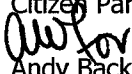




July 5, 2013

To: Citizen Participation Organizations and Interested Parties
From: 
Andy Back, Manager
Planning and Development Services
Subject: **PROPOSED A-ENGROSSED ORDINANCE NO. 766**

On April 26, 2013, you were notified about initial public hearings for proposed Land Use Ordinance No. 766 before the Planning Commission on June 5, 2013, and the Board of Commissioners (Board) on July 2, 2013. The Board ordered amendments to this ordinance on July 2, 2013. These changes have been incorporated into proposed **A-Engrossed Ordinance No. 766** and are summarized below.

Ordinance Purpose and Summary

Ordinance No. 766 proposed to amend Community Development Code (CDC) Section 501 (Public Facility and Service Requirements) to address properties with less than seventy (70) feet of frontage (the portion of a lot or parcel which abuts a street or road). When a property with less than 70 feet of frontage is adjacent to a Neighborhood Route in the North Bethany Subarea (north of Springville Road and east of 185th Avenue), the property may directly access the roadway if certain conditions are met.

A Neighborhood Route is a functional classification of streets that are located in residential neighborhoods and provide connectivity to the Collector and Arterial system. They do not serve community-wide circulation, but typically have greater traffic volumes than local streets.

Who Is Affected

Roadway users of Neighborhood Routes in the North Bethany Subarea and owners of properties located inside the North Bethany Subarea adjacent to Neighborhood Routes.

What Land is Affected

Properties located inside the North Bethany Subarea adjacent to Neighborhood Routes.

Original Ordinance No. 766 Provisions

- Establishes a methodology for property owners to request a driveway(s) to Neighborhood Routes through the Development Review process.
- Provides greater flexibility for properties inside the North Bethany Subarea to access Neighborhood Routes that function more like a local street and have lower traffic volumes.

Proposed A-Engrossed Ordinance No. 766 Provisions

A-Engrossed Ordinance No. 766 incorporates all of the above-described amendments plus the following proposed amendments:

- Revises the maximum threshold for granting an exception to the access spacing standards to 3500 Average Daily Trips (ADT).
- Adds language that restricts access along roadways within close proximity to an intersection with a Collector or Arterial.

**Department of Land Use & Transportation · Planning and Development Services
Long Range Planning**

155 N First Avenue, Ste. 350 MS 14 · Hillsboro, OR 97124-3072
phone: (503) 846-3519 · fax: (503) 846-4412 · TTY: (503) 846-4598 · www.co.washington.or.us

Public Hearings - Time and Place

Board of Commissioners

July 16, 2013
10:00 am

July 23, 2013
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 July 23, 2013, 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 on July 23, 2013, the ordinance would become effective on August 22, 2013.

Community Development Code Standards Amended How to Submit Comments

- Section 501 - Public Facility and Service Requirements

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 Long Range Planning. **We are unable to accept e-mail as public testimony.**

Washington County, Department of Land Use & Transportation
Planning and Development Services, Long Range Planning
155 N. First Ave., Suite 350-14, Hillsboro, OR 97124-3072
Fax: 503-846-4412

Staff Contact

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e-mail: Dyami_Valentine@co.washington.or.us

Proposed Ordinance is available at the following locations:

- Washington County, Department of Land Use & Transportation Planning and Development Services, Long Range Planning
155 N. First Ave., Hillsboro, OR 97124-3072
Telephone: 503-846-3519
- www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-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.

FILED
JUL 03 2013
Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 766

An Ordinance Amending the
Community Development Code Element
of the Comprehensive Plan Relating to
Neighborhood Route Access Spacing

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, 742-745, 754-758, 760, and 762-763.

B. Subsequent planning efforts of Washington County indicate there is a need for greater flexibility with regard to access spacing standards for Neighborhood Routes that function similarly to Local streets, subject to other criteria. 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), which amends Community Development Code Section 501, Public
15 Facility and Service Requirements, is attached hereto and incorporated herein by reference.

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.

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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.

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1 SECTION 7

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

3 ENACTED this ____ day of _____, 2013, being the _____ reading and
4 _____ public hearing before the Board of County Commissioners of Washington County, Oregon.

5 BOARD OF COUNTY COMMISSIONERS
6 FOR WASHINGTON COUNTY, OREGON

7 _____
8 CHAIRMAN

9 _____
10 RECORDING SECRETARY

11 READING

12 First _____
13 Second _____
14 Third _____
15 Fourth _____
16 Fifth _____

17 PUBLIC HEARING

18 First _____
19 Second _____
20 Third _____
21 Fourth _____
22 Fifth _____

VOTE: Aye: _____
Recording Secretary: _____

Nay: _____
Date: _____

Community Development Code Section 501, Public Facility and Service Requirements, is amended to reflect the following:

501-12 Standards for Development Within the North Bethany Subarea Plan Area

501-12.1 Development within the North Bethany Subarea Plan shall be subject to the following provisions of Article V. In the event of a conflict with any provision of Article V, this Article 501-12 shall control.

- A. Section 501-2, Application of the Public Facility and Service Standards inside a UGB;
- B. Section 501-5, Exemptions from Public Facility and Service Standards;
- C. Subsections 501-6.3, 501-6.4, 501-6.5 and 501-6.6;
- D. Section 501-7, Levels of Public Facilities and Services;
- E. Section 501-8, Standards for Development, except for the following subsections:
 - (1) 501-8.1 B. (2) (b); ~~and~~
 - (2) 501-8.3; and
 - (3) 501-8.5 B. (2) relating to the seventy (70) foot frontage access spacing requirements. Roadway access to a Neighborhood Route from adjacent lots or parcels with less than seventy (70) feet of frontage may be permitted when the following standards are met:
 - (a) The Neighborhood Route, where fronting the lot or parcel, is defined as a Primary Street in the North Bethany Subarea Plan; and
 - (b) A traffic or civil engineer registered in the State of Oregon certifies the following:
 - (i) The facility will carry fewer than 3500 ADT over the planning horizon identified in the adopted Transportation Plan; and
 - (ii) The access meets minimum County traffic safety and operational requirements, including sight distance; and

(c) No use will be permitted direct access to a Neighborhood Route within fifty (50) feet of Point "A"; or future "P.I." (designated in the Transportation Plan) as described in Section 501-8.5 A. Access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than fifty (50) feet.