



September 9, 2005

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED ORDINANCE NO. 643**

Enclosed for your information is a copy of proposed Ordinance No. 643. Listed below is a description of the ordinance, hearing dates, and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact the Planning Division.

Ordinance Purpose and Summary

Ordinance No. 643 proposes to amend the *Comprehensive Framework Plan for the Urban Area* and the Rural/Natural Resource Plan to clarify the procedures and criteria for plan amendments.

Who Is Affected

Owners interested in applying or removing one of the following districts: Historic and Cultural Resources Overlay District, Mineral and Aggregate Overlay District, Open Space/Bicycle Pathway Overlay District, Convenient Access to Transit Overlay District, Special Industrial Overlay District, a State or Regional Park Overlay District, or one of the Airport Overlay Districts to or from land in unincorporated Washington County.

What Land is Affected

Land in unincorporated Washington County that is currently designated with or proposed to be designated with one of the following districts: Historic and Cultural Resources Overlay District, Mineral and Aggregate Overlay District, Open Space/Bicycle Pathway Overlay District, Convenient Access to Transit Overlay District, Special Industrial Overlay District, a State or Regional Park Overlay District, or one of the Airport Overlay Districts.

Key Provisions

- Amend Policy 1 of the *Comprehensive Framework Plan for the Urban Area* (CFP) and the Rural/Natural Resource Plan (R/NRP) to clarify the current processes for updating the CFP and the R/NRP to apply or remove certain districts.
- Amend Policy 17 of the CFP to recognize the County's current policy of protecting existing open space and recreational facilities when developing regulations for inclusion in the Community Development Code.
- Amend Policies 33 and 34 of the CFP to add implementing strategies that recognize the County's current and long-standing practice of designating certain lands as open space on the Community Plans.

Initial Public Hearings

Time and Place

Planning Commission
7:30 pm
October 19, 2005

Board of County Commissioners
6:30 pm
October 25, 2005

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

On October 25, 2005, 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 24, 2005.

**Urban Comprehensive
Plan Policies Amended**

- Policies 1, 17, 33, and 34

**Rural/Natural
Resource Plan Policies
Amended**

- Policy 1

**Community
Development Code
Standards Amended**

None

**How to Submit
Comments**

Submit oral or written testimony to the Board and/or the Planning Commission at one of the public hearings. Written testimony may be mailed or faxed to the Board or Planning Commission in advance of the public hearings in care of the Planning Division. At this time, we are unable to accept e-mail as public testimony.

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

Failure to submit oral or written testimony before the Board or Planning Commission may preclude appeal of a decision by the Board to adopt an ordinance as filed or amended.

Staff Contact

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Telephone: 503-846-8817 Fax: 503-846-4412
e-mail: paul_schaefer@co.washington.or.us

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

- The Washington County Department of Land Use and Transportation, Planning Division, 155 N. 1st Ave., Hillsboro, OR 97124-3072
Telephone: 503-846-3519
- www.co.washington.or.us/deptmts/lut/planning/ordhome.htm
- Cedar Mill Community Library and Tigard City Library
- Citizen Participation Organizations (CPOs); Call 503-725-2115 for a directory of CPOs.

/wpshare/2005ord/Ordinance 643/Ord 643 CPO Notice

WASHINGTON COUNTY ENACTED ORDINANCE

19

Pages



ORDINANCE

643

FOR WASHINGTON COUNTY CLERK'S USE ONLY



FILED

OCT 27 2005

Washington County
County Clerk

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – First Reading and First Public Hearing -
Department of Land Use & Transportation; County Counsel (All CPOs)

Agenda Title: **PROPOSED ORDINANCE NO. 643 – AN ORDINANCE
AMENDING THE COMPREHENSIVE FRAMEWORK PLAN FOR
THE URBAN AREA AND THE RURAL/NATURAL RESOURCE
PLAN TO CLARIFY THE PROCEDURES AND CRITERIA FOR
PLAN AMENDMENTS**

Presented by: Brent Curtis, Planning Division Manager; Dan Olsen, County Counsel

SUMMARY:

As part of the 2005 Work Program, staff prepared five issue papers concerning open space (Issue Papers 1, 1B, 10, 20 and the Addendum to Issue Paper 10). Issue Papers 1, 10 and the Addendum to Issue Paper 10 responded to citizen inquiries, while Issue Papers 1B and 20 contain an analysis of other related open space issues. On May 17, 2005 the Board authorized the filing of ordinances to make the necessary changes to the Comprehensive Plan as recommended by the issue papers.

Proposed amendments to the Comprehensive Plan consistent with the recommendation set forth in Issue Paper 20 are contained in Ordinance No 643, which was filed on September 1, 2005. Ordinance No. 643 proposes to clarify existing policies set forth in the *Comprehensive Framework Plan for the Urban Area* and *Rural/Natural Resource Plan* for quasi-judicial and legislative plan amendments. The changes also clarify existing Comprehensive Plan policies of identifying and preserving open space areas.

The staff report and information on the Planning Commission's recommendation will be provided to the Board prior to the hearing and copies will also be available at the Clerk's desk.

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

DEPARTMENT'S REQUESTED ACTION:

Read by title only and conduct a public hearing for Ordinance No. 643. At the conclusion of the hearing, adopt Ordinance No. 643.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	<u>5.a.</u>
Date:	10-25-05

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

ORDINANCE NO. 643

An Ordinance Amending the
Comprehensive Framework Plan for the
Urban Area and the Rural/Natural
Resource Plan to Clarify the Procedures
and Criteria for Plan Amendments

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

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon, 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 (remanded), 444 (remanded), 459, 471, 480, 483, 503, 516, 517, 526, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, and 637.

B. The Board of County Commissioners of Washington County, Oregon, recognizes that the Rural/Natural Resource Plan (Volume III) was readopted with amendments, by way of Ordinance No. 307, with portions subsequently amended by Ordinance Nos. 342, 383, 411, 412, 458, 459, 462, 480, 482, 499, 539, 547, 572, 574, 578, 588, 598, 606, 609, 615, 628, 630, 631, and 637.

C. Subsequent ongoing planning efforts of the County indicate a need for changes to the Comprehensive Framework Plan for the Urban Area and the Rural/Natural Resource Plan to clarify the procedures and criteria applicable to legislative and quasi-judicial plan amendments to authorize the application or removal of Primary and Overlay Districts and Open Space areas. The

1 Board takes note that such changes are necessary for the benefit of the health, safety, and general
2 welfare of the residents of Washington County, Oregon.

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

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

14 SECTION 2

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

- 17 (A) Exhibit 1 (6 pages) amending Policy 1, The Planning Process, of the Comprehensive
18 Framework Plan for the Urban Area;
- 19 (B) Exhibit 2 (1 page) amending Policy 17, Quality of Development, of the
20 Comprehensive Framework Plan for the Urban Area;
- 21 (C) Exhibit 3 (3 pages) amending Policy 33, Quantity and Quality of Recreation
22 Facilities and Services, of the Comprehensive Framework Plan for the Urban Area;

1 (D) Exhibit 4 (3 pages) amending Policy 34, Open Space and Recreational Facilities
2 Location, of the Comprehensive Framework Plan for the Urban Area; and

3 (E) Exhibit 5 (2 pages) amending Policy 1, The Planning Process, of the Rural/Natural
4 Resource Plan.

5 SECTION 3

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

8 SECTION 4

9 All applications received prior to the effective date shall be processed in accordance with
10 ORS 215.427 (2003 Edition).

11 SECTION 5

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

17 SECTION 6

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

1 SECTION 7

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

3 ENACTED this 25 day of October, 2005, being the first reading
4 and first public hearing before the Board of County Commissioners of Washington County,
5 Oregon.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 Tom Brian
9 CHAIRMAN

10 **ADOPTED**

11 Barbara Heitmanek
12 RECORDING SECRETARY

13 READING

13 PUBLIC HEARING

14 First October 25, 2005

14 October 25, 2005

15 Second _____

15 _____

16 Third _____

16 _____

17 Fourth _____

17 _____

18 Fifth _____

18 _____

19 Sixth _____

19 _____

20 VOTE: Aye: Brian, Duvck, Rogers,
Leeper, Schouten

20 Nay: _____

21 Recording Secretary: Barbara Heitmanek

21 Date: October 25, 2005

Amend Policy 1, The Planning Process, of the Comprehensive Framework Plan for the Urban Area as follows:

Implementing Strategies

The County will:

- f. Approve a quasi-judicial plan amendment 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, and when applicable, the provisions of Policies 40 and 41; the Community Plan Overview and sub-area description and design elements; complies with the applicable policies, strategies and systems maps of the Transportation Plan; complies with the applicable regional functional planning requirements established by Metro; and demonstrates 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.

Quasi-judicial and legislative plan amendments for property added to the Regional Urban Growth Boundary through an approved Locational or Minor Adjustment, to any plan designation other than the FD-10 or FD-20 Districts, shall include documentation that the land was annexed into the Urban Road Maintenance District, the Enhanced Sheriff Patrol District and, where applicable, the Tualatin Hills Park and Recreation District. Annexation into these districts shall be completed prior to the County's determination that a quasi-judicial plan amendment application is complete and prior to the County's adoption of a legislative plan amendment.

In addition, the proponent shall demonstrate one of the following:

1. A mistake in the current designation such that it probably would not have been placed on the property had the error been brought to the attention of the Board during the adoption process;
2. A lack of appropriately designated suitable alternative sites within the vicinity for a proposed use. Factors in determining the suitability of the alternative sites are limited to one of the following:
 - a) Size: suitability of the size of the alternative sites to accommodate the proposed use; or
 - b) Location: suitability of the location of the alternative sites to permit the proposed use.
3. The property was added to an Urban Growth Boundary.

4. A major change in circumstances affecting a significant number of properties in a community subarea or subareas. Events deemed to cause a major change in circumstances are limited to one of the following:
 - a) The construction of a major capital improvement (e.g., an arterial or major collector, a sports arena or convention center, or a regional shopping center) which was unanticipated by the applicable community plan or other elements of the Comprehensive Plan.
 - b) Previously approved plan amendments for properties in an area that have changed the character of the area to the extent that the existing designations for other properties in the area are no longer appropriate.
5. If an Institutional designation is sought, compliance with the applicable locational standards of the Code and that the site is needed to adequately serve the users of the proposed institutional use.
6. If removal of an Institutional designation is sought, demonstration that the subject site conforms to the location criteria for the proposed designation and that the proposed designation conforms with all the applicable plan elements and considerations described above, exclusive of subparts (1) through (6).

Plan amendment approvals may be conditioned by the Review Authority to protect the public from potential adverse impacts or ensure that public service demands, which may result, will be met. This shall not preclude application of the Growth Management Policies to development permit requests as provided in the Code.

- g. Comply with procedures established by the Metropolitan Service District for requesting amendments to the regional Urban Growth Boundary.
- h. Provide for Quasi-judicial and legislative plan amendments to apply or remove the Historic and Cultural Resources Overlay District. ~~are not subject to the provisions of Implementing Strategy (f).~~ An amendment to apply the Overlay District shall be based on a finding that a building, structure or object listed in the Washington County Cultural Resources Inventory is located on the property. (The "Goal 5 Conflicts and Consequences Analysis [ESEE] for Cultural Resources," an appendix to the Cultural Resources Inventory, may be used as findings to support use of the Overlay District as the means of protecting the resource.)

An amendment to remove the Overlay District shall be based on compelling evidence and findings as described in the Overlay District.

- i. Provide for legislative plan amendments to apply or remove the Mineral and Aggregate Overlay Districts (Districts A and B) when the requirements of the Comprehensive Framework Plan, the Transportation Plan, Section 379 of the Community Development Code, and OAR 660-023-0180 are met.
- j. Provide for quasi-judicial and legislative plan amendments to apply or remove the Convenient Access to Transit Overlay District subject to compliance with the requirements of Section 380 of the Community Development Code.

k. Provide for legislative plan amendments to apply or remove the State and Regional Park Overlay Districts; add uses, structures or roads not included in an approved State or Regional Master Plan; or change the location or size of structures, uses and roads not allowed by an approved Master Plan, when the applicant demonstrates:

1. The request is consistent with the requirements of Section 383 of the Community Development Code; OAR 660-034; the Community Plan Overview and sub-area description and design elements; the applicable policies, strategies and systems maps of the Transportation Plan; and for regional parks, the applicable regional functional planning requirements established by Metro; and
2. 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.

l. Provide for legislative plan amendments to apply or remove the Airport Use and Safety Overlay Districts (Private and Public Use Airport Overlay Districts and the Private and Public Use Airport Safety Overlay Districts) when the request complies with ORS 836.600, OAR 660-013, the Comprehensive Framework Plan, the Transportation Plan, and when applicable, the Metro Regional Transportation Plan.

m. Provide for quasi-judicial and legislative plan amendments to apply or remove the Interim Light Rail Station Area Overlay District pursuant to the requirements of Section 381 of the Community Development Code. A plan amendment shall be approved only if the Review Authority determines that the proponent has demonstrated that the request conforms to the criteria of Policies 18 and 40; the Community Plan Overview and sub-area description and design elements; the applicable policies, strategies and systems maps of the Transportation Plan; the applicable regional functional planning requirements established by Metro; and demonstrates that the potential service impacts of the request 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.

n. Require that the Comprehensive Framework Plan be applicable to the review of proposed Plan Amendments, but not to the review of development actions.

o. Establish the Comprehensive Framework Plan as the broad policy document guiding the preparation and update of site-specific Community Plans. Community Plans shall be consistent with the Comprehensive Framework Plan.

p. Establish the following principles for nonconforming uses and consideration of variances to the Plan:

Nonconforming uses: Any use or activity deemed to be a nonconforming use to the Community Development Code, also shall be considered nonconforming to the Comprehensive Framework Plan and shall be regulated according to standards included in the Code.

Variations: The Community Development Code shall provide the same mechanism and standards for reviewing and approving requested variations to the Code and Community Plans. The applicant shall be required to demonstrate that literal interpretation of the requirement will cause unnecessary hardship and that the hardship does not result from actions of the applicant intended to avoid the standards of the Code, or from personal circumstances of the applicant or owners. The Code shall also include a process for granting limited hardship relief.

h.g. Provide for amendments to the Transportation Plan based upon the implementing strategies under the Plan Monitoring Policy of the Transportation Plan.

r. Provide for legislative plan amendments to apply or remove the Special Industrial Overlay District (SID) through the community planning process, the plan update process, or a quasi-judicial plan amendment when the policies and criteria set forth in the Comprehensive Framework Plan are met.

m.s. Provide for quasi-judicial and legislative plan amendments which remove certain restrictions of the Special Industrial District (S.I.D.) as provided below:

Once the entire S.I.D. as designated by the Community Plan, has been developed to sixty-seven (67) percent of its potential and one thirty (30) acre parcel in Tier III remains vacant and cannot meet the conditions set forth in 377-4.4 (C), the S.I.D. restrictions on that 30 acre parcel and remaining buildable vacant land within the S.I.D., may be removed, with the exceptions of the use provisions of the S.I.D., under the following conditions:

The plan amendment proposal shall address the need for large industrial lots. Need for large industrial lots shall include, at a minimum, a detailed examination and analysis of the following:

1. Demand for large lots: Analyze from a regional and countywide perspective the projected demand for large industrial lots and the current supply of large vacant industrial lots;
2. Absorption data and trends: Analyze large lot industrial land absorption data and trends in the region and county; such an analysis shall explicitly differentiate vacant land purchases from actual construction/use data;
3. Specific industrial sector locational and operational characteristics: Determine through examination and analysis if changes in technology, development patterns or other industry-based changes have altered real land requirements for the range of allowed uses in Tier III. Such an examination shall be based on a substantial and objective analysis of specific industrial sector locational and operational characteristics, both current and projected; and
4. Site Suitability: Analyze the suitability of the planning area and the specific site in: 1) meeting the identified current and projected specific industrial sector locational and operational characteristics, and 2) in meeting the projected demand for large industrial lots.

The Review Authority shall approve the Plan Amendment only if it finds there is no need for the last remaining 30 acre parcel, based on the criteria listed above.

t. Provide for quasi-judicial and legislative plan amendments to apply or remove the Open Space/Bicycle Pathway Significant Natural Resource designation through the community planning process, the plan update process, or a quasi-judicial plan amendment.

1. A plan amendment to remove a designation other than through the community planning process or the plan update process shall demonstrate:

a) A mistake in the current designation such that it probably would not have been placed on the property had the error been brought to the attention of the Board during the adoption process; and

b) Compliance with Policy 18 of the Comprehensive Framework Plan.

2. A plan amendment to add the designation shall demonstrate one of the following:

a) The subject site is an existing park, recreation site, golf course, cemetery, school play ground, powerline right of way or bicycle pathway; or

b) The subject site is a future park or bicycle pathway.

~~r.u.~~ When evaluating applications for legislative or quasi-judicial comprehensive plan amendments which will impact planned density of residential land or a residential land use regulation amendment for lands within the established boundaries of the Beaverton School District #48, consideration will be given to the criteria for school capacity as specified in Appendix "D".

~~e.v.~~ Apply the provisions of the Comprehensive Framework Plan, including its plan designations, only to properties inside an urban growth boundary. The provisions of the Rural/Natural Resource Plan, including its plan designations, shall be applied to unincorporated properties outside of an urban growth boundary.

Amend Policy 17, Quality of Development, of the Comprehensive Framework Plan for the Urban Area as follows:

POLICY 17, QUALITY OF DEVELOPMENT:

It is the policy of Washington County to:

- A. Locate development through the community planning process by considering land use compatibility, complementary scale, and overall community impacts; and, establish a clear and objective development review process which evaluates individual developments from a functional site design perspective.
- B. Utilize a one map planning methodology with respect to a plan map and implementation mechanism. The Community Development Code (Development Regulations) shall be prepared using such an approach.
- C. Develop the Community Development Code utilizing the following objectives:
 - Allow master application form, one step permit
 - Implement the Plan
 - Standardize procedures for all land use actions
 - Establish a two-tier review process for land use actions in transit oriented districts that has specific design standards and provide for a quicker review process and flexibility
 - Reduce costs (public and private)
 - Protect existing neighborhoods
 - Allow flexibility in developing areas
 - Include clear and objective standards and criteria to
 - Add predictability
 - Remove confusion
 - Simplify requirements
 - Allow consolidated review of multiple requests for the same site-
 - Protect existing open space and recreational facilities.

Amend Policy 33, Quantity and Quality of Recreation Facilities and Services, of the Comprehensive Framework Plan for the Urban Area as follows:

POLICY 33, QUANTITY AND QUALITY OF RECREATION FACILITIES AND SERVICES:

It is the policy of Washington County to work to provide residents and businesses in the urban unincorporated area with adequate park and recreation facilities and services and open space.

Implementing Strategies

The County will:

- a. Work with cities, special districts and the public to identify the long-term service providers of park, recreation and open space services. The County recognizes park districts and cities as the appropriate long-term providers of these park, recreation, and open space services. If an urban service agreement does not apply to an area, the County may identify the long-term service provider to the area:
 - 1. When the area lies within an area for which a park district is designated a party in a cooperative agreement adopted pursuant to ORS 195.020; and
 - 2. After consulting with local governments that provide or declare an interest in providing service to the area prior to identifying the service provider.
- b. If an urban service agreement applies to an area without services, encourage and support park and recreation providers to adopt annexation plans so that properties without a current park and recreation provider will be provided service. The County recognizes annexation plans as appropriate way to bring unserved properties into the boundaries of park and recreation providers. Annexations shall be consistent with the requirements of state law and the applicable urban service agreement. However, if an urban service agreement does not apply to an area and the County has identified the long-term provider pursuant to Implementing Strategy a. above, the County shall encourage and support the park and recreation provider to the area to develop an annexation strategy for the area.
- c. Consider being an interim provider of park land and recreation facilities to one or more urban unincorporated area(s) until the area(s) is annexed into the boundary of a designated park and recreation provider. Potential funding sources for County acquisition of park land and provision of recreation facilities include but are not limited to fees; federal, state and regional funding; grants; and property taxes.
- d. Serve as an interim provider of park land and recreation facilities to one or more unincorporated areas if the Board finds that:
 - 1. The long-term park and recreation provider to the area has been identified;
 - 2. The identified park and recreation provider does not have adequate funding to purchase needed park land or provide needed recreation facilities in the area outside of its current boundary; and

3. The identified park and recreation provider has committed to place an annexation plan on the ballot. However, if an urban service agreement does not apply to an area, the Board may serve as an interim provider of park land and recreation facilities to the area when the identified service provider has committed to develop an annexation strategy for the area.
- e. Work with park districts and city park and recreation providers to develop park master plans and funding priorities for park, recreation and open space services for urban unincorporated areas.
- f. Designate the off-street trail system in the Transportation Plan.
- g. Continue the Metzger Park Local Improvement District (LID) for as long as a majority of property owners within the LID wish to continue to pay annual levies for the operation and maintenance of Metzger Park.
- h. Encourage Metro and appropriate state and federal agencies to establish or expand facilities in the County.
- i. Work with all public agencies providing park, recreation and open space services within the County to ensure that opportunities for citizen participation in park and recreation and open space decisions are provided.
- j. Coordinate with private recreation providers in the planning of park and recreation facilities and services for the urban unincorporated area.
- k. Review all lands owned by the County and other local public agencies (for example, Clean Water Services, water districts) for potential open space or recreational use.
- l. Designate existing parks, recreation sites, golf courses, cemeteries, school playgrounds, powerline rights-of-way, and bicycle pathways; and future park or bicycle pathway sites as Open Space in the Community Plans (light green designation on the Significant Natural Resource Map).

Amend Policy 34, Open Space and Recreational Facilities Location, of the Comprehensive Framework Plan for the Urban Area as follows:

OPEN SPACE AND RECREATION FACILITIES LOCATION:

It is the policy of Washington County to encourage the location of parks, open space and recreation facilities so as to define and implement the County-wide development concept, County policies and Community Plans.

Implementing Strategies

The County will:

- a. Identify potential future park and recreation areas in the areas in Community Plans. In addition to these areas, the County also recognizes proposed park and recreation areas identified on the adopted Master Plans of park and recreation providers as potential park and recreation sites.
- b. Notify the Tualatin Hills Park and Recreation District (THRPD) or other appropriate service providers when a development application is accepted for a site, which includes a potential park and recreation area identified in a Community Plan. In the absence of a service provider, the County shall attempt to secure the desired area for the intended use.
- c. Give priority to the preservation of lands with:
 1. Significant natural features, urban forests, scenic views, natural hazards, or significant fish and wildlife habitats;
 2. The potential for linkage into open space corridors especially for trail systems (hiking, jogging, bicycling, horseback riding);
 3. Characteristics that would lend the property to active recreation opportunities;
 4. Access to streams and rivers, particularly the Tualatin River;
 5. Easy access by pedestrians, bicyclists, transit riders, and those with limited mobility and finances;
 6. Close proximity to existing or planned higher density population areas; and
 7. Value in defining the edges or boundaries of communities.
- d. Consider future acquisition and development programs, which take into account:
 1. Areas of substantial need;
 2. How well a site meets the relative recreation needs of the service area;
 3. The suitability of environmental conditions;

4. Fiscal feasibility;
 5. Threat of loss of a valuable resource;
 6. Opportunity for cooperative project; and
 7. Commitment of the long-term park and recreation provider to develop an annexation plan or develop an annexation strategy for its long-term service area.
- e. Designate existing parks, recreation sites, golf courses, cemeteries, school play-grounds, powerline rights-of-way, and bicycle pathways; and future park or bicycle pathway sites as Open Space in the Community Plans (light green designation on the Significant Natural Resource Map).

Summary Findings and Conclusions

Park and open space areas have significant value to residents and play a vital role in ensuring balanced neighborhoods and communities by providing a variety of passive and active recreational uses and open space. Existing parks, recreational facilities, and open space areas are integral parts of the built urban environment that contribute to the health, safety and general welfare of the public. The supply of potential suitable park and recreation sites and open space areas in urban Washington County is limited. Therefore, existing park and recreation sites and open space areas should be protected and maintained. The conversion of potential suitable sites to park and recreation sites with appropriate recreation facilities is contingent upon securing funding for land acquisition and improvements.

One example of a potential recreation resource is the streams and rivers of Washington County. Specifically, the Tualatin River offers the potential for a wide variety of water-based recreational activities. The utilization of the Tualatin River for such water-based recreational activities is currently restricted by its limited access to the public.

The County, through the 1973 Comprehensive Framework Plan, and THPRD, through THPRD's Master Plans, have recognized the importance of providing a broad range of open space and recreational opportunities for their constituents. For example, both jurisdictions recognize the importance and recreational benefits of providing pathways along streams and utility easements. Likewise, both jurisdictions have identified the need to locate parks in proximity to school sites in order to maximize opportunities for recreational use.

Some aspects of the THPRD planning and implementation process may benefit from the County's analysis, during the comprehensive planning process, of certain types of recreational and open space opportunities. Two examples are the identification of significant natural areas and significant scenic views.

In the future, County plans and policies, in combination with the plans and policies of park and recreation providers, should be used as guides in locating open space, parks, and recreation facilities to ensure that siting reflects comprehensive planning priorities.

Non-urban recreation sites and facilities are used extensively by urban residents. Consequently, the Recreation section of the Rural/Natural Resource element is an indispensable complement to the Recreation section of the Urban Plan.

Amend Policy 1, The Planning Process, of the Rural / Natural Resource Plan as follows:

Implementing Strategies

The County will:

p. Require that plan map amendments meet the following criteria:

12. An Quasi-judicial and legislative plan amendments to apply the Historic and Cultural Resource Overlay District shall be based on a finding that a building, structure or object listed in the Washington County Cultural Resources Inventory is located on the property. (The "Goal 5 Conflicts and Consequences Analysis (ESEE) for Cultural Resources," an appendix to the Cultural Resources Inventory, may be used as findings to support use of the Overlay District as the means of protecting the resource.)
 13. An Quasi-judicial and legislative plan amendments to remove the Historic and Cultural Resource Overlay District shall be based on compelling evidence and findings as described in the Overlay District.
 14. When evaluating applications for legislative or quasi-judicial comprehensive plan amendments which will impact planned density of residential land or a residential land use regulation amendment for lands within the established boundaries of the Beaverton School District #48, consideration will be given to the criteria for school capacity as specified in Appendix "D".
- q. Apply the provisions of the Rural/Natural Resource Plan, including its plan designations, to property outside of an urban growth boundary. The provisions of the Comprehensive Framework Plan for the Urban Area, including its plan designations, shall only be applied to properties within an urban growth boundary.
- r. Amend the Rural/Natural Resource Plan when an urban growth boundary is amended to reflect the change to an urban growth boundary (UGB). The amendment to the Rural/Natural Resource Plan shall remove the affected property from this Plan as part of the quasi-judicial or legislative plan amendment to apply an urban designation to the affected property. The Rural/Natural Resource Plan shall not be amended until the change to the UGB is acknowledged by the Land Conservation and Development Commission and any appeals regarding the UGB amendment are finalized.
- s. Provide for legislative plan amendments to apply or remove the Mineral and Aggregate Overlay Districts (Districts A and B) when the requirements of the Rural/Natural Resource Plan, the Transportation Plan, Section 379 of the Community Development Code, and OAR 660-023-0180 are met.
- t. Provide for legislative plan amendments to apply or remove the State and Regional Park Overlay Districts; add uses, structures or roads not included in an approved State or Regional Master Plan; or change the location or size of structures, uses and roads not allowed by an approved Master Plan, when the applicant demonstrates that the request is

consistent with the requirements of Section 383 of the Community Development Code and OAR 660-034.

- u. Provide for legislative plan amendments to apply or remove the Airport Use and Safety Overlay Districts (Private and Public Use Airport Overlay Districts and the Private and Public Use Airport Safety Overlay Districts) when the request complies with the Rural/Natural Resource Plan, the Transportation Plan, ORS 836.600, OAR 660-013, and when applicable, the Metro Regional Transportation Plan.