



August 11, 2010

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED ORDINANCE NO. 732**

Enclosed for your information is a copy of proposed Ordinance No. 732. Listed below is a description of the ordinance, hearing dates, and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact the Long Range Planning Division.

Ordinance Purpose and Summary

Ordinance No. 732 proposes to amend the Land Use Districts Map in the Cedar Hills/Cedar Mill Community Plan Element of the Washington County Comprehensive Plan, clarify language in Community Development Code (CDC) Section 203-5, and amend the Future Development Areas Map in Policy 41 of the Comprehensive Framework Plan for the Urban Area.

Who Is Affected

The property owners of the three properties whose land use designations are proposed to be changed by this ordinance will be affected. Also, residents of rural and urban unincorporated Washington County who submit a Type I development application.

What Land is Affected

The proposed map amendment in the Cedar Hills/Cedar Mill Community Plan will affect Tax Lot 6200 of Tax Map 1S1 Section 09 BA. The two parcels proposed to be designated as FD-20 are Tax Lots 900 and 1000 of Tax Map 3S1 Section 02 CA.

Key Provisions

Ordinance No. 732 proposes to:

- Amend the Land Use Districts Map in the Cedar Hills/Cedar Mill Community Plan to change the land use designation for a property developed with a duplex from Residential 5 Units per Acre (R-5) District to Residential 9 Units per Acre (R-9) District in order to provide a more appropriate land use designation,
- Amend CDC Section 203-5 to clarify that only Type II and Type III development applications are subject to the time limitations for processing set forth by ORS 215.427, and
- Amend the Future Development Areas Map in Policy 41 of the Comprehensive Framework Plan for the Urban Area by applying the Future Development 20 Acre District (FD-20) designation to two parcels that were inadvertently not assigned a land use designation. All surrounding properties are also designated as FD-20.

Initial Public Hearings

Time and Place

Planning Commission
7:30 pm
September 15, 2010

Board of County Commissioners
10:00 am
October 5, 2010

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

On October 5, 2010, the Board of County Commissioners (Board) may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted, it would become effective on November 26, 2010.

Community Plan & Comprehensive Framework Plan for the Urban Area Maps Amended

- Cedar Hills/Cedar Mill Community Plan - *Land Use Districts Map*
- Comprehensive Plan Policy 41 - *Future Development Areas Map*

Community Development Code Standards Amended

- Section 203 - PROCESSING TYPE I, II AND III DEVELOPMENT ACTIONS

How to Submit Comments

Submit oral or written testimony to the Planning Commission and/or the Board at one of the public hearings. Written testimony may be mailed or faxed to the Planning Commission or 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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e-mail: anne_elvers@co.washington.or.us

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.

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WASHINGTON COUNTY ORDINANCE PRIOR TO ENACTMENT

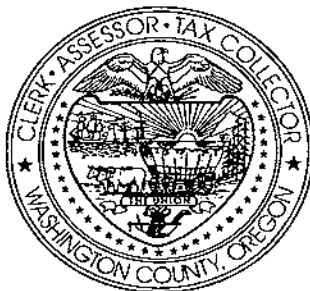
Pages



ORDINANCE

732

FOR WASHINGTON COUNTY CLERK'S USE ONLY



JUL 28 2010

Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 732

An Ordinance Amending the
Comprehensive Framework Plan for the
Urban Area, the Cedar Hills-Cedar Mill
Community Plan, and the Community
Development Code relating to General
Update and Housekeeping Amendments

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

SECTION 1

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

B. The Board recognizes that the Cedar Hills-Cedar Mill Community Plan was adopted by Ordinance Nos. 263 and 265 and amended by Ordinance Nos. 346, 369, 396, 418, 420, 450, 471, 480, 484, 526, 551, 553, 588, 609, 610, 620 and 631.

C. 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-

1 489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577,
2 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635,
3 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698,
4 703, 704, 708, 709, 711, 712, 718, 719, 720, 725, and 735.

5 D. Subsequent ongoing planning efforts of the County indicate a need for minor
6 amendments to different elements of the Comprehensive Plan to comply with state law or to
7 provide a general update. The Board takes note that such changes are for the benefit of the health,
8 safety, and general welfare of the residents of Washington County, Oregon.

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

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

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22

1 SECTION 2

2 The following Exhibits, attached and incorporated herein by reference, are hereby adopted
3 as amendments to the following documents:

- 4 A. Exhibit 1 (1 page) – amending Map C of the Future Development Areas of
5 the Comprehensive Framework Plan for the Urban Area;
- 6 B. Exhibit 2 (1 page) – amending Map D, Land Use Districts of the Cedar
7 Hills/Cedar Mill Community Plan; and
- 8 C. Exhibit 3 (2 pages) – amending Community Development Code Section
9 203, PROCESSING TYPE I, II AND III DEVELOPMENT ACTIONS.

10 SECTION 3

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

13 SECTION 4

14 All applications received prior to the effective date shall be processed in accordance with
15 ORS 215.427 (2009 Edition).

16 SECTION 5

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

20 SECTION 6

21 The Office of County Counsel and Department of Land Use and Transportation are
22 authorized to prepare planning documents to reflect the changes adopted under Section 2 of this

1 Ordinance, including deleting and adding textual material and maps, renumbering pages or sections,
2 and making any technical changes not affecting the substance of these amendments as necessary to
3 conform to the Washington County Comprehensive Plan format.

4 SECTION 7

5 This Ordinance shall take effect on November 26, 2010.

6 ENACTED this ____ day of _____, 2010, being the ____ reading and
7 ____ public hearing before the Board of County Commissioners of Washington County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 _____
11 CHAIRMAN

12 _____
13 RECORDING SECRETARY

14 READING

15 PUBLIC HEARING

16 First _____
17 Second _____
18 Third _____
19 Fourth _____




20 First _____
21 Second _____
22 Third _____
Fourth _____

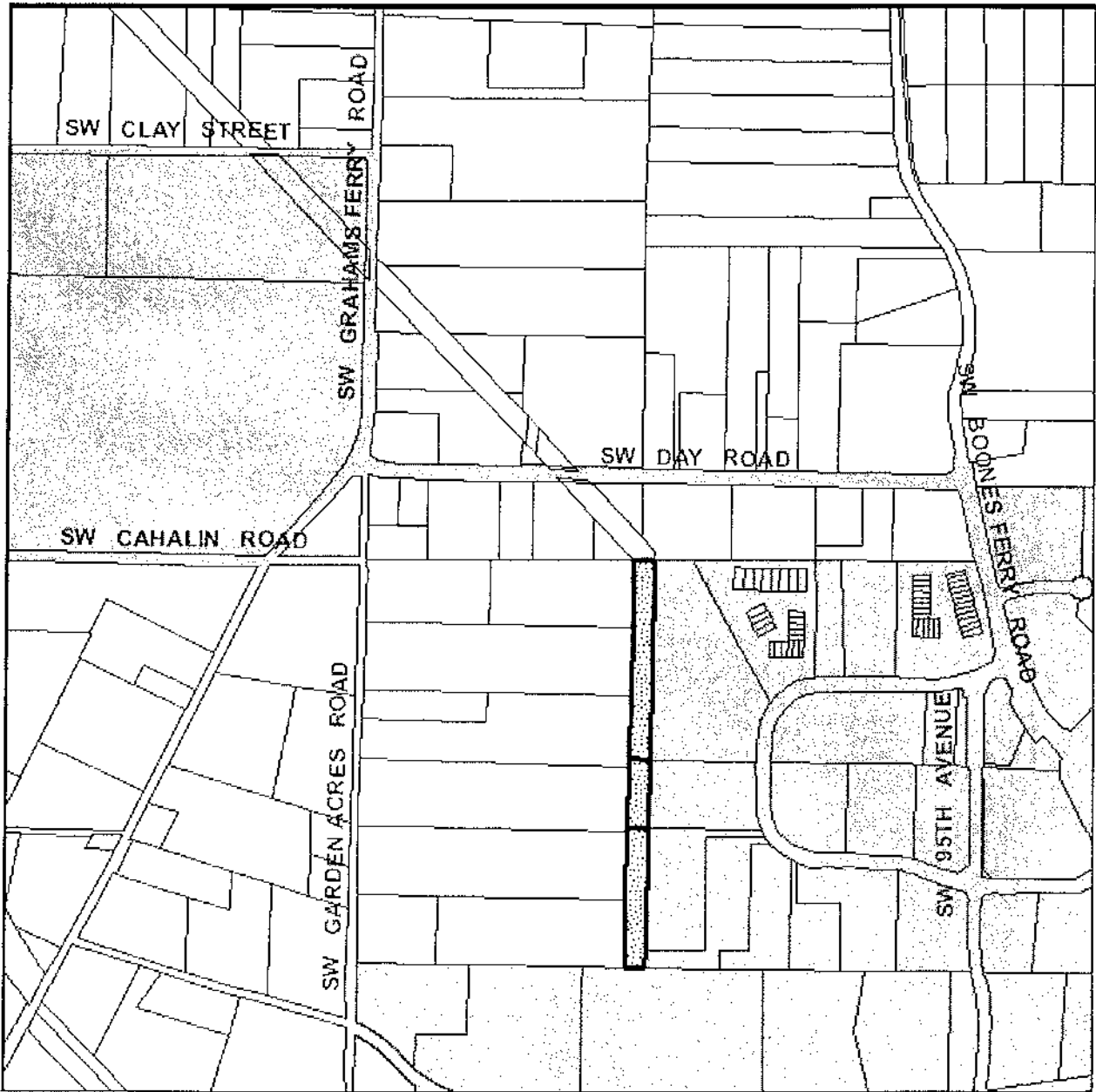
VOTE: *Aye*: _____

Nay: _____

Recording Secretary: _____ Date: _____

Map C of the Future Development Areas of the Comprehensive Framework Plan for the Urban Area is amended to reflect the following:

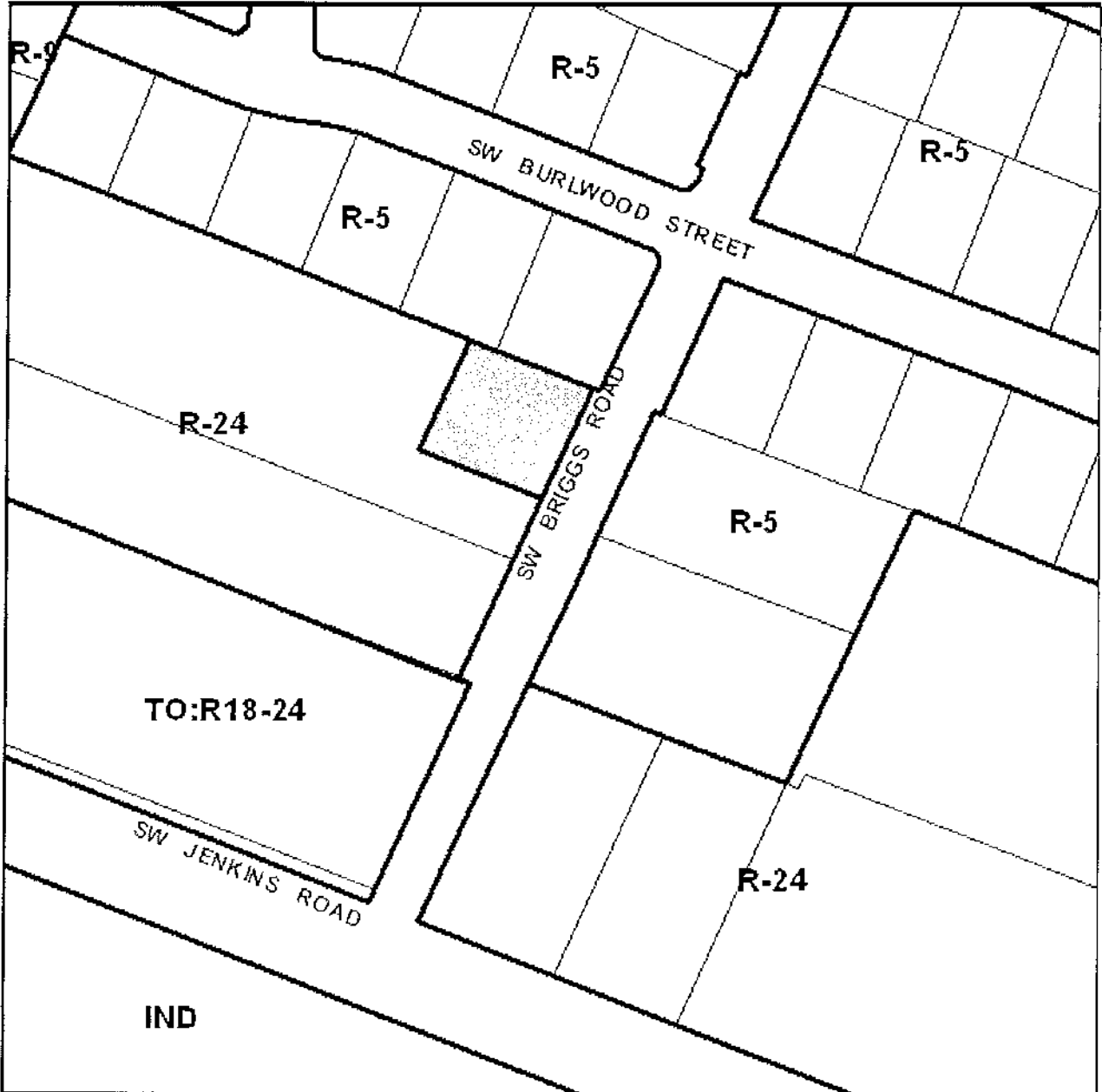
-  Add as FD-20
-  FD-20
-  City of Wilsonville



abcdef Proposed additions
abedef Proposed deletions

Map D, Land Use Districts of the Cedar Hills/Cedar Mill Community Plan is amended to reflect the following:

Change from R-5 to R-9



abcdef Proposed additions
abedef Proposed deletions

Community Development Code Section 203, PROCESSING TYPE I, II AND III DEVELOPMENT ACTIONS, is amended to reflect the following:

* * *

203-5 Application Submittal and Acceptance

- 203-5.1 Applications shall be submitted to the Director in the number specified on the application form. The Director, however, may waive copies of specific documents, maps or exhibits upon a determination that the difficulty or burden of copying outweighs the usefulness of the copies.
- 203-5.2 No application shall be received by the Department for determination of completeness without the appropriate application fee.
- 203-5.3 Except as provided in Sections 203-5.6 and 203-5.7, the Review Authority shall take final action on ~~an~~ Type II and III applications ~~for a development action~~, including resolution of all appeals ~~under ORS 215.422~~, within one-hundred twenty (120) days for all applications inside the UGB and mineral aggregate extraction and one-hundred fifty (150) days for all applications (except mineral aggregate extraction) outside the UGB, after the application is deemed complete consistent with the requirements of ORS 215.427.
- 203-5.4 If an application is incomplete, the Review Authority shall notify the applicant in writing of exactly what information is missing within thirty (30) days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete for the purpose of Section 203-5.3 upon receipt by the governing body or its designee of:
- A. All of the missing information;
 - B. Some of the missing information and written notice from the applicant that no other information will be provided; or
 - C. Written notice from the applicant that none of the missing information will be provided.
- 203-5.5 On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information and has not submitted the applicable information as described in Section 203-5.4.
- 203-5.6 If the application was complete when first submitted or the applicant submits the requested additional information within one-hundred eighty (180) days of the date the application was first submitted and the county has a comprehensive plan and land use regulations acknowledged under ORS 197.251, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

- 203-5.7 The 120-day and 150-day periods set in Section 203-5.3 may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed 215 days.
- 203-5.8 The decision of the Director as to completeness of an application, including any required engineering, traffic or other such studies, shall be based on the criteria for completeness, adequacy and methodology set forth in this Code by Resolution and Order of the Board or by action of the Director. Rejection by the Director for incompleteness shall be based solely on failure to address the relevant standards or supply required information and shall not be based on differences of opinion as to quality or accuracy. Acceptance indicates only that the application is ready for review.
- 203-5.9 The Review Authority shall approve or approve with conditions an application which the Director has determined to be incomplete only if it determines that sufficient, accurate information has been submitted and adequately reviewed by the Review Authority with an opportunity for review by affected parties or that conditions can be imposed to ensure proper review at the appropriate time. In all other cases the Review Authority shall defer or deny.

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