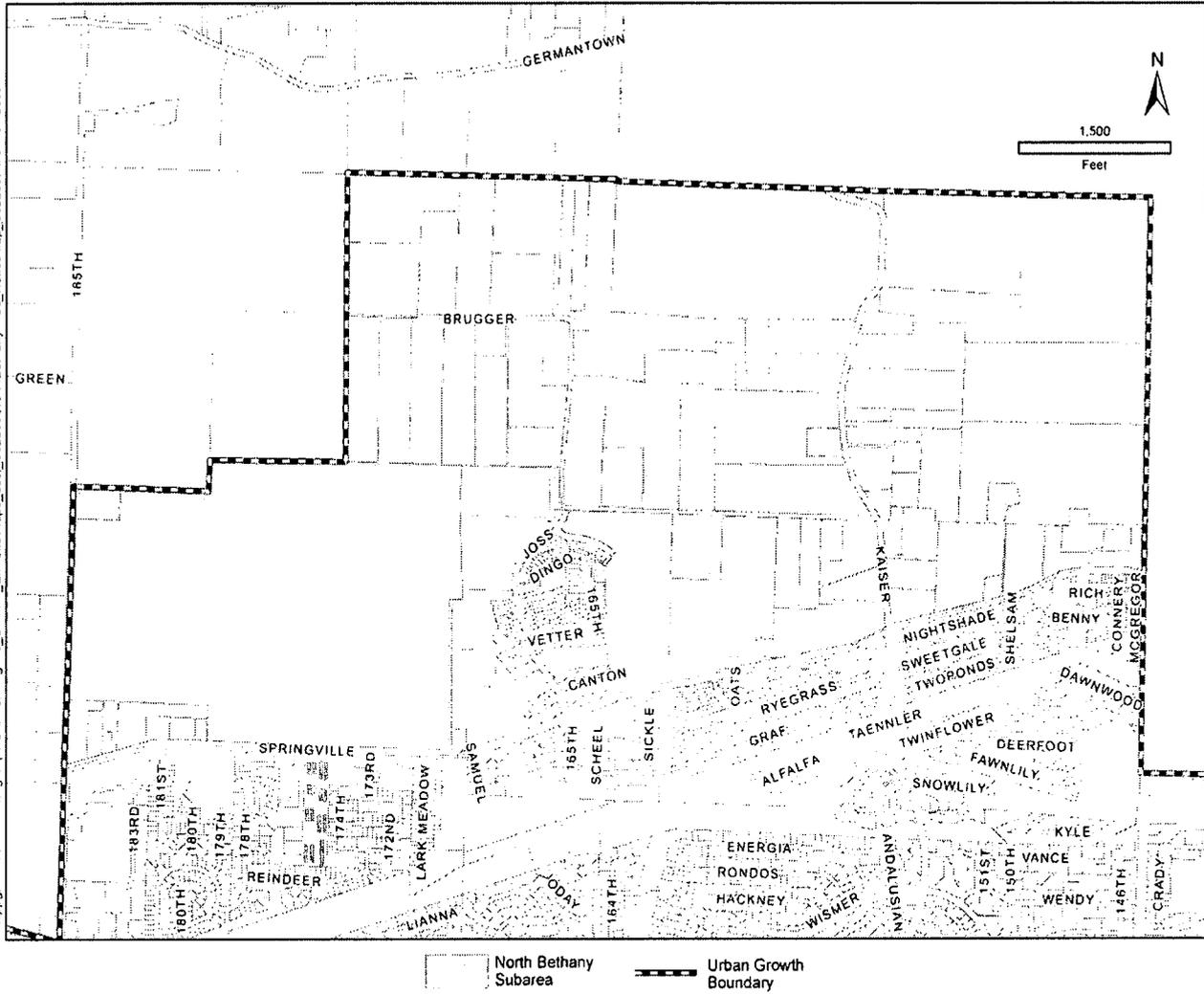
I concur with the requested action.

ADOPTED

Agenda Item No.	10.a.
Date:	06/26/12

PROPOSED A-ENGROSSED ORDINANCE NO. 745 – AN ORDINANCE AMENDING ELEMENTS OF THE COMPREHENSIVE PLAN RELATING TO IMPLEMENTATION OF THE NORTH BETHANY SUBAREA PLAN OF THE BETHANY COMMUNITY PLAN BCC 06/26/12

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FILED

JUN - 8 2012

**Washington County
County Clerk**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE NO. 745

An Ordinance Amending the Bethany Community Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code as Related to the North Bethany Urban Growth Boundary Expansion Area Planning

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

SECTION 1

A. The Board recognizes that the North Bethany Subarea Plan of the Bethany Community Plan, having been adopted in 2009 as the North Bethany Concept Plan which established a framework for how new development should occur in the North Bethany area, modified in 2010 to establish the urban land use designations, or districts, to assure compliance and consistency between the various elements of the Washington County Comprehensive Plan and the state and regional planning regulations for new urban areas, and further modified in 2011 including but not limited to the removal of the FD-20 land use designation to allow development, is now ready for further amendments to address certain policies and planned development standards including but not limited to arterial access spacing and density housing.

B. The Board recognizes that to further implement this concept plan, changes to several elements of the Comprehensive Plan are necessary to address planned development including acquisition of park lands and alignment of Primary Streets, to refine design elements, to designate regulatory maps for the North Bethany Subarea Plan, to clarify land use designations including a

1 change to land use designations upon certain property from R-6 NB to R-24 NB and R-15 NB to R-
2 24 NB, and to make other necessary updates and changes including housekeeping, and are for the
3 benefit, safety, and general welfare of the residents of Washington County, Oregon..

4 C. The Board recognizes that the Bethany Community Plan was adopted by Ordinance
5 Nos. 263 and 265 and amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620,
6 649, 702, 712, 730, 739, and 744.

7 D. The Board recognizes that the Comprehensive Framework Plan for the Urban Area
8 element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9,
9 1986, with portions subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483,
10 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637,
11 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, 733, 739, 742, and 744.

12 E. The Board recognizes that the Community Development Code Element of the
13 Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way
14 of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341,
15 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423,
16 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-
17 489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577,
18 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635,
19 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698,
20 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, 742, 743, and 744.

21 F. Under the provisions of Washington County Charter Chapter X, the Department of
22 Land Use and Transportation has carried out its responsibilities, including preparation of notices,

1 and the County Planning Commission has conducted one or more public hearings on the proposed
2 amendments and has submitted its recommendations to the Board. The Board finds that this
3 Ordinance is based on those recommendations and any modifications made by the Board are a
4 result of the public hearings process.

5 G. The Board further determines that continued, on-going planning efforts concerning
6 North Bethany in response to extraordinary economic conditions in recent years constitute the
7 emergency circumstances that permit less than 35-day notice of this ordinance to the state before
8 the initial public hearing, as provided in ORS 197.610(2), to allow the county to adopt the
9 ordinance in a timely manner and to provide opportunities for economic development.

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

16 SECTION 2

17 The following Exhibits, attached hereto and incorporated herein by reference, are hereby
18 adopted as amendments to the following documents:

19 A. Bethany Community Plan Amendments:

- 20 1. Exhibit 1 (30 pages) – Amending Chapter 2, North Bethany Subarea Plan;
21 and
22 2. Exhibit 2 (7 pages) – Amending the North Bethany Subarea Plan Maps, as
follows:

- a. Page 1 – Creating the “Areas Eligible for a Density Bonus in the R-6 NB District”;
- b. Page 2 – Amending the “North Bethany Subarea Northeast Neighborhood” map;
- c. Pages 3-4 – Amending the “Land Use Designations” map; and
- d. Pages 5-7 – Amending the “Areas of Special Concern” map.

B. Comprehensive Framework Plan for the Urban Area Amendments:

1. Exhibit 3 (2 pages) – Amending Policy 1, the Planning Process;
2. Exhibit 4 (2 pages) – Amending the “Neighborhood Boundaries” map of Policy 40;
3. Exhibit 5 (4 pages) – Amending Policy 43, Community Design for New Urban Areas; and
4. Exhibit 6 (4 pages) – Amending Policy 44, Managing Growth in New Urban Areas.

C. Community Development Code Amendments:

1. Exhibit 7 (1 page) – Amending Section 106, Definitions (*Article I: Introduction and General Provisions*);
2. Exhibit 8 (50 pages) – Amending Sections 306 – R-24 District, and 390 – North Bethany Subarea Overlay District (*Article III: Land Use Districts*);
3. Exhibit 9 (2 pages) – Amending Section 404, Master Planning, and Section 430, Special Use Standards (*Article IV: Development Standards*); and
4. Exhibit 10 (2 pages) – Section 501, Public Facility and Service Requirements (*Article V: Public Facilities and Services*).

SECTION 3

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

SECTION 4

All applications received prior to the effective date shall be processed in accordance with ORS 215.427.

1 SECTION 5

2 If any portion of this Ordinance, including the exhibits, shall for any reason be held invalid
3 or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby
4 and shall remain in full force and effect.

5 SECTION 6

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

11 SECTION 7

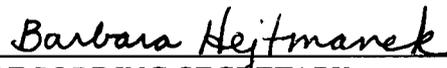
12 This Ordinance shall take effect thirty (30) days after adoption.

13 ENACTED this 26 day of June, 2012, being the 4th reading
14 and 4th public hearing before the Board of County Commissioners of Washington
15 County, Oregon.

16 BOARD OF COUNTY COMMISSIONERS
17 FOR WASHINGTON COUNTY, OREGON:

18 **ADOPTED**

19 
20 CHAIRMAN

21 
22 RECORDING SECRETARY

23 READING

24 PUBLIC HEARING

25 First May 15, 2012
26 Second June 5, 2012

27 First May 15, 2012
28 Second June 5, 2012

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Third June 19, 2012
Fourth June 26, 2012
Fifth _____

Third June 19, 2012
Fourth June 26, 2012
Fifth _____

Malinowski, Terry
VOTE: Aye: Duyck, Schouten, Rogers Nay: _____
Recording Secretary: Barbara Hejmanek Date: 6-26-12

Chapter 2, North Bethany Subarea Plan, of the Bethany Community Plan is amended to reflect the following:

Chapter 2: North Bethany Subarea Plan

III. Background, Planning Process, ~~and~~ Community Design Goals, and Plan Amendments

D. Community Design Goals

The Community Planning work for North Bethany represents an innovative approach for the county and its partner service provider agencies. As compared with the 1983 community plans, the North Bethany Subarea was planned and designed to be a more complete community, with better provision and integration of urban services and amenities. While some degree of flexibility remains, the North Bethany Subarea Plan is a more detailed level of planning, specifically with respect to the design of the public realm. Integrating this level of community planning with urban service facility planning results in a greater degree of certainty for the community, for developers, and for service providers who must provide necessary infrastructure.

Early in the planning process, the Board of County Commissioners established a vision for North Bethany to be a distinct community, yet well-integrated into the existing, larger Bethany community. The vision for North Bethany incorporates:

- high standards for integrating comprehensive plans for urban services such as parks and stormwater management;
- comprehensive design approach that integrates neighborhoods with open space;
- variety of housing choices for a range of affordability levels; and
- community Design Features and Focal Points (e.g., civic space, parks, small neighborhood commercial sites, schools, etc.), that are connected to one another, to adjacent points of interest, and to neighborhoods via multi-modal access routes.

Five design goals form the basis of the North Bethany Subarea Plan. The design goals are complemented by a growth management policy that ensures public facilities and services and urban infrastructure are provided and financed in an equitable and feasible manner.

4. Integration of Urban and Natural Areas – A variety of parks, trails, protected open spaces and water quality facilities will result in a coordinated system that is integrated with the urban fabric.

The planning process prioritized public spaces such as parks and trails as a key element in creating the range of amenities found in complete communities. The design concept for the Subarea Plan is a landform-based design that takes advantage of existing natural features for the

abcdef Proposed additions
abcdef Proposed deletions

location of vantage points, orientation of streets, and drainage of stormwater. The community parks and park block elements form an axis along the existing ridge. This predominant open space feature is complemented by neighborhood parks, trails, and community gathering areas, each of which are located and sized in relation to the surrounding natural and designed landscapes.

The overarching Tualatin Hills Park & Recreation District (THPRD) design objectives that guided the placement of parks and trails are:

- An interconnected network of trails that links destinations throughout the community.
- An integration of park sites and trails with natural areas, where practicable.
- Increase visibility and accessibility of public parks by locating them so that they are adjacent to or accessible from other public areas such as streets and trails. Park sites shall not be largely hidden behind buildings.

The two community parks, which together total approximately 20 acres, anchor the west and east ends of the park blocks. Together, these features provide a fundamental framework for the organization of the Subarea neighborhoods. The western community park will be five and one-half (5½) to six (6) acres. A 15-acre community park anchors the eastern end of the park blocks. Six neighborhood parks range in size and type from one and one-half (1½) to two (2) acres. All residences in the North Bethany Subarea are within a short walk of a park.

The pedestrian trails and connections define and integrate the neighborhoods with the natural areas. In many cases, pedestrian accessways and/or streets are designed to connect with a natural area such that the access and/or the natural area is visible from the public right-of-way. This is distinctly different than many areas of the county where parks and trails are not pre-planned, which often results in natural areas that are hidden in tracts behind private home lots.

A large proportion of the Subarea boundary consists of floodplain and vegetated corridors. These areas provide a natural buffer between the urban uses in the North Bethany Subarea and adjacent rural uses. They also provide opportunities to establish a trail system to provide recreational opportunities to residents. Efforts shall be made to establish trails and connections to natural areas and rural views while reducing conflicts between urban and rural uses.

The Subarea's protected natural resource areas are consistent with the county's 1983 adopted and acknowledged Goal 5 program as well as the 2005 Tualatin Basin Partners Goal 5 Program. In addition, a Goal 5 post-acknowledgement plan amendment (PAPA) was conducted in order to address wetlands, open spaces, and to refine the wildlife habitat designation along Bethany Creek. The Subarea Plan supports habitat-friendly design and development practices, including site design and on-site stormwater management practices. In addition to on-site stormwater management, stormwater will be managed at the street level, through regional stormwater facilities and with the protection of natural resource areas that assist in flood management (such as drainage hazard areas and wetlands). Stormwater quantity and quality facilities are consistent with CWS standards while parks are consistent with THPRD standards.

With the adoption of the North Bethany Subarea Plan, there remained some concerns with the timing and process for acquisition of park land. The county shall consider the possibility of re-addressing this issue as part of the 2013 Planning Division Work Program.

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E. Plan Amendments

Amendments to the North Bethany Subarea Plan shall demonstrate compliance with the provisions of the Comprehensive Framework Plan for the Urban Area (CFP) and the Transportation Plan. Applicable review criteria are identified in Policy 1 of the CFP and Policy 22 of the Transportation Plan.

IV. DESCRIPTIONS OF NORTH BETHANY SUBAREA PLAN AND MAPS

The North Bethany Subarea Plan is comprised of several plans, maps, and figures that are described below. These plans and maps are referenced throughout the North Bethany Subarea Design Elements and the Neighborhood Design Elements (see Section V and Section VI, respectively). The plans and maps are in Section VII.

Four of the North Bethany Subarea Plan maps are designated as official regulatory maps for the locations of principal features of the Subarea: the Land Use Designations Map; the Primary Streets Map; the Parks, Trails and Pedestrian Connections Map; and the Significant Natural Resources Map. These official regulatory maps are the sole maps that control the principal features they reference. The official regulatory maps and other North Bethany maps may also include other data that is present only for informational purposes. For example, the Primary Streets Map may also contain data about the location of Significant Natural Resources, but the location of Significant Natural Resources is regulated by the Significant Natural Resources Map, and not by the Primary Streets Map.

A. Land Use Designations Map

This map shows plan designations (land use districts) for all land in the North Bethany Subarea Plan.

Many of the boundaries between Plan designations are defined by existing and planned features such as the centerlines of streets, powerline rights-of-way, and the future school sites. When the alignment of a planned street is modified through the development review or plan amendment process, the adjacent plan designation(s) will shift to reflect the changed alignment. Adjustments through the development review process are permitted through the provisions of General Design Element 10.c, and Community Development Code Section 390-26.

The Land Use Designations map is the official regulatory map for the location of land use designations in the North Bethany Subarea Plan. Changes to the map’s land use designations shall be made through a plan amendment. A plan amendment is not required for adjustments to the Land Use Designations map; such adjustments are permitted through the development review process described above.

When other North Bethany Subarea Plan maps are amended to ensure consistency with the Land Use Designations Map, such amendments may be accomplished administratively outside of the ordinance and plan amendment process.

C. Primary Streets Map

This map shows streets that comprise the base template of the Subarea Plan.

The Primary Streets provide the fundamental framework and basis for the design of and circulation within the Subarea. Primary Streets include those streets identified on the Functional Classification System Map in Policy 10 of the Washington County 2020 Transportation Plan. In addition, two local streets in the Northeastern Neighborhood are identified as Primary Streets because they establish the northern and southern boundaries of the Beaverton School District site at the eastern boundary.

Most existing streets are Primary Streets that are located within current rights-of-way. These existing streets are incorporated into the planned Primary Street network to improve efficiencies for future development.

Modifications to the planned alignments of the Primary Streets are permitted through the development review process or through a plan amendment. Permitted modifications are defined in the General Design Elements and Areas of Special Concern. The design intent for each Primary Street is described in the applicable Neighborhood Design Elements.

The Primary Streets Map is the official regulatory map for the location of Primary Streets in the North Bethany Subarea Plan. Changes to the mapped location of the center line of a Primary Street shall be made through a plan amendment. A plan amendment is not required for modifications to the planned alignments of Primary Streets that are permitted through the development review process described above.

When other North Bethany Subarea Plan maps are amended to ensure consistency with the Primary Streets Map, such amendments may be accomplished administratively outside of the ordinance and plan amendment process.

E. Parks, Trails and Pedestrian Connections Map

This map shows the location of all planned community and neighborhood park locations, off-street trails, and on-street pedestrian routes that are required to be provided in the North Bethany Subarea. Community parks and the Park Blocks are shown as Fixed Parks. Neighborhood park locations are flexible within the geographic areas noted on the map. Refer to the General Design Elements for location criteria for each neighborhood park.

The final location and configuration of all parks and trails will be determined by THPRD, either prior to or as part of the development review process. The site determination process will provide the opportunity for THPRD to make incremental acquisition arrangements for park and trail properties throughout the Subarea.

While specific park and trail locations will be determined by THPRD, the General and Neighborhood Design Elements define the acreage and intended design parameters for each park site and trail alignment. The preferred Neighborhood Park locations are shown on the Core Design Elements Map and the Neighborhood Plans. In addition, two areas of special concern provide guidance for the Bethany Creek trail corridor (ASC 7) and the Northeast Neighborhood linear park (ASC 8).

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In several instances, trail connections rely upon on-street pedestrian routes (i.e., sidewalks) to establish a connected and continuous trail network. Where these on-street segments follow required Primary Streets, trail connections are more certain. There is less certainty where the on-street segments follow non-Primary Streets. A connection is still required, however, its exact location and format (i.e., on-street or off-street) will be determined at the time of development. The non-Primary Streets shown in the Neighborhood Plans illustrate a preferred design outcome and are intended as guidance for future development. Special attention must therefore be given to assure adequate trail connections are obtained in order to provide a complete trail system.

The Parks, Trails and Pedestrian Connections map is the official regulatory map for the location of parks, trails and pedestrian connections in the North Bethany Subarea Plan. Changes to the mapped location of these facilities shall be made through a plan amendment. A plan amendment is not required for adjustments to the location of these facilities that are permitted through the development review process as described above.

When other North Bethany Subarea Plan maps are amended to ensure consistency with the Parks, Trails and Pedestrian Connections Map, such amendments may be accomplished administratively outside of the ordinance and plan amendment process.

F. Significant Natural Resources Map

The generalized location of Goal 5 designations in the North Bethany Subarea that were identified prior to the 2002 UGB expansion for the North Bethany Subarea, including Water Areas and Wetlands & Fish and Wildlife Habitat areas, have been moved from Chapter 1 to Chapter 2 of the Bethany Community Plan. Through the concept planning process for the North Bethany Subarea, these designations were also refined in conjunction with the development of a Local Wetland Inventory.

Significant resources were identified through the application of statewide Land Use Planning Goal 5. The Significant Natural Resources Map included in Chapter 2 shows the general locations of two types of newly identified Goal 5 resources: Locally Significant Wetlands and Open Space. Locally Significant Wetlands are wetland areas that are important for reasons related to location, size, quality and/or function. (Note that not all jurisdictional wetland areas are defined as significant pursuant to Goal 5 and therefore, not all jurisdictional wetland areas are shown on the map; the depictions are limited to those wetlands in the North Bethany Subarea that were determined to be significant.)

The Locally Significant Wetland boundaries depicted on the Significant Natural Resources Map represent preliminary planning level information. More refined and precise on-site delineations of the Locally Significant Wetland areas and vegetated corridors will be provided through the development review process and it is expected that the boundaries shown on the Significant Natural Resource Map will be adjusted accordingly. Delineation of the ultimate site boundaries for these features will be coordinated with the county and Clean Water Services and shall take into account all applicable regulations and Plan requirements.

Open Space resources shown on the Significant Natural Resource Map include generalized locations for future parks and off-street trails, as well as existing features such as powerline rights-of-way, an existing cemetery and school ball fields and playgrounds. The ball fields and playgrounds for future schools will be designated as Open Space when they have been constructed.

The Significant Natural Resources map is the official regulatory map for the location of Goal 5 resources in the North Bethany Subarea Plan. Changes to the mapped resource boundaries shall be made through a plan amendment. A plan amendment is not required for adjustments (such as

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adjustments to Locally Significant Wetland boundaries and to school ball fields and playgrounds) that are permitted through the development review process described above.

When other North Bethany Subarea Plan maps are amended to ensure consistency with the Significant Natural Resources Map, such amendments may be accomplished administratively outside of the ordinance and plan amendment process.

N. Areas Eligible for a Density Bonus in the R-6 NB District Map

This map shows the location of properties that are designated R-6 NB and are eligible to receive a density bonus when the applicable standards in the Community Development Code are met. The maximum density permitted under the density bonus is nine (9) units per acre.

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

All new development shall be consistent with the following design elements and Area of Special Concern requirements.

A. General Design Elements

10. Circulation

ba. New development shall connect the Primary Street system using CDC Sections 390-22.3 and 408 regarding standards for Local Street Connectivity lands along with applicable requirements of this plan such as ASC 6, Northeast Neighborhood Local Street Circulation.

eb. Access onto arterials and collectors may be limited consistent with applicable Areas of Special Concern requirements, which in some cases will require developments to have shared/consolidated access points to these streets. Access to these streets shall be limited to the locations shown on the Primary Streets Map, subject to compliance with the applicable ASC Road Corridors and county sight distance ~~and access spacing~~ requirements. Additional access points may be provided onto arterials and collectors when they meet the access spacing standards or a modification to the access spacing standards is approved.

ac. New development shall dedicate right-of-way for new streets and extensions and alignments of existing streets as indicated on Washington County’s Transportation Plan and the Primary Streets Map. New development shall also be subject during development review to CDC Article V standards that implement the North Bethany Subarea growth management policy.

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1. Modifications to the planned alignments of the Primary Streets are permitted through the development review process as described in Table A, or through ~~a~~ the plan amendment requirements of Transportation Plan Policy 22. ~~The planned centerline may move up to twenty-five (25) feet through a Type II or Type III development application. Modifications greater than twenty-five (25) feet shall be subject to the plan amendment requirements of Transportation Plan Policy 22, implementing strategies 22.3 (A) or (B).~~

Table A: Modifications to the Alignment of Primary Streets

<u>Review Process</u>	<u>Review Standards</u>
<u>Type II or III Development Review</u>	<u>The planned centerline may move up to seventy-five (75) feet when the standards in Section 2 below are met; or</u> <u>The planned centerline may move within a specified Primary Street corridor when the standards in Section 3 below are met.</u>
<u>Type II or III Planned Development</u>	<u>The planned centerline may move more than seventy-five (75) feet when the standards in Section 4 below are met.</u>

2. The planned centerline of a Primary Street may move up to seventy-five (75) feet when the following criteria are met:
 - (a) The proposed alignment will not cause the alignment of any part of the total length of the subject Primary Street to move on another property unless that property owner provides written consent approving the proposed alignment on his/her property. Without the written consent of an affected property owner, the proposed alignment shall be reviewed as a plan amendment and meet the requirements of Transportation Plan Policy 22;
 - (b) The realigned Primary Street continues to connect to the same Primary Street(s) shown on the Primary Streets Map;
 - (c) The proposed alignment provides a similar degree of connectivity to existing and planned streets. Where a future Primary Street is shown to be direct (including its connection to another Primary Street) it shall remain direct. Where a Primary Street is shown to be circuitous, it shall remain circuitous;
 - (d) The proposed alignment maintains the planned functional classification of new and existing streets in the surrounding area;
 - (e) The location of land use districts shall not shift; and
 - (f) The proposed alignment continues to comply with requirements of the North Bethany Subarea Plan that are applicable to the existing planned alignment, including but not limited to Areas of Special Concern; Neighborhood Design Elements; the Parks, Trails and Pedestrian Connections Map; and the Special Frontages Map.
3. The planned centerline of a Primary Street may move within a specified corridor when:

(a) The Primary Street corridor is adopted by an Area of Special Concern; and

(b) The proposed location meets the requirements of the ASC.

4. The planned centerline of a Primary Street may move more than seventy-five (75) feet when the following criteria are met:

(a) The proposed alignment will not cause the alignment of any part of the total length of the subject Primary Street to move on another property unless that property owner provides written consent approving the proposed alignment on his/her property. Without the written consent of an affected property owner, the proposed alignment shall be reviewed as a plan amendment and meet the requirements of Transportation Plan Policy 22;

(b) The realigned Primary Street continues to connect to the same Primary Street(s) shown on the Primary Streets Map;

(c) The proposed alignment provides a similar degree of connectivity to existing and planned streets. Where a future Primary Street is shown to be direct (including its connection to another Primary Street) it shall remain direct. Where a Primary Street is shown to be circuitous, it shall remain circuitous;

(d) When the centerline of the subject Primary Street forms the boundary between land use districts, the boundary of those land use districts may move with the realigned street's centerline provided the change does not:

(1) Result in a decrease to the minimum density allowed on the affected site; or

(2) Result in an increase to the maximum density allowed on the affected site that is greater than five (5) percent;

(e) The proposed alignment maintains the planned functional classification of new and existing streets in the surrounding area; and

(f) The proposed alignment continues to comply with requirements of the North Bethany Subarea Plan that are applicable to the existing planned alignment, including but not limited to Areas of Special Concern; Neighborhood Design Elements; the Parks, Trails and Pedestrian Connections Map; and the Special Frontages Map.

16. Residential development with curbside mail delivery shall provide centralized or grouped mail boxes that are available-installed prior to the occupancy of the first dwelling unit.

20. Residential development shall maintain a density transect where density transitions gradually from high to low. The largest concentration of density is located along the Park Blocks, the community parks and in and around the Main Street Area. In addition to locating the highest densities in these areas, Higher densities are also located generally located along the park

~~blocks, in the Main Street Area and~~ adjacent to neighborhood commercial designations. Density decreases towards the North Bethany Subarea boundary, with lowest densities along the urban/rural edge and adjacent to Springville Road.

~~PLACEHOLDER: General Design Element #20 is related to a future planning task to develop community development code language for planned development standards, including density bonus provisions. This design element will be amended once the North Bethany planned development code standards have been developed.~~

21. Residential Density Bonus Provisions

Unique to the North Bethany Subarea Plan is its provisions for a density bonus, which were developed to allow a limited number of additional dwelling units in the Subarea. These provisions are also intended to:

- a. provide for more housing variety;
- b. allow denser housing in the Main Street Area through the provision of additional multi-family dwelling units in the R-25+ NB District; and
- c. bridge gaps in the density ranges in North Bethany's land use districts.
- d. In the R-6 NB District, land eligible for a density bonus is designated by the Areas Eligible for a Density Bonus in the R-6 NB District map. Approximately 35 acres of land in the R-6 NB District is eligible for a density bonus.

B. Areas of Special Concern

ASC 5 – Park Blocks Local Street Circulation and Setbacks

The Park Blocks ASC includes the Park Blocks and developable residential land to the north and south. The Park Blocks are situated along the top of a ridge that extends in an east-west direction. From this vantage point, views are available to the Tualatin Hills (north and east) and the Tualatin River Valley (south and west). The Park Blocks are centrally located within the Subarea and adjacent to community gathering locations including the two community parks and the North Bethany Main Street area. The shorter east-west block lengths are designed to maximize pedestrian connections to the Park Blocks and associated views from the ridgeline. The following requirements apply in the Park Blocks ASC:

1. Comply with the connectivity and block length standards of CDC Section 408-6, with the following exception:
 - a. The ~~n~~North-~~s~~South block length between the Park Blocks and Primary Street P4 ~~may~~ exceed 530 feet in conjunction with the pedestrian accessway shown on the Parks, Trails and Pedestrian Connections Map and described below under item 6 of this ASC.

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2. East-~~w~~est block lengths may be longer than what is shown on the Neighborhood Plan within the following specifications:
 - a. The block lengths along the entire length of the Park Blocks shall be relatively uniform, with a maximum variation of ten (10) percent.
 - b. The north-south block length as shown on the Neighborhood Plan and the Block Perimeter Standards in Section 408-6 shall be met.
 - c. There shall be no fewer than ~~five (5)~~four (4) north-south streets intersecting the Park Blocks between the ~~Waterhouse p~~Powerline ~~Trail e~~Corridor and Kaiser Road. If fewer than five (5) north-south intersecting streets are provided, a minimum of two (2) north-south pedestrian-bicycle accessways shall be provided between the powerline corridor and Kaiser Road. These north-south pedestrian-bicycle accessways shall be a minimum of ten (10) feet in width, shall comply with the standards of CDC Section 408-9, and shall extend between NW Brugger Road and Road P4, including crossing through the Park Blocks.

10. In order to minimize the distance between pedestrian street crossings in the vicinity of the Park Blocks, curb bump-outs shall be used on the adjacent streets that run parallel and perpendicular to the Park Blocks, subject to the design approval of the County Engineer.

ASC 7 – Bethany Creek Trail Corridor and Rossetta Street (Primary Street P2) Corridor Alignment

ASC 7 addresses the design configuration of the trail corridor to the north of Bethany Creek (which runs parallel to the north side of Springville Road) and the specific location of the adjacent ~~corridor for~~ Primary Street ~~P2 that runs parallel to~~ Street P2 on the Primary Streets and Core Design Elements Maps) that is generally parallel to the trail. The ultimate placement of the P2 ~~S~~street and other nearby planned components (trail, linear park, neighborhood park, and regional stormwater facilities or other LIDA facilities approved by CWS) depend on the location of the boundary of the Bethany Creek wetland/Vegetated Corridor buffer and future site-specific facility design. ~~†~~This ASC describes the intent that the multi-purpose design shall follow.

The Subarea Plan identifies the approximate boundary of a protected wetland/habitat area along with the approximate boundary for the associated Vegetated Corridor buffer (resource boundary). (For the purpose of this ASC, the term "resource boundary" refers to the edge of these combined areas and not the edge of the wetland/habitat area. The specific boundary for this protected ~~natural resource area~~ shall be delineated on-site as a preliminary step for development in the ASC.) Beyond the limits of the ~~Vegetated Corridor buffer~~resource boundary, CWS's North Bethany Drainage Master Plan calls for stormwater treatment facilities along the north side of the protected area; wetland mitigation may also occur in this area. At the time of the adoption of the North Bethany Subarea Plan, the specific sizing and location of stormwater facilities was not determined; likewise with respect to the need for wetland mitigation sites. Future development applications for properties in the ASC must reflect coordination with CWS to determine the ultimate size and locations of stormwater quantity and quality facilities.

The Subarea Plan calls for a ~~pedestrian~~-trail along the north side of this stretch of Bethany Creek in between the protected area and the ~~P2 s~~Street. This ASC requires development of the area to incorporate a design that combines the functions of the sidewalk on the south side of the adjacent

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P2 ~~s~~Street with a landscaped and appropriately lighted ~~pedestrian~~ trail adjacent to the protected ~~resource~~ area. The ~~multi-purpose~~ trail shall be sized and designed for shared use by bicycles and pedestrians and must be designed in collaboration with THPRD. A meandering asphalt trail with planted tree canopy and adequate room for access of maintenance vehicles is one design example. Because the trail replaces the sidewalk in some locations and serves a dual trail-sidewalk purpose, it shall be hard-surface and the adjacent street alignment shall be adjusted to generally follow the trail. (This may result in a narrowing of the width of this Fixed Park (linear park) designation as depicted on the "Park, Trails and Pedestrian Connections Map".) The ~~developed-trail-corridor~~, mitigation sites and regional stormwater facilities shall be located outside the right-of-way for ~~the P2 s~~Street-P2; the right-of-way width that otherwise calls for sidewalk shall be used for additional landscape and/or street LIDA area in the linear park. Since the final alignment of the trail and the P2 Street cannot be determined until the final delineation of Bethany Creek's resource boundary has been determined, the centerline of the P2 Street may be adjusted within the boundary of ASC 7.

The trail along Bethany Creek encounters several distinct conditions. These are described below and are illustrated in the two following sketch designs and three cross-section drawings.

1. In general it runs between the Bethany Creek open space and a parallel neighborhood street (P2 Street). The trail will roughly follow the resource boundary ~~of the resource area~~. If the distance between the street right-of-way and the resource boundary is 25 feet or more, the area between the trail and the street can be used as ~~(pocket)~~ park space (e.g., a pocket park).
2. Because of the meandering nature of the open space area, there ~~are~~ may be some locations where the distance between the street right-of-way and the resource boundary is less than 25 feet. In this situation, the street's sidewalk and trail should be combined into one facility by widening the sidewalk to 12 feet.
3. In some locations there ~~is~~ may be enough space between the street right-of-way and the resource boundary (approximately 100 feet or more) to accommodate the trail, regional stormwater facilities, and ~~a~~ private ~~(residential)~~ property ~~(ies)~~. (This situation could occur in the area east of Primary Street P15 and south of Primary Street P2 if a neighborhood park is not provided in this area.) In this situation the trail will run between the private property and the open space. It is important to balance the demands for privacy for the private property with the needs for accessibility, visibility and safety of the public facility ~~ies~~ (the trail and regional stormwater facilities). The best way to do this ~~is~~ could be by developing the trail and regional stormwater facilities first, before the private property develops, and to guide the development of the private property with design guidelines that protect the quality of the trail and the functionality of and access to the regional stormwater facilities.
4. The P2 Street, the trail, the linear park, and the regional stormwater facilities shall be located in ASC 7. The final location of these facilities will be determined during the development review process when the final resource boundary of Bethany Creek's wetlands and Vegetated Corridor buffer will be determined. Consequently, the centerline of the P2 Street may be adjusted within the boundary of ASC 7 without the use of a Planned Development application, even if portions of its centerline move more than 75 feet.
5. Direct access to the P2 Street from detached dwellings on R-6 NB lots adjacent to the P2 Street is permitted when lots have less than 70 feet of frontage on the P2 Street.

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Area of Special Concern 9 – Multi-Family Site at the Southwest Corner of NW Brugger and NW Kaiser Roads

ASC 9 addresses the development of property at the southwest corner of the intersection of NW Brugger and NW Kaiser Roads. The site will be fronted on all sides by streets. The future extension of Primary Street P2 will be the southern boundary of the development site. A future local street will be provided at the western boundary of the ASC. Property in ASC 9 is in the R-24 NB District.

Design Elements

In order to create a quality pedestrian environment and mitigate the density transition and the mass and height of multi-family buildings, development in ASC 9 shall meet the following requirements:

1. Ground level dwelling units shall be provided adjacent to the frontage of each street when dwelling units are provided adjacent to a street. Each dwelling unit shall have its front door open onto a stoop, porch or paved walkway adjacent to the street's sidewalk.
2. Where structured parking is provided, including tuck-under parking, it shall be screened to limit its visibility from adjacent streets and any accessways. Screening shall consist of one of the following, located between the structured parking area and the street or accessway:
 - a. Habitable ground floor building area; or
 - b. The setback area between the property line and the structured parking shall include a landscaped berm that hides the structured parking area. The floor of the habitable building area above the structured parking area shall be within three feet of the new grade (top of berm).
3. Vehicular access to parking areas shall be limited to one curb cut for each parking area. The maximum curb cut width shall be 24 feet.
4. Where surface parking is provided, it shall be screened to limit its visibility from adjacent streets and any accessway. Screening shall consist of one of the following, located between the surface parking lot and the street or accessway:
 - a. Habitable ground floor building area; or
 - b. Landscaping and screening structures, including trellises and a mixture of trees and shrubs, which at maturity will be capable of screening the parking area.
5. The overall length of buildings shall not exceed 300 feet.
6. When the length of a building exceeds 100 feet, a full building height recess that is at least 10 feet wide by 10 feet deep is required for each 100 feet of building length.
7. When a street-facing building facade is more than 750 square feet in area, the building wall plane shall be divided into smaller planes of 500 square feet or less. This division of a building wall plane into smaller planes may be accomplished by including one or more of the following elements:

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- a. A porch, a dormer that is at least four feet wide, or a balcony that is at least three feet deep and is accessible from an interior room;
 - b. A bay window, extending the full height of a floor or floors, that extends at least two feet; or
 - c. Recessing a section of the facade by at least two feet. The recessed section must be at least six feet wide.
8. Fifteen percent of ground level building façades shall be window area. Ten percent of the remaining building facades shall be window area. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited on the ground floor;
9. To soften the visual impact of grade changes and the height and mass of buildings, the following measures are required:
- a. Buildings shall be designed and constructed to follow the site's topography, which may require buildings to be stepped down to follow the existing grade in some locations;
 - b. Grade changes within ASC 9 and along its perimeter shall be terraced to limit the height of retaining walls to no more than five feet;
 - c. Retaining walls shall be set back a minimum of 10 feet from the back of the sidewalk(s) along perimeter streets and shall be faced with brick or stone veneer;
 - d. Terraced areas along the perimeter of the ASC shall be filled at a 1 to 2 ratio and planted with trees and shrubs; and
 - e. Tall building foundation walls shall be filled at a 1 to 2 ratio and landscaped so that no more than four feet of the wall is exposed. Landscaping shall include trees and shrubs.
10. Trees and shrubs shall be provided in the setback areas along the western, eastern and southern property lines to help minimize the height and mass of buildings and differences in grade from adjoining properties.

Area of Special Concern 10 – Early Development of a Main Street Area Residential Site

ASC 10 addresses the early development of an approximately two acre portion of Tax Lot 800, Tax Map 1N1 17B, that is designated as R-25+ NB. Most of ASC 10 is in the Main Street Area on the west side of NW Kaiser Road, between Primary Street P4 and the Neighborhood Commercial Mixed Use District site. The purpose of ASC 10 is to allow the owner of Tax Lot 800 to develop this property under a single development application beginning in 2012.

Design Elements

In order to ensure that development in ASC 10 will be complementary to development in the remainder of the Main Street Area, the development of the site in ASC 10 shall comply with the following Design Elements when a development application is submitted prior to the adoption of the Main Street Area's Urban Design Plan.

1. Development in ASC 10 shall be a Planned Development application. The application shall be reviewed at a public hearing in order to provide nearby residents, property owners and other interested parties the ability to provide oral testimony.

2. Prior to the submittal of an application, the applicant shall conduct at least one public design workshop that addresses how the proposed development addresses these Design Elements and other applicable requirements of this Community Plan and the Community Development Code. The design workshop shall satisfy the neighborhood meeting requirements in CDC Section 203-3. Minutes of the workshop shall be included in the application materials.
3. Site and building design, including building setbacks and building orientation, shall be based upon the most recent available road engineering design information for NW Kaiser Road from the Department of Land Use and Transportation. If the ultimate road right of way has not been determined at the time of the submittal of a development application, the site and building design shall be based upon Street Design Type AR-b (the street design cross section for the "Kaiser Road Main Street") in Section VII., Subsection A of this Community Plan. The site and building design shall also comply with the requirements of ASC 2 and other applicable provisions of this Community Plan.
4. There shall be no vehicular access to ASC 10 from NW Kaiser Road, except for Primary Street P4.
5. In order to create a quality pedestrian environment, vehicular access to parking shall be limited to one curb cut per parking area. The maximum curb cut width shall be 24 feet.
6. Where surface parking is provided, it shall be screened to limit its visibility from adjacent streets and any accessway. Screening shall consist of one of the following, located between the surface parking lot and the street or accessway:
 - a. Habitable ground floor building area; or
 - b. Landscaping and screening structures, including trellises and a mixture of trees and shrubs, which at maturity will be capable of screening the parking area.
7. Where structured parking is provided, including tuck-under parking, it shall be screened to limit its visibility from adjacent streets and the accessway. Screening shall consist of one of the following, located between the structured parking area and the street or accessway:
 - a. Habitable ground floor building area; or
 - b. The setback area, between the property line and the structured parking, shall include a landscaped berm that hides the structured parking area. The floor of the habitable building area above the structured parking area shall be within three feet of the new grade (top of berm).
8. Development in ASC 10 shall construct the section of east-west accessway located along the ASC's southern boundary. This section of the accessway shall include the following improvements:
 - a. The accessway shall be constructed with textured paving materials and include three of the following features: a plaza or courtyard, walls for sitting or with planters atop, concrete or ceramic free-standing planters, or public art.
 - b. Pedestrian scaled lighting shall be provided along the length of this section of the accessway in order to create a safe night time pedestrian environment.

c. A pedestrian and bicyclist connection shall be provided to the adjacent residential development.

9. NW Kaiser Road and Primary Street P4 Frontages

Development adjacent to NW Kaiser Road and Primary Street P4 shall comply with the following requirements:

- a. Building height shall be a minimum of three stories.
- b. Ground level dwelling units shall be provided adjacent to the frontage of each street. Each dwelling unit shall have its front door open onto a stoop, porch or paved walkway adjacent to the street's sidewalk.
- c. The following build-to-setbacks are applicable:
 - (1) For NW Kaiser Road, the minimum setback is five feet and the maximum setback is ten feet;
 - (2) For Primary Street P4, the build-to-setback is the applicable setback of the Primary District; and
 - (3) When a setback equal to or greater than ten feet is provided, at least 50 percent of the setback area shall be landscaped with grass, ground cover or low shrubs. Hardscape materials, including concrete or brick, and shall be limited to no more than 50 percent of the landscape area.
- d. The construction of a low fence or sitting wall at the back of the sidewalk along NW Kaiser Road is desirable in order to help define the curve of the Main Street Area. If provided, the height of a fence shall not exceed three feet in height. Fencing materials are limited to the use of powder coated metal. Wood, plastic/vinyl or aluminum materials are not permitted for a fence. If provided, the height of a wall shall be 15 to 22 inches in height, and the wall shall be faced with brick or stone veneer. If a fence or wall is provided along Primary Street P4 or a future western street, it shall also comply with these standards.

10. Accessway Frontage

Development adjacent to the accessway along the southern boundary of ASC 10 shall comply with the following requirements:

- a. The build-to-setback is the applicable setback of the Primary District;
- b. Ground level dwelling units shall be provided adjacent to the accessway frontage. These units shall have one or more doors opening to stoops, porches, decks or paths. The doors are not required to be the "front" door of these units. A primary building entrance for use of the public is not required; and
- c. Landscape area: At least 50 percent of the setback area shall be landscaped with grass, ground cover or low shrubs. Hardscape materials, including concrete or brick, shall be limited to no more than 50 percent of the landscape area.

11. Western Street Frontage

Buildings along ASC 10's western boundary shall have a build-to-setback that is the applicable setback of the Primary District.

12. Building Facades

Well designed building façades that use quality building materials are essential within the Main Street Area. The dominant feature of the facades shall be habitable areas with accompanying windows and doors. The building façades along all adjacent streets and the accessway shall comply with the following requirements:

- a. The overall length of a building shall not exceed 300 feet.
- b. When the length of a building exceeds 100 feet, a full building height recess that is at least 10 feet wide by 10 feet deep is required for each 100 feet of building length.
- c. When a street-facing building facade is more than 750 square feet in area, the building wall plane shall be divided into smaller planes of 500 square feet or less. This division of a building wall plane into smaller planes may be accomplished by including one or more of the following elements:
 - (1) A porch, a dormer that is at least four feet wide, or a balcony that is at least three feet deep and is accessible from an interior room;
 - (2) A bay window, extending the full height of a floor or floors, that extends at least two feet; or
 - (3) Recessing a section of the facade by at least two feet. The recessed section must be at least six feet wide.
- d. Fifteen percent of ground level building façades shall be window area. Ten percent of the remaining building facades shall be window area. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited on the ground floor;
- e. For buildings with flat roofs, the roof shall have either 12 inch eaves or a cornice. Parapets shall have a cornice. Cornices shall have two parts - The top part of the cornice shall project at least six inches from the face of the building and be at least two inches further from the face of the building than the bottom part of the cornice. The cornice shall have a minimum height of 11 inches.
- f. Required building materials
 - (1) Siding materials shall be limited to brick, stone veneer, or wood siding that meets the standards in Design Element 13. Metal or "cultured" concrete block may be used when the standards listed in Design Element 14 are met.
 - (2) Each building façade shall use a minimum of two types of siding materials, each with an area of no less than twenty percent of the façade. However, brick or stone veneer siding material may be used singly and applied to the entirety of a façade.

13. Standards for Wood or Horizontal Lapped Siding

- a. Wall materials shall be of:
 - (1) Horizontal lapped siding;
 - (2) Wood shingles; or
 - (3) Board and batten with 1x2 battens equally spaced no more than two feet on center.
- b. Window and exterior door (with or without glass lites) materials shall be of:
 - (1) Wood; or
 - (2) Metal, painted or clear anodized.
- c. Main entries shall be marked between the ground floor and the upper floors by an awning or canopy with a minimum width of eight feet and a minimum projection of four feet. Awnings and canopies shall be made of glass, metal or exterior grade fabric, or a combination of these materials.
- d. A minimum of two types of siding materials and/or siding styles, separated by trim that is a minimum of 5 1/2 inches wide. For street-facing and/or alley facing facades, the secondary type shall have a minimum area of 20 percent of the overall façade.
- e. Columns are not required. If columns are provided, columns and supporting pillars on street-facing facades must meet one of the following standards. Wrought iron style supports will not satisfy this standard.
 - (1) Large columns that are divided visually into clear areas of top, center and bottom. Large rectilinear columns shall be at least 8 inches by 8 inches. Large rounded columns shall have a diameter of at least 8 inches; or
 - (2) Groupings of two, three or four small columns that are divided visually into clear areas of top, center and bottom. Small rectilinear columns shall be at least 4 inches by 4 inches. Small rounded columns shall have a diameter of at least 4 inches.
- f. The façade treatments listed below shall be provided on all sides of a building:
 - (1) Variation in wall surface pattern, siding material or siding style;
 - (2) Fully trimmed windows and doors. Trim shall be a minimum of 3 1/2 inches wide and completely surround the windows and/or doors; and
 - (3) Corner trim/corner boards, 3 1/2 inch minimum exposure.
- g. Provide a band, band course, band molding, belly band, belt course, or similar horizontal element of relatively slight projection, which marks a horizontal division in the wall plane between each floor. Such bands or courses shall be a minimum of 7 1/2 inches in width.
- h. The ground floor façade shall be brick, stone veneer, or "cultured" concrete block as specified in Design Element 14.

i. Street-facing facades at the ground level of the structure shall include the use of larger windows on the ground floor façade and smaller windows on the upper floors, or a row of transom windows above the main windows on the ground floor façade.

14. Standards for metal or "cultured" concrete block siding materials:

a. Metal siding materials shall be of flat metal panels with concealed fasteners. Panels shall have a 24 inch maximum width, a factory-applied painted coating, and a 22 gauge minimum thickness.

b. "Cultured" concrete block [i.e. concrete masonry unit (CMU)] materials shall be allowed as follows:

(1) For stem-wall or ground-floor applications only.

(2) Finishes may be split-face, ground face, glazed (pre-faced), or unpainted.

E. Central Neighborhood

The Central Neighborhood extends north from NW Springville Road to Road A. Generally, the western boundary is the Waterhouse Powerline Trail Corridor and the eastern boundary is NW Kaiser Road.

The most prominent natural features of this neighborhood are the ridge that runs east-west along the highest point, and the associated views of the surrounding area including the Tualatin Mountains, Chehalem Mountains and Tualatin River valley. Other notable features include an ash forest/wetland south of the Park Blocks and Bethany Creek.

The key design parameters for the Main Street Area require the central section of NW Kaiser Road to have the following characteristics:

- A "main street" design (on-street parking, pedestrian scale and urban design features),
- A strong relationship to the Park Blocks and East and West eCommunity pParks,
- A building scale and form which reflects its role as the focal point of the community, and
- A civic use in a central and prominent location with an adjacent public gathering area.

Preliminary programming and design considerations for the main street area are provided in the Main Street Program Guide for the North Bethany Subarea, which shall serve as a template for future urban design plan(s) and development of the area.

Design Elements

1. The Central Neighborhood shall have two neighborhood parks and the linear Park Blocks.
 - a. A one and one-half (1½) to two (2)-acre northern neighborhood park shall be south of Road A and adjacent to the Waterhouse Powerline Trail Corridor or the Abbey Creek tributary.

- b. A one and one-half (1½) to two (2)-acre southern neighborhood park near the P2 Street will have a connection to Bethany Creek and provide a trailhead for the multi-purpose path north of and parallel to Bethany Creek.
 - c. The Park Blocks shall be consistent with ASC 5.
2. The location of higher density along the central ridge and the Main Street Area and the streetscape design along the Park Blocks are intended to make these primary community amenities immediately accessible to a large number of residents. The Park Blocks will support future transit through the placement of the highest residential densities along the Park Blocks and design standards in the Community Development Code.
 3. Trails and pedestrian connections shown on the Parks, Trails and Pedestrian Connections Map shall be provided that are consistent with THPRD standards, and that include the following elements:
 - a. A trail corridor between Bethany Creek and NW Rossetta Street shall be provided consistent with ASC 7.
 4. The Central Neighborhood has ten Primary Streets. Primary Streets shall be provided in new development consistent with Section IV.C. (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary Street is provided below:
 - a. NW Rossetta Street is Primary Street ~~(P2)~~ that parallels Bethany Creek between NW Kaiser Road and Road A. The intersection with NW Kaiser Road north of Bethany Creek serves as the southern gateway to the Main Street Area. P2 is an important east-west connection between Arbor Oaks Subarea and North Bethany Subarea. Development of P2 shall be consistent with ASC 7.
 - b. The Park Blocks are created by two parallel Primary Streets P11 and P12. The western terminus of the Park Blocks shall end at the center of the West Community Park. P11 and P12 cross NW Kaiser Road and terminate at East Community Park and the northern edge of the civic site. Development of these streets shall be consistent with ASC 2 and 5.
 - c. NW Kaiser Road is a Primary Street that will be located primarily in existing right-of-way. Development shall be consistent with ASC 2.
 - d. Primary Street P15 provides a connection to the Park Blocks from NW Springville Road, at the intersection with NW Oats Terrace.
 - e. NW Brugger Road (P6) is a Primary Street that is located in existing right-of-way.
 - f. Primary Street P9 connects NW Brugger Road with Road A.
 - g. Primary Street P4 connects the West Community Park to NW Kaiser Road and the East Community Park.
 - h. NW Springville Road is a Primary Street that is located primarily in existing right of way. Development shall be consistent with ASC 4A.
 - i. Road A is a Primary Street. Development along Road A shall be consistent with ASC Road Corridor 1B.

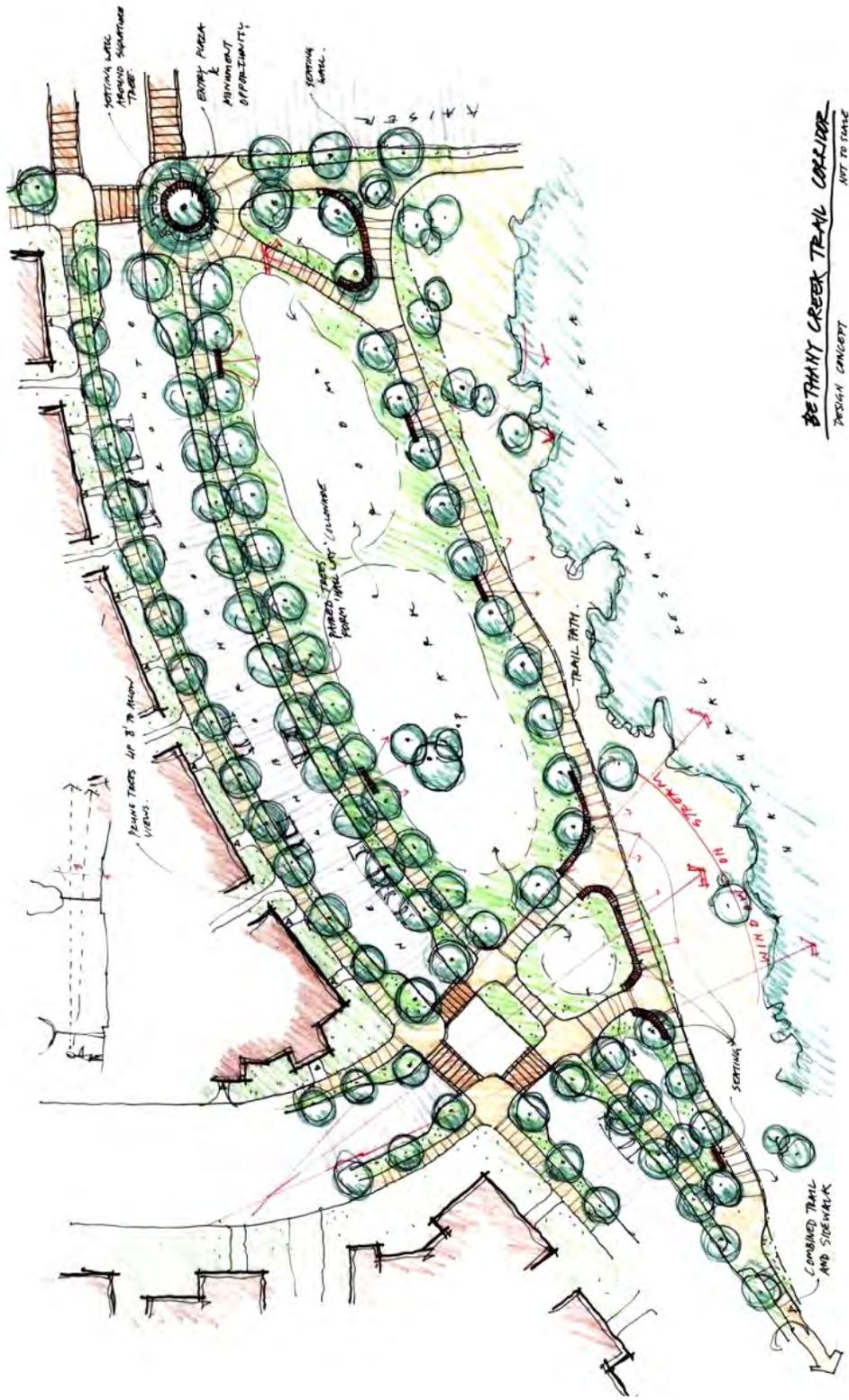
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5. Buildings constructed as part of the Community Park shall be placed near and oriented to adjacent streets and used to define the park edge.
6. The design of the Main Street Area shall be consistent with the intent of the ~~Metro 2040-North Bethany~~ Main Streets Program Guide. This guide is intended to be consistent with the intent of the Metro 2040 Main Streets designation. Examples include high density housing, mixed use buildings, retail and services that are intended to serve the entire North Bethany Subarea.
7. The intersections of NW Kaiser Road / Road A and NW Kaiser Road / NW Rossetta Street are gateways that mark the entrance to the portion of NW Kaiser Road designated as a Main Street. The gateways are identified on the Core Design Elements Map. A design plan shall be prepared that addresses the Neighborhood Plan and Street Design Map elements, development standards and any additional Gateway design treatments.

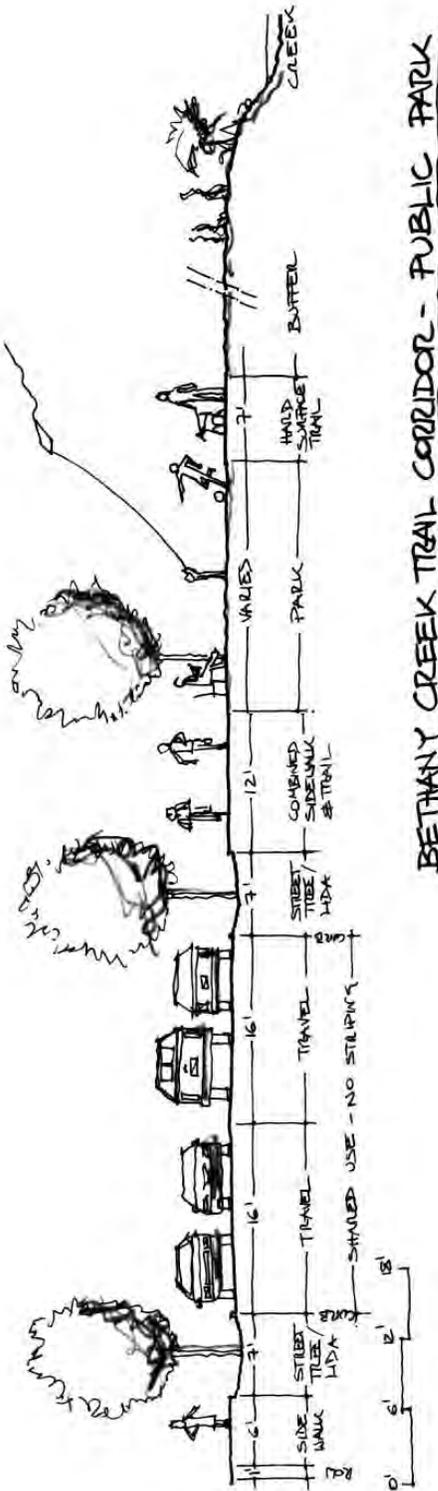
Due to the grade change along NW Kaiser Road, between NW Brugger and NW Springville Roads, the Gateways at the intersection of NW Kaiser Road and Primary Street P2 shall be located south of P2 in the linear park on each side of NW Kaiser Road. (The Gateways are located on each side of NW Kaiser Road at its intersection with P2.) Because the Gateways will be located in the linear park, they shall be designed, and possibly constructed in conjunction with the development of the park.
8. Development shall be consistent with ~~ASC Areas of Special Concern~~ Road Corridors 1B, 2 and 4A and ASC ~~5, and 7, 9 and 10.~~

Bethany Creek Trail Corridor Sketch No. 2



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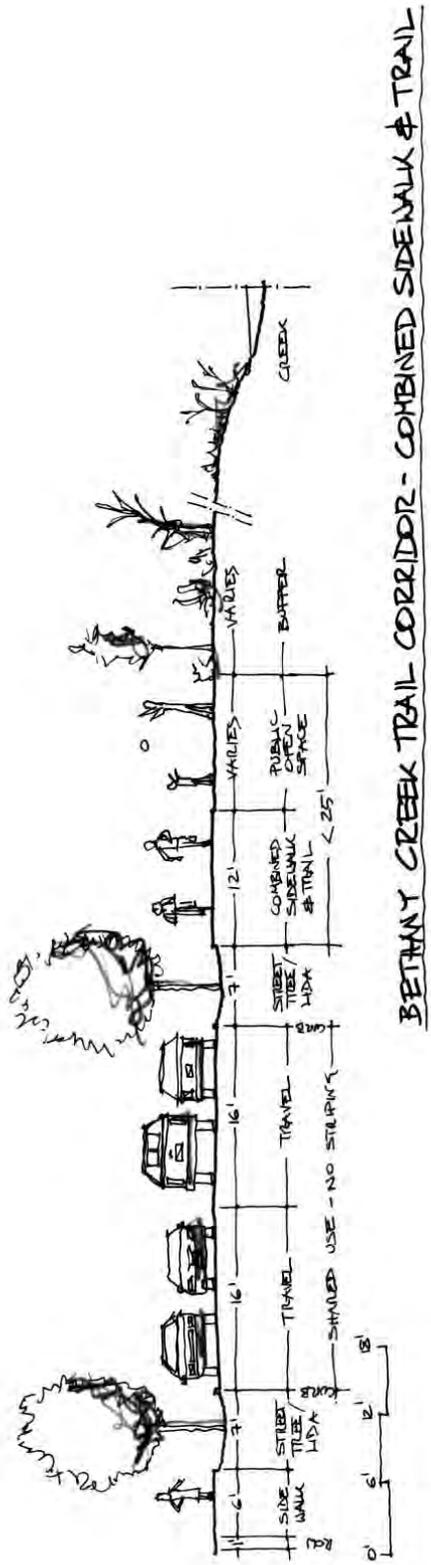
The following cross-sections along the corridor illustrate design solutions that are consistent with the design intent and guidelines described herein for this ASC.



1. Trail and pocket park

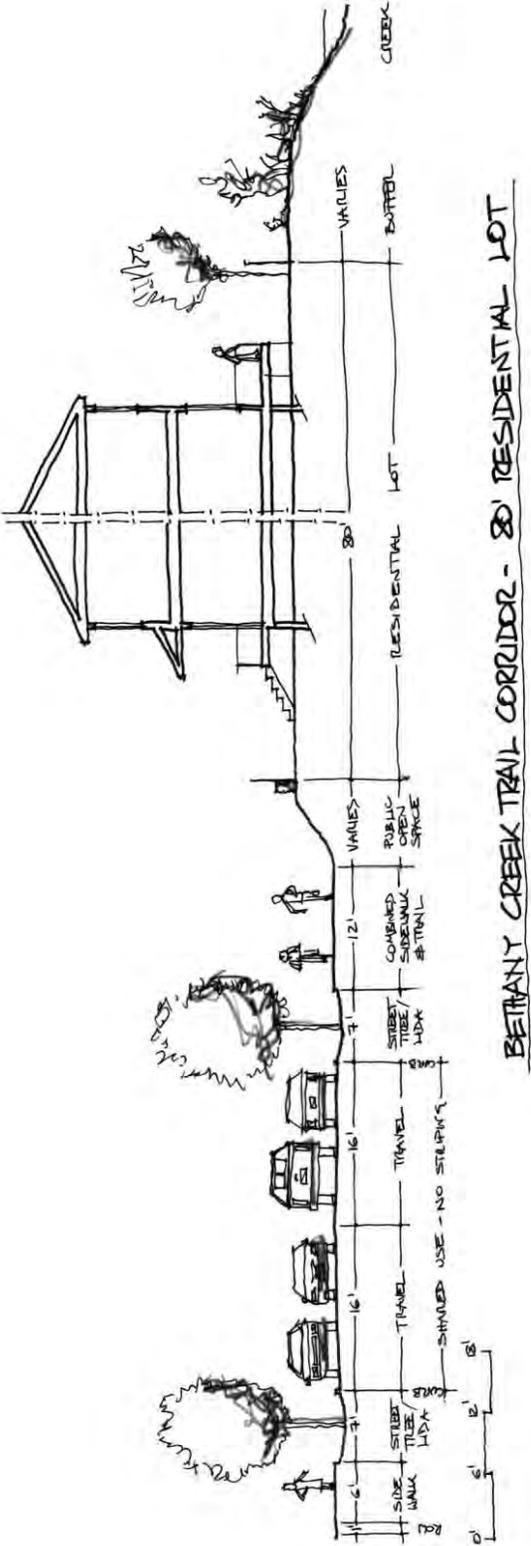
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2. Trail combined with sidewalk



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3. Trail behind private lot



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Subsection E – North Bethany Main Street Program Guide ~~for the North Bethany Subarea~~

Introduction

This North Bethany Main Street Program Guide (Program Guide) identifies plan and design requirements that are specific to development within the designated 2040 Main Street boundary of the North Bethany Subarea. The Program Guide specifically applies to Area of Special Concern Road Corridor 2 identified in the North Bethany Subarea Plan. See **Attachment 1** for a reference map.

The purpose of the Program Guide is to provide guidance for more specific planning of the Main Street commercial area, which is a core design feature of the concept plan for the North Bethany Subarea. Before development of the Main Street Area can begin, a specific Urban Design Plan for the area that addresses the criteria outlined in this Program Guide must be developed. The criteria address important design and operational elements such as density, retail design and format, parking, corner vision, sight distance, building entrances and orientations, access points and the need for turning movements and on-street parking along NW Kaiser Road. Therefore, prior to preliminary engineering of the Main Street section of NW Kaiser Road and prior to development of properties within this Area of Special Concern, a more detailed urban design plan shall be prepared in accordance with the requirements of this Program Guide. The preliminary commercial programming mix and size limits outlined in this Program Guide shall serve as a template for future specific design and development of the area. The commercial program in the Main Street Program Guide is based on the *North Bethany Strategic Programming Guide* (December 2006) prepared by Leland Consulting Group.

Prior to the adoption of the Urban Design Plan, the Board may permit development in Area of Special Concern 10 when development is consistent with the requirements of ASC 10 and other applicable requirements of the North Bethany Subarea Plan. ASC 10 was adopted to allow the owner of Tax Lot 800, Tax Map 1N1 17B, to develop Tax Lot 800 under a single development application beginning in 2012.

Background

The 2040 Concept for the Metro region identifies NW Kaiser Road as a “corridor.” Corridors are defined in the Urban Growth Management Functional Plan (UGMFP) as “along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.” Locating mixed-use commercial areas within easy walking distance of residences is a fundamental principle of “smart growth” planning because it provides a more “complete” community where daily needs and services can be met via multiple transportation modes and without the need for long trips. This concept of integrating residential uses with mixed/commercial use is consistent with the Main Street designation, and with Policy 13 (Urbanization), Policy 18 (Plan Designations and Locational Criteria for Development), Policy 35 (Residential Conservation), Policy 36 (Commercial Conservation), Policy 39 (Land Use Conservation) and Policy 40 (Regional Planning Implementation) of the county’s

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Comprehensive Framework Plan, as well as Policy 1 (Travel Needs), Policy 5 (System Implementation and Plan Management) and Policy 6 (Roadway System) of the county's Transportation System Plan.

Through the 2007 concept planning process for the North Bethany Subarea, the general scale, location and configuration of the commercial component was evaluated. First, a market analysis was conducted to assess the broader market geography and context in order to determine a program (general size and mix) that would be viable given the planned residential capacity of the area at build-out. The report, prepared by Leland Consulting Group (LCG), recommends three possible configurations for consideration as part of the community design process. LCG continued to advise the process regarding various locations.

After much stakeholder and public input on the three potential configurations, the commercial/mixed-use components described in this program guide were selected along with a preferred format for a primary core commercial area complemented by a series of smaller "street corner" commercial nodes. This is reflected in the concept plan for the North Bethany Subarea, which refers to the primary commercial core as a Main Street area, and includes a series of individual commercial sites in the other neighborhoods within the Subarea. The identified use categories for the Main Street area are general and will be determined through a review process at a time when the market dictates.

Urban Design Plan

Before an application for development of the Main Street area (or any part of the Main Street area) may be submitted, an Urban Design Plan for the Main Street Area shall be adopted.

For the purposes of this Program Guide, an Urban Design Plan is defined as a planning effort focused on urban form that is intended to transform the vision for an area into reality. It is usually comprised of equal parts planning, urban design, investment strategy, development and design code, and action items. Since it deals with all the aspects of an area, from public improvements to private development, an urban design plan can bring together property owners, neighboring residents and public infrastructure providers while providing a better understanding and more predictable sense of how new development will be built.

Urban Design Plans are particularly useful for areas where local governments want to target investment, such as centers and corridors, because it brings all the aspects of planning, placemaking and infrastructure improvements together at the same time. Urban Design Plans can serve as the bridge between planning and its translation into a development proposal. Urban design plans can test existing or proposed zoning code provisions by illustrating their character and scale in order to ensure the zoning code text will support desired urban forms. Similarly, their strength at articulating a cohesive vision offers a more flexible implementation of objectives that still meet the vision. This is particularly important if unanticipated market trends occur.

Once developed, an urban design plan can be used to guide infrastructure investments and improvements by other property owners and different departments within the local government and service provider agencies. Involving interests such as THPRD, CWS and LUT's Engineering Division will help inform the design of areas within their control, making design and planning solutions more comprehensive and proposed improvements more likely to be implemented. Internal coordination through the Long Range Planning Division can link planning efforts with specific capital projects and funding sources.

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Process

The county shall prepare the Urban Design Plan in conjunction with the design of NW Kaiser Road, consistent with the requirements of ASC Road Corridor 2. A public planning process shall be used to develop and adopt this plan. Adoption of this plan and completion of the design for NW Kaiser Road shall be completed by the time there will be sufficient residential development in North Bethany to support the Main Street Area. Alternatively, a private applicant may initiate the development of the Urban Design Plan prior to the county doing so. Under this option, the applicant shall consult with LUT staff while developing the Urban Design Plan. Any proposed Urban Design Plan shall be subject to a public process and there shall be coordination with affected property owners and service providers. The county will be responsible for initiating necessary legislative amendments to applicable elements of the Comprehensive Plan in order to implement the applicant's final Urban Design Plan.

Design Criteria

This section of the Program Guide elaborates on the design criteria that must be addressed in the required Urban Design Plan.

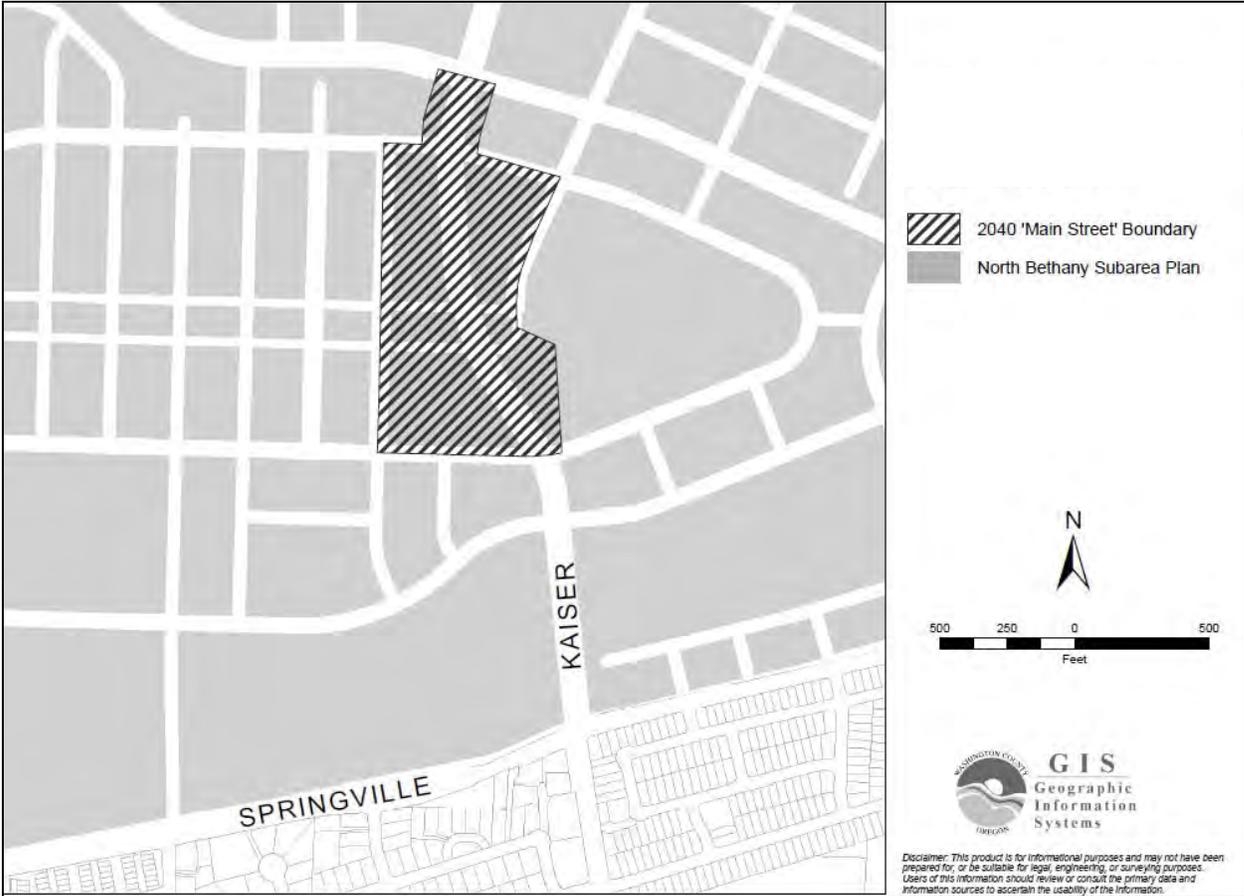
Consistent with Metro's 2040 concept, the design character of a Main Street area is distinct from a Town Center in terms of scale and format. The market capture area for a Main Street is generally an order of magnitude smaller than that of a Town Center. The square footage limits for the various types of commercial uses in North Bethany Subarea's Main Street that are stipulated in this Program Guide have been determined appropriate for the approximately 5,000 new dwelling units planned for the North Bethany and Arbor Oaks Subareas. Despite the implication of the term "main street," the programmed uses can be arranged either along a primary street or clustered around a prominent intersection, as is the case with the North Bethany Subarea Plan. While some parking is required for the programmed commercial and residential uses, it is intended that the format support the walkable character of the community. Buildings therefore are required to be close to sidewalks with parking generally located in the rear. The minimum setback requirements of the underlying land use district (Neighborhood Commercial Mixed-Use) may be reduced to achieve this objective.

The Urban Design Plan shall show how parking will be formatted to accommodate the proposed residential density and the commercial program, including on-street and off-street parking. Parking lots shall be generally located behind retail façades and not adjacent to street frontages. The Urban Design Plan shall also address applicable requirements related to vehicular movements and operation, including access, sight distance, corner vision, design speed and turn movements. The Main Street area shall be designed to prioritize pedestrian and bicycle environments over motorized vehicles. This shall be reflected in all aspects of the design criteria. Accordingly, the Urban Design Plan shall also address building orientation and entrances.

Attachments 3 and 4 illustrate conceptual design solutions for the Main Street area and can serve as a starting place for discussion.

Attachment 1: Main Street Area

This map shows the boundaries of the Main Street area.



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Attachment 2: Development Program

The following table summarizes the proportion and mix of commercial and residential uses anticipated for the Main Street area of the North Bethany Subarea. While the estimated sizes for the various commercial uses represent targets, the estimated sizes for the various residential uses are intended as guidelines only and may vary from what is indicated here. It is required that the estimated sizes for the commercial uses achieve at least 85 percent of the estimated size in each category (i.e., Retail, Employment/Service, and Civic), and do not exceed the target by more than 5 percent.

DEVELOPMENT PROGRAM FOR MAIN STREET AREA*

Source: *North Bethany Strategic Programming Guide*
 Leland Consulting Group, December 2006

Land Use	Estimated Size (sf)
Retail Center	
Specialty Grocer	25,000
In-line Retail Shops	10,000
Restaurants	4,000
Retail Services	3,000
<i>Sub-Total</i>	42,000
Employment / Service	
General Office	6,000
Fitness Center or other large services use	24,000
<i>Sub-Total</i>	30,000
Civic Uses	
Branch Library	5,000
Community Center	3,500
<i>Sub-Total</i>	8,500
Total: Non-residential Uses	
80,500	
Housing	
Specialty Housing (150)	110,000
Apartments (125)	125,000
Condominiums (100)	185,000
Total: Residential Uses	
420,000	
total land area	approx. 7.5 acres

* Note this is complemented by neighborhood node development throughout the study area.
 Combined total for node retail uses: 8,500 sf; for residential portion of mixed use node: 85,000 sf.

Attachment 3: Illustrative Concept Plan

This design sketch illustrates one way the preferred commercial program may be implemented.



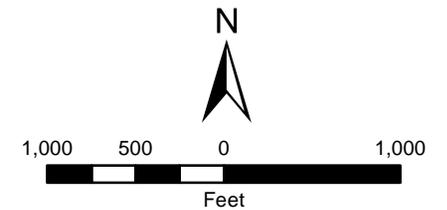
The core of the North Bethany Subarea is organized around two community park areas connected by a linear “park blocks” feature. High density housing is placed adjacent to park areas, with commercial “mixed-use” buildings (shown as red) clustered around NW Kaiser Road and located to frame street and pedestrian areas. A civic building, illustrated in purple, is prominently located on NW Kaiser Road. An adjacent community park is an opportunity for shared parking.

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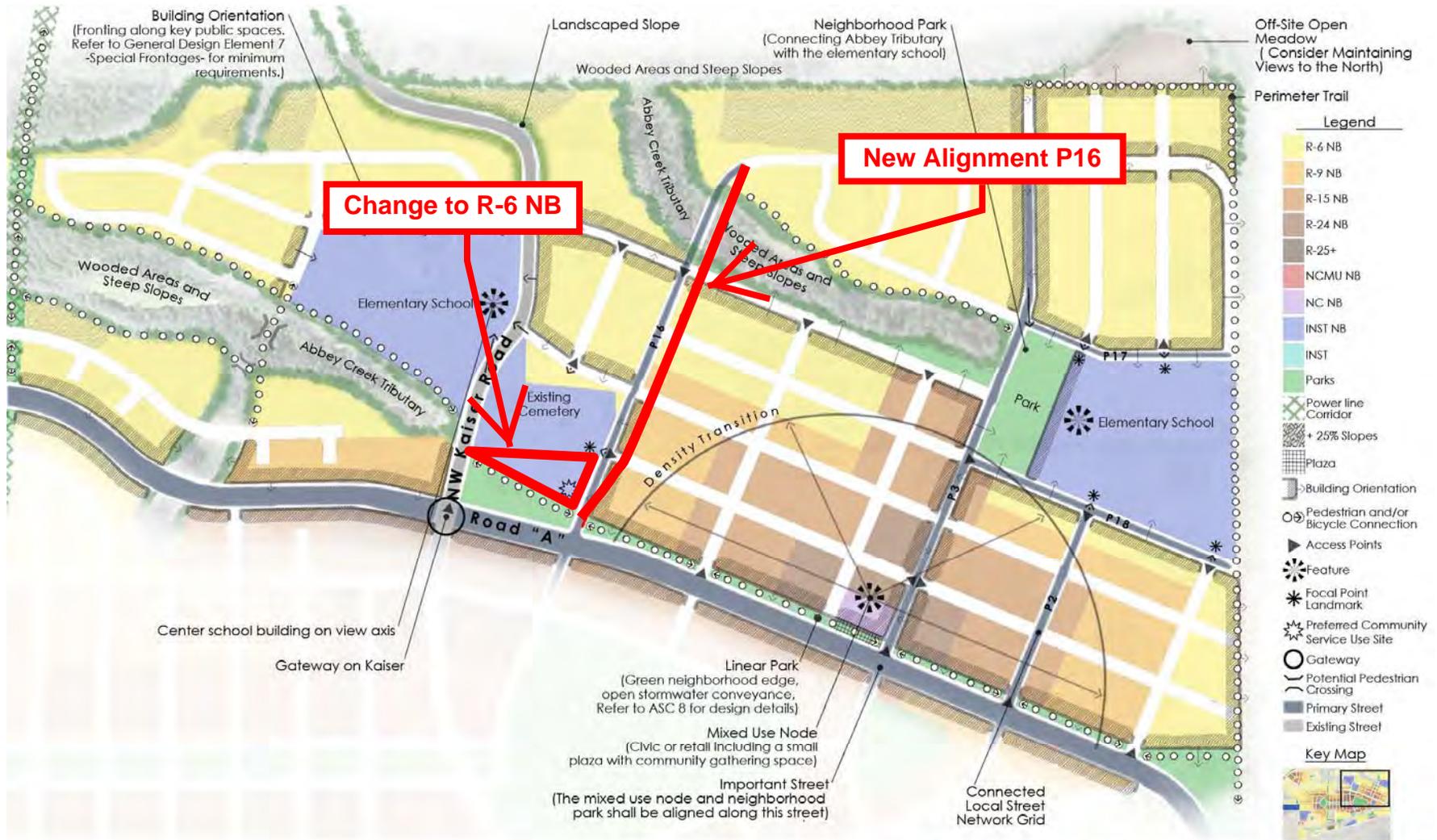
Create the 'Areas Eligible for a Density Bonus in the R-6 NB District' map for the North Bethany Subarea Plan.

-  Areas eligible for a Density Bonus in the R-6 NB District
-  R-6 NB
-  Primary Streets Centerline
-  Primary Streets ROW



Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Amend the 'North Bethany Subarea Northeast Neighborhood' map of the North Bethany Subarea Plan as indicated.



North Bethany Subarea Northeast Neighborhood

Design Elements

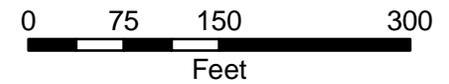


Amend the 'Land Use Designations' map of the North Bethany Subarea Plan as indicated.

-  Change from R-6 NB to R-9 NB
-  R-6 NB
-  R-9 NB
-  R-15 NB
-  Primary Streets



1 inch = 150 feet



Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

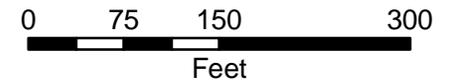


Amend the 'Land Use Designations' map of the North Bethany Subarea Plan as indicated.

-  Change from R-6 NB to R-24 NB
-  Change from R-15 NB to R-24 NB
-  R-6 NB
-  R-15 NB
-  R-24 NB
-  Primary Streets



1 inch = 150 feet



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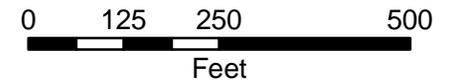


Amend the 'Areas of Special Concern' map of the North Bethany Subarea Plan as indicated.

-  Area to be added to A.S.C. #7
-  Existing A.S.C. #7
-  Primary Streets

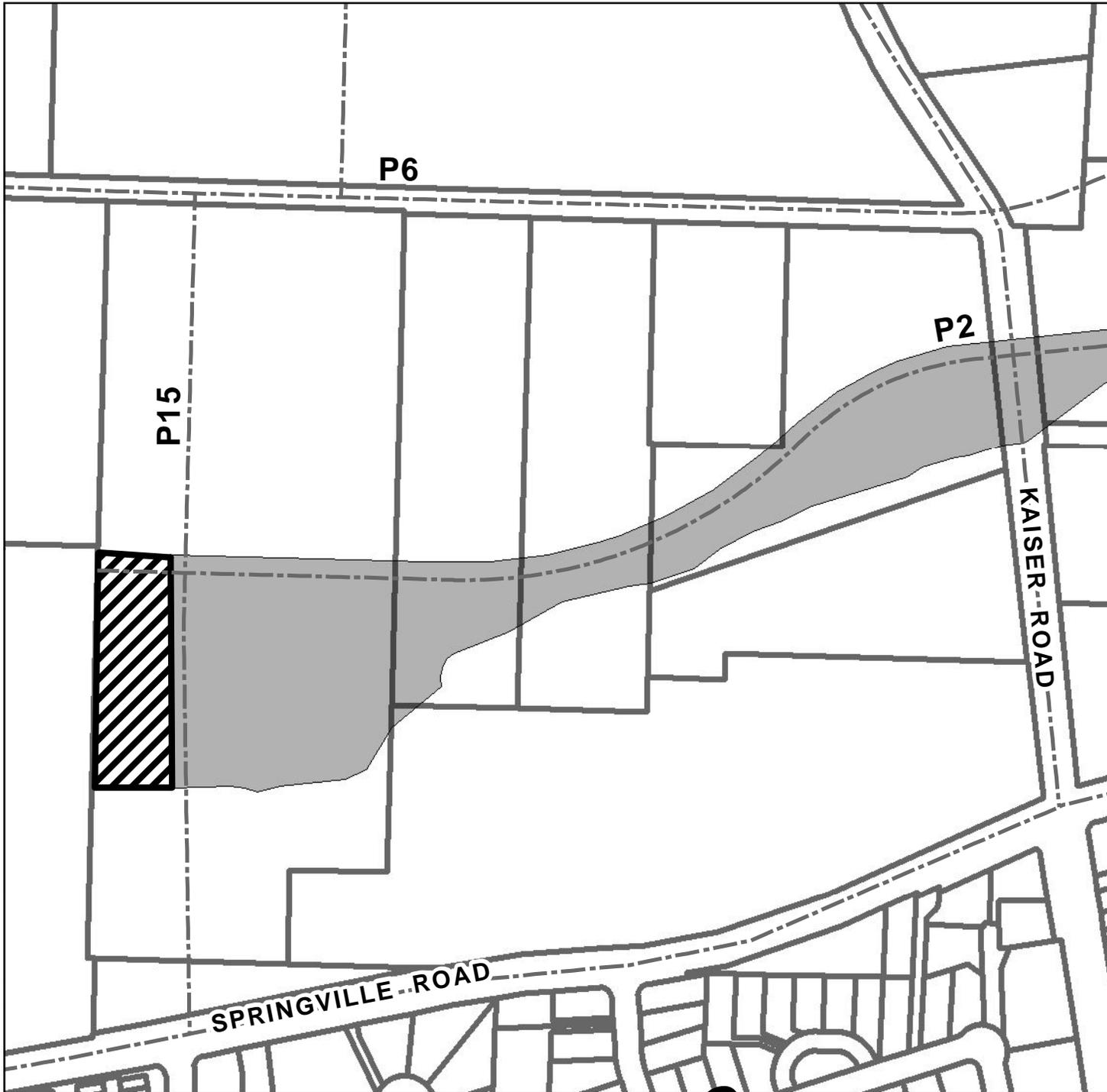


1 inch = 250 feet



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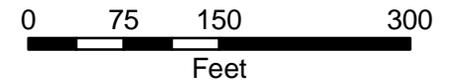


Amend the 'Areas of Special Concern'
map of the North Bethany Subarea
Plan to add A.S.C. #9.

-  A.S.C. #9
-  Primary Streets

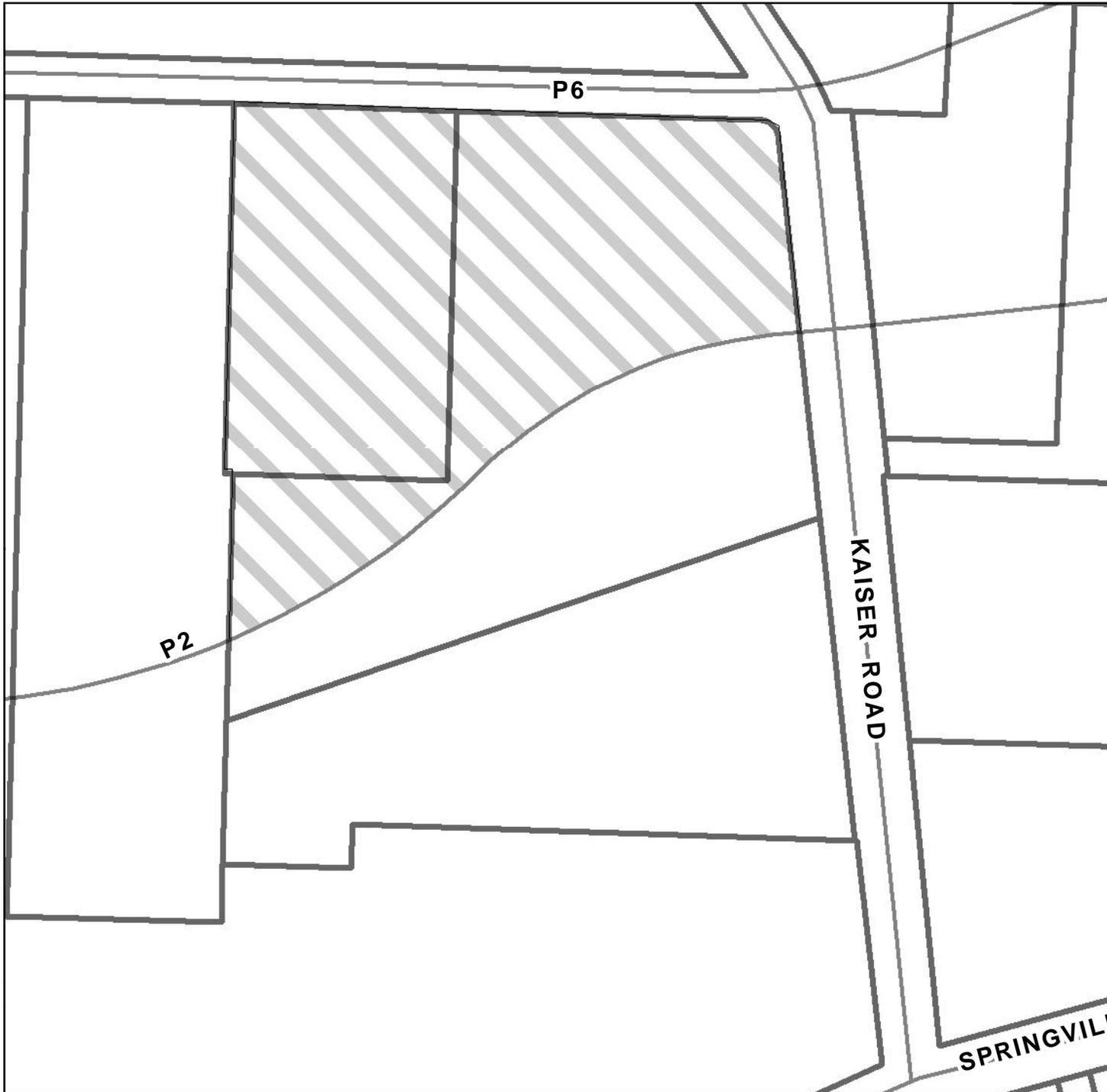


1 inch = 150 feet



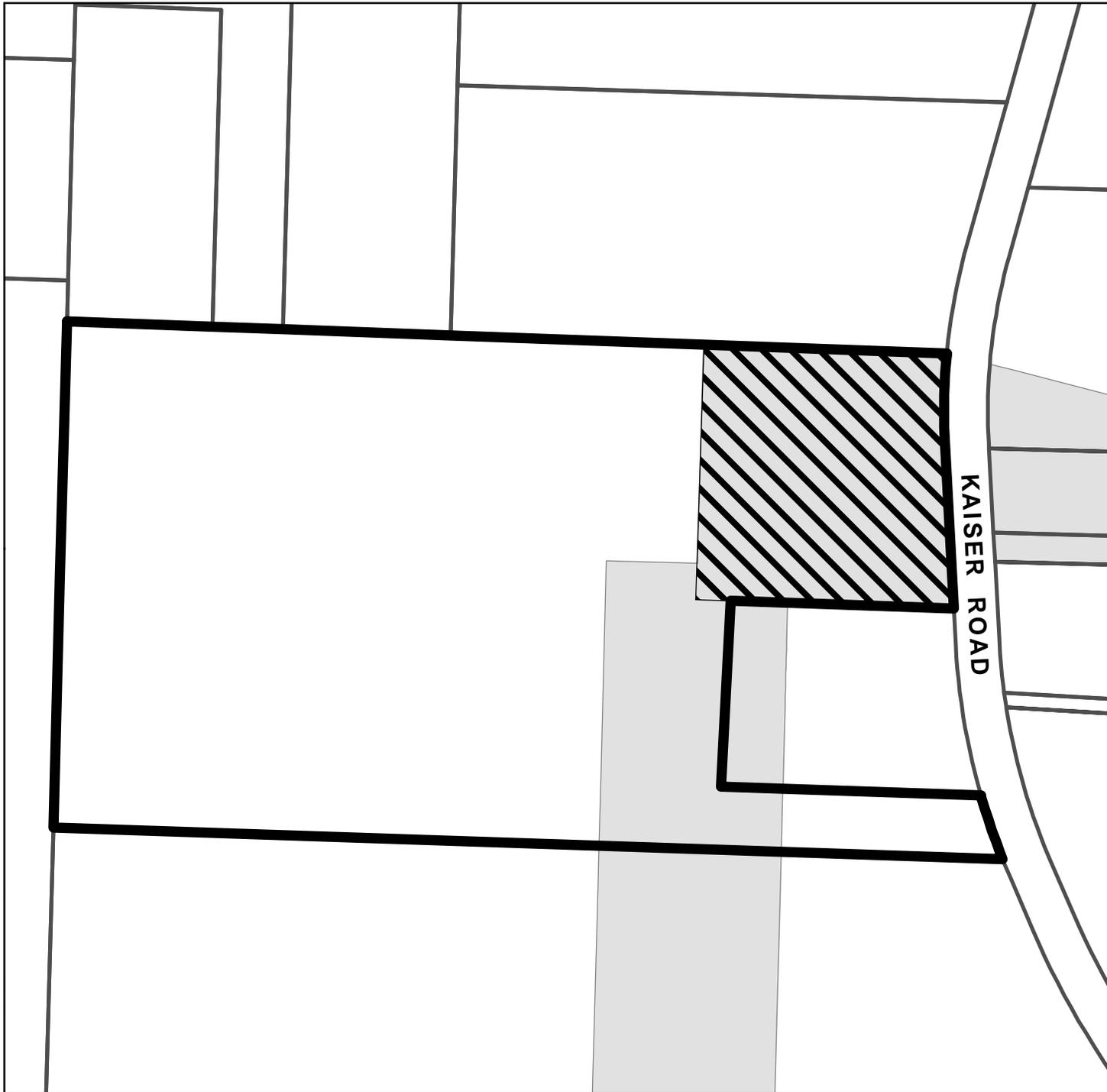
Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

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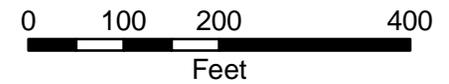


Amend the 'Areas of Special Concern' map of the North Bethany Subarea Plan to add A.S.C. #10.

-  A.S.C. #10
-  Subject Tax lot
-  R-25+ NB



1 inch = 200 feet



Policy 1, THE PLANNING PROCESS, of the Comprehensive Framework Plan for the Urban Area is amended to reflect the following:

<p>GENERAL</p> <p>POLICY 1, THE PLANNING PROCESS:</p> <p>It is the policy of Washington County to establish an ongoing Planning Program which is a responsive legal framework for comprehensive planning and community development and accommodates changes and growth in the physical, economic and social environment, in response to the needs of the County's citizens.</p> <p>It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary and a landowner or his/her agent may initiate a quasi-judicial map amendment in a New Urban Area at any time during the year.</p>

Implementing Strategies

The County will:

f. Approve a quasi-judicial plan amendment ~~for properties outside of New Urban Areas~~ to the Primary Districts on the Community Plan Maps and/or the Future Development Areas Map, including the implementing tax maps, only if the Review Authority determines that the proponent has demonstrated that the proposed designation conforms to the locational criteria of the Comprehensive Framework Plan. Where applicable, the proponent must also establish with the Review Authority compliance and conformance with the following:

- 1) ~~;~~ and when applicable, the provisions of Policies 40 and 41;
- 2) ~~the~~ The Community Plan Overview and sub-area description and design elements; ~~complies with~~
- 3) ~~the applicable~~ The applicable policies, strategies and systems maps of the Transportation Plan; ~~and complies with~~
- 4) ~~the applicable~~ The applicable regional functional planning requirements established by Metro.

The proponent may also be required to; ~~and demonstrates to the Review Authority~~ that the potential service impacts of the designation will not impact the built or planned service delivery system in the community. This is a generalized analysis that in no way precludes full application of the Growth Management Policies to development permits as provided in the Code.

In addition to these criteria, an applicant for a quasi-judicial plan amendment for property in the North Bethany Subarea Plan shall also demonstrate conformance with the provisions of Policy 43 and the provisions of the North Bethany Subarea Plan, including:

- 1) Section III (Background, Planning Process, and Community Design Goals);
- 2) Section IV (Descriptions of North Bethany Subarea Plan and Maps);
- 3) Section V (North Bethany Subarea Design Elements); ~~and~~
- 4) Section VI (Neighborhood Design Elements); and
- 5) Section VII (Maps, Drawings, Tables, and Guides).

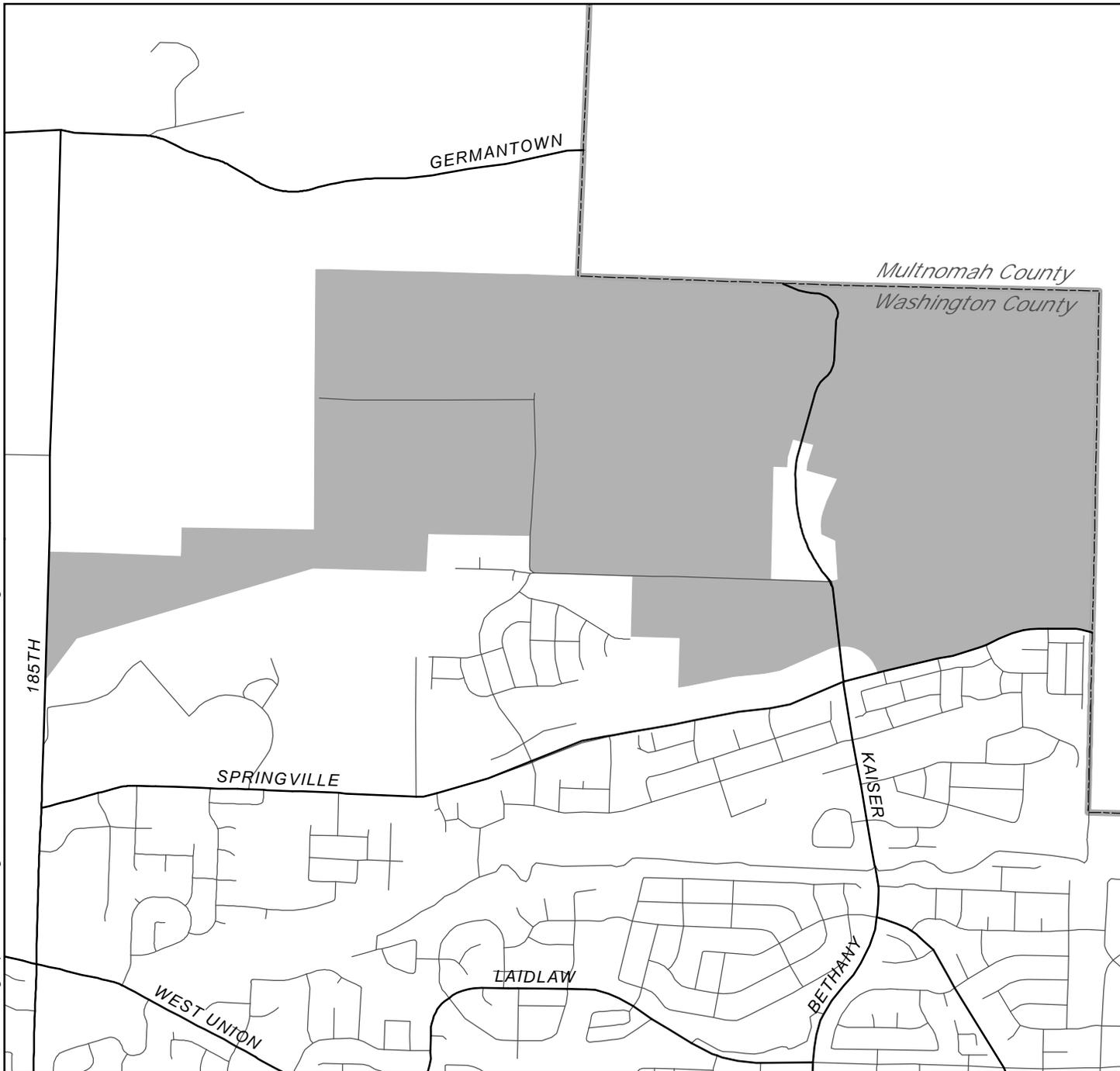
- ~~x. Establish procedures and review criteria for quasi-judicial and legislative amendments to the North Bethany Subarea Plan (in the Bethany Community Plan) within two years of the adoption of the North Bethany Subarea Plan. Until the adoption of those procedures and review criteria, no amendments shall be made to the Subarea Plan except for the following:~~
- ~~1. A mistake to the Plan designation due to a mapping error that placed the incorrect designation on the property and, that if the error had been brought to the attention of the Board during the adoption process, it would not have been placed on the property. Evidence shall be provided that shows the requested Plan designation had been proposed to be placed on the property during the planning process; and~~
 - ~~2. Removal of the FD-20 designation pursuant to Implementing Strategy w. above.~~

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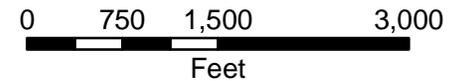
Amend the 'Neighborhood Boundaries' map of Policy 40 of the Comprehensive Framework Plan for the Urban Area as indicated.

 Neighborhood to be added

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1 inch = 1,500 feet

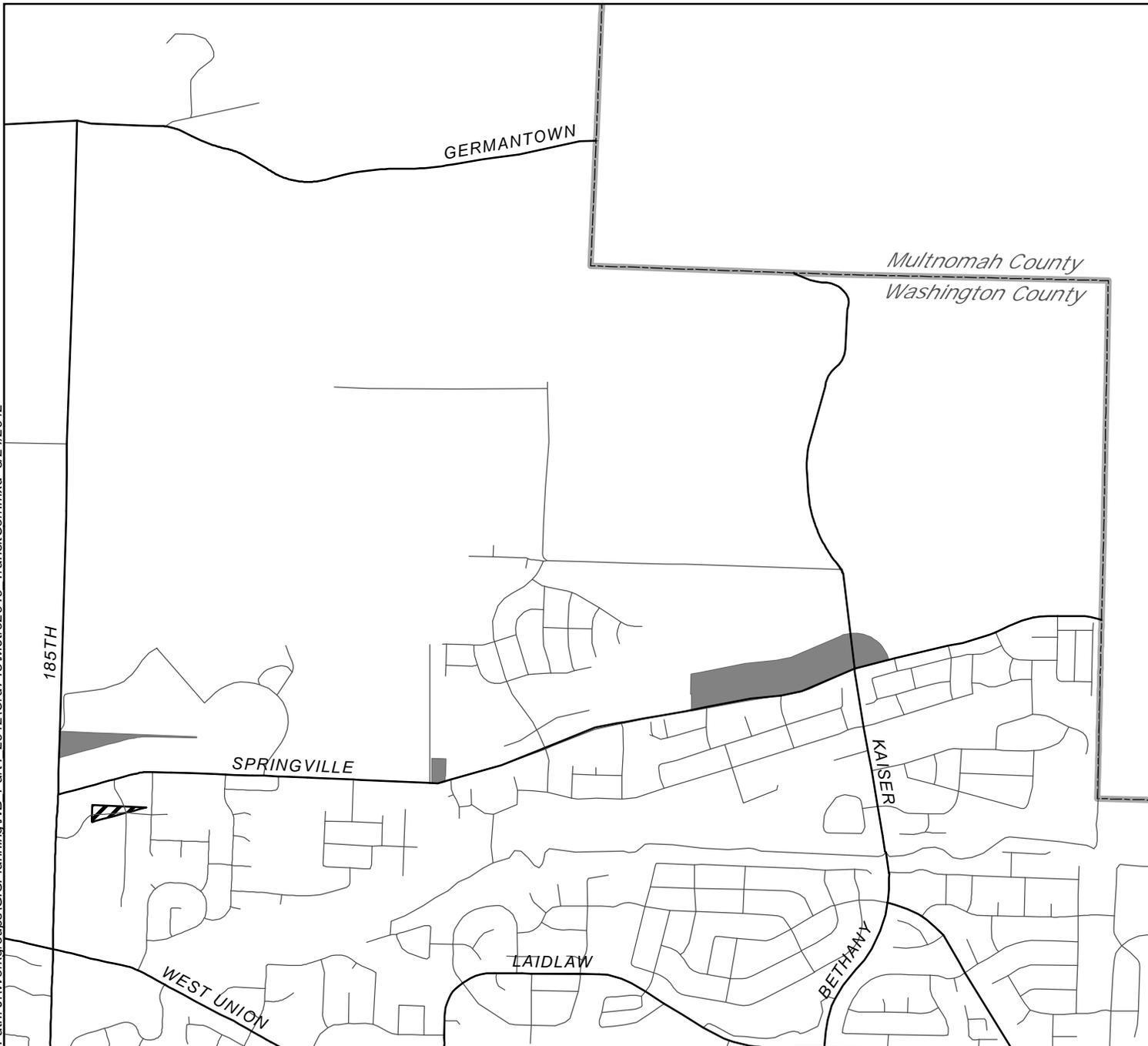
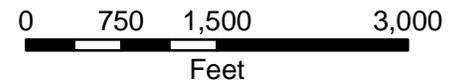


Amend the 'Transit Corridor Boundaries' map of Policy 40 of the Comprehensive Framework Plan for the Urban Area as indicated.

-  Transit Corridor to be added
-  Transit Corridor to be removed



1 inch = 1,500 feet



Policy 43, COMMUNITY DESIGN FOR NEW URBAN AREAS, of the Comprehensive Framework Plan for the Urban Area is amended to reflect the following:

POLICY 43, COMMUNITY DESIGN FOR NEW URBAN AREAS:

New urban areas are urban unincorporated lands that came into the UGB ~~after~~in 2002 or later (with the exception of the Arbor Oaks Subarea). It is the policy of Washington County to provide community level planning for new urban areas consistent with regional planning requirements and the Board vision for establishing communities of distinction in new urban areas. In general, these communities are conceived of in a holistic manner with integration of the component elements and a well-designed and planned public realm.

Implementing Strategies

The County will:

- a. Support the regional Urban Growth Boundary and procedures for its amendment as acknowledged by the Oregon Land Conservation and Development Commission.
- b. Comply with regional requirements for planning new urban areas, as provided under Title 11 of the Metro Urban Growth Management Functional Plan, as well as other applicable requirements, including Condition 6 of Metro Ordinance 02-987A.
- c. Amend the North Bethany ~~Community Subarea~~ Plan in the Bethany Community Plan and the Community Development Code (Code) to require as approval criteria that an applicant for a land development application for property in the North Bethany Subarea demonstrate that:
 1. A waiver of the right to remonstrate against customarily accepted farm and forestry practices on nearby rural land has been recorded; and
 2. The proposed development of property identified in a buffer area on the "Urban/Rural Edge" map is consistent with ~~CDG~~Code standards for Urban/Rural buffer areas.
- d. Adopt community plan and eCode standards requirements to ensure that development in new urban areas is consistent with the applicable concept plan and the ~~following~~planning principles described below. Plan amendments in new urban areas shall also demonstrate consistency with the following planning principles.
 1. The natural setting shall be a fundamental consideration for community organization and design, including but not limited to features such as topography, views, and natural resources.
 2. New urban areas are planned at a neighborhood scale. As shown in the Community Plan, neighborhoods are geographic areas that have one or more discernable "center" or destination node. Most of the neighborhood's dwelling units are within a five-minute walk of the neighborhood center (or an average of roughly one-quarter (1/4) mile). Edges mark the transition from one neighborhood to another. Examples of edges are a natural area, trail, or arterial or collector

street. Each neighborhood shall include public and/or quasi-public uses that serve as destinations for members of the community, including but not limited to: a neighborhood park, a commercial area, a civic use and/or community gathering space (e.g., library, church). Wherever appropriate, these destination uses will be centrally located in the neighborhood, adjacent to higher density residential housing, and adjacent to one another in order to maximize efficient use of land such as through shared off-street parking.

3. New urban areas shall include a variety of residential densities, housing types, and building forms, as described in A through B, below. This variety results in a range of unit sizes and price points, thereby providing more options for various levels of economic interest and ability.
 - A. Each neighborhood shall be comprised of a variety of residential densities, where residential density shall transition gradually, from high to medium densities, and from medium to low densities. The highest densities shall be adjacent to commercial centers and parks; the lowest densities shall be adjacent to the urban growth boundary and areas with natural constraints such as steep slopes. High density does not need to be located adjacent to arterials.
 - B. Residential land use districts shall permit a variety of dwelling unit types (e.g., detached, attached, multi-family, accessory), as determined appropriate for each residential land use district.
4. Residential densities shall be planned and arranged to support the identified community elements, such as transit and commercial uses.
5. Plan designations for supporting land uses (such as commercial, civic, institutional and community services) shall be incorporated in a format and level that is appropriate for the scale and geographic context of the expansion area.
6. The community shall be designed to allow for a broad range of transportation options, including public transit, bicycling, walking, and driving. The design of streets and the adjacent developed areas shall reinforce public accessibility and the safety and security of citizens. Street rights-of-way shall allocate land for pedestrian amenities (e.g., benches, street lighting), street landscaping and/or LIDA, sidewalks, bicycle lanes, and space for future transit stops.
7. Public spaces consist of parks, trails, and civic and community-oriented uses. Also included within the public space are street landscape strips, sidewalks and, in commercial areas, the space between the sidewalk and the building façade. To the extent it achieves design objectives for the relationship between public and private areas, the Community Plan may provide special setbacks for building location and orientation and/or façade treatments in designated areas.
8. New urban areas shall be integrated with existing (pre-2002) communities. Integration shall be provided through local street and trail connections, natural resource connections, and appropriate density transitions. Trail networks shall provide connections to any regional trails. Integrated connections shall be achieved through coordination with affected governmental entities.
9. Parks, trails, and open spaces shall be guided by a minimum level of service standard that is established as part of the planning process or is consistent with the applicable park provider's standard. Parking shall be provided as necessary.
10. Parks shall have adequate frontage on public streets and generally not be hidden behind private backyards or buildings in order to make them a part of the public realm, increase public safety and provide on-street parking.

11. While natural resource areas shall be protected (per Goal 5, Title 3 and Title 13 of the Metro Urban Growth Management Functional Plan), direct and convenient access to natural resource areas shall be provided for recreational purposes where appropriate. Inter-connectivity of natural areas shall be preserved and enhanced where practicable in order to maintain or restore natural ecological functions.
12. Parks shall be located next to or near multi-family land use districts to provide access to open space for higher density housing.
13. Parks, trails, natural resource protection, and stormwater management shall be planned in a coordinated process and integrated where practical.

e. The adopted Concept Plan for each ~~New Urban Area~~ shall be used in the review of quasi-judicial plan amendments. The Concept Plan serves as the foundation for more specific community planning work such as assigning plan designations, residential density ranges, and allowed uses.

1. Quasi-judicial plan amendments in the North Bethany Subarea shall demonstrate consistency with the North Bethany Concept Plan through adherence to fundamental design elements. Fundamental concept plan design elements include:
 - i. Five neighborhoods, each approximately a quarter-mile from center to edge, organized around centrally-located public destinations (e.g., parks, commercial uses, schools), and with a variety of housing types.
 - ii. A centrally located Main Street Area complemented by four smaller (approximately half-acre) commercial nodes. The smaller commercial nodes shall be located at a corner of the two intersecting streets in the North Bethany Subarea as shown on the applicable Neighborhood Plan map.
 - iii. A park, trail, and open space plan with parks and trails open to public view and not enclosed by buildings and rear yards.
 - iv. Prominently located community parks are connected by a series of park blocks along the east-west ridgeline formed by existing topography.
 - v. A one and one-half (1 1/2) to two (2) acre neighborhood park in each neighborhood.
 - vi. Residential densities arranged in a density transect with higher density residential uses located adjacent to commercial land uses, the Main Street Area, the community parks, and the Park Blocks, ~~and parks~~ and lower density residential uses along natural resources and rural edges.
 - vii. Existing and future community uses are incorporated into the Plan, including a cemetery, church, the Portland Community College Rock Creek Campus and the three Beaverton School District properties.
 - viii. A comprehensive Subarea-based stormwater management plan (North Bethany Drainage Master Plan).
 - ix. Four Gateways marking prominent entry points into the North Bethany Subarea and the Main Street Area.

- x. A Primary Street network comprised of arterials, collectors, neighborhood routes, and two local streets provides a base circulation framework.
- xi. Provision for community service uses.

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Policy 44, MANAGING GROWTH IN NEW URBAN AREAS, of the Comprehensive Framework Plan for the Urban Area is amended to reflect the following:

POLICY 44, MANAGING GROWTH IN NEW URBAN AREAS:

It is the policy of Washington County to manage growth on new unincorporated lands within the UGB such that public facilities and services are financially assured and available to support orderly urban development consistent with a vision for great urban communities in new urban areas.

Implementing Strategies

The County will:

- a. Support the regional Urban Growth Boundary and procedures for amendment as acknowledged by the Oregon Land Conservation and Development Commission.
- b. Comply with regional requirements for planning new urban areas, as provided under Title 11 of the Metro Urban Growth Management Functional Plan.
- c. Provide a level of community planning that affords a comprehensive approach to service delivery and a greater degree of detail and certainty than community plan areas in the urban unincorporated portions of the county that came into the UGB prior to 2002.
 1. Prepare public facility and services plans for each new urban area.
 2. Establish and implement a funding plan that identifies financing mechanisms to support the public facilities and services identified in 1. above and that responds to the Board's direction to ensure financially viable community plans that are prepared for Metro Title 11 compliance.
 3. Establish a development application process that ensures construction of public facilities in a comprehensive manner as opposed to on a site-specific (per development) basis.
- d. Modify Article V of the Community Development Code for the North Bethany Subarea to require as an approval criteria that an applicant for a land development application demonstrate that:
 1. The property has been annexed into the following jurisdictions: Clean Water Services (CWS), Metro, Tualatin Hills Park and Recreation (THPRD), Tualatin Valley Water (TVWD), Enhanced Sheriff's Patrol District, and the Urban Road Maintenance District.
 2. CWS, THPRD and TVWD have adopted master plans together with funding mechanisms to substantially implement each respective master plan.
 3. Non-county service providers have assured that water, sewer, fire protections and drainage (including stormwater quality and quantity management).

4. For parcels shown on the "Park, Trails and Pedestrian Connections" map, the specific location of the neighborhood park, trail or off-street pedestrian route has been identified and the property obtained by THPRD.
5. Direct, safe and continuous pedestrian connections to schools, parks, transit stops, public recreation centers and commercial uses within one-quarter mile is assured except as provided otherwise in the CDC.
6. A minimum of 28 foot paved surfaces be provided for local and neighborhood routes, including interim improvements.
7. An adequate level of arterial and collector roads exists or is assured. The roads listed below shall be deemed assured if the County has adopted and implemented a North Bethany Transportation Improvement Financing Resolution and Order that provides adequate funding over 30 years. Components may include, but are not limited to, a supplemental transportation system development charge (SDC) for North Bethany, commitment of County transportation funds, dedication of Transportation Development Tax (TDT) resources in the form of revenues and credits, county service district taxes or local improvement districts.
 - (a) Road A – western boundary to Joss Road – 3 lanes;
 - (b) Road A – Joss Road to Kaiser Road – 3 lanes;
 - (c) Springville Road – 185th to Joss Road – 5 lanes;
 - (d) Springville Road – Joss Road to Kaiser Road – 3 lanes;
 - (e) Kaiser Road – Road A to Springville Road – 3 lanes;
 - (f) 185th Ave. - Springville Road to West Union Road – 5 lanes;
 - (g) Road A bridge over Rock Creek – half-funded;
 - (h) 185th Ave. – Intersection improvements north of Springville Road;
 - (i) Kaiser Road – Springville Road to Bethany Blvd. – 3 lanes;
 - (j) Preliminary engineering of the Road A alignment east of Kaiser Road to Springville Road;
 - (k) Brugger Road – Joss Road to Kaiser Road – build consistent with neighborhood route standard;
 - (l) Joss Road – Arbor Oaks to Road A – build consistent with collector standard or neighborhood route; and
 - (m) P15 – Springville Road to Brugger Road - build consistent with neighborhood route standard.
- e. Generally, rely upon standards established by the appropriate special service district and adopted County Standards as the measurement of acceptability for the service provided by the service provider unless the County has expressly provided otherwise. .

- f. Require that the cost of providing the required County urban services for a particular land use proposal shall be consistent with the Board-approved funding plan for the applicable urban area unless otherwise authorized by the Board of County Commissioners.
- g. Apply the growth management standards to all new development actions as provided in Article V of the Community Development Code, as revised for North Bethany.
- h. Use, and encourage other public service providers to use, the following priority list to guide the investment of public monies in public facilities and services:
 - 1. Solve existing health, safety and welfare problems.
 - 2. Facilitate infill development or new development which is contiguous to existing.
 - 3. Promote commercial and industrial economic development opportunities.
 - 4. Extend services to outlying, undeveloped areas designated for residential development in the Comprehensive Plan.

Summary Findings and Conclusions

New urban areas in the unincorporated county (those areas added to the UGB in 2002 - namely North Bethany, West Bull Mountain, and portions of Cooper Mountain) shall be planned consistent with Title 11 of the Metro Urban Growth Management Functional Plan. These plans shall also reflect the Board's vision for a community of distinction with a higher level of planning for community services and amenities, and which are accompanied by a funding plan. Policy 44 acknowledges this level of planning in addressing growth management for areas of urban unincorporated Washington County added to the UGB in 2002. Policy 44 also represents a transition between Policy 14 and a potential future growth management policy, where the county anticipates that development in future UGB expansions will be expected to pay for an even greater proportion of the cost to extend public services.

As the urban unincorporated area has continued to develop, the county has maintained an overarching policy of not providing municipal levels of urban services. As planning efforts for 2002 urban growth boundary expansion areas have been undertaken in the midst of Urban-Rural Reserve Area Planning and discussions of the Urbanization Forum, a new policy has begun to emerge regarding the growth management of UGB expansion areas beginning in 2002.

There are three reasons for this shift in policy:

- 1. To ensure that financing mechanisms are in place to fund a larger proportion of the cost to develop than is required by Policy 14;
- 2. To elevate certain services to critical services in order to ensure that the community elements identified through Title 11 concept planning and the Board vision for new urban areas are assured and provided in a timely manner; and
- 3. To coordinate service delivery among service providers such that efficiencies in land acquisition and funding are maximized in new urban areas.

The county's growth management policy under Policy 14 is not sustainable for a number of reasons, for instance road improvements to the arterial and collector system recover less than 30% of the cost of needed transportation capacity. There are also benefits to thinking and planning in terms of cohesive systems for all necessary services. Under Policy 14, the availability of most services is dealt with on a case-by-case basis, one subdivision at a time. This poses constraints for ensuring adequate services

along an entire facility (such as a stormwater management facilities, sanitary storm sewer, trails, or roads) and reduces opportunities to colocate services. Addressing systems as a whole and in combination with other services provides options to achieve fairness, equity, and efficiencies. The higher level of planning conducted for these new urban areas fosters these efficiencies and a new growth management policy is required to achieve them in a timely, cohesive and equitable manner.

Another element of the new growth management strategy is to require all new development to construct street and sidewalk improvements that are adjacent to their development site or that cross their development site. In the rest of urban unincorporated Washington County, most, but not all of new development is required to construct these improvements. This change in the North Bethany Subarea will require street and sidewalk improvements in conjunction with the development of some public facilities (e.g., Type I and Type II parks) that are not required to make these street improvements in other parts of unincorporated Washington County. For example, in the North Bethany Subarea, a Type I or Type II park adjacent to a Primary Street will need to construct a half-street along the park's frontage on this street.

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abcdef Proposed additions

~~abcdef~~ Proposed deletions

Community Development Code Section 106, DEFINITIONS, is amended to reflect the following:

106-169 Primary District A land use district as designated on the Community Plan Map or the Rural/Natural Resource Plan, (i.e., R-5, R-6, R-9, R-15, R-24, R-25+, INST, TO:R9-12, TO:R12-18, TO:R18-24, TO:R24-40, TO:R40-80, TO:R80-120, R-6 NB, R-9 NB, R-15 NB, R-24 NB, R-25+ NB, NCC NB, NCMU NB, INST NB, FD-20, FD-10, NC, OC, CBD, GC, IND, INS, TO:RC, TO:BUS, TO:EMP, EFU, EFC, AF-20, AF-10, AF-5, RR-5, R-COM, R-IND, MAE).

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Community Development Code Section 306, R-24 DISTRICT (RESIDENTIAL 24 UNITS PER ACRE), is amended to reflect the following:

306-7.2 C. (1) Twenty (20) foot front yard, except ten (10) foot front yard in North Bethany;

Community Development Code Section 390, NORTH BETHANY SUBAREA OVERLAY DISTRICT, is amended to reflect the following:

390-8 R-6 North Bethany District (R-6 NB)

390-8.1 Intent and Purpose

The R-6 North Bethany District (R-6 NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre. A density bonus may be provided through a Planned Development.

The purpose of the R-6 NB District is to provide areas for detached houses as well as areas for manufactured homes on individual lots. Cluster Housing, duplexes, and other types of attached dwelling units ~~Duplex units~~ are also allowed in this district.

390-8.3 Uses Permitted Through a Type II Procedure

The following uses may be permitted subject to the specific standards set forth below and in applicable Special Use Sections of Section 390-16 and 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.

A. Attached Dwelling Unit ~~(limited to duplexes)~~ - Section ~~430-13~~390-16.1.

B. Cluster Housing - Section 390-27.

390-8.5 Density

~~The permitted residential density shall be no more than six (6) units per acre and no less than five (5) units per acre, except as permitted by Section 300-2 or by Section 390-8.5.1 below.~~

In the R-6 NB District:

A. The permitted residential density shall be no more than six (6) units per acre and no less than five (5) units per acre, except as otherwise specified by Section 300-2 or by Section 390-8.5 B below.

B. A density bonus is permitted when the following standards are met:

(1) The development shall be a Type III Planned Development;

(2) The density bonus does not exceed three (3) units per acre, resulting in a maximum density of nine (9) units per acre; and

(3) The development site is designated by the North Bethany Subarea Area Plan as being eligible for a density bonus.

390-8.65-4 Development to the required minimum density may be phased over time through future land divisions when the following standards are met:

B. The size, configuration, and location of proposed lots or parcels to be created through an application, and the location of new dwellings and structures on the proposed lots or parcels, shall not preclude:

- (1) Future development of the subject property to the minimum density as shown on the future development plan; and
- (2) Future development or redevelopment of adjacent properties to the permitted density;

C. No future street, easement, or public facility shall be located on the subject property in a manner that would preclude future development to the minimum density as shown on the future development plan or preclude development of adjacent properties to the permitted density; and

D. For subdivisions, each phase of a subdivision shall comply with the minimum density requirement.

390-9 R-9 North Bethany District (R-9 NB)

390-9.1 Intent and Purpose

The R-9 North Bethany District (R-9 NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than nine (9) units per acre and no less than seven (7) units per acre. A density bonus may be provided through a Planned Development.

The purpose of the R-9 NB District is to provide areas for detached and attached houses on small lots as well as areas for manufactured homes on individual lots and manufactured dwelling subdivisions and parks. Cluster Housing is also permitted in the R-9 District.

390-9.3 Uses Permitted Through a Type II Procedure

The following uses may be permitted subject to the specific standards set forth below and in applicable Special Use Sections of Section 390-16 and 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.

A. ~~Attached Dwelling Units – Single family attached dwelling units limited to no more than six (6) attached units per building~~ Section 390-16.1.

B. Cluster Housing - Section 390-27.

390-9.5 Density

~~The Density standards of Section 304-6 are the required standards for the R-9 NB District.~~

In the R-9 NB District:

A. The permitted residential density shall be no more than nine (9) units per acre and no less than seven (7) units per acre, except as otherwise specified by Section 300-2 or by Section 390-9.5 B below.

B. A density bonus is permitted when the following standards are met:

(1) The development shall be a Type III Planned Development; and

(2) The density bonus does not exceed three (3) units per acre, resulting in a maximum density of twelve (12) units per acre.

C. For developments with detached dwelling units and attached dwelling units, where the detached dwelling units comprise sixty (60) percent or more of the total density, building permits for the final fifteen (15) percent of the proposed number of detached dwelling units shall not be issued until at least fifty (50) percent of the proposed number of attached dwelling units have been constructed or are under construction.

390-10 R-15 North Bethany District (R-15 NB)

390-10.1 Intent and Purpose

The R-15 North Bethany District (R-15 NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than fifteen (15) units per acre, and no less than twelve (12) units per acre. A density bonus may be provided through a Planned Development.

The purpose of the R-15 NB District is to provide areas for higher density single family attached and multi-family housing. Cluster Housing is also permitted in the R-15 District. Detached dwelling units may be permitted in the R-15 NB District through a Type III Planned Development.

~~PLACEHOLDER: As part of the placeholder work to develop standards for cluster housing (see Section 390-16.2), staff will also work with stakeholders to develop standards to allow detached single family dwellings in the R-15 North Bethany District (R-15 NB) as permitted uses independent of the cluster housing standards. As adopted, the Concept Plan does not permit detached dwellings in the Medium Density category, designated as the R-15 NB District in Ordinance No. 730. A key factor for not permitting detached dwellings in the Medium Density category was the Concept Plan's design to frame public spaces (e.g., parks) with buildings with prominent massing (larger structures with two or more stories, such as town houses and apartments) rather than a number of small detached structures. Work under this placeholder and the building design and variety placeholder (see Section 390-19) will examine how to maintain the Concept Plan's design aspects when determining where and how to allow detached dwellings in the R-15 District.~~

390-10.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and 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.

A. Attached Dwelling Units - Section 390-16.1.

B. Cluster Housing - Section 390-27.

390-10.4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and 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.

D. Detached dwelling units – Section 390-17.NEW2.

390-10.5 Density

~~The Density standards of Section 305-6 are the required standards for the R-15 NB District.~~

In the R-15 NB District:

A. The permitted residential density shall be no more than fifteen (15) units per acre and no less than twelve (12) units per acre, except as otherwise specified by Section 300-2 or by Section 390-10.5 B below.

B. A density bonus is permitted when the following standards are met:

(1) The development shall be a Type III Planned Development subject to Section 390-17NEW1; and

(2) The density bonus does not exceed five (5) units per acre, resulting in no more than twenty (20) units per acre.

390-11 R-24 North Bethany District (R-24 NB)

390-11.1 Intent and Purpose

The R-24 North Bethany District (R-24 NB) is intended to implement the policies of the Comprehensive Plan for areas in new urban communities designated for residential development at no more than twenty-four (24) units per acre and no less than nineteen (19) units per acre.

The purpose of the R-24 NB District is to provide areas for high density single family attached and multi-family ~~attached~~-residential with design flexibility to allow for a variety of configurations.

390-11.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390 and Section 430, as well as the general standards for the District, the Development Standards of Article VI and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Attached Dwelling Units - Section 390-16.1. ~~—Single Family (e.g., townhouse/rowhouse).~~

~~B. Attached Dwelling Units — Multi-Family (e.g., apartments, condominiums).~~

390-11.5 Density

~~The Density standards of Section 306-6 are the required standards for the R-24 NB District.~~

In the R-24 NB District, the permitted residential density shall be no more than twenty-four (24) units per acre and no less than nineteen (19) units per acre, except as otherwise specified by Section 300-2.

390-12 R-25+ North Bethany District (R-25+ NB)

390-12.1 Intent and Purpose

The R-25+ North Bethany District (R-25+ NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than ~~fifty (50)~~ twenty-five (25) units per acre and no less than twenty (20) units per acre, ~~except as otherwise specified by Section 397-7.~~ A density bonus may be provided through a Planned Development.

The purpose of the R-25+ NB District is to provide areas for high density, multi-family attached residential housing as well as senior housing and assisted living in proximity to services (e.g., retail and civic uses) and with reduced off-street parking needs. Student housing is also considered an appropriate residential use in this District.

390-12.5 Density

~~The Density standards of Section 307-6 are the required standards for the R-25+ NB District.~~

In the R-25+ NB District:

- A. The permitted residential density shall be no more than twenty-five (25) units per acre and no less than twenty (20) units per acre, except as otherwise specified by Section 300-2 or by Section 390-12.5 B below.

- B. A density bonus is permitted when the following standards are met:
 - (1) The development shall be a Type III Planned Development;

 - (2) The density bonus does not exceed twenty-five (25) units per acre, resulting in a maximum density of fifty (50) units per acre;

 - (3) The proposed development is limited to multi-family dwelling units; and

 - (4) The maximum height shall be seventy (70) feet except as provided in Section 419.

390-16 Special Use Standards

In addition to the requirements of Section 390 and Sections 400 through 429, the following standards are provided for specific uses.

390-16.New Attached Dwelling Units

Two or more dwelling units with a common building wall on individual lots or a single lot, commonly known as row houses, town houses, duplexes, or multiplexes; or two or more units which share a common wall or ceiling on a single lot, commonly known as apartments, condominiums, duplexes, or multiplexes. Sections 390-16.1 A and 390-16.1 B are applicable to new developments in the R-6 NB and the R-9 NB Districts as noted in these sections below. Section 390-16.1 C applies to applications to divide attached units onto separate lots.

- A. In the R-6 NB District, the perimeter setbacks of a development with attached units shall be no less than fifteen (15) feet.
- B. In the R-6 NB and R-9 NB Districts, no more than six (6) dwellings units may be provided in a building.

C. Land Divisions of Attached Dwelling Units

Duplexes, multiplexes, or single family attached dwellings may be divided into separate lots upon demonstration of compliance with current building code requirements prior to final approval of the land division.

390-16.4 Community Service Uses in Residential Land Use Districts

E. Conversion of a Community Service Use Site

A site approved for a community service use may be redeveloped as a residential use when:

- (1) All of the density from the community service use site has not been transferred to another site; or
- (2) The remaining density on the community service use site will allow a residential use permitted by the underlying land use district.

390-17 — North Bethany Planned Development Process

PLACEHOLDER: Two types of Planned Development are proposed for North Bethany, one that allows a density bonus and one that does not.

Existing GDC standards for Planned Development essentially allows dimensional standards to be flexed in exchange for open space provisions. In North Bethany, where a comprehensive system of parks and trails are planned, alternative types of trade-offs are being considered. Because many of the considerations are related to neighborhood/community design, aesthetics and issues of spatial relationships and scale, the Workgroup 2 recommendation is to find a way to incorporate the objective input of a design professional into the review process. Because the review procedures would remain consistent with what is outlined in the existing GDC, one viable option is to have an urban design professional or architect serve as Hearings Officer to preside over the Type III review process.

The Density Bonus type of Planned Development is envisioned as similar, with two important distinctions. First is that the maximum density of a given land use district would be increased per the table below. (Note the Density Bonus in the R6-NB comes with some limitations, also described below.) The second is that the trade-offs for granting a density bonus would be more substantial than for the regular PD. It is recommended that a menu of options be provided which includes affordable housing, per the Affordable Housing Report of the North Bethany Plan (July 2007).

In addition to the provision of enhanced design flexibility, the Density Bonus type of Planned Development will provide a tool to bridge gaps in the density ranges found within the North Bethany land use districts. Addressing these density gaps will encourage a broader range of housing types, sizes and price points in North Bethany.

Workgroup Recommendation Showing Density Bonus PD Provisions

Subarea Plan Designation	Minimum Density	Maximum Density	Primary Housing Type	Average Lot Size for Detached Products	Average Lot Size for Attached Products
R6-NB	5	6	SFD, duplex	5,000 sf	3,500 sf
R6-NB density bonus (for max 35 acres)	7	9	Cluster Housing	-	-
R9-NB	7	9	SFD, SFA	2,800 sf	2,400 sf
R9-NB density bonus	10	12	Cluster Housing	-	-
R15-NB	12	15	SFA, multi-family	n/a	1,600 sf
R15-NB density bonus	16	20	Cluster Housing	-	-
R24-NB	19	24	SFA, multi-family	n/a	n/a
R24-NB density bonus	25	30	Cluster Housing	-	-
R25+NB	20	25+	SFA, Multi-Family	n/a	n/a

390-17 North Bethany Planned Development Standards

390-17.1 Intent and Purpose

The purpose of the Planned Development standards in the North Bethany Subarea is to provide flexibility in standards and the location of permitted uses and increased density while ensuring the integrity of the North Bethany Subarea Plan. In exchange, Planned Developments are required to use innovative design and provide private or public open space or other site / building amenities. Planned Developments that propose a density bonus are required to provide Work Force Housing in exchange for the density bonus. The Planned Development standards in Section 404-4 are not applicable to the North Bethany Subarea.

390-17.2 Definitions

As used in this section, the words listed below have the following meaning:

A. Relocating the Primary Districts - Moving the locations of two (2) or more land use districts within the boundary of the Planned Development. The Primary Districts (land use districts) are designated by the Community Plan.

B. Work Force Housing - A detached or attached dwelling unit that complies with one of the following:

(1) Ownership units shall have a purchase price affordable¹ to households at no more than eighty (80) percent of the current median income for the applicable household size for the Portland-Vancouver-Hillsboro OR-WA Metropolitan Statistical Area (MSA) as published annually by the U. S. Department of Housing and Urban Development (HUD); or

(2) Rental units shall have rents, inclusive of utilities, affordable² to households at no more than sixty (60) percent of the current median income for the applicable household size for the Portland-Vancouver-Hillsboro OR-WA Metropolitan Statistical Area (MSA) as published annually by the U. S. Department of Housing and Urban Development (HUD).

¹ In Section 390-17.2 B (1), the word "affordable" has the following meaning: A household pays not more than thirty (30) percent of its income toward the following housing costs: home loan principal, interest, taxes, insurance, and any Home Owners Association fee.

² In Section 390-17.2 B (2), the word "affordable" has the following meaning: A household pays not more than thirty (30) percent of its income for rent and utilities.

390-17.3 Type II Planned Development

The following types of development shall be reviewed as a Type II Planned Development:

- A. Moving the centerline of a Primary Street no more than seventy-five (75) feet as described in General Design Element 10 of the North Bethany Subarea Plan;
- B. Modifying the development standards described in Section 390-17.7;
- C. Relocating the Primary Districts, as designated by the Community Plan for the subject site, within the boundaries of the proposed Planned Development; or
- D. Providing cluster housing, that does not include a density bonus.

390-17.4 Type III Planned Development

The following types of development shall be reviewed as a Type III Planned Development:

- A. Moving the boundary of a land use designation in conjunction with moving the centerline of a Primary Street as described in General Design Element 10 of the North Bethany Subarea Plan; or
- B. Providing a density bonus in the following land use districts as described in each applicable district: R-6 NB, R-9 NB, R-15 NB, and R-25+ NB Districts.
- C. Selecting the superior building and site design and construction option for a Planned Development to adjust development standards, relocate land use districts, move the centerline of a Primary Street, or to provide increased densities.
- D. Detached dwelling units in the R-15 NB District.

390-17.5 Planned Development Review Requirements

Modifications to development standards, relocating land use districts, moving the centerline of a Primary Street, and providing increased densities may be approved through a Type II or Type III Planned Development when the following requirements are met:

- A. Only those uses allowed within the Primary District are permitted.
- B. Work Force Housing shall be provided in accordance with the standards of Section 390-17.9 in exchange for a density bonus that is permitted by the Primary District.
- C. A Planned Development limited to cluster housing that does not include a density bonus is subject only to the standards in Sections 390-17.5 A and Section 390-

17. 6. When a density bonus is proposed, the Planned Development shall also meet the provisions of Section 390-17.9.

D. An applicant shall choose one or more of the following options to compensate for the adjustment of development standards, relocating land use districts or moving the centerline of a Primary Street. This Section is not applicable to a Planned Development for cluster housing, or to a Planned Development for detached dwelling units in the R-15 NB District.

- (1) The provision of public or private open space as specified by Section 390-17.8;
- (2) The provision of Work Force Housing as specified by Section 390-17.9;
- (3) The provision of varying lot widths for a residential Planned Development for detached single family dwellings in the R-6 NB or R-9 NB Districts as specified by Section 390-17.10;
- (4) The provision of a community service use (CSU) when the subject site is eligible for a CSU per the Community Service Use map in the North Bethany Subarea Plan as specified by Section 390-17.11; or
- (5) The provision of superior building and site design and construction.

PLACEHOLDER: County staff is working with interested parties to develop implementing standards to consider as part of the 2012 ordinance process for North Bethany.

E. The applicant shall demonstrate that, where applicable, the Planned Development is consistent with the following provisions of the North Bethany Subarea Plan:

- (1) Key elements of the North Bethany Subarea Plan that shall be maintained:
 - (a) Five (5) distinct neighborhoods, each approximately a quarter-mile (1/4) mile from center to edge organized around centrally-located public destinations with one or more discernable center(s) or destination point(s) (node);
 - (b) A centrally located Main Street Area along Kaiser Road;
 - (c) Two (2) prominently located community parks connected by a series of Park Blocks along the Subarea's east-west ridgeline;
 - (d) A Primary Street system;
 - (e) A Park, Trail, and Open Space system;

(f) Four (4) Gateways that mark prominent entry points into the Subarea and the Subarea's Main Street Area; and

(g) Provision for community service uses in residential districts.

(2) Components of each of the five (5) neighborhoods that shall be maintained:

(a) A variety of residential densities resulting in distinct housing types that reflect each neighborhood's residential land use designations (e.g., large and small lot detached single family, town homes, and multi-family buildings at varying densities).

Densities shall generally transition from high to medium and medium to low. The highest densities shall be adjacent to commercial areas, the community parks and the Park Blocks. High density need not be located adjacent to arterials or collectors. The lowest densities shall be adjacent to the UGB and areas with natural constraints, such as steep slopes;

(b) Neighborhoods are designed to be walkable with most of each neighborhood's dwellings within a five-minute walk of the neighborhood center(s) (an average of approximately one-quarter (1/4) mile);

(c) Neighborhoods are organized around centrally-located public destinations with one or more discernable center(s) or destination point(s) (node);

(d) Include a neighborhood park, a commercial area and the opportunity for a civic use (e.g., a community service use) and/or a community gathering space; and

(e) Have edges that mark the transition between neighborhoods. Examples of edges are a natural area, a trail, or arterial or collector street.

(3) The Main Street Area is located along Kaiser Road and includes the Subarea's primary commercial area and highest residential densities (R-24 NB and R-25+ NB Districts). Buildings in the Main Street Area shall be two (2) or more stories high;

(4) Outside of the Main Street Area, development adjacent to the Park Blocks and Kaiser Road shall be fronted with land designated primarily as R-24 NB and R-25+ NB. Buildings adjacent to the Park Blocks and Kaiser Road shall be two (2) or more stories high;

(5) Parks are located adjacent to or near the R-15 NB, R-24 NB and R-25+ NB Districts to provide park access to higher density housing; and

(6) In order to ensure that parks are part of the public realm, have adequate parking, and have increased levels of public safety, parks shall have adequate frontage on public streets and shall not be hidden behind private backyards or buildings.

F. The proposed development uses innovative design;

G. The site design utilizes progressive concepts that reduce major alterations of the site. Examples of major alterations include excavations, retaining walls, steep road cuts and fill, and extensive grading; and

H. The site design retains to the greatest extent feasible existing natural features, such as drainage swales, slopes, ridgelines, rock outcroppings, vistas, natural plant formations, and trees.

390-17.6 Planned Development Standards for Cluster Housing (e.g., Cottage Housing)

Cluster Housing (e.g., Cottage Housing) is permitted in the North Bethany Subarea subject to compliance with the following standards:

A. Cottage Housing is permitted as a Type II Planned Development in the R-6 NB, R-9 NB and the R-15 NB Districts when the proposed development:

- (1) Does not exceed the maximum density permitted by the Primary District; and
- (2) Is consistent with standards of Code Section 390-27; and
- (3) Is subject to the standards of Section 390-17.6, but is not subject to any other standards of Section 390-17.

B. Cottage Housing is permitted as a Type III Planned Development in the R-6 NB, R-9 NB and the R-15 NB Districts when the proposed development:

- (1) Includes a density bonus permitted by the Primary District;
- (2) Is consistent with standards of Code Section 390-27;
- (3) Provides Work Force Housing consistent with the standards of Section 390-17.9; and
- (4) Is subject to the standards of Sections 390-17.6 and 390-17.9, but is not subject to any other standards of Section 390-17.

390-17NEW1 Planned Development Standards for a Density Bonus

When an applicant proposes to provide a density bonus in a residential Planned Development, as provided for under Section 390-17.4 D, the Planned Development shall meet the following requirement:

The applicant must provide Work Force Housing consistent with Section 390-17.9.

390-17NEW2 Planned Development Standards for Detached Dwelling Units in the R-15 NB District

Detached dwelling units are permitted as a Type III Planned Development in the R-15 NB District when the proposed development complies with the following standards:

- A. The maximum size of any individual North Bethany development site for detached dwelling units in the R-15 NB District is fifteen (15) acres;
- B. The Required Outdoor Yard Area for detached dwelling units may be re-allocated to the development's public or private open space when the requirements below are met for each detached dwelling unit:
 - (1) The detached dwelling unit has a porch on its front elevation with clear dimensions of at least eight (8) feet wide and five (5) feet deep, which is covered by a roof supported by structurally integral columns, cables or brackets;
 - (2) If utilized, decks on rear elevations of detached dwelling units must have clear dimensions of at least eight (8) feet wide and four (4) feet deep.
 - (3) Required Outdoor Yard Area re-allocated to public or private open space shall have the following attributes:
 - (a) Each required open space area shall maintain a minimum dimension of twenty (20) feet and a minimum area of 1000 square feet.
 - (b) Open space required by this provision shall be located within a one-quarter (1/4) mile of ninety (90) percent of the dwelling units affected by any reduction in standards.
 - (c) For security purposes, the open space shall be adequately illuminated during hours of darkness.
 - (d) The open space shall not be located within public or private streets.
 - (e) The open space is designed to be accessible, promote activity, and be comfortable and sociable.

390-17.7 Modification of Standards through the Planned Development, Excluding Planned Developments for Cluster Housing

A. Modifications to the following standards may be allowed through a Planned Development when an applicant demonstrates compliance with the standards of this Code and the North Bethany Subarea Plan:

- (1) Parking requirements;
- (2) Lot dimensions;
- (3) Lot area requirements;
- (4) Yard (setback) requirements;
- (5) Building height (except the building height standards of Section 427-3);
- (6) Landscaping; and
- (7) Relocating the Primary Districts in the Planned Development.

B. Allowed Modifications

Upon findings that the applicant's plan achieves the applicable criteria in Section 390-17.5, the Review Authority may modify the identified standards within the following prescribed limits:

- (1) Front, side, and rear yards may be reduced to zero provided that:
 - (a) Building code standards are met;
 - (b) The Primary District's driveway setback standard is not reduced;
 - (c) Adequate buffering shall be provided around the perimeter of the Planned Development (front, side, and rear yards) so that the Planned Development will be compatible with adjacent existing or future development, particularly when adjacent development is or will be of a different density or intensity (e.g., commercial);
 - (i) The design of the Planned Development shall include transitioning measures (e.g., lower to higher density, lower to higher building height, mass and scale) and/or buffers so that structures and site improvements (e.g., on-site parking) will be compatible with existing or future adjacent development; and
 - (ii) When provided, planting areas shall be of sufficient width to provide a long-term healthy environment for proposed landscaping consisting of trees, groundcover, and shrubs. The width of the planting area shall accommodate the mature width of plant materials.

- (d) When a Planned Development proposes to reduce front or street side yards, the requirements of (c) above shall be applicable along those streets. A planted street median may be utilized as an element of the proposed buffer along adjacent streets.
- (2) The reduction of private roadway pavement width may be made if provisions are made to provide off-street parking in addition to that required in the Off-Street Parking Section of this Code. In no event shall the reduction exceed that approved by Tualatin Valley Fire and Rescue;
- (3) Maximum height limitations may be increased up to seventy (70) feet;
- (4) Parking requirements for non-residential development may be reduced up to thirty (30) percent as provided in Section 413-14;
- (5) Lot size and lot dimension requirements may be reduced or eliminated. However, this modification:
- (a) Shall not allow increased density, except for a density bonus through a Type III Planned Development; and
- (b) Shall continue to provide for the Required Outdoor Yard Area specified in the Primary District.
- (6) Landscaping requirements may be reduced. However, when a Planned Development does not utilize the provision of open space under Section 390-17.5 D. (1), the minimum required amount of landscaping shall:
- (a) Not be reduced by more than fifty (50) percent for Planned Developments for attached residential units and commercial and institutional developments; and
- (b) Include a common open space area(s) for residents and/or employees/customers. The common open space area(s) shall be designed to promote interaction among people. Examples of common open space include courtyards, lawn areas, community gardens, play ground areas, and a picnic table(s) with barbeque facilities. Pedestrian amenities, including seating, and other amenities, such as trash and recycling receptacles, shall be provided.
- (7) The Primary Districts, as designated by the Community Plan for the subject site, may be relocated within the boundaries of the proposed Planned Development.

390-17.8 Standards for the Public or Private Open Space Option

When an applicant proposes to provide open space as provided for under Section 390-17.5 D (1), the Planned Development application shall meet the following requirements:

abcdef Proposed additions

~~abcdef~~ Proposed deletions

A. The site design shall comply with the following standards for ground-level public or private open space. The gross acreage of the development site, excluding existing public road rights-of-way, shall be used to calculate the minimum required open space based on the following area requirements:

- (1) Twenty (20) percent on sites between zero (0) and ten (10) acres;
- (2) Fifteen (15) percent on sites between ten (10) and fifty (50) acres; and
- (3) Ten (10) percent on sites greater than fifty (50) acres.
- (4) When an indoor recreational facility is provided, such as a fitness center or swimming pool, the floor area of the facility may be used to satisfy the open space requirements of (A) (1) through (3) above.
- (5) Each required open space area shall maintain a minimum dimension of ten (10) feet and a minimum area of 1000 square feet.
- (6) Open space required by the provisions of the standards of Section 390-17.8 shall be located within a one-quarter (1/4) mile of ninety (90) percent of the dwelling units affected by any reduction in standards.
- (7) For security purposes, the open space shall be adequately illuminated during hours of darkness.
- (8) Open space required by the standards of Section 390-17.8 shall not be located within public or private rights-of-way.
- (9) Open space tracts shall be free from all structural encroachments (i.e., roof overhangs, awnings, and other architectural features) of structures on abutting properties.

B. The open space shall be improved and landscaped to reflect the intended character of the development, the requirements of Section 390-17.8 C below, and as approved by the Review Authority and shall be in addition to that required by Section 405-1 (Open Space), other Code standards, including the landscaping and screening and buffering requirements of Sections 407 and 411, and Density Restricted Lands designated by the North Bethany Subarea Plan. However, Commercial or Institutional Planned Development proposals shall be allowed to use flood plain, drainage hazard, or riparian open space on the subject property to offset up to fifty (50) percent of this open space, provided that the area counted for offset is not used for parking (see Section 421-12).

C. Recreational Facilities Standards for Open Space

Open space provided under Sections 390-17.8 A and B above shall meet the following requirements for recreational facilities:

- (1) Provision of one (1) or more of the following active recreational facilities: playgrounds, bike and pedestrian trails, swimming pools, tennis courts, community garden areas, and similar facilities.
- (2) For development sites that are less than one (1) acre in size, provision of at least two (2) of the following passive recreation improvements may be substituted for the active recreational facilities: a bench or benches for seating; public art, such as a statue; a water feature such as a fountain; a gazebo; or picnic table(s) with barbecue facilities.
- (3) A facility or amenity that is required by another Code standard (including accessways, internal sidewalks, and walkways) shall not count as a Planned Development recreational facility.
- (4) A recreational facility may be placed within the Planned Development open space or within a building (e.g. fitness center), but shall not be located within an area utilized for another Code-required use or activity (including accessways required by Section 408, private and public street rights-of-way, required screening and buffering areas) except for required yard areas (building setbacks).

390-17.9 Standards for the Work Force Housing Options

A. When an applicant requests a density bonus to exceed the maximum density prescribed in the Primary District under Section 390-17.5 B, the Planned Development shall meet the following requirements:

- (1) The provision of a minimum of twenty (20) percent of the total number of dwelling units shall be provided as Work Force Housing ownership units. Ownership units under this option are not subject to the minimum affordability period specified in Section 390-17.9 A (4); or
- (2) The provision of a minimum of ten (10) percent of the total number of dwelling units shall be provided as Work Force Housing ownership units. Ownership units under this option shall comply with the minimum affordability period specified in Section 390-17.9 A (5); or
- (3) The provision of a minimum of ten (10) percent of the total number of dwelling units shall be provided as Work Force Housing rental units. Rental units under this option shall comply with the minimum affordability period specified in Section 390-17.9 A (5); or
- (4) A Planned Development with rental and ownership units may provide a minimum of ten (10) percent of the total number of dwelling units as Work Force Housing through a combination of rental and ownership units that comply with the minimum affordability period specified in Section 390-17.9 A (5).

- (5) Affordability at the levels in Sections 390-17.9 A. (2) and (3) above shall be assured for a minimum period of thirty (30) years through a legal instrument as specified in Section 390-17.9 B (5) below.

B. Requirements

- (1) Work Force Housing units shall be integrated with market rate units throughout the entirety of the Planned Development and shall not be segregated into separate areas or buildings in the Planned Development;
- (2) The exterior design of buildings with Work Force Housing units shall be similar to that of other buildings in the development;
- (3) For a phased development, Work Force Housing units shall be provided proportionately and concurrently with market rate units;
- (4) The size of the Work Force Housing units (e.g., number of bedrooms per unit) shall be consistent with the range of unit sizes proposed for market rate dwellings;
- (5) When required by Section 390-17.9 A, a restrictive covenant or other legally binding document approved by County Counsel shall be recorded for the affected parcel(s) or lot(s) describing the requirements of Section 390-17.9 A (4) above. The recorded restriction shall run with the land for a minimum of thirty (30) years and shall commence from the date of issuance of the building's certificate of occupancy or final building inspection. When the recording of a restrictive covenant or other legally binding document is required, the document shall be recorded prior to final land use approval;
- (6) An application for a Planned Development shall include a written description about how the development will provide Work Force Housing in accordance with the requirements of Section 390-17.9. Sufficient information shall be provided to demonstrate that it is feasible for the applicant to meet the requirements of Section 390-17.9; and
- (7) Prior to granting final approval of the Planned Development, the applicant shall submit all documents necessary to execute the requirements of Section 390-17.9, including but not limited to how the Work Force Housing will be provided in the development (e.g., rental units, ownership units, both rental and ownership units) and the restrictive covenant or other appropriate legal document.

- C. When an applicant proposes to modify development standards or relocate the Primary Districts and chooses to provide Work Force Housing in exchange for this level of flexibility as provided for by Section 390-17.5 D (2), Work Force

Housing shall be provided as required by Section 390-17.9 A. The standards of Section 390-17.9 B are also applicable to this type of Planned Development.

390-17.10 Standards for the Provision of Single Family Dwelling Lot Width Variation Option

When an applicant proposes to vary lot widths for detached single family dwellings in the R-6 NB or R-9 NB Districts as provided for under Section 390-17.5 D (3), the Planned Development application shall meet the following requirements:

- A. At least thirty (30) percent of the lots in each block face shall be twenty-five (25) percent greater than the Primary District's minimum lot width;
- B. The provisions of Section 390-17.7 B (5) shall not be used. Lots that are not intended to satisfy A. above shall meet or exceed the minimum dimensional standards of the Primary District; and
- C. Flag lots and private streets shall not be used to achieve variation in lot widths.

390-17.11 Standards for the Provision of a Community Service Use Option

When an applicant proposes to provide a community service use (CSU) in a residential Planned Development, as provided for under Section 390-17.5 D (4), the Planned Development application shall meet the following requirement:

The CSU use must be consistent with the applicable requirements for community service uses in the Bethany Community Plan (see Ch. 2, North Bethany Subarea Plan) and Section 390-16.4.

390-17.12 Standards for the Provision of Superior Building and Site Design and Construction

When an applicant proposes to provide superior building and site design and construction in a residential Planned Development as provided for under Section 390-17.5.D(5), the Planned Development application shall meet the following requirement:

The Planned Development must include at least two (2) factors from the "Building Factors" list in 390-17.12.A. at least two (2) factors from the "Site Design" list in 390-17.12.B., and a total of five (5) factors.

A. Building Factors

- (1) Energy efficiency and conservation (fifteen percent (15%) above current code).
- (2) Sustainable construction techniques (waste and disposal).
- (3) Building water efficiency and conservation.
- (4) No blank walls over 30 feet in length.

- (5) Openings from buildings to the street open onto stoops, porches and/or paved walkways.
- (6) Quality building materials that are durable and attractive.
- (7) Building lengths not to exceed three hundred (300) feet.
- (8) Buildings designed and constructed to follow site topography, which may require buildings to be stepped down to follow the existing grade in some locations.
- (9) Window shutters on windows that face streets or public spaces.
- (10) Tile or shake roofing material.
- (11) One or more dormers on the front elevation.
- (12) Three or more gables.
- (13) Bay or bowed window(s) on the front elevation.
- (14) Porches on the front elevation that have clear dimensions of at least eight feet wide and six feet deep, and are covered by a roof supported by structurally integral columns or brackets.
- (15) Building face or roof offsets (minimum 12 inch offset) on the front elevation.
- (16) Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.
- (17) Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide, and must be accessible from the interior living space of the house.
- (18) Trim marking roof lines, porches, windows and doors on all elevations. The trim must be at least 3-1/2 inches wide.
- (19) Other architectural or design elements that apply to at least 10 percent of the front elevation and result in visual interest, variety and beauty.

B. Site Design

- (1) Low impact development measures: rain gardens, bio-swales, porous pavement systems.
- (2) Low water demand landscaping (lawn permitted).

- (3) Provision of park and recreation space / gathering spaces.
- (4) Open space is designed to be accessible, promote activity, and be comfortable and sociable.
- (5) Buildings are oriented to street(s), rather than set behind parking areas.
- (6) Building facades must address all street(s), rather than set behind parking areas.
- (7) Proposed streetscape design exceeds current standards (e.g. more street furniture, more or larger trees, landscaping or wider sidewalks).
- (8) Locate parking interior to the site to minimize visual impact of parking areas.
- (9) Motion sensor lighting in common areas.
- (10) Landscaping provided along building facades.
- (11) Design includes place-making elements and consideration of the area's history.
- (12) Bicycle and pedestrian connections beyond those required by existing standards provided through the development site.
- (13) Trees and shrubs used in setback areas help minimize the height and mass of buildings and differences in grade from adjoining properties.
- (14) Heightened intensity of open space design, inclusion of more active and passive amenities than those required by the PD code.

C. Process.

- (1) An application relying on this section shall hold a neighborhood meeting as required by Section 203-3.
- (2) An application relying on this section shall be processed using the Type III procedure.

390-20 Building Design and Variety

~~PLACEHOLDER: These standards shall be addressed in conjunction with the discussions regarding Planned Development standards.~~

390-20.1 Intent and Purpose

The purpose of this Section is to prevent monotony, excessive repetition, and a lack of architectural features on building façades in the North Bethany Subarea.

390-20.2 Applicability

- A. The standards of this Section are applicable to development in all of the North Bethany Subarea land use districts, with the following exceptions:
- (1) Residential development in the R-6 North Bethany District (R-6 NB) is exempt from the standards of this Section; and
 - (2) Non-residential development in the Institutional District (INS) that is more than fifty (50) feet from any public street is exempt from the standards of this Section.
- B. Where development is subject to the Special Frontages requirements of the North Bethany Subarea Plan, the standards in this Section are also applicable, except where an exemption is specifically stated in the standards below.

390-20.3 Street-Facing Building Façades

Street-facing façades shall not consist of featureless blank walls, and shall comply with the standards below.

- A. Single-Family Detached Dwelling Units shall comply with the following standards:
- (1) Front façades shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard. In addition, front façades shall include at least two of the three features listed below. Front façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.
 - (a) A covered stoop that is a minimum of four (4) feet wide and three (3) feet deep, or a covered porch that is a minimum of six (6) feet wide and six (6) feet deep;
 - (b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of five and one-half (5 1/2) inches wide; The secondary siding type shall have a minimum area of ten (10) percent of the overall façade;

- (c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

~~(2) Within each block of a development, the front façades of adjacent dwelling units shall differ from each other in at least one of the following ways:~~

~~PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family detached front façade variation for consideration as part of the 2012 ordinance process.~~

~~(23) Street-facing side and/or rear façades shall include at least two (2) of the features listed below. Side and/or rear façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.~~

- (a) Windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the side and/or rear facing wall area visible from the street;
- (b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of five and one-half (5 1/2)~~5.5~~ inches wide;
- (c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

~~(34) Garage Frontage~~

~~PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family detached dwelling garage façade standards for consideration as part of the 2012 ordinance process.~~

- (a) No more than forty (40) percent of the width of the ground floor of a dwelling shall be an attached garage (the garage width is the width of the garage door); or
- (b) Up to fifty (50) percent of the width of the ground floor of a dwelling may be an attached garage (the garage width is the width of the garage door) provided the garage front is located at least five (5) feet behind the front building wall (the front building wall does not include a porch or other projections); or
- (c) For lots with front loaded double car garages, up to sixty (60) percent of the width of the ground floor of a dwelling may be an attached garage (the garage width is the width of the garage door) when:
 - (1) The garage front is located at least eight (8) feet behind the entire width of the remaining frontage of the dwelling; and

- (2) A minimum of twenty (20) square feet of windows on the front exterior wall of living space (e.g., living or family room; does not include an enclosed porch) is provided. Lower window sills shall not be more than three (3) feet above grade except where interior floor levels prevent such placement, in which case the lower window sill shall be not more than a maximum of four (4) feet above the finished exterior grade; and
- (3) The lots are interspersed among other lots within the development that meet the garage frontage standards of A. and B. above; or
- (d) For lots in which the grade at the rear lot line is at least six (6) feet higher than the grade at the front (street side) lot line, up to sixty (60) percent of the width of the ground floor of a dwelling may be an attached garage (the garage width is the width of the garage door) when:

 - (1) A covered porch and/or front building wall, located on the floor immediately above the garage, projects at least eight (8) feet in front of the garage door. The length of the covered porch and/or front building wall must be equal to or greater than the width of the garage door.
 - (2) The required amount of on-street parking is provided, per CDC Section 413-6.
- (e) The width of an attached garage may exceed the dimensional requirement of A, B, or C above when the applicant demonstrates compliance with the principles of Section 431-5.3 pursuant to the Type III procedure and Departmental review requirements for Type III actions in Transit Oriented Districts.
- (f) The above garage frontage standards do not apply to lots on non-through public or private streets (e.g., cul-de-sacs) unless the street is connected by an accessway to another street.

B. Single-Family Attached Dwelling Units shall comply with the following standards:

- (1) The front façade of each dwelling unit shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard. In addition, the front façade of each dwelling unit shall include at least two of the three features listed below. Front façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

- (a) A covered stoop that is a minimum of four (4) feet wide and three (3) feet deep, or a covered porch that is a minimum of six (6) feet wide and six (6) feet deep;
- (b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of five and one-half (5 1/2) inches wide; The secondary siding type shall have a minimum area of ten (10) percent of the overall façade;
- (c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

~~(2) Front Façade Variation~~

~~PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family attached front façade variation for consideration as part of the 2012 ordinance process.~~

- ~~(23)~~ Street side and/or rear façades facing a street (not alley) shall include at least two (2) of the features listed below. Side and/or rear façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.
 - (a) Windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the side and/or rear facing wall area visible from the street;
 - (b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of five and one-half (5-5 1/2) inches wide;
 - (c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

- ~~(34)~~ Townhome blocks (buildings) are limited to no more than ten (10) attached units in the R-15 NB and R-24 NB Districts.

~~(45) Garage Frontage~~

~~PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family attached dwelling garage façade standards for consideration as part of the 2012 ordinance process.~~

- (a) No more than forty (40) percent of the width of the ground floor of a dwelling shall be an attached garage (the garage width is the width of the garage door); or
- (b) Up to fifty (50) percent of the width of the ground floor of a dwelling may be an attached garage (the garage width is the width of the

garage door) provided the garage front is located at least five (5) feet behind the front building wall (the front building wall does not include a porch or other projections); or

- (c) For lots with front loaded double car garages, up to sixty (60) percent of the width of the ground floor of a dwelling may be an attached garage (the garage width is the width of the garage door) when:
- (1) The garage front is located at least eight (8) feet behind the entire width of the remaining frontage of the dwelling; and
 - (2) A minimum of twenty (20) square feet of windows on the front exterior wall of living space (e.g., living or family room; does not include an enclosed porch) is provided. Lower window sills shall not be more than three (3) feet above grade except where interior floor levels prevent such placement, in which case the lower window sill shall be not more than a maximum of four (4) feet above the finished exterior grade; and
 - (3) The lots are interspersed among other lots within the development that meet the garage frontage standards of A. and B. above; or
- (d) For lots in which the grade at the rear lot line is at least six (6) feet higher than the grade at the front (street side) lot line, up to sixty (60) percent of the width of the ground floor of a dwelling may be an attached garage (the garage width is the width of the garage door) when:
- (1) A covered porch or a front building wall, located on the floor immediately above the garage, projects at least eight (8) feet in front of the garage door. The length of the covered porch and/or front building wall must be equal to or greater than the width of the garage door.
 - (2) The required amount of on-street parking is provided, per CDC Section 413-6.
- (e) The width of an attached garage may exceed the dimensional requirement of A, B, or C above when the applicant demonstrates compliance with the principles of Section 431-5.3 pursuant to the Type III procedure and Departmental review requirements for Type III actions in Transit Oriented Districts.
- (f) The above garage frontage standards do not apply to lots on non-through public or private streets (e.g., cul-de-sacs) unless the street is connected by an accessway to another street.

C. Multi-family buildings shall comply with the following standards:

~~abc~~def Proposed additions

~~abc~~def Proposed deletions

- (1) Street-facing building façades shall avoid long monotonous, uninterrupted walls by including at least two (2) of the items listed under subsection (a) below, as well as the required items listed under subsection (b) below, three (3) of the architectural details below. Street-facing building façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for multi-family building street-facing façade articulation for consideration as part of the 2012 ordinance process.

- (a) Each street-facing building façade shall include at least two (2) of the following three (3) items:
- 1) For every fifty (50) feet of building façade, at least one of the following elements shall be provided:
 - A) A minimum of two (2) breaks in the roofline or the provision of two (2) dormers; or
 - B) Recessing a section of the façade by at least two (2) feet; the recessed section must be at least six (6) feet wide; or
 - C) A bay window, extending the full height of a floor or floors, that extends at least two (2) feet.
 - 2) A minimum of two (2) balconies, each a minimum of three (3) feet in depth and six (6) feet in width, that are enclosed by railings or parapets.
 - 3) When a street-facing building facade is more than seven hundred fifty (750) square feet in area, the building wall plane shall be divided into smaller planes of five hundred (500) square feet or less. This division of a building wall plane into smaller planes may be accomplished by including one or more of the following elements:
 - A) A porch, a dormer that is at least four (4) feet wide, or a balcony that is at least three (3) feet deep and is accessible from an interior room;
 - B) A bay window, extending the full height of a floor or floors, that extends at least two (2) feet; or
 - C) Recessing a section of the facade by at least two (2) feet; the recessed section must be at least six (6) feet wide.

(b) The following items are required on each street-facing building façade:

- 1) Fifteen (15) percent of the ground level of street (not alley) facing building façades must be window area. Ten (10) percent of upper-story street-facing building façade areas must be window area.
- 2) A primary building entrance that is oriented to, and visible from, the street. (For corner buildings that have more than one street-facing façade, a primary building entrance is only required on one street-facing façade.)
- 3) A minimum of two (2) types of siding materials, each with an area of no less than twenty (20) percent of the façade. However, brick siding material may be used singly and applied to the entirety of the façade.
- 4) High-quality siding materials: Buildings shall be constructed with exterior building materials and finishes of high quality to convey an impression of permanence and durability.
 - A) Allowed materials include masonry; stucco; stone; wood or cementitious shakes and shingles; horizontal lapped siding; wood or architectural grade fiber cementitious panel siding; concrete-wood mix siding; metal (standing seam or panel, painted or galvanized); and similar durable architectural materials as approved by the Director.
 - B) Concrete or split-face concrete masonry unit (CMU) exterior siding materials are only allowed for the ground floor.
 - C) Prohibited exterior siding materials include T-111 siding, plain or plain painted plywood and strandboard sheets, and similar exterior materials.

(2) The overall length of a building is limited to three hundred (300) feet.

(3) For buildings with flat roofs, the roof shall have either twelve (12) inch eaves/soffits or a cornice. Parapets shall have a cap or a cornice. Caps shall be a minimum of six (6) inches. Cornices shall consist of the following:

- (a) There shall be two parts to the cornice. The top part of the cornice shall project at least six (6) inches from the face of the building and be at least two (2) inches further from the face of the building than the bottom part of the cornice. The cornice shall have a minimum height of eleven (11) inches.

(2) — Front Façade Variation

~~PLACEHOLDER: County staff will coordinate with interested parties and develop standards for multi-family building front façade variation for consideration as part of the 2012 ordinance process.~~

~~(23) Structural exterior wall offsets of a minimum two (2) foot horizontal variation shall be used at intervals of forty (40) feet or less along the structure's façade, to visually enhance long walls.~~

~~(34) For buildings with length or width greater than one hundred (100) feet, roofline offsets shall be provided at intervals of one hundred (100) feet or less, to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight (8) foot variation vertically from the gutter.~~

D. For non-residential development (commercial, Community Service Use, or Institutional Use), the following standards shall apply:

(1) The façade treatments listed below shall be provided on all street-facing sides of the building:

(a) High-quality siding materials: Buildings shall be constructed with exterior building materials and finishes of high quality to convey an impression of permanence and durability.

i) Allowed materials include masonry; stucco; stone; wood or cementitious shakes and shingles; horizontal lapped siding; wood or architectural grade fiber cementitious panel siding; concrete-wood mix siding; metal (standing seam or panel, painted or galvanized); and similar durable architectural materials as approved by the Director.

ii) Concrete or split-face concrete masonry unit (CMU) exterior siding materials are allowed for the ground floor. However, the use of these materials on upper floors is limited to a maximum of ten (10) percent of the upper floor façade.

iii) Prohibited exterior siding materials include T-111 siding, plain or plain painted plywood and strandboard sheets, and similar exterior materials.

(b) A minimum of two (2) types of siding materials, each with an area of no less than twenty (20) percent of the façade. However, brick siding material may be used singly and applied to the entirety of the façade;

(c) Window and door trim;

- (i) For façades predominantly sided with horizontal lapped siding, shingles, or board and batten, fully trimmed windows and doors are required. Trim shall be a minimum of three and one-half (3 1/2) inches wide and completely surround the windows and/or doors.
 - (ii) For façades predominantly sided with brick, stone, metal, concrete, stucco, CMU, or a combination of these materials, no trim is required.
- (2) For buildings with two (2) or more stories, the street-facing façade at the ground level of the structure shall be visually distinct from upper stories. This separation shall be provided by one or more of the following:
 - (a) A band, band course, band molding, belly band, belt course, or similar horizontal element of relatively slight projection, which marks a horizontal division in the wall plane between the ground floor and the upper floors;
 - (b) A projecting façade element (awning, canopy, or arcade) between the ground floor and the upper floors. Awnings and canopies must be made of glass, metal, or exterior grade fabric (or a combination of these materials);
 - (c) The use of a different exterior material, wall surface pattern, or wall texture on the ground floor façade;
 - (d) The street-facing façade above the ground floor is set back from the ground floor façade;
 - (e) The use of larger windows on the ground floor façade and smaller windows on the upper floors; or
 - (f) A row of transom windows above the main windows on the ground floor façade.
- (3) For buildings with length or width greater than one hundred (100) feet, roof-line offsets shall be provided at intervals of one hundred (100) feet or less, to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight (8) foot variation either vertically from the gutter line or horizontally.
- (4) For any street-facing exterior wall, at least twenty (20) percent of a ground floor wall area shall be comprised of windows. Required windows are limited to windows on the wall or within pedestrian entrance doors that allow views into working areas or lobbies, or display windows set into the wall. The square footage of garage doors and garage windows shall not count towards this standard, unless the entire garage door is composed of window panels.

(5) Ground floor windows on street-facing exterior walls may not be darkly tinted windows and mirrored windows that block two-way visibility.

(6) For buildings with flat roofs, the roof shall have either twelve (12) inch eaves/soffits or a cornice. Parapets shall have a cap or a cornice. Caps shall be a minimum of six (6) inches. Cornices must consist of the following:

There shall be two parts to the cornice. The top part of the cornice shall project at least six (6) inches from the face of the building and be at least two (2) inches further from the face of the building than the bottom part of the cornice. The cornice shall have a minimum height of eleven (11) inches.

390-21 Review Criteria for Type III Uses

390-21.1 Intent and Purpose

The planning process to develop the North Bethany Subarea Plan identified the location of future public and private Type III uses (e.g., public schools, a fire station, a church). Since the Subarea Plan, with its implementing land use districts, specifies the types and locations of needed Type III uses, these uses are presumed to be appropriate uses, subject to these uses being developed in a manner:

- A. That makes the Type III uses compatible with existing and future adjacent residential uses; and
- B. That mitigates ~~if potential~~ adverse impacts, ~~if any,~~ to existing ~~and~~ future adjacent uses ~~are mitigated to the extent.~~

390-22 Additional North Bethany Subarea Development Standards

390-22.2 Landscape Design

In addition to the requirements of Section 407, the following standards apply:

A. Development shall meet the street tree standards identified in the North Bethany Subarea Plan. The species of street trees to be planted shall be from the approved North Bethany Street Tree List in the North Bethany Subarea Plan. Trees shall meet the required spacing standard to maximize canopy coverage and provide canopy overlap for shade.

B. Shared outdoor recreation areas:

(1) Usable outdoor recreation area(s) shall be provided for ~~single-family attached and~~ multi-family dwelling structures developments for the shared or common use of all the residents in the following amounts:

(a) Studio, up to and including two-bedroom units, two hundred (200) square feet per unit; and

(b) Three or more bedroom units, three hundred (300) square feet per unit.

Section 390-26 Adjusting Land Use District Boundaries

The boundary between two land use districts within a development site may be adjusted through the Type II or III development review process (without the use of a Planned Development) when the following requirements are met.

390-26.1 The land use district boundary does not follow:

A. A property line;

B. An existing street; or

C. A Primary Street.

390-26.2 The land use district boundary may be moved within a one-hundred and fifty (150) foot wide corridor that is measured seventy-five feet (75) from the land use district boundary. The land use districts on either side of the adjusted boundary shall remain unchanged.

390-26.3 The adjusted land use district boundary shall not:

A. Result in a decrease to the minimum density required on the development site; or

B. Result in an increase to the maximum density permitted on the development site that is greater than five (5) percent.

390-26.4 The adjusted land use district boundary is consistent with the North Bethany Subarea Plan's density transect, including the density transition designation on the applicable Neighborhood map.

390-26.5 For the purposes of this Section, "density transect" means the transition of residential density from high to medium and medium to low. The highest densities are adjacent to commercial areas, the community parks and the Park Blocks. The lowest densities are adjacent to the UGB and areas with natural constraints, such as steep slopes. Density transition designations are noted on the Neighborhood maps.

390-27 Cluster Housing

Cluster Housing regulations provide for flexibility in standards in order to provide a variety of housing types and allow for the provision a density bonus in the R-6 NB, R-9 NB, and R-15 NB Districts. Appropriate amounts of parking and common and private outdoor areas are provided to ensure livable neighborhoods. Cluster Housing allows higher residential densities through the use of smaller housing, clustered parking and specific site design standards. These characteristics also minimize impacts on adjacent residential land.

Dwellings are single family detached or attached dwelling units clustered together around a common area and developed with a coordinated design for the entire site. The size of a cluster is limited to four (4) to twelve (12) dwellings around a common area, which helps to encourage a sense of community among residents. Dwellings in a Cluster Housing development are not separated by streets. Cluster Housing can be developed with individual lots for each dwelling (a subdivision) or with common ownership of all land in the site (a condominium).

Street frontage, lot size, setbacks, and other traditional subdivision regulations are redefined to allow more of the development site to be used as common open space. The clustered housing arrangement and common areas distinguish this housing type from small house/small lot development that generally front on public streets and/or alleys.

Although Cottage Housing, Courtyard Housing and Shared Court Housing can be allowed types of Cluster Housing, the Cluster Housing regulations for the North Bethany Subarea are limited to Cottage Housing. Standards can be developed and added for Courtyard Housing and Shared Court Housing in the future.

390-27.1 Cottage Housing

Cottage Housing is a grouping of no less than four (4) and no more than twelve (12) detached single-family dwellings and/or single family attached dwelling units that are oriented around a common open space. Each group of cottages is called a cluster. Buildings with attached dwelling units shall have no more than two (2) units in a

building. Accessory Dwelling Units are permitted only when they are built as part of the initial development.

Cottage Housing may be provided when the following standards are met.

A. Applicability

- (1) Cottage Housing is permitted in the R-6 NB, R-9 NB and R-15 NB Districts as a Planned Development as specified by the Primary District and Section 390-17.6.
- (2) Cottage Housing is permitted as a Type II Planned Development provided the proposed number of dwelling units does not exceed the maximum density permitted by the Primary District.
- (3) A density bonus is permitted in the R-6 NB, R-9 NB and R-15 NB Districts through a Type III Planned Development. The proposed number of dwelling units shall not exceed the density bonus permitted by the Primary District.

B. Cottage Housing Development Size and Permitted Number of Dwellings

- (1) A development with Cottage Housing shall consist of:
 - (a) One or more Cottage Housing cluster; or
 - (b) A variety of housing types, including one or more Cottage Housing cluster, with other housing types permitted by the Primary District.
 - (c) Cottages shall be clustered according to the requirements of this Section and the other housing types shall meet the applicable standards of the Primary District.
- (2) A minimum of four (4) and not more than twelve (12) cottages shall be provided in a cluster of cottages that are oriented around a common open space. When a development site contains more than 12 cottages, they shall be grouped in two or more clusters.
- (3) The Cottage Housing development shall be located on one or more blocks or a portion of a block that meets the standards of Section 408, including the block size standards of Sections 408-6.2 and 408-6.3.

C. Cottage Floor Area

- (1) The maximum ground floor area of each dwelling unit shall not exceed one-thousand (1,000) square feet. When provided, an attached garage shall be included in the calculation of total ground floor area. A variance or hardship relief request to increase this floor area standard is prohibited;

(2) The maximum floor area of each dwelling unit shall not exceed one-thousand five-hundred (1,500) square feet. A variance or hardship relief request to increase this floor area standard is prohibited; and

(3) Building areas that do not count towards the total floor area are:

(a) Unheated storage space located under the main floor of the unit;

(b) Architectural projections, such as bay windows, fireplaces or utility closets not greater than eighteen (18) inches in depth or six (6) feet in width;

(c) Attached covered porches, patios or decks;

(d) Detached garages or carports; and

(e) Spaces with a ceiling height of six (6) feet or less measured from the inside of the exterior wall, such as in a second floor area under the slope of the roof. A variance or hardship relief request to vary from this height standard is prohibited.

D. Dimensional Standards of a Cottage Housing Development Site

<u>Dimensional Standards</u>	<u>Standards</u>
<u>Minimum Site Frontage on a Public Street (development site)</u>	<u>80 feet</u>
<u>Minimum Side Yard Setback from an Adjacent Property¹</u> (applicable to all structures)	<u>10 feet</u>
<u>Minimum Rear Yard Setback¹</u> (applicable to all structures)	<u>15 feet</u>
<u>Minimum Setback from a Public Street</u> (applicable to all structures)	<u>Primary District standard</u>
<u>Minimum Setback from Common Open Space</u> (applicable to all structures)	<u>3 feet</u>
<u>Minimum Distance Between Structures²</u> (applicable to all structures)	<u>10 feet</u>
<u>Maximum Lot Coverage for all Structures on the Development Site</u>	<u>50 percent</u>
<u>Minimum Lot Area Per Dwelling Unit</u> (when lots for units are created)	<u>Dwelling footprint plus a 3 foot perimeter setback around the building plus the unit's private open space</u>
<u>Maximum Impervious Surface Area of the Development Site³</u>	<u>75 percent</u>
<u>Minimum Open Space</u>	<u>See Section 390-27.1 E., Required Open Space</u>
<u>Maximum Height⁴</u>	<u>25 feet, or the width of the building's gable face multiplied by 1.25, whichever is less.</u>
<u>Minimum Off-Street Parking Spaces per Cottage</u>	<u>Units with less than 700 square feet – 1 space per unit</u> <u>Units with more than 700 square feet and up to 1,000 square feet - 1.5 space / unit</u> <u>Unit with more than 1000 square feet and up to 1,500 square feet - 2 spaces / unit</u>

¹The side and rear setbacks may be reduced to the requirement of the Primary District for up to sixty (60) percent of the length of the property line.

²Heat pumps and air conditioners shall not be located within the minimum 10 foot wide setback between buildings.

³Areas of the site that are pervious shall be landscaped.

⁴Chimneys, cupolas or other architectural features shall not extend more than five feet above the roof at their highest point.

E. Required Open Space

(1) Private Open Space

Private open space shall be provided adjacent to each individual dwelling unit to provide area for the exclusive use of the dwelling's occupants and to promote diversity in landscape design. Private open space shall be designed in accordance with the following standards:

- (a) Be a minimum of three hundred (300) square feet of contiguous, usable open space for the exclusive use of the dwelling's residents. The private open space may be reduced to one-hundred (100) square feet per unit when the requirements of Section E. (2) (a) below are met. The private open space shall have no dimension less than ten (10) feet.
- (b) Dwelling units shall have direct access by a door from their interior to the private open space.
- (c) Up to fifty (50) percent of a portion of the private open space may include a porch or deck.

(2) Common Open Space

Common open space is intended to function as community open space and shall be designed to serve as a centrally located focal area for the development. The common open space area shall be designed in accordance with the following standards:

- (a) Be a minimum of three-hundred (300) square feet per unit. When four-hundred (400) or more square feet of common open space for each unit is provided, the private open space of each unit may be reduced to one-hundred (100) square feet per unit; and
- (b) The common open space shall have no dimensions less than twenty (20) feet except as described below and be able to encompass a square area at least forty (40) feet wide by forty (40) feet long. The common open space may be divided into more than one tract provided that each tract is connected by pedestrian accessways and each tract has a square area encompassing at least forty (40) feet wide and forty (40) feet long. Accessways connecting common open space tracts may count as part of the common open space when they are at least ten (10) feet wide.
- (c) The common open space shall be developed and maintained so it is usable for active and passive recreation activities. It shall be located in a centrally located area and be easily accessible to all dwellings in the cluster of cottages.

- (d) Common open space shall be landscaped consistent with the requirements of Section 407-2.1 and allow the area to be used for active and/or passive recreational activities. Amenities may include lawn, community garden space, a patio, a plaza, barbecue facilities, and/or recreational amenities, such as a children's play structure.
- (e) Land located between dwelling units and an adjacent street shall not serve as required common open space.
- (f) The common open space shall be located outside of storm water quality facilities, parking areas, Significant Natural Resource areas, wetlands, CWS vegetated buffers, and slopes greater than ten (10) percent.

F. Design of Individual Dwelling Units

- (1) Orientation to the street adjacent to the Cottage Housing development site

In order to ensure compatibility with dwellings on nearby properties, the street facing façade of a dwelling adjacent to the street shall have an entry door and porch facing the street.

- (2) Orientation to the common open space

- (a) Dwelling units shall surround the common open space on a minimum of two sides of the area;

- (b) At least fifty (50) percent of the dwelling units in the development shall abut the common open space. A dwelling is considered to "abut" the common open space if there is no structure, road, or utility facility between the unit and the common open space.

- (c) For dwellings that abut the common open space, the façade facing the common open space shall have an entry door.

- (3) Roof pitches - All portions of the main roof of a structure shall be pitched a minimum of 4:12; and

- (4) Porches, patios and decks

All dwelling units shall have a covered porch, covered patio or covered deck:

- (a) That is at least fifty (50) square feet in size with a minimum dimension of six (6) feet on any side; and

- (b) Is directly accessible from the interior of the dwelling.

G. Parking and Vehicular Access

- (1) Off-street parking shall be located in shared surface parking areas or garages, including attached or detached garages. The design of off-street parking areas shall meet the standards of Code Section 413. Vehicular access to the site and parking area(s), including the internal access from the public street, shall meet the standards of Section 413.
- (2) Shared parking areas shall be located to the side or the rear of the cottage development and shall not be located between dwelling units and the adjacent street.
- (3) Shared surface parking areas shall be located in parking courts of not more than five (5) adjoining (side by side) spaces and not more than ten (10) total parking spaces in one parking area. Each parking court shall be separated from the common open space by landscaping and/or fencing.
- (4) Common shared detached garage/carport structures shall be limited to no more than five (5) single car garages/carports per structure and not more than ten (10) total parking spaces in one parking area. Each parking area shall be separated from the common open space by landscaping and/or fencing.
- (5) When more than one shared parking area is provided in a development site, they shall be separated from each other by at least twenty (20) feet.
- (6) All parking courts and structures shall be screened from public streets and adjacent residential uses by landscaping and/or fencing.
- (7) The public street setback for parking courts and parking courts with carports shall be at least ten (10) feet more than the distance between the adjacent street and the dwelling closest to the street.
- (8) The side and rear yard setbacks for parking courts and parking courts with carports shall be at least ten (10) feet. The setback for parking in a detached garage shall meet the setback standards in Section 390-27.1 D.
- (9) Garage parking spaces shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.

H. Screening Requirements

- (1) Common waste and other storage receptacles shall not be placed in the front yard setback area or in the common area or private open space.
- (2) Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent properties, and the public right-of-way.

I. Community Buildings and Community Space

- (1) A Cottage Housing development may contain a community building or space that is clearly incidental in use to the dwelling units. The ground floor building foot print of the building shall not exceed 1,000 square feet.
- (2) A community building or space shall be located on the same site as the Cottage Housing development and be commonly owned and maintained by the owners of all of the dwellings.
- (3) A community space may be located above another common structure, such as a detached building with garages or a storage building.
- (4) The community building or space can have room(s) for meetings, parties, potlucks, personal projects, and bathrooms. The lot coverage and building area of a community building or space shall be excluded from the project total.

J. Accessory Dwelling Units

Accessory Dwelling Units (ADU) shall be permitted in a Cottage Housing development subject to the standards provided below. ADUs shall not be included in the density calculation to determine the permitted number of cottages and they shall not be included in the dwelling count for a cluster of cottages. Home occupations are not permitted in an ADU.

Accessory Dwelling Units shall:

- (1) Be located above a detached garage or Community Building;
- (2) Be limited to six hundred (600) total square feet (per ADU);
- (3) Be allowed only when proposed at the time of initial development application for the Cottage Housing development;
- (4) Provide one (1) off-street parking space per ADU; and
- (5) Contain a kitchen, bathroom and sleeping area.

K. Existing Dwellings

An existing single-family dwelling may be incorporated into a Cottage Housing development when it complies with the standards of this Section, with the exception of the following standards: cottage floor area and building height.

L. General Requirements

- (1) The use of common areas and structures, including parking areas, common open space and common structures shall be maintained over time. Conversion of these common areas and structures to other uses is prohibited;
- (2) Property owners/residents shall be responsible for the on-going maintenance of common areas and structures; and
- (3) A dwelling unit may not be enlarged once it has been constructed in accordance with the final approved master plan. Vaulted building space shall not be converted into habitable space. Porches, patios or decks shall not be enclosed. A variance to increase the size of a unit is prohibited; and
- (4) Home Owners' Association and Covenants

Prior to granting final approval of the Planned Development, legal documents creating a home owners' association and necessary covenants and restrictions shall be recorded that address the requirements described below. The document(s) shall be recorded in the Washington County Deed Records and shall be binding upon all heirs, successors and assigns. The home owners' association and necessary covenants and restrictions shall remain in perpetuity.

- (a) Establish common areas and structures, including parking areas, common open space and common structures; and preclude their conversion to another use;
- (b) Require the on-going maintenance of private and common areas and all buildings and structures;
- (c) Prohibit any increase to size of any unit after construction, including the conversion of vaulted space into habitable space; no variance or hardship relief shall be permitted to increase the size of a unit; and
- (d) Reserve the use of parking areas, including garages, for the parking of vehicles.

390-28 Alternative Partition Standards for the Conveyance of Land in the North Bethany Subarea for Fixed Parks, Neighborhood Parks, and Regional Stormwater Facilities

390-28.1 Intent and Purpose

The purpose of this Section is to provide alternative partition standards to allow property owners in the North Bethany Subarea to sell a portion of their property to the Tualatin Hills Park & Recreation District (THPRD) for parks and/or Clean Water Services (CWS) for regional stormwater facilities prior to the development of their property. Consequently, the implementation of standards in this Section may create one or more parcels that cannot be developed until a subsequent development application is submitted and approved for the created parcel(s).

It is not the intent of this Section to require preliminary or final development plans or engineering plans to show how the subject site will ultimately develop for the purpose of creating parcels for parkland or regional stormwater facilities. The provisions of this Section defer the application of other requirements of this Code and the requirements of the North Bethany Subarea Plan (in the Bethany Community Plan) that are applicable to the North Bethany Subarea. However, the provisions of this Section require that all deferred requirements must be satisfied when the parcels created pursuant to this Section are developed.

Examples of deferred standards include, but are not limited to, the full application of Article V (e.g., right-of-way dedication, street improvements), Section 430-97 (Parks), and the dimensional requirements of the Primary District. Due to the deferral of these standards, a parcel without frontage on a street may be created without a variance to the applicable access standards.

Under the provisions of this Section, some parcels may be created where a Primary Street (adopted by the North Bethany Subarea Plan) forms the property line for a portion of two or more of the parcels. Because development and engineering plans are not required to show how each parcel will ultimately be developed (e.g. through a subdivision), the final location of the Primary Street(s) will be determined as part of a subsequent development application. Therefore, it is expected that property line adjustments will be necessary to reflect the final location of the Primary Street(s) and to allow for the deferred standards to be met.

When a property owner chooses to use these alternative partition standards, the property owner understands that the development of the property is restricted until all the deferred standards are met, except for permits for building improvements to existing, lawful structures.

In order to inform potential future purchasers about the restricted use of a parcel(s) until full development occurs, the property owner will be required to record a legal document in the County Deed Records that describes the restrictions and that runs with the title of the land.

When the subject parcel has a dwelling, a new parcel containing the dwelling cannot be created unless that parcel has frontage on a public street as required by the Primary District.

390-28.2 Applicability

- A. Only property that has land designated as a fixed or neighborhood park as shown on the North Bethany Subarea Plan or land designated as a regional stormwater facility as shown on the North Bethany Subarea Drainage Master Plan is subject to this Section.
- B. When THPRD or CWS propose to acquire property to accommodate facilities identified in Section 390-28.2 A above, all applicable standards of this Code and the North Bethany Subarea Plan that are not required to approve the application, including right-of-way and easement dedications and construction of transportation improvements, shall be deferred until a subsequent development application for any of the parcels created pursuant to this Section is approved. This provision does not preclude the property owner from obtaining building permits for improvements to existing, lawful structures.
- C. When a Primary Street forms the property line of a new parcel(s), that property line will need to move to coincide with the location of a future right-of-way, a stormwater facility or a park configuration as determined by a future final land use approval on any parcel approved by the partition. Therefore, the applicants of the alternative partition shall be conditioned to allow future property line adjustment to facilitate development of the approved parcels.
- D. All conditions of approval shall be recorded in the Washington County Deed Records and shall be binding upon all heirs, successors and assigns.

390-28.3 Submittal Requirements

390-28-3.1 Applications shall include the following:

- A. Documentation verifying THPRD or CWS ownership of the land or evidence that the land will be conveyed to THPRD or CWS by way of the partition approved pursuant to this Section:
 - (1) A letter of intent to purchase or a signed purchase agreement from CWS or THPRD for the proposed parcel(s); and
 - (2) Application by all the owners of the subject property, and CWS or THPRD (identify which parcel(s) is proposed to be purchased by CWS or THPRD, or any person authorized in writing to act as agent of the owners or applicable service provider(s).
- B. Service provider letters for the following services that state the proposed application is consistent with the service provider's requirements or describe any

conditions of approval needed to ensure compliance with the applicable service provider's standards:

- (1) THPRD: Parks and trails; and
- (2) CWS: Sewer and surface water management.

C. A site plan, drawn to scale, showing:

- (1) Existing rights-of-way;
- (2) Existing and future Primary Street right(s)-of-way as shown on the Primary Streets map;
- (3) Flood areas – the location of any flood plain, drainage hazard area and other areas subject to ponding;
- (4) Significant Natural Resources -- the location of Significant Natural Resources as shown on the Community Plan;
- (5) The location of any water quality sensitive areas and vegetated corridors;
- (6) Easements – locations, widths and purpose of all recorded and proposed easements;
- (7) Lot dimensions – all existing property lines and their lengths and the location and dimension of all proposed parcels;
- (8) Existing structures -- location and present use of all structures on the site; and,
- (9) Identification of the parcel to be conveyed to THPRD or CWS.

D. An accurate aerial photograph showing the subject parcel and surrounding properties.

390-28-4 General Requirements

390-28-4.1 The property lines of the proposed parcels shall be established as described below:

- A. For fixed parks, the centerline of a Primary Street(s) as shown on the Primary Street map and the Parks, Trails and Pedestrian Connections map of the North Bethany Subarea Plan;
- B. For neighborhood parks, the proposed configuration shall be consistent with the applicable requirements of the North Bethany Subarea Plan, including but not limited to the neighborhood park designations on the Park, Trails Pedestrian Connection map, and applicable General Design Elements, Areas of Special Concern, and Neighborhood Design Elements; or

C. For regional stormwater facilities, the proposed configuration shall be consistent with the North Bethany Subarea Drainage Master Plan and applicable requirements of the North Bethany Subarea Plan, including but not limited to Areas of Special Concern 7 and 8 and applicable Neighborhood Design Elements.

390-28-4.2A parcel without frontage on a public road may be approved when:

- A. There is no dwelling on the property;
- B. The property line locations are consistent with the applicable requirements of the North Bethany Subarea Plan (e.g. provisions applicable to the subject site, a park, or regional stormwater facility proposed for the site);
- C. The applicant demonstrates that access to the parcels, consistent with the requirements of the Primary District and applicable standards of this Code and the North Bethany Subarea Plan, will be provided when the parcels created by the partition are developed; and
- D. Necessary access easements or access rights are recorded to provide access to a new parcel(s) that will not have frontage on a public street. Access easements shall be a minimum of thirty (30) feet in width, or as approved by the Fire Marshal. Alternative access agreements (such as temporary access) may be allowed as approved by County Counsel.

390-28-4.3 Prior to final approval, the following documentation shall be submitted to the Director:

- A. A copy of the restrictive covenant or other legally binding document approved by County Counsel which addresses the items described below. The document shall be recorded in the Washington County Deed Records and shall be binding upon all heirs, successors and assigns.
 - (1) Identify the parcel or parcels that will be owned by THPRD or CWS and state that the use of the parcel(s) is limited for use as a park and/or regional stormwater facility;
 - (2) That existing and all future owners agree to the requirement that no development shall be permitted on any parcel created by the partition unless approved by a subsequent land use application or permitted by Section 390-28.2 B;
 - (3) The subsequent land use application for each parcel shall be conditioned to satisfy all deferred County standards as permitted by Section 390-28.2;
 - (4) That existing and all future owners agree to execute one or more property line adjustments in order to facilitate the development of each parcel consistent with the applicable standards of this Code and the North

Bethany Subarea Plan, including but not limited to roads, parks and regional stormwater facilities;

(5) The conditions of approval of the partition application shall be included in the restrictive covenant or other legally binding document; and

(6) The restrictive covenant or other legally binding document required by this Section shall not be released unless approved by the Director and County Counsel.

B. A copy of any recorded use, ownership and maintenance rights of any easements or tracts that are subject to any of the created parcels.

C. Documentation from CWS that all applicable CWS standards have been satisfied.

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Community Development Code Section 404, MASTER PLANNING, and Section 430, SPECIAL USE STANDARDS, are amended to reflect the following:

404 MASTER PLANNING

404-4 Planned Development

The Planned Development review process provides flexibility in standards and the location of permitted uses, compensated through innovative design and the dedication of public or private open space. The Planned Development review process shall not be utilized in transit oriented districts and in the North Bethany Subarea in the Bethany Community Plan. The Planned Development standards applicable to the North Bethany Subarea are in Section 390-17.

~~PLACEHOLDER: Two new types of Planned Development are proposed for the North Bethany Subarea Plan as described in Section 390-17. Planned developments in North Bethany will be permitted under the proposed new standards and not under existing Section 404-4.~~

430 SPECIAL USE STANDARDS

430-13 Attached Dwelling Units

Two or more units with a common wall on individual lots, commonly known as row houses, town houses, duplexes or multiplexes or, two or more units which share a common wall or ceiling on a single lot, commonly known as apartments, duplexes or condominiums. Sections 430-13.1 and 430-13.2 are applicable to new developments in the R-5 and R-6 Districts as noted in these sections below. Section 430-13.3 is only applicable to an existing duplex on an approved duplex lot. This Section is not applicable to the North Bethany Subarea Plan.

430-13.1 In the R-5 District:

- A. Attached dwelling units may be permitted only through a Planned Development; and
- B. On sites of two (2) acres or less, attached units shall be limited to duplexes.

430-13.2 In the R-5 and R-6 Districts:

- A. Buffering shall be pursuant to Section 411-6.1 when attached units are adjacent to a detached R-5 development; and

- B. In developments with attached units, the perimeter setbacks shall be no less than fifteen (15) feet.

430-13.3 A Duplex on an Approved Duplex Lot

An existing duplex on a lot approved for a duplex (“duplex lot”) by a prior land use approval is a permitted use. (Prior approvals include those made before March 30, 1984 under the former Comprehensive Plan.) These duplexes are permitted through a Type 1 procedure because of the prior land use approval. The lot area, yard requirements, and lot dimensions in effect at the time of the original approval shall continue to be applicable to these buildings. Applications to divide these duplexes into separate lots must demonstrate compliance with current building code requirements prior to final approval of the land division.

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Community Development Code Section 501, PUBLIC FACILITY AND SERVICE REQUIREMENTS, is amended to reflect the following:

501 PUBLIC FACILITY AND SERVICE REQUIREMENTS

501-2 Application of the Public Facility and Service Standards Inside a UGB

Application of the Public Facility and Service Standards (Section 501-1 through 501-12) shall apply to the Urban Unincorporated Area as follows:

- 501-2.1 To all land divisions and property line adjustments except:
- A. Property line adjustments except as required by Subsection 605-1.3; or
 - B. Land divisions which result in all lots or parcels containing a land area of ten (10) acres or greater except as required by Subsection 501-8.5.
- 501-2.2 To all new construction of structures or expansion of an existing structure, except for construction of a single (one only) detached dwelling unit or duplex on an approved duplex lot (Section 430-13.3), or other structures which meet all of the following:
- A. Contains two thousand (2000) square feet or less;
 - B. Does not, in itself, generate more than fourteen (14) vehicle trips per day, as defined by the Institute of Traffic Engineers, Trip Generation Information Report;
 - C. Contains no plumbing fixtures, or has less than twelve (12) additional fixtures attached to an existing, approved septic system or public sewer; and
 - D. Does not pose any unique public health or safety issues.

The exceptions of Section 501-2.2 A through D are not applicable in the North Bethany Subarea in the Bethany Community Plan. In the North Bethany Subarea, all new construction of structures or expansion of an existing structure, except for construction of a single (one only) detached dwelling unit, is subject to the applicable standards of Section 501-12. For example, a Type I or Type II park adjacent to a Primary Street would need to build a half-street along the park's frontage on this street consistent with the requirements of Section 501-8.

501-8 Standards for Development

501-8.5 Access to County and Public Roads

All developments shall have legal access to a County or public road. Except for interim access as provided in Section 501-8.5 E. [Interim Access], access onto any County road in the unincorporated or incorporated urban area shall be permitted only upon issuance of an access permit upon demonstration of compliance with the provisions of the County road standards and the standards of Section 501.

D. Access in Transit Oriented Districts and the North Bethany Subarea Plan

Access points shown in the Transportation Plan, or on a Community Plan within a Transit Oriented District, or in the North Bethany Subarea Plan are not subject to the access spacing standards, and do not need an access spacing variance or an access management plan. However, as part of the development review process, the exact location of such access points shall be determined and safety impacts associated with such access points shall be identified and mitigated. Additional access points are subject to the access spacing standards.

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