



WASHINGTON COUNTY PLANNING COMMISSION

Wednesday, January 21, 2015
Area 93 (Bonny Slope West) Advisory Briefing and Discussion
MEETING SUMMARY

School Issues

Staff presented information on the following topics:

Beaverton School District (BSD) Facility Plan:

- BSD adopted the plan in 1994 in compliance with ORS 195.110.
- BSD updated the plan in 2002.
- In 2002 the County updated the Comprehensive Framework Plan Policy 30 to include BSD's facility plan as a resource document.
- BSD adopted an updated Facility Plan in 2010 that identified the need for three (3) elementary schools and it noted that BSD owns three sites for three elementary schools in the north district.
- The plan identified the need for a middle school and noted that BSD owns a site in the north district for a middle school; it also identified the need for one to two high schools. The plan noted that BSD does not own vacant sites for high schools.
- Some public comments received during Bonny Slope West planning have emphasized capacity issues and school overcrowding in the north district.
- BSD is exploring different options to address capacity issues. Some of the school district's preferred ways of addressing capacity issues outlined in the 2010 Facility Plan include open enrollment, portables, boundary adjustments, school additions and expansions, and new construction.

School Siting:

- Staff noted that at the December 3rd Planning Commission briefing, Mr. Steinbrugge, Executive Director of facilities for BSD, offered public comment about the school district's desire for a K-5 school site in Bonny Slope West and that the district had completed a site feasibility analysis.
 - The analysis identifies two sites in Bonny Slope West that meet the district's siting criteria for an elementary school. The district determined both sites suitable based primarily on their size and level topography.
 - Both sites range between 8 to 10 acres in size and are relatively flat.
 - The analysis concluded that site A in the SW portion of Bonny Slope West is the most preferable for siting a school.
- Staff understands the school district to be requesting that the site identified in the feasibility analysis be designated in the Bonny Slope West plan as eligible for a school and not eligible for new residential development.
- Staff noted that designating a site that is eligible for school use and not eligible for residential development would require applying an institutional designation to a site in the plan since residential development is not allowed in the institutional district.

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- Schools are an allowed use in residential and institutional districts through a Type III land development application. There are several schools in the County and near Bonny Slope West that are on residentially designated R6 lands including Findley Elementary, Stoller Middle School and Jacob Wismer Elementary.
- Historically, the institutional designation has been applied to a site after the school district acquired the site. Bonny Slope Elementary is an example.
- Staff believes that there are potential legal and equity issues with designating a site as institutional when the school district does not already own the site and does not have the near-term ability to purchase the site.
- Another consideration for placing an institutional designation on a site is that other institutional uses other than a school (e.g., hospital, group care facility, religious institution) could develop on the site.
- There's no regional precedent for applying an institutional designation in new urban areas that would limit use of a site to a school in advance of school district acquisition of a site (e.g., North Bethany, South Hillsboro, River Terrace, South Cooper Mountain).
- Staff displayed a graphic showing the school district's two preferred school sites intended for use at the January 26, 2015 open house.

Members of the PC offered questions and comments on the following topics:

Beaverton School District (BSD) Facility Plan:

- ORS 195.110 requires the County to work with the school district and how they work together is described in the school district's facility plan.
- The facility plan uses outdated statistics from the 2000 Census and 2007 PSU projections.
- How soon will BSD update its 2010 Facility Plan?
- If BSD is not going to update its Facility Plan, does the County have some responsibility to look at the school district's school siting request if the Facility Plan does not document a need for a school site in Bonny Slope West?

Dick Steinbrugge, Executive Administrator for Facilities for BSD provided feedback on the following topics in response to comments and questions from the PC:

Beaverton School District (BSD) Facility Plan:

- The Facility Plan was based partly on enrollment projections received from Portland State Population Research Center.
- The ORS requires that the district have a 10-year plan that is the foundation for capital investment.
- When the 2010 Facility Plan was adopted, Bonny Slope West was not on the school district's horizon in terms of when it would develop.
- The 2010 plan looked out 15 years. BSD went beyond the minimum requirement in ORS and then updated the data for the 2014 bond program.
- BSD did not feel it was useful to go through another significant effort to put together a comprehensive school facility plan until the current bond measure was closer to expiring and future improvements were being contemplated. It took half a year and considerable cost and staff time.

Members of the PC offered the following questions and comments on the following topic in response to Mr. Steinbrugge's comments:

School Siting:

- The 2014 bond measure did not anticipate the need for a school site in Bonny Slope West.
- Is the school district requesting that one of the two parcels identified in their site feasibility analysis be designated and set aside for a school?
- Does the school district have a sense of how soon the school site would be needed?
- Because the school district doesn't know exactly where growth is going to occur, couldn't a school be located outside of Bonny Slope West?
- Why didn't the school district talk to land owners of identified potential school sites?
- Displaying potential school sites at the open house could be misleading and cause the public to interpret that to mean that those are the preferred alternatives or a decision has been made.
- Applying an institutional designation could limit property value as opposed to applying a residential designation.
- Designating land as institutional before the school district is able to purchase it seems unfair to the property owner and it seems like it would create some legal issues.

Dick Steinbrugge, Executive Administrator for facilities for BSD provided feedback in response to comments and questions from the PC:

School Siting:

- The long range projection of enrollment and population growth shows continued and very significant growth and it's hard to say exactly where a school is going to be needed.
- The school district is requesting that a school site be set aside as part of the BSW community plan, though it did not specifically ask for an institutional designation.
- A school could be sited outside of BSW and does not necessarily have to be in the project area.
- It seemed reasonable during the planning process to consider whether a school site would feasibly fit within the plan.
- Designating a site for a future school after a plan is adopted seems impossible to do later on in the process.
- The district has not spoken to land owners of potential sites.
- The school district does not have the funding at the moment to purchase property in Bonny Slope West.
- It is a challenge to set aside property for future schools in order to support areas that are going to develop in the future.

Public comments on school issues were provided by the following individuals:

Mary Taylor, resides to the south of Bonny Slope West

- She is concerned that the area will be developed without providing a new school.
- She noted that current classroom sizes in area schools are at 40 kids per class.
- She would like to know where funding will come from for road improvements in the area.

John Orlando, Bonny Slope West property owner

- He has owned Site A as identified in the school district's feasibility analysis for 17 years.
- For the last year the property has been under contract with Arbor Homes.
- He has never been contacted by the school district to find out if his property is under contract or if he is interested in selling.
- Access to Site A was not considered in the feasibility analysis because the first fifty feet off NW 120th is an access easement.
- The school district would have to acquire the homes on either side of the access easement in order for the roads to be improved to County standards.
- He is satisfied with the contract with Arbor Homes and doesn't believe the school district should expect to pay less.
- If the County applied an institutional designation to his property with the knowledge that the school district does not have the funding to buy it, it amounts to a taking.
- He recommends keeping the proposed residential zoning.

Mike Nelson, Bonny Slope West property owner

- He initially thought one of the preferred school sites was his property, but it was Mr. Orlando's.
- He noted that John Orlando previously covered his thoughts.

Stacy Wainwright, resides to the south of Bonny Slope West

- She is a parent of children in two overcrowded BSD schools.
- She is concerned about the density that is proposed in the area.
- She recommends approval of lower density to better address the lack of school capacity.

Powell Quering, resides to the south of Bonny Slope West

- There needs to be some consideration for the size of classrooms when choosing plan designations for the area.
- It's important for families in the area to be able to send their kids to schools nearby.

Dan Grimberg/West Hills Development

- West Hills (WH) has been involved in this area for 15 years.
- It would be inappropriate to designate a site for a school in BSW when the school district can't afford to purchase it.
- Our company looks forward to developing the area hopefully beginning the summer after ordinance approval.
- This is a great opportunity and we are going to protect our development rights to the fullest extent possible.

Greg Malinowski, Washington County Commissioner

- He is working with the North Bethany community on school overcrowding and has had requests to place a moratorium on development because schools are overcrowded.
- He does not feel the Board is in a position to put a moratorium on land development when it's been known that the area would end up being developed at approximately eight to ten units per acre.
- The school district has condemnation rights.
- He agrees with the PC that the potential school sites shown in BSD's site feasibility analysis should not be shown at the open house.

- He noted that if you don't want a lot of kids coming out of this area, the area should be designated for land uses that typically generate fewer children such as one-bedroom apartments.

Infrastructure Funding

Staff presented information on the following topics:

Infrastructure Funding Plan – Schools, Parks, Water, Sewer, Stormwater

- Staff is working on an infrastructure funding plan for BSW.
- The plan will address how infrastructure to serve future development could be funded; is also a Metro requirement under Title 11 of the Urban Growth Management Functional Plan.
- The plan will address several types of infrastructure including parks, transportation, water, sanitary sewer and stormwater, and schools.
- EcoNorthwest, whom the County contracted with, has conducted in person or phone interviews with representatives of each service district.
- Unlike other infrastructure types, schools are not allowed to collect system development charges (SDCs) to fund capital improvements; the State legislature would need to amend ORS 223 for a SDC to be applied.
- BSD's 2010 Facility Plan lists construction excise taxes, local option levies, and obligation bonds as current funding sources.
- The infrastructure funding plan will identify potential projects and estimate costs and existing revenue sources as well as identify potential new sources of funding; it will outline options and strategies for the Board's consideration.
- Staff does not expect a funding gap for water, sewer, or stormwater because the service providers have not identified any significant projects that would be required to serve new development in BSW.
- BSD is using all available funding sources.
- Parks and transportation infrastructure are the two infrastructure types that are likely to have a funding gap.
- Potential infrastructure projects could exceed the estimated revenue generated in Bonny Slope West from the County's transportation development tax and the parks system development charge; for this reason the infrastructure funding plan will focus most intensively on the projects, costs and revenue sources and options and strategies for parks and transportation infrastructure.
- THPRD has indicated that there may be a desire for one and a half to two acre neighborhood parks in Bonny Slope West as well as a community trail or trails with the amount of linear feet still to be determined. A pedestrian bicycle bridge is a desired piece of infrastructure. THPRD is looking at the possibility of cost sharing for the bridge.

Infrastructure Funding Plan – Transportation

- The adopted Washington County Transportation System Plan (TSP) contains strategy 10.2.4 and it relates to urban growth boundary expansion and development of financing strategies that provide adequate funding to support transportation systems and services necessary for the anticipated urban development.
- The three-legged stool diagram that the County has used for years to describe its transportation funding system consists of system maintenance, major streets transportation improvement program, and growth related improvements. The letter is

related to our Transportation Development Tax (TDT) as well as development required improvements.

- The focus of a transportation funding plan is on capital funding.
- New development is typically responsible for building neighborhood routes and local streets and frontage improvements along arterials and collectors.
- There are two current capital funding programs that are not directly development related: The TDT and Major Streets Transportation Improvement Program (MSTIP).
- The infrastructure funding plan for transportation assumes that revenue is not available now and there's also an assumption that there will be a gap between community desires and available resources.
- Expected revenue and expected costs have to balance as part of the plan.
- The County is working on refining the project costs based on the list of potential transportation projects. The list is not prioritized.
- Currently, the roads around BSW are not built to urban standards.
- Capacity is not currently an issue, nor is it expected to be in the future.
- Regarding North Bethany, the funding plan was considerably scaled back from \$289 million to \$69 million and two new funding programs were created – a supplemental transportation SDC and transportation-related county service district.
- There were a number of different revenue streams used to develop the North Bethany funding plan.
- It's too soon to tell how the North Bethany finance strategy is working because as of June 30th no building permits had been issued.
- The County has started drafting a Bonny Slope West funding plan with a project list. Next steps will include finalizing cost estimates and project list for public review and developing staff recommendations or options for the Board to consider.

Members of the PC offered questions and comments on the following topics:

Infrastructure Funding Plan – Transportation

- The different revenue sources used for North Bethany include transportation improvements triggered by development, TDT, supplemental SDC, and county service district.
- Are any of these areas in the Urban Road Maintenance District?
- If the decision is made not to allocate any of the transportation funding for improvements on Laidlaw Road for example, would funding for the improvements that need to be made on Laidlaw Road come from MSTIP?

Public comments on transportation issues were provided by the following individuals:

Dan Grimberg/West Hills (WH) Development

- It took a long time for the County to formulate the finance plan for North Bethany.
- He believes the plan generally works.
- It's easy to assume that the money collected for projects will build roads, but this does not seem to be happening.
- We have to build the road to get our final plat recorded, so we pay the TDT and the supplemental SDC at the time we take out the house building permit, but have to up front potentially millions of dollars for a road and it's credited back per house. This can take a long time and the lenders do not understand it.
- The credit policies in North Bethany are not how we understood them to function.

- The sources of revenue to fund North Bethany improvements are reasonable.
- Developers need to get 100 percent credit for the roads they build.

Stacy Wainwright, resides to the south of Bonny Slope West

- Shouldn't the County follow through on assurances made about residential housing density when the area was transferred to Washington County when considering infrastructure planning?
- A February 2013 article in the Cedar Mill News stated that there had been an October 2012 meeting in which Chairman Duyck said that fewer homes would put a smaller burden on existing roads and other infrastructure, that the county's lowest density R5 was the lowest that was possible, and no one was interested in changing this.
- A Cedar Mill News article noted that the Washington County planning director stated the County envisions densities at the low end of the range, primarily R5 and R6.
- Why is the County proposing R9 with density transfers allowed in the project area?

Mike Nelson, Bonny Slope West property owner

- He organized the October 2012 meeting that kicked off the Bonny Slope West transfer plan process and Chair Duyck and Commissioner Malinowski made no promises to the landowners in the area about density.
- Regardless of proposed density, there was overwhelming support to get out of Multnomah County.
- There was an expectation that the density would be lower than ten units per acre.

Members of the PC offered the following questions and comments in response to the public comments:

- Developers are paying their SDC's at the time they pull permits and start the development and are supposed to get credits back once the roads are built, but that's not happening?
- Let's make sure the credit policy is understood clearly by everybody and is written properly.
- Thompson Road is undersized for further development, it should be prioritized to the top of the list and for MSTIP funding.