



WASHINGTON COUNTY OREGON

October 5, 2012

To: Citizen Participation Organizations and Interested Parties

From: Andy Back, Interim Long Range Planning Manager
Department of Land Use & Transportation

Subject: **PROPOSED A-ENGROSSED ORDINANCE NO. 754**

On July 11, 2012, you were notified about initial public hearings for proposed Land Use Ordinance No. 754 to be held before the Planning Commission on August 15, 2012, and the Board of County Commissioners (Board) on September 18, 2012. On September 18, the Board ordered substantive amendments to this ordinance. These changes have been incorporated into proposed **A-Engrossed Ordinance No. 754** and are summarized below.

Ordinance Purpose and Summary

Proposed A-Engrossed Ordinance No. 754 amends Washington County Community Development Code (CDC) Section 430-103 *Special Use Standards for Public Buildings*.

Who Is Affected

Owners of properties with land use designations that allow for public buildings and surrounding property owners/residents.

What Land is Affected

Properties with land use designations which allow public buildings.

Original Ordinance No. 754 Provisions

As originally filed, Ordinance No. 754 proposed the following amendments to the Washington County CDC:

- Clarifying amendments to the definition / description of public buildings;
- New minimum setback standards for public buildings;
- Removal of old standards relating to "satellite buildings or stations;"
- New standard allowing emergency service facilities to access local roads or neighborhood routes;
- New standards requiring site and building designs focused on neighborhood compatibility.

Proposed A-Engrossed Ordinance No. 754 Provisions

Proposed **A-Engrossed Ordinance No. 754** incorporates the above-described amendments subject to the following proposed changes:

1. Adds new requirement for minimum screening and buffering standards (Type #3, as described in CDC Section 411-6.3) designed to improve compatibility between public buildings and surrounding uses, to CDC Section 430-103.2;
2. Exempts proposed police and fire stations from the requirement to have access onto a collector or arterial level street;
3. Adds new minimum screening and buffering standards (Type #3 unless a higher standard is required by the Review Authority) to proposed police or fire stations located on local roads or neighborhood routes;
4. Deletes language related to required public facilities from the proposed standards since this requirement is already included in Article V standards.

Public Hearings - Time and Place

Board of County Commissioners

October 16, 2012

10:00 am

October 23, 2012

6:30 pm

Hearings will be held in the Shirley Huffman Auditorium in the Charles D. Cameron Public Services Building, 155 N. First Avenue, Hillsboro, Oregon.

On October 23, 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 November 22, 2012.

Urban Comprehensive Plan Policies Amended

- None

2020 Transportation Plan Policies Amended

- None

Community Development Code Standards Amended

- Section 430-103 *Special Use Standards for Public Buildings*

Urban Community Plan(s) Amended

- None

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. First Ave., Suite 350-14, Hillsboro, OR 97124-3072
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Staff Contact

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The proposed Ordinance is available at the following locations:

- Washington County Department of Land Use & Transportation
Long Range Planning Division, 155 N. First Avenue
Hillsboro, OR 97124-3072 Telephone: 503-846-3519
- www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2012-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.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: **PROPOSED A-ENGROSSED ORDINANCE NO. 754 – AN
ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT
CODE RELATING TO PUBLIC BUILDINGS**

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

SUMMARY:

A-Engrossed Ordinance No. 754 amends Section 430-103 of the Washington County Community Development Code (CDC) relating to public buildings. This ordinance amends standards for the siting of public buildings and adds new requirements applicable to the siting of police and fire stations on local roads or neighborhood routes. The proposed ordinance 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>

The Board conducted the first public hearing for Ordinance No. 754 on September 18, 2012. At that hearing, the Board ordered engrossment of the ordinance to make a number of changes. A description of those changes was included in the staff report for the October 16 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 754 on October 16 and continued the hearing to October 23, 2012.

The staff report for the October 23 hearing will be provided to the Board prior to the hearing, posted on the above land use ordinance web page prior to the hearing, and copies of the report will be available at the Clerk's desk.

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

DEPARTMENT'S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 754 by title only and conduct the third public hearing. At the conclusion of the hearing adopt A-Engrossed Ordinance No. 754.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	3.a.
Date:	10/23/12

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 754

An Ordinance Amending the
Community Development Code Relating
to Special Use Standards

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

SECTION 1

A. The Board recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, and 742-745.

B. Subsequent planning efforts of Washington County, in particular as a result of a remand from the Land Use Board of Appeals addressing the siting criteria of a fire station, indicate there is a need for further amendments to the existing county CDC standards related to the siting of public buildings in order to provide adequate levels of public services. The Board takes note that such changes are for the health, welfare, and benefit of the residents of Washington County, Oregon.

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

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

13 SECTION 2

14 Exhibit 1 (2 pages), attached hereto and incorporated herein by reference, is hereby adopted
15 as amendments to Section 430-103 of the Community Development Code.

16 SECTION 3

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

19 SECTION 4

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

22

1 SECTION 5

2 If any portion of this Ordinance, including the exhibit, shall for any reason be held invalid or
3 unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby and
4 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 23 day of October, 2012, being the 3rd reading and
14 3rd public hearing before the Board of County Commissioners of Washington County, Oregon.

15 BOARD OF COUNTY COMMISSIONERS
16 FOR WASHINGTON COUNTY, OREGON

17 **ADOPTED**

18 *Andy Dora*
CHAIRMAN
Ana Noyola
RECORDING SECRETARY

19 READING

20 First September 18, 2012
21 Second October 16, 2012
22 Third October 23, 2012
Fourth _____
Fifth _____

PUBLIC HEARING

First September 18, 2012
Second October 16, 2012
Third October 23, 2012
Fourth _____
Fifth _____
VOTE: Aye: Duyck, Schouten, Rogers, Terry Nay: _____
Recording Secretary: Ana Noyola Date: October 23, 2012

Community Development Code Section 430-103, SPECIAL USE STANDARDS for Public Buildings is amended to reflect the following:

430-103 Public Building

Public Building: Any building held, used, or controlled exclusively for public purposes by any department or branch of government (Federal, State, County, municipal or special district) and private, nonprofit agency serving the public, including such uses as Art Gallery, Auditorium, Community Building, Governmental Structures, Federal, State, County and special district) Services Structure, Library and, or Museum, is subject to the following:

430-103.1 Must submit a total site plan with application which indicates any proposed buildings, parking, landscape concept, and any future phased development proposed for the site, ~~and as well as~~ a schedule of development;

430-103.2 ~~All setbacks~~ In Residential Districts (except along property lines abutting a non-residential district) the minimum buffering requirements for public buildings shall be as follows:

A. Setbacks shall be a minimum of twenty (20) feet; and may be increased according to the scale of the proposed building(s) or use(s) through a Type I procedure; and

B. Screening and Buffering Type #3 (as described in Section 411-6.3) shall be provided.

430-103.3 Inside the UGB, public buildings (except for police and fire stations) shall have access onto a collector or arterial level street except for satellite buildings or stations in residential districts which. In order to reduce potential conflicts and ensure compatibility with surrounding uses, police and fire stations accessing a local road or neighborhood route shall demonstrate compliance with the following additional standards:

A. The site size and dimensions provide:

(1) Adequate area for the needs of the proposed use; and

(2) Adequate area to support an overall site design which includes area for required buffering between the proposed use and the surrounding neighborhood;

B. Except along property lines abutting a non-residential district, Screening and Buffering Type #3 (Section 411-6.3) shall be provided unless the Review Authority requires additional screening and buffering to comply with Section 430-103.3 C.

C. Site and building designs focused on neighborhood compatibility and mitigation of potential adverse effects on surrounding properties and uses, including consideration of window and entry orientation, building height, landscaping and screening, setbacks, parking lot location, and lighting.

- D. The proposed use can be developed in a manner that is compatible with and would not substantially alter the character of the surrounding area.
- ~~A. Generate no more trips than a residential use in the same district or, in the Institutional District, no more than the adjacent Residential District;~~
- ~~B. Require no special outside lighting;~~
- ~~C. Require no sirens to sound at or near the site.~~