



## AGENDA

### WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

**Agenda Title:** **CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 846 – AN  
ORDINANCE MAKING LIMITED AMENDMENTS TO THE BETHANY  
COMMUNITY PLAN AND THE COMMUNITY DEVELOPMENT CODE  
RELATED TO THE NORTH BETHANY MAIN STREET URBAN DESIGN PLAN**

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

#### SUMMARY:

A-Engrossed Ordinance No. 846 proposes to amend Chapter 2, the North Bethany Subarea Plan of the Bethany Community Plan and the Community Development Code to make limited amendments related to the North Bethany Main Street Urban Design Plan. A-Engrossed Ordinance No. 846 is posted on the County's land use ordinance webpage at the following link:

[www.co.washington.or.us/landuseordinances](http://www.co.washington.or.us/landuseordinances)

The Board conducted a public hearing April 2, 2019 for Ordinance No. 846. After the hearing, the Board directed engrossment of the ordinance to reflect amendments included in the staff report. The Board conducted its first hearing for A-Engrossed Ordinance No. 846 May 7 and continued the hearing to May 28, 2019.

A staff report will be provided to the Board prior to the May 28 hearing and posted on the above land use ordinance webpage. Copies of the report will be available electronically and at the Clerk's desk prior to the hearing.

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

Clerk's Desk Item: Staff Report (*click to access electronic copy*)

#### DEPARTMENT'S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 846 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of public testimony, adopt A-Engrossed Ordinance No. 846 and associated findings.

#### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<b>4.a.</b>
Date:	05/28/19

ADOPTED

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 846

An Ordinance Amending the Bethany  
Community Plan and the Community  
Development Code Implementing the North  
Bethany Main Street Urban Design Plan

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

SECTION 1

A. The Board recognizes that the Bethany Community Plan was adopted by Ordinance Nos. 263 and 265 and subsequently amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620, 649, 702, 712, 730, 739, 744-745, 758, 771, 783, 789, 790, 799, 801, and 809.

B. 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, and 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,

1 742-745, 754-758, 760, 762-763, 765-766, 769-776, 782-788, 791-792, 797-802, 804, 809-  
2 811, 813-815, 820, 822-824, 826-828, and 831-835.

3 C. The Board recognizes that amendments to several elements of the  
4 Comprehensive Plan are necessary to implement the North Bethany Main Street Urban  
5 Design Plan. These amendments are for the benefit of the health, safety, and general welfare  
6 of the residents of Washington County, Oregon.

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

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

19 SECTION 2

20 The following exhibits, attached hereto and incorporated herein by reference, are  
21 adopted as amendments to the designated documents as follows:

22 A. Exhibit 1 (6 pages), amends Chapter 2, the North Bethany Subarea Plan of the

1 Bethany Community Plan:

- 2 a. Section V. North Bethany Subarea Design Elements;
- 3 b. Figure 15 – Location of Emphasized Corners and Community Gateways
- 4 in the Main Street Area; and
- 5 c. The ‘Special Setbacks’ map.

6 B. Exhibit 2 (8 pages), amends the Community Development Code:

- 7 a. Section 390 - North Bethany Subarea Overlay District.

8 SECTION 3

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

11 SECTION 4

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

14 SECTION 5

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

18 SECTION 6

19 The Office of County Counsel and Department of Land Use and Transportation are  
20 authorized to prepare planning documents to reflect the changes adopted under Section 2 of  
21 this Ordinance, including deleting and adding textual material and maps, renumbering pages  
22

1 or sections, and making any technical changes not affecting the substance of these  
2 amendments as necessary to conform to the Washington County Comprehensive Plan format.

3 SECTION 7

4 This Ordinance shall take effect 30 days after adoption.

5 ENACTED this 28<sup>th</sup> day of May, 2019, being the 3<sup>rd</sup> reading  
6 and 3<sup>rd</sup> public hearing before the Board of County Commissioners of Washington  
7 County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS  
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

11 *[Signature]* 05/28/19  
CHAIR

12 *[Signature]*  
RECORDING SECRETARY

13 READING

PUBLIC HEARING

14 First April 2, 2019  
15 Second May 7, 2019  
16 Third May 28, 2019  
17 Fourth \_\_\_\_\_  
18 Fifth \_\_\_\_\_  
19 Sixth \_\_\_\_\_

14 First April 2, 2019  
15 Second May 7, 2019  
16 Third May 28, 2019  
17 Fourth \_\_\_\_\_  
18 Fifth \_\_\_\_\_  
19 Sixth \_\_\_\_\_

18 VOTE: Aye: Schouten, Rogers, Treece, Willey, and Harrington

Nay: φ

19 Recording Secretary: Ana D. Noyola Date: May 28, 2019

Chapter 2: North Bethany Subarea Plan of the BETHANY COMMUNITY PLAN is amended to reflect the following:

**CHAPTER 2**

**North Bethany Subarea Plan of the Bethany Community Plan**

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**V. NORTH BETHANY SUBAREA DESIGN ELEMENTS**

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**A. General Design Elements**

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- 7. For designated areas along the Park Blocks and Northeast Neighborhood Linear Park, development shall follow special "build-to" setbacks as described below. Relevant street segments are identified on the Special Setbacks Map. In the event there is a conflict between these build-to standards and the setback standard of the primary district, the build-to setbacks described below shall control.

**Build-to Setbacks Subject to Special Setbacks Map**

	Build-to Setbacks			
Yard Area	R-15 NB	R-24 NB	R-25+ NB	NCC NB & NCMU
Front Yard	5 to 15 ft.*	5 to 15 ft.*	5 to 15 ft.*	0-15 ft.*
Street Side Yard	8 ft.	8 ft.	8 ft.	0-5 ft.
Rear Yard	12 ft.	12 ft.	12 ft.	0-5 ft.

\* Porches and other covered or enclosed entryways and architectural features such as balconies and bay windows may extend beyond the build-to line.

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**B. Areas of Special Concern**

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**ASC Road Corridor 2 – North Bethany Main Street, including a central segment of NW Kaiser Road**

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- 2. North Bethany Main Street

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**b. Main Street Design Standards and Applicability**

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Design Standards:

- (1) Setbacks and Frontage Occupancy

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~~abcdef~~ Proposed deletions

Buildings adjacent to the sidewalk provide an engaging experience for pedestrians by allowing passersby to interact with building interiors physically through direct access to entrances, and visually by viewing building interiors through windows and other openings. Minimal building setbacks from the sidewalk help establish the sense of enclosure that creates more comfortable spaces for walking.

Frontage occupancy is the percent of a property's street frontage that is occupied by a building. Minimal setbacks and high frontage occupancy work together to establish a consistent street wall for designated Active Use Streets.

While buildings should be allowed to occupy the full site or block frontage along the street, this may not always be possible or desirable. Therefore, this design element includes an allowance for building recesses, notched corners, and spaces between buildings. Along Kaiser Road, the spaces where buildings do not occupy street frontages should be usable spaces that function as extensions of the sidewalk, providing places for people to meet, rest, and socialize.

Setback and frontage occupancy standards are shown in the table below. Figures 4 and 5 provide illustrative examples of the standards.

**Setback and Frontage Occupancy Standards**

DESIGNATION	NCMU NB	R-24 NB & R-25+ NB
<b>Active Use 1 Street Frontages (Kaiser Road)</b>	<p>Setback: Min. = 0 feet, Max. = 5 feet</p> <ul style="list-style-type: none"> <li>• Where finished grade between a building entrance and the adjacent right-of-way exceeds 5%, the maximum setback can be increased to a maximum of 10 feet, in order to provide space for ramps or stairs.</li> </ul> <p>At least 75% of a site's street frontage must be occupied by a building located within the minimum and maximum setback range.</p> <p>Where the site's street frontage is not occupied by a building meeting the maximum setback (up to 25% of site frontage allowed), usable open space must be provided.</p> <p>Usable open space:</p> <ul style="list-style-type: none"> <li>• Must have a minimum depth of 20 feet from the lot line and a minimum width of 20 feet. If the building is set back less than 20 feet from the street lot line, usable open space can have a depth of less than 20 feet, but must be provided between the maximum setback and the building façade.</li> <li>• Must include three of the following five pedestrian amenities: bench(es), table(s) and chair(s), seat wall(s), fountain(s) or public art.</li> <li>• May include pocket parks, pedestrian walkways, landscaping, or stormwater planters as long as pedestrian amenities are also provided.</li> <li>• May be partially or entirely paved.</li> </ul>	<p>Setback: Min. = 5 feet, Max. = 10 feet</p> <p>At least 75% of a site frontage must be occupied by a building that meets the maximum setback.</p> <p>Requirements for usable open space are the same as for NCMU NB.</p>

<b>Active Use 2 Street Frontages</b>	Setback: Min. = 0 feet, Max. = 5 feet At least 50% of a site's street frontage must be occupied by a building located within the minimum and maximum setback range.	Not Applicable
<b>Non-designated Street Frontages</b>	Setback: Min. = 0 feet, No Maximum No minimum street frontage occupancy requirement.	Not Applicable
<b>East-West Pedestrian Accessway Frontage</b>	Minimum setbacks shall be scaled according to the height of the NCMU NB building located south of the accessway: <ul style="list-style-type: none"> <li>• 1 to 2 stories: 5 feet</li> <li>• 3 to 6 stories: 10 feet</li> <li>• No maximum setback</li> <li>• Setbacks are measured from the building wall to the property line parallel to the accessway.</li> </ul>	Not Applicable
<b><u>Side and rear property lines that do not abut streets</u></b>	<u>Where abutting a residential district, the side and/or rear setback shall be no less than that required by the abutting district.</u>  <u>Where abutting a property with an NCMU NB District designation, there are no required side or rear yard setbacks.</u>	<u>Not Applicable</u>

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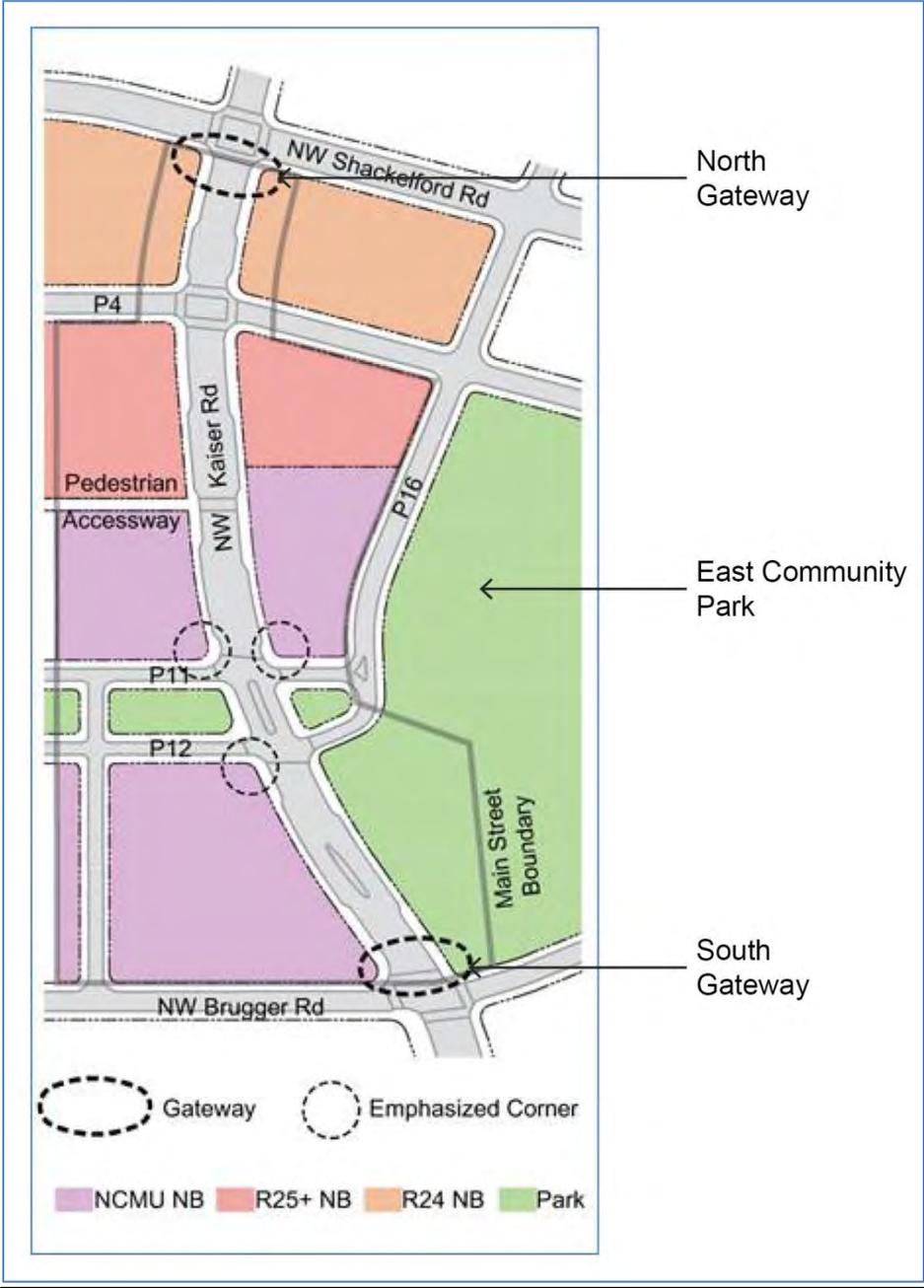
(8) Emphasized Corners and Main Street Community Gateways

Corner sites will be highly visible within the Main Street area, and are well positioned to activate and add visual interest to the pedestrian realm.

Three corner sites in the NCMU district, depicted in Figure 15, are located at the intersection of two key pedestrian routes, Kaiser Road and the Park Blocks, and frame the heart of the Main Street area. These three corners shall become emphasized corners with prominent design elements. Required design elements shall distinguish the building corners at these sites from the rest of the block with features that create focal points and establish a strong building edge for the street.

Two Community Gateway locations along NW Kaiser Road, depicted in Figure 15, mark the north and south entrances to the Main Street area. These gateways are also identified on the Core Design Elements Map. Gateway features are intended to help define the main entrances to a district, and can create a sense of place by establishing focal points that set the tone for the Main Street's unique character. Development at Community Gateway sites shall be subject to similar standards as Emphasized Corners, but shall feature additional corner design elements to make them even more prominent.

Figure 15 - Location of Emphasized Corners and Community Gateways in the Main Street Area



The east side of the south gateway is also the southwest corner of the East Community Park.

The Core Design Elements map shows a design feature within the southwest quadrant of the East Community Park. That design feature, identified as a civic use in Section VI. D., Southeast Neighborhood Design Element 2, is described as a building. If the civic use building is sited at the southwest corner of the park adjacent to the NW Kaiser Road/Brugger Road intersection, it will also serve as a gateway feature and will be subject to the gateway standards described below.

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~~def~~ Proposed deletions

However, while the civic use building is required to be sited within the southwest quadrant of the park, it is not required to be sited within the south gateway. If the civic use building is sited north or east of the gateway, it will not serve as a gateway feature.

Since the southwest corner of the East Community Park is the south gateway to the Main Street area, the County believes that the siting of a prominent place-making element at that corner is critical to the performance and success of the Main Street area.

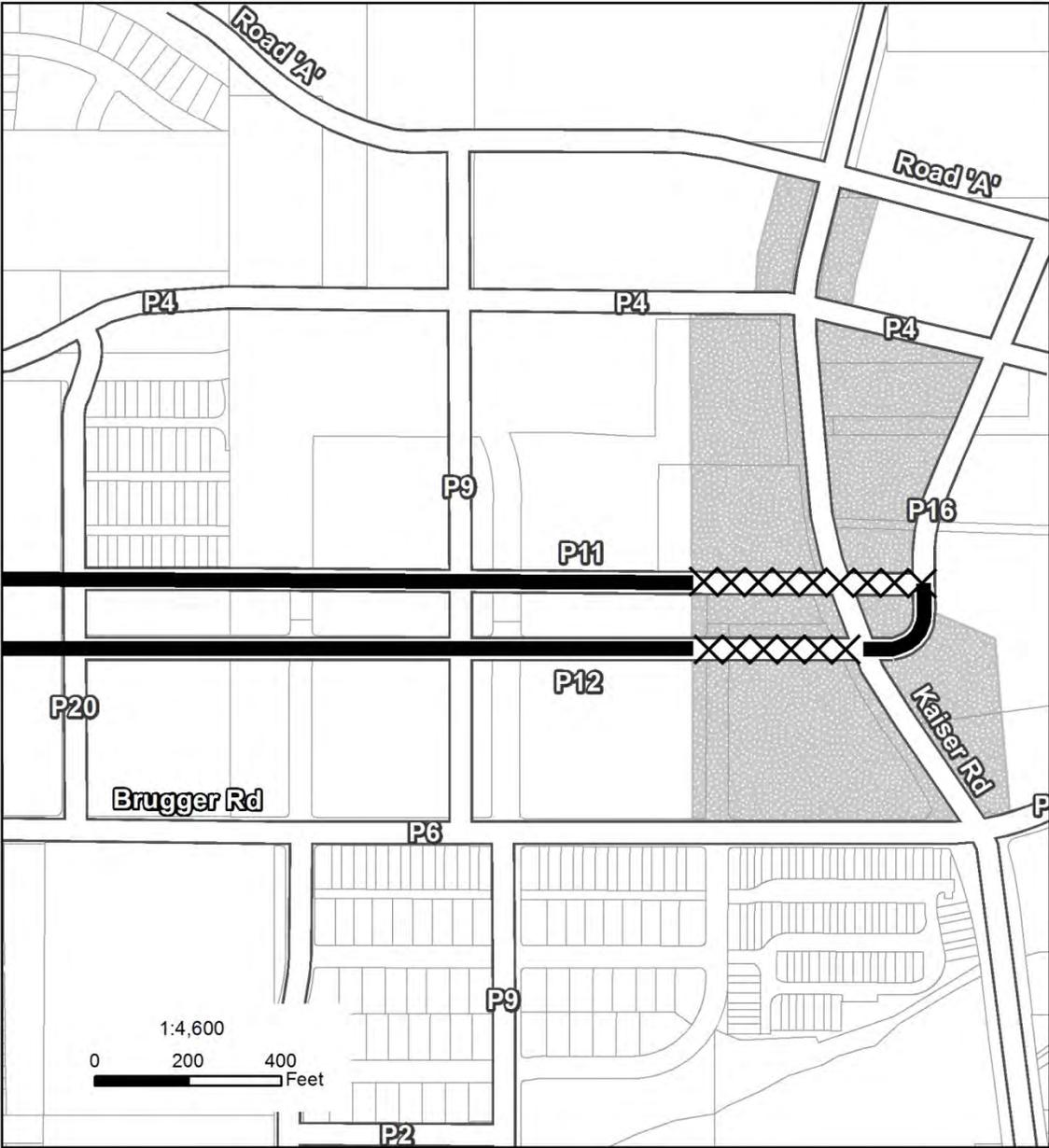
Therefore, if the civic use building will be sited north or east of the south gateway rather than at the corner, the County strongly encourages THPRD to consider siting a plaza space at this corner during THPRD's future master planning of the East Community Park. The County encourages THPRD to consider the inclusion of plaza features such as a fountain, public art or prominent structure to help anchor the park's corner as a south gateway to the Main Street area.

The standards for the Emphasized Corners and Community Gateways are listed below. Figures 16 and 17 provide illustrative examples of the standards.

~~The Community Gateway standards are tied to the construction of buildings at the gateway corners. The east side of the south gateway is the southwest corner of the East Community Park, and it is possible that a building will not be constructed at that location. However, because of that park corner's visibility and location at the southern entry to the Main Street area, the County believes the corner is critical to the performance and success of the Main Street area. Therefore, during Tualatin Hills Park & Recreation District's (THPRD) future master planning of the East Community Park, the County strongly encourages THPRD to consider siting a plaza space at this corner, with features such as a fountain, public art or a prominent structure to help anchor the corner and serve as a gateway to the community and the Main Street area.~~

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The 'Special Setbacks' map is amended as shown:



- Unchanged "Special Setbacks - Park Blocks" Designation
- ▨ Remove "Special Setbacks - Park Blocks" Designation
- Primary Streets (shown for context)
- ▨ Metro 2040 Main Street Area Designation (shown for context)

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Section 390 (North Bethany Subarea Overlay District) of the COMMUNITY DEVELOPMENT CODE is amended to reflect the following:

**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 24 units per acre and no less than 19 units per acre.

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

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390-11.6 Dimensional Requirements

The Dimensional Requirements of Section 306-7 are the required standards for the R-24 NB District, with the following exception:-

A. Within the Main Street area identified in Area of Special Concern (ASC) Road Corridor 2 of the North Bethany Subarea Plan, the required yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

390-11.7 Design Requirements

Residential building façades in the R-24 North Bethany District (R-24 NB) that are located within ASC Road Corridor 2 of the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan) and face Kaiser Road are subject to the design requirements of ASC 2.

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**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 25 units per acre and no less than 20 units per acre. 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, multifamily 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.

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390-12.6 Dimensional Requirements

The Dimensional Requirements of Section 307-7 are the required standards for the R-25+ NB District, with the following exception:-

- A. Within the Main Street area identified in Area of Special Concern (ASC) Road Corridor 2 of the North Bethany Subarea Plan, the required yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

390-12.7 Design Requirements

Residential building façades in the R-25+ North Bethany District (R-25+ NB) that are located within ASC Road Corridor 2 of the North Bethany Subarea Plan and face Kaiser Road are subject to the design requirements of ASC 2.

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**390-14 Neighborhood Commercial Mixed-Use District (NCMU NB)**

390-14.1 Intent and Purpose

The Neighborhood Commercial Mixed-Use North Bethany District (NCMU NB) is intended to provide for the daily shopping and service needs of new urban communities. The Neighborhood Commercial Mixed-Use District area is easily accessible from the surrounding neighborhoods by foot, bike and car.

The NCMU NB District is intended to serve as a community focal point for daily needs such as services and retail goods and as a gathering place for the community. The NCMU NB is intended to be a prominent feature in the community. High density attached multifamily residential uses may be allowed on upper floors of buildings within this District.

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390-14.5 Dimensional Requirements

The minimum dimensional standards below are not applicable to parcels that are intended to be non-buildable for the purpose of providing Open Space and/or Parks identified in the North Bethany Subarea Plan, stormwater treatment, or utility placement.

- A. Lot Area: The minimum lot area shall be 6,000~~8,500~~ square feet.
- B. Yard Requirements: Minimum and maximum yard requirements (setbacks) are listed in Area of Special Concern (ASC) Road Corridor 2 of Bethany Community Plan, Chapter 2: North Bethany Subarea Plan.
- C. Height:
- (1) The minimum interior ground floor height shall be 14 feet.
- (a) Interior ground floor height shall be measured from the finished floor of the ground floor to the ceiling of the ground floor.
- (b) Minimum interior ground floor height must be met for a minimum depth of 20 feet from the front building wall.
- (2) The minimum height for structures shall be 20 feet.

- (3) The maximum height for structures shall be 65 feet.
- (4) Normal building appurtenances and projections such as spires, belfries, cupolas, chimneys, ventilators, elevator housings or other structures placed on or extending above roof level may exceed the 65-foot building height limit to a maximum height of 85 feet.
- (5) The height of telecommunication facilities are regulated by the Permitted Use sections of this Land Use District, Sections 201, 430-1, 430-109 and other applicable provisions of this Code.

D. Lot Dimensions:

- (1) The minimum average lot width shall be 85 feet;
- (2) The minimum average lot depth shall be 50 feet; and
- (3) The minimum lot width at the access point shall be 40 feet.

390-14.6 Design Requirements

Development in this district is subject to design requirements that are described in Area of Special Concern (ASC) Road Corridor 2 of the Bethany Community Plan, Chapter 2: North Bethany Subarea Plan.

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**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.

**390-16.1 Religious Institution**

A building or other development used for a faith-based organization such as a church, mosque, temple or synagogue; together with its accessory uses and buildings, including but not limited to monasteries, offices, schools and living quarters for caretakers.

A. There shall be a minimum lot area of twenty thousand (20,000) square feet. Additional area may be required based on the extent of the proposal.

B. Yard Requirements:

The minimum yard requirements shall be:

- (1) Twenty (20) foot front yard;
- (2) Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories.
- (3) On a corner lot, the side or rear yard abutting the street (street side yard) shall be twenty (20) feet.
- (4) Within the Main Street area identified in Area of Special Concern Road Corridor 2 (ASC 2) of the North Bethany Subarea Plan, the applicable yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

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390-16.5 Day Care Facility

Day Care Facilities, as defined by Section 106-48, are permitted subject to the following:

A. The minimum lot area in a residential district or adjacent to a residential district shall be twenty thousand (20,000) square feet;

B. Yard Requirements

The minimum yard requirements shall be:

- (1) Twenty (20) foot front yard;
- (2) Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories;
- (3) On a corner lot, the street side yard shall be twenty (20) feet;

(4) Within the Main Street area identified in Area of Special Concern Road Corridor 2 (ASC 2) of the North Bethany Subarea Plan:

(a) For property designated R-24 North Bethany District (R-24 NB) or R-25+ North Bethany District (R-25+ NB), the applicable yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

(b) For property designated Neighborhood Commercial Mixed Use District (NCMU NB), the applicable yard requirements (setbacks) from all streets are those listed in ASC 2.

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390-16.8 Membership Organization

A Membership Organization includes buildings and grounds used for and operated by a nonprofit organization, whose membership is by invitation and election according to qualifications in the organization's charter or bylaws. The use of the organization's facilities is primarily restricted to members and their guests. Membership Organizations may be allowed subject to the following:

A. Yard Requirements:

The minimum yard requirements shall be:

- (1) Twenty (20) foot front yard; in the Institutional North Bethany Land Designation, the front yard setback is fifteen (15) feet.
- (2) Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories.
- (3) On a corner lot, the side or rear yard abutting the street shall be twenty (20) feet.

(4) Within the Main Street area identified in Area of Special Concern Road Corridor 2 (ASC 2) of the North Bethany Subarea Plan, the applicable yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

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## 390-16.9 Nursery School (Pre-school)

A nursery school is a place for academic instruction of children prior to attending kindergarten.

- A. Play areas, such as playgrounds, adjacent to a residential district shall be screened by a site-obscuring fence or masonry wall.
- B. The minimum lot area shall be twenty thousand (20,000) square feet when adjacent to a residential district.
- C. Yard Requirements

The minimum yard requirements shall be:

- (1) Twenty (20) foot front yard;
- (2) Side and rear yards: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories; and
- (3) On a corner lot, the street side yard shall be twenty (20) feet.
- (4) Within the Main Street area identified in Area of Special Concern Road Corridor 2 (ASC 2) of the North Bethany Subarea Plan:
  - (a) For property designated R-24 North Bethany District (R-24 NB) or R-25+ North Bethany District (R-25+ NB), the applicable yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.
  - (b) For property designated Neighborhood Commercial Mixed Use District (NCMU NB), the applicable yard requirements (setbacks) from all streets are those listed in ASC 2.

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## 390-16.11 Schools (Private and Public)

A place for systematic instruction in any branch or branches of knowledge including any of the following: nursery school in conjunction with a K-12 school, kindergarten, primary, intermediate and high school or combination thereof, which may be a public school or a private school offering instruction substantially similar to public schools. School does not include trade and commercial schools or day care facilities.

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## C. Dimensional Standards

- (1) The minimum lot area in a residential district or adjacent to a residential district shall be twenty thousand (20,000) square feet.
- (2) Yard Requirements

The minimum yard requirements shall be:

- (a) Twenty (20) foot front yard;
- (b) Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories; and

abcdef Proposed additions

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(c) On a corner lot, the street side yard shall be twenty (20) feet.

(d) Within the Main Street area identified in Area of Special Concern Road Corridor 2 (ASC 2) of the North Bethany Subarea Plan, the applicable yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

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### **390-20 Building Design and Variety**

#### 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) Nonresidential development in the Institutional District (INST) that is more than 50 feet from any public street is exempt from the standards of this Section;:-

(3) Residential building facades in the R-24 North Bethany District (R-24 NB) and R-25+ North Bethany District (R-25+ NB) that are within Area of Special Concern (ASC) Road Corridor 2 of the North Bethany Subarea Plan and face Kaiser Road are exempt from the standards of this Section; and

(4) Development in the Neighborhood Commercial Mixed-Use District (NCMU NB) 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.

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### **390-22 Additional North Bethany Subarea Development Standards**

In addition to the standards of Article IV, Development Standards, the following requirements apply to development in the North Bethany Subarea.

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390-22.5 Road Landscape and Street Furniture Maintenance

In addition to other requirements of the Community Development Code related to the maintenance of road landscaping, the following requirements are applicable to all development in the North Bethany Subarea.

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- D. For properties with frontage on Kaiser Road in the Main Street Area (the Main Street Area is defined by Area of Special Concern (ASC) Road Corridor 2 Attachment 1 of the Main Street Program Guide ~~in~~ of the North Bethany Subarea Plan), an association shall be established to maintain adjoining landscaping and street furniture along Kaiser Road, between the curb and the property line. This will be achieved by providing documentation that an association will be established to maintain the adjoining landscaping and street furniture along Kaiser Road within the Main Street Area.
- (1) The documentation that establishes the association shall not have any financial limits that restrict the ability to undertake required maintenance.
  - (2) The first property owner that develops in the Main Street Area shall establish the association.
  - (3) The association agreement shall have an equitable method for paying for the adjoining road landscaping and street furniture to be shared by all subject properties and must not unfairly burden subsequent properties with a disproportionate amount of financial responsibility for landscape and street furniture maintenance.
  - (4) Subsequent properties must join the association at the time of development.
  - (5) To help ensure the association maintains the applicable landscaping and street furniture, the applicant/property owner shall sign a remonstrance against the formation of a Local Improvement District that would pay for the adjoining Kaiser Road landscaping and street furniture.
  - (6) The association shall maintain all adjoining Kaiser Road landscaping that is not maintained by THPRD or Clean Water Services, and shall maintain all adjoining Kaiser Road street furniture.
  - (7) The applicant shall provide a copy of the draft document that they intend to record to fulfill this requirement for review by County Counsel and the Director designate.
  - (8) In the event that formation of the association proves impracticable, individual property owners may be conditioned to maintain landscaping and street furniture between the curb and the property line.
  - (9) The applicant shall provide to the Director designate a final copy of all recorded documents related to landscape and street furniture maintenance prior to final land use approval.

\*\*\*

abcdef Proposed additions

~~abcdef~~ Proposed deletions

**390-25 Main Street Area**

North Bethany's Main Street Area is subject to Community Plan provisions, including the requirements of Area of Special Concern (ASC) Road Corridor 2 requirements and the guidelines of the Main Street Program Guide, as provided for in the North Bethany Subarea Plan.



# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

**Agenda Category:** Action – Land Use & Transportation (CPO 7)

**Agenda Title:** ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 846

**Presented by:** Andrew Singelakis, Director of Land Use & Transportation

### SUMMARY:

A-Engrossed Ordinance No. 846 amends Chapter 2, the North Bethany Subarea Plan of the Bethany Community Plan and the Community Development Code to make limited amendments related to the North Bethany Main Street Urban Design Plan. A-Engrossed Ordinance No. 846 is posted on the County's land use ordinance webpage at the following link:

[www.co.washington.or.us/landuseordinances](http://www.co.washington.or.us/landuseordinances)

Post acknowledgment comprehensive plan amendments are amendments made to the County's Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals. ORS 197.615 requires that such amendments be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County's Comprehensive Plan.

Additionally, as required by Title 8 of Metro's Urban Growth Management Functional Plan (UGMFP), any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the UGMFP.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 846. Prior to the May 28, 2019 meeting, the proposed findings will be provided to the Board, posted on the above land use ordinance webpage and available at the Clerk's desk.

Attachment: Resolution and Order

R&O Exhibit A (Ordinance Findings) is linked online.

### DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A Engrossed Ordinance No. 846 and authorize the Chair to sign the Resolution and Order memorializing the action.

### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 19-49

Agenda Item No.	<u>5.a.</u>
Date:	05/28/19

1 IN THE BOARD OF COMMISSIONERS  
 2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting ) RESOLUTION AND ORDER  
 4 Legislative Findings in Support )  
 of A-Engrossed Ordinance No. 846 ) No. 19-49

5 This matter having come before the Washington County Board of Commissioners (Board) at  
 6 its meeting of May 28, 2019; and

7 It appearing to the Board that the findings contained in "Exhibit A" summarize relevant facts  
 8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised  
 9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's  
 10 Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 846; and

11 It appearing to the Board that the findings attached and herein incorporated as "Exhibit A"  
 12 constitute appropriate legislative findings with respect to the adopted ordinance; and

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing  
 14 on March 6, 2019, made a recommendation to the Board, which is in the record and has been  
 15 reviewed by the Board; and

16 It appearing to the Board that, in the course of its deliberations, the Board has considered the  
 17 record which consists of all notices, testimony, staff reports, and correspondence from interested  
 18 parties, together with a record of the Planning Commission's proceedings, and other items submitted  
 19 to the Planning Commission and Board regarding this ordinance; it is therefore,

20 RESOLVED AND ORDERED that the attached findings in "Exhibit A" in support of  
 21 A-Engrossed Ordinance No. 846 are hereby adopted.

22 DATED this 28th day of May, 2019.

	AYE	NAY	ABSENT
23 HARRINGTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 TREECE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26 WILLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BOARD OF COMMISSIONERS  
 FOR WASHINGTON COUNTY, OREGON

*[Signature]* 05/28/19  
 Chair

26 *[Signature]*  
 27 County Counsel  
 28 For Washington County, Oregon

*[Signature]*  
 Recording Secretary

## **EXHIBIT A**

### **FINDINGS FOR A-ENGROSSED ORDINANCE NO. 846**

#### **AN ORDINANCE MAKING LIMITED AMENDMENTS TO THE BETHANY COMMUNITY PLAN AND THE COMMUNITY DEVELOPMENT CODE RELATED TO THE NORTH BETHANY MAIN STREET URBAN DESIGN PLAN**

**May 28, 2019**

Part 1 – General Findings

Part 2 – Statewide Planning Goal Findings

Part 3 – Metro Urban Growth Management Functional Plan Findings

#### **Part 1:**

#### **GENERAL FINDINGS**

A-Engrossed Ordinance No. 846 makes limited amendments to the North Bethany Subarea Plan (Plan) of the Bethany Community Plan and the Community Development Code (CDC) related to the North Bethany Main Street Urban Design Plan. The ordinance corrects an inconsistent Plan reference; includes CDC amendments that were unintentionally omitted from the ordinance that originally adopted design and development standards for the Main Street area (A-Engrossed Ordinance No. 838); and resolves inconsistencies related to the setback requirements that apply within the Main Street area.

#### **Key Ordinance Provisions**

- Removes a Plan reference that suggests the North Bethany civic use may not be a building, and clarifies language regarding gateway requirements.
- Adds dimensional requirements to the CDC's Neighborhood Commercial Mixed-Use District (NCMU NB) standards.
- Modifies a CDC provision requiring owners of Main Street properties along Kaiser Road to establish an association for maintenance of Kaiser Road landscaping; the modification requires the association to also address maintenance of street furniture.
- Adds cross-references in the CDC standards that refer to the North Bethany Subarea Plan's Main Street design requirements.
- Resolves inconsistencies related to Main Street area setback requirements.

Because the ordinance would make changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The County Board of Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual applicable Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Shorelands), 18 (Beaches

and Dunes), and 19 (Ocean Resources) and related Oregon Administrative Rules (OAR) are not addressed because these resources are not located within Washington County.

The Board also finds that Goals 3 (Agricultural Lands), 4 (Forest Lands) and 14 (Urbanization) are not applicable because the area affected by this ordinance is entirely within the urban growth boundary.

The County is also required to make findings that the amendments are consistent with the requirements of Metro's Urban Growth Management Functional Plan (UGMFP). These findings are addressed in this document.

## **Part 2: STATEWIDE PLANNING GOAL FINDINGS**

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 846 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS), Oregon Administrative Rule (OAR) requirements, Metro's Urban Growth Management Functional Plan (UGMFP), and Washington County's Comprehensive Plan (Plan). The County's Plan was adopted to implement the aforementioned planning documents and was acknowledged by the State of Oregon. The County follows the post-acknowledgement plan amendment (PAPA) process to update the Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements. No goal compliance issues were raised in the hearing proceedings described below. In addition, none of the proposed changes to the map and text of the Plan implicate a goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

### **Goal 1 - Citizen Involvement**

Goal 1 addresses Citizen Involvement by requiring the implementation of a comprehensive program to stimulate citizen participation in the planning process. Washington County has an acknowledged citizen involvement program that provides a range of opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County's Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has followed these requirements for the adoption of A-Engrossed Ordinance No. 846.

### **Goal 2 - Land Use Planning**

Goal 2 addresses Land Use Planning by requiring an adequate factual base to support a decision as well as coordination with affected governmental entities. Washington County has an acknowledged land use planning process that provides for the review and update of the various elements of the Plan, which includes documents such as the Rural/Natural Resource Plan, Comprehensive Framework Plan for the Urban Area (CFP), Community Plans, Community Development Code (CDC), and Transportation System Plan (TSP). Washington County utilized this process to adopt A-Engrossed Ordinance No. 846.

Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

### **Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces**

Goal 5 addresses the protection of natural resources and the conservation of scenic, cultural, and historic areas and open spaces by requiring local programs to protect these resources in order to promote a healthy environment and natural landscape that contributes to Oregon’s livability for present and future generations.

In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to post-acknowledgment plan amendments (PAPAs) when the PAPA 1) creates or amends a resource list or a portion of an acknowledged plan or land use regulation that protects a significant Goal 5 resource, or 2) allows new uses that could be conflicting uses with a particular Goal 5 site.

Policies 10, 11 and 12 of the CFP, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan, and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources.

A-Engrossed Ordinance No. 846 does not amend any of the Goal 5 significant natural resource designations previously adopted as part of the North Bethany Subarea of the Bethany Community Plan. The amendments made by A-Engrossed Ordinance No. 846 are consistent with the County’s acknowledged policies and standards for the protection of Goal 5 resources, as well as those set forth in OAR 660 Division 23.

### **Goal 6 - Air, Water and Land Resources Quality**

Goal 6 requires the maintenance and improvement of the quality of the air, water and land resources of the state through the implementation of local plans that address waste and process discharge. Policies 4, 5, 6 and 7 of the CFP and Policies 4, 5, 6, and 7 of the Rural/Natural Resource Plan provide for the maintenance and improvement of the quality of air, water and land resources.

A-Engrossed Ordinance No. 846 does not amend the Plan policies or CDC standards related to air, water or land resources that impact the County’s compliance with Goal 6. A-Engrossed Ordinance No. 846 does not amend any provisions regarding Community Plan and CDC protections to significant wetlands, air quality or land resource quality. Plan compliance with Goal 6 is maintained with the amendments made by A-Engrossed Ordinance No. 846. The amendments are consistent with the County’s acknowledged policies and standards for protection of Goal 6 resources.

### **Goal 7 - Areas Subject to Natural Hazards**

Goal 7 requires the implementation of local land use programs that reduce the risk to people and property from natural hazards such as floods, landslides and earthquakes. Policy 8 of the CFP and Policy 8 of the Rural/Natural Resource Plan set out the County’s policy to protect life and property from natural disasters and hazards.

A-Engrossed Ordinance No. 846 does not amend the applicable Plan policies and strategies or CDC sections related to flood plain areas, or to natural disasters and hazards. Plan compliance with Goal 7 is maintained with the amendments made by A-Engrossed Ordinance No. 846. The amendments are consistent with the County’s acknowledged policies and standards for regulating development exposed to potential natural disasters and hazards addressed by Goal 7.

**Goal 8 - Recreational Needs**

Goal 8 requires local jurisdictions to satisfy the recreational needs of citizens and visitors by planning and providing for the siting of necessary recreational facilities. Policies 33, 34 and 35 of the CFP, Policy 24 of the Rural/Natural Resource Plan and the individual Community Plans address the recreational needs of Washington County’s residents and visitors.

The North Bethany Subarea incorporates a plan for various park locations and sizes, along with a network of multimodal off-street recreational trails and on-street connections. This program of land for recreational facilities is consistent with the level of service standards for the identified park service provider, as described in the Master Plan of the Tualatin Hills Park and Recreation District (THPRD), and adopted in 2010 via A-Engrossed Ordinance No. 730.

A-Engrossed Ordinance No. 846 does not amend North Bethany’s park locations or configurations, or the location and alignment of future planned trails or on-street connections. Plan compliance with Goal 8 is maintained with the amendments made by A-Engrossed Ordinance No. 846. The amendments are consistent with the County’s acknowledged policies and strategies for satisfying recreational needs as required by Goal 8.

**Goal 9 – Economic Development**

Goal 9 requires the provision of adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of citizens. Policy 20 of the CFP and Policies 15, 16, 20 and 21 of the Rural/Natural Resource Plan set out the County’s policies to strengthen the local economy. The CDC contributes to a sound economy by providing standards that facilitate development in an orderly and efficient fashion.

A-Engrossed Ordinance No. 846 does not amend any County policies or CDC requirements regarding the local economy. Plan compliance with Goal 9 is maintained with the amendments made by A-Engrossed Ordinance No. 846.

**Goal 10 - Housing**

Goal 10 requires the provision of housing, including adequate numbers of units within a range of prices, types and densities that provide realistic options to meet citizen needs. Policies 21, 22, 23 and 24 of the CFP, and Policies 19 and 25 of the Rural/Natural Resource Plan address the provision of housing in the urban and rural areas of the county. The CDC contributes to the provision of adequate housing by establishing standards that facilitate development in an orderly and efficient fashion.

In 2010, the North Bethany Subarea Plan (Plan) was adopted by A-Engrossed Ordinance No. 730, and included a variety of residential land use designations that allow units in a range of housing types and densities. A-Engrossed Ordinance No. 730 was found to comply with Goal 10.

A-Engrossed Ordinance No. 846 does not change any adopted North Bethany land use designations or amend any County policies regarding the provision of housing. Plan compliance with Goal 10 is maintained with the amendments made by A-Engrossed Ordinance No. 846.

### **Goal 11 - Public Facilities and Services**

Goal 11 requires a plan for the orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Policies 15, 25, 26, 27, 28, 29, 30 and 31 of the CFP, and Policy 22 of the Rural/Natural Resource Plan address the provision of public facilities and services in the urban and rural areas of unincorporated Washington County. The CDC requires that adequate public facilities and services be available for new development.

A-Engrossed Ordinance No. 846 is consistent with the County's acknowledged policies and strategies for the provision of public facilities and services as required by Goal 11. Plan compliance with Goal 11 is maintained with the amendments made by A-Engrossed Ordinance No. 846.

### **Goal 12 - Transportation**

Goal 12 requires the provision and encouragement of a safe, convenient, multi-modal, and economic transportation system. Policy 32 of the CFP, Policy 23 of the Rural/Natural Resource Plan, and in particular the Washington County Transportation System Plan (TSP) describe the transportation system necessary to accommodate the transportation needs of Washington County. Implementing measures are contained in the TSP, Community Plans, and the CDC.

A-Engrossed Ordinance No. 846 amends the Bethany Community Plan and CDC to make limited amendments to the North Bethany Main Street Urban Design Plan. None of the amendments relate directly to transportation.

A-Engrossed Ordinance No. 846 does not amend the TSP, nor does it include any transportation-related amendments to the CDC. Since A-Engrossed Ordinance No. 846 does not amend the TSP or other policies related to transportation planning, only section 660-012-0060 of the TPR is applicable.

**660-012-0060** This section sets forth requirements for plan and land use regulation amendments.

**FINDING:** A-Engrossed Ordinance No. 846, together with previously adopted and acknowledged ordinances, fully implements all of the applicable provisions of OAR 660-012-0060 as detailed in the following findings of fact:

- A-Engrossed Ordinance No. 846 does not change allowed land uses, zoning maps, density or type of development allowed to an extent that would add trips to the transportation system or change the existing or anticipated level-of-service or the level-of-service standard for any facility.

- A-Engrossed Ordinance No. 846 does not modify the functional classification or change the type or level of travel or access inconsistent with the designation of any existing or planned transportation facility.

The amendments are consistent with the County’s acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 the Transportation Planning Rule (TPR), implemented via OAR Chapter 660, Division 12. Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance No. 846.

### **Goal 13 - Energy Conservation**

Goal 13 requires developed land uses to be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Policies 36, 37, 38, 39 and 40 of the CFP, and Policy 25 of the Rural/Natural Resource Plan address energy conservation in the urban and rural areas of unincorporated Washington County. The CDC implements the energy conservation policies by establishing standards that promote energy efficient development, especially in Article IV.

In 2010, the North Bethany Subarea Plan (Plan) was adopted by A-Engrossed Ordinance No. 730, and included a variety of residential land use designations that allow units in a range of housing types and densities. A-Engrossed Ordinance No. 730 was found to comply with Goal 10.

A-Engrossed Ordinance No. 846 does not change any adopted North Bethany land use designations or amend any County policies regarding the provision of housing. Plan compliance with Goal 10 is maintained with the amendments made by A-Engrossed Ordinance No. 846.

### **Part 3:**

### **URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FINDINGS**

Section 3.07.810 of Title 8 of Metro’s Urban Growth Management Functional Plan (UGMFP) requires that county comprehensive plan changes be consistent with the UGMFP. The following A-Engrossed Ordinance No. 846 findings have been prepared to address Title(s) 1, 3, 4, 6, 7, 8, 11, 12, 13 and 14 of the UGMFP.

#### **Title 1 - Housing Capacity**

Title 1 requires a city or county to maintain or increase its housing capacity (except as provided in Section 3.07.120) per the Regional Framework Plan which calls for a compact urban form and a “fair share” approach to meeting housing needs.

#### **RESPONSE**

A-Engrossed Ordinance No. 846 does not amend County policies related to housing capacity. A-Engrossed Ordinance No. 846 is consistent with Title 1.

### **Title 3 - Water Quality and Flood Management**

Title 3 protects beneficial water uses and functions and values of resources within Water Quality and Flood Management Areas by limiting or mitigating impacts from development activities and protecting life and property from dangers associated with flooding.

#### **RESPONSE**

A-Engrossed Ordinance No. 846 does not amend any Plan policies or CDC standards related to water quality or flood management. A-Engrossed Ordinance No. 846 is consistent with Title 3.

### **Title 4 – Industrial and Other Employment Areas**

Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of “clustering” to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region’s transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities.

#### **RESPONSE**

The amendments in A-Engrossed Ordinance No. 846 do not affect protection of RSIAs, Industrial and Employment Areas, or the location of employment areas in Metro-designated Centers, Corridors, Main Streets and Station Communities. A-Engrossed Ordinance No. 846 does not affect compliance with Title 4.

### **Title 6 - Centers, Corridors, Station Communities and Main Streets**

Title 6 calls for enhancements of Centers, Corridors, Station Communities and Main Streets as principal centers of urban life in the region via actions and investments by cities and counties, complemented by regional investments.

#### **RESPONSE**

A-Engrossed Ordinance No. 846 will facilitate development within North Bethany’s Main Street area, thereby helping to implement Metro 2040 Main Street goals. A-Engrossed Ordinance No. 846 is consistent with Title 6.

### **Title 7 - Housing Choice**

To increase the supply of affordable housing opportunities, Title 7 implements policies of the Regional Framework Plan regarding establishment of voluntary affordable housing production goals to be adopted by local governments.

**RESPONSE**

A-Engrossed Ordinance No. 846 does not amend County policies regarding affordable housing production goals. A-Engrossed Ordinance No. 846 is consistent with Title 7.

**Title 8 - Compliance Procedures**

Title 8 sets forth Metro’s procedures for determining compliance with the UGMFP. Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to comprehensive plans. Title 8 requires jurisdictions to submit notice to Metro at least 35 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan.

**RESPONSE**

Consistent with Title 8, a copy of proposed Ordinance No. 846 was sent Jan. 29, 2019 to Metro, 37 days prior to the first evidentiary hearing. A copy of A-Engrossed Ordinance No. 846 was sent to Metro on April 24, 2019. Metro provided no comments on A-Engrossed Ordinance No. 846.

**Title 11 - Planning For New Urban Areas**

Title 11 guides planning of urban reserves and areas added to the urban growth boundary for conversion from rural to urban use. Title 11 includes requirements that the development of areas added to the urban growth boundary implement the Regional Framework Plan and the 2040 Growth Concept.

**RESPONSE**

A-Engrossed Ordinance No. 846 applies to lands within the urban growth boundary that are already designated for urban use. A-Engrossed Ordinance No. 846 does not affect compliance with Title 11.

**Title 12 – Protection of Residential Neighborhoods**

Title 12 protects existing residential neighborhoods from air and water pollution, noise and crime, and provides adequate levels of public services.

**RESPONSE**

A-Engrossed Ordinance No. 846 does not impact compliance with Plan policies or CDC standards related to air or water pollution, noise or crime, or adequate levels of public services.

**Title 13 – Nature in Neighborhoods**

Title 13 conserves, protects and restores a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape.

**RESPONSE**

A-Engrossed Ordinance No. 846 does not impact Plan policies or CDC standards related to streamside corridors or upland wildlife habitat.

**Title 14 – Urban Growth Boundary**

Title 14 prescribes criteria and procedures for amendments to the urban growth boundary to provide a clear transition from rural to urban development, an adequate supply of urban land to accommodate long-term population and employment, and a compact urban form.

**RESPONSE**

A-Engrossed Ordinance No. 846 does not propose to amend the urban growth boundary. Compliance with Title 14 is not affected by A-Engrossed Ordinance No. 846.