

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – First Reading and First Public Hearing
Land Use and Transportation; County Counsel (ALL CPOs)

Agenda Title: **CONSIDER PROPOSED ORDINANCE NO. 813 – AN ORDINANCE AMENDING THE RURAL/NATURAL RESOURCE PLAN, THE COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA, THE COMMUNITY DEVELOPMENT CODE RELATING TO HOUSEKEEPING CHANGES AND GENERAL UPDATES**

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

SUMMARY:

Ordinance No. 813 proposes minor housekeeping amendments and general updates to elements of Washington County's Comprehensive Plan. The proposed ordinance is posted on the County's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/landuseordinances.cfm>

On July 20, 2016, the Planning Commission (PC) conducted a public hearing for this ordinance. The PC voted 6:0 to recommend the Board adopt Ordinance No. 813. The staff report will be provided to the Board prior to the hearing and posted on the above land use ordinance web page. 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 three minutes for individuals and 12 minutes for a representative of a group.

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

DEPARTMENT'S REQUESTED ACTION:

Read Ordinance No. 813 by title only and conduct the first public hearing. At the conclusion of the hearing, adopt Ordinance No.813.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No. 3.f.

Date: 08/23/16

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 813

An Ordinance Amending the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code Relating to Housekeeping Changes and General Updates

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

SECTION 1

A. The Board recognizes that Rural/Natural Resource Plan (Volume III) was readopted with amendments, by way of Ordinance No. 307, and 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, 637, 643, 648, 649, 653, 662, 671, 686, 733, 740, 753, 764, 772, 776, and 796.

B. The Board recognizes that the Comprehensive Framework Plan for the Urban Area element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9, 1986, and subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, 733, 739, 742, 744, 745, 753, 758, 764, 769, 771, 775, 785, 788-790, 796, 799, 802, and 805.

C. The Board recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, and subsequently amended by Ordinance Nos. 321, 326, 336-341,

1 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417 ,421-
2 423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-
3 481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561,
4 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624,
5 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677,
6 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739,
7 742-745, 754- 758, 760, 762, 763, 765, 766, 769-776, 782-788, 791, 797-800, 802, and 804.

8 C. As part of its ongoing planning efforts Washington County staff has identified
9 the need for minor limited non-policy changes and general updates to improve the efficiency
10 and effectiveness of the Comprehensive Plan. The Board recognizes that such changes are
11 necessary from time to time for the benefit and welfare of the residents of Washington
12 County, Oregon.

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

19 E. The Board finds and takes public notice that it is in receipt of all matters and
20 information necessary to consider this Ordinance in an adequate manner and finds that this
21 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan
22 adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington

1 County Charter, the Washington County Community Development Code, and the Washington
2 County Comprehensive Plan.

3 SECTION 2

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

6 A. Exhibit 1 (2 pages), amends the Rural/Natural Resource Plan:

- 7 1. Policy 17, Agriculture and Forest-20 Land; and
- 8 2. Policy 22, Public Facilities and Services.

9 B. Exhibit 2 (2 pages), amends the following Sections of the Comprehensive
10 Framework Plan for the Urban Area:

- 11 1. Summary Analysis of Constraints and Opportunities for Land
12 Development; and
- 13 2. Policy 30, Schools.

14 C. Exhibit 3 (4 pages), amends the following Sections of the Community
15 Development Code:

- 16 1. Section 107 – Planning Participants;
- 17 2. Section 201 – Development Permit;
- 18 3. Section 209 – Appeals;
- 19 4. Section 312 – Office Commercial District;
- 20 5. Section 430 – Special Use Standards
- 21 6. Section 431 – Transit Oriented Design Principles, Standards and
22 Guidelines; and

1 7. Section 610 – Land Divisions and Property Line Adjustments

2 Outside a UGB.

3 SECTION 3

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

6 SECTION 4

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

9 SECTION 5

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

13 SECTION 6

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

19 ///

20 ///

1 SECTION 7

2 This Ordinance shall take effect on November 25, 2016.

3 ENACTED this 23rd day of August, 2016, being the First reading
4 and First public hearing before the Board of County Commissioners of Washington
5 County, Oregon.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 *Judy Oyer*
CHAIRMAN

10 *A. D. Noyola*
RECORDING SECRETARY

11 READING

PUBLIC HEARING

12 First August 23, 2016
13 Second _____
14 Third _____
15 Fourth _____
16 Fifth _____
17 Sixth _____

12 First August 23, 2016
13 Second _____
14 Third _____
15 Fourth _____
16 Fifth _____
17 Sixth _____

18 VOTE: Aye: Rogers, Malinowski,
Terry, Schauten, Duyck

Nay: none

19 Recording Secretary: Ana D. Noyola Date: 08-23-16

The RURAL/NATURAL RESOURCE PLAN is amended to reflect the following:

1. POLICY 17 – AGRICULTURE AND FOREST-20 LAND

POLICY 17, AGRICULTURE AND FOREST-20 LAND:

It is the policy of Washington County to designate those lands as Agriculture and Forest-20 that were zoned AF-5 and AF-10 by the 1973 Comprehensive Framework Plan and for which a Goal 2 Exception has not been provided, and in doing so strive to retain small scale and part-time agriculture and forest production. Exceptions to this policy may be allowed pursuant to the provisions of LCDC Goal 2, OAR Chapter 660 Division 04, and the applicable plan amendment criteria in Policy 1.

Implementing Strategies

- a. The county will: adopt and implement an Agriculture and Forest-20 Land Use District (AF-20) consistent with LCDC Goal 3 and Oregon Revised Statutes Chapter 215.
- b. Provide for all of the uses allowed in an EFU District pursuant to ORS Chapter 215 in the AF-20 Land Use District.
- c. Designate those lands within the Agriculture and Forest-20 Plan Designation as Potential Marginal Land pursuant to the provisions of Senate Bill 237 adopted by the 1983 regular session of the Oregon Legislature.
- d. Provide in the Agriculture and Forest Land Use District a quasi-judicial process which enables a lot to qualify as "Marginal Land" which contains a lot of record provision for lots created prior to July 1, 1983.
- e. Allow the division of lands placed in the Agriculture and Forest-20 Land Use District ~~to a minimum of 20 acres~~ in accord with the following:
 1. The proposed division is appropriate for the continuation of the existing commercial agricultural enterprise within the area;
 2. In those instances where it is proposed to locate a farm-related dwelling, the proposed lot area is of sufficient size to support commercial production of food and fiber using accepted farm practices as defined in ORS 215.203(2)(3);
 3. Approval of the partitioning will not seriously interfere with the preservation of wildlife or fish habitat areas as identified in the Washington County Comprehensive Plan, or interference will be mitigated; and
 4. Any additional criteria as set forth in the County's Community Development Code.
- f. Permit non-farm/non-forest uses only when not in conflict with agricultural or forestry activities or as provided for under marginal land provisions.

2. POLICY 22 – PUBLIC FACILITIES AND SERVICES

POLICY 22, PUBLIC FACILITIES AND SERVICES:

It is the policy of Washington County to provide Public Facilities and Services in the Rural/Natural Resource Area in a coordinated manner, at levels which support rural type development, are efficient and cost effective, and help maintain public health and safety.

Summary Findings and Conclusions

Public facilities and services generally include sanitary and water facilities, solid waste collection and disposal, fire protection, police protection, energy and communication facilities, health services, educational facilities, and other governmental services.

5. **Schools.** Eleven (11) school districts provide services within the Rural/Natural Resource area. Five of these districts, which include large urban attendance areas, may be considered large school districts, and may be experiencing various levels of capacity concerns as urban growth continues. These districts are - Beaverton District 48, Hillsboro School District 1J, Forest Grove School District 15, Sherwood School District 88J and Tigard-Tualatin District 23J. Under the provisions of ORS 195.110, Washington County will work closely with these school districts to develop school facility plans as necessary, which will in turn be incorporated into the County Comprehensive Plan. None of the remaining districts are facing serious overcrowding of rural area facilities at this time. Future growth in the rural area is not expected to cause capacity problems for any of the other districts. However, cooperation between the county and the districts is an important part of helping them to plan for growth and change inside their boundaries.

Large school districts are defined in ORS 195.110(1) as those districts with enrollment exceeding 2,500 students. School district facility plans for any large school district in which ten (10) percent or more of the student population is located in the unincorporated area are intended to serve as supporting documents to the County's Comprehensive Plan and to be adopted by reference, pursuant to ORS 195.110(32). School facility plans shall be included in the Resource Document element of the Comprehensive Plan and may be adopted by Resolution and Order. As facility plans are updated, they will be adopted accordingly.

The COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA is amended to reflect the following:

1. SUMMARY ANALYSIS OF CONSTRAINTS AND OPPORTUNITIES FOR LAND DEVELOPMENT

SUMMARY ANALYSIS OF CONSTRAINTS AND OPPORTUNITIES FOR LAND DEVELOPMENT

Functional constraints and opportunities, together with city and county expectations for future growth, have great impact on influencing urban form and defining the planning and land development options available to the County. Constraints and opportunities are examined within the context of: A) current policy commitments; B) urban service availability; C) transportation system capacity; and D) natural features.

C. Transportation System Capacity

1. County Collector Arterial System

The existing transportation network provides a major challenge to the County in regard to land development options. The imbalance between the growth rate and the ability of the county to finance and construct needed improvements has led to a deteriorating road and arterial system (80% of the county's arterials and collectors are considered to be below current county urban standards). Given the urban growth management policies, especially as they deal with the provision of transportation facilities, continued growth will be constrained without corresponding improvements to the transportation system. The Westside Corridor, identified as a regional priority in the west side transportation system, provides a significant opportunity for influencing land use patterns in the future in the county. The County has participated in a regional analysis of transit options and the ~~185th East/Sunset West~~ Community Plan specifically addresses land use opportunities, which can respond to a transit-way investment (i.e., LRT [Light Rail Transit] or increased auto and bus-related capabilities).

2. POLICY 30 – SCHOOLS

POLICY 30, SCHOOLS:

It is the policy of Washington County to coordinate with school districts and other educational institutions in planning future school facilities to ensure proper location and safe access for students.

Summary Findings and Conclusions

The public elementary and secondary school system in the county is operated by thirteen (13) school districts, which collaborate with several different Educational Service Districts in the area. Five of these school districts are identified as large school districts, and may be experiencing various levels of capacity

concerns as urban growth continues. These districts are: Beaverton District 48, Hillsboro School District 1J, Forest Grove School District 15, Sherwood School District 88J and Tigard-Tualatin District 23J. While a number of individual school facilities in some districts are now at or near capacity, other districts are expecting stabilization or decline in enrollment. All districts have made efforts to estimate the need for new facilities and are working to secure sites for future development.

Large school districts are defined in ORS 195.110(1) as those districts with enrollment exceeding 2,500 students. School district facility plans for any large school district in which ten (10) percent or more of the student population is located in the unincorporated area are intended to serve as supporting documents to the County's Comprehensive Plan and to be adopted by reference, pursuant to ORS 195.110(32). School facility plans shall be included in the Resource Document element of the Comprehensive Plan and may be adopted by Resolution and Order. As facility plans are updated, they will be adopted accordingly.

Sections of the COMMUNITY DEVELOPMENT CODE (CDC) are amended to reflect the following:

1. SECTION 107 – PLANNING PARTICIPANTS

107-2 Planning Commission

107-2.3 Rules and Procedures:

- D. A tie vote on a planning or development action shall not constitute an approval or denial of the request. If the final vote on the matter is a tie, the matter shall automatically be continued to the next regularly scheduled meeting for another vote. A member not present earlier may participate if the member indicates on the record that he or she has reviewed the material and listened to the tape audio recording of the hearing. If a tie vote remains after the second meeting the action is deemed to be denied.

2. SECTION 201 – DEVELOPMENT PERMIT

201-6 When a Development has Commenced

- 201-6.1 This provision applies to authorized projects that are initiated prior to the expiration of the development permit, but not completed before the expiration date. Once development has commenced, the holder of the development permit is allowed to complete the development and the development permit does not expire, except in the case of a partition or subdivision as noted under CDC Sections 605-2.1.A(4)(c) and 610-2.1.A(43)(c), or in the case of permit revocation pursuant to Section 201-7.

3. SECTION 209 – APPEALS

209-5 Nature of Hearing

- 209-5.3 Appeal to the Board of all final decisions of the Hearings Officer shall be confined to the record except as provided in Section 209-5.8. Except as provided in Section 209-5.4 through Section 209-5.6, appeal to the Board of all final decisions of the Planning Commission on quasi-judicial plan amendments shall be confined to the record. The record shall include:

B. Verbatim Record:

- (1) For quasi-judicial plan amendments, unless waived by the Board, a verbatim record of the hearing below, in the form of audio tapes recordings, together with a transcription thereof prepared pursuant to Section 209-4.2 or 209-4.3, or the minutes thereof if no verbatim record is available due to mechanical failure or inadvertent error.

- (2) In appeals of all other development actions, unless waived by the Board, a verbatim record of the hearing below in the form of audio tapes recordings or the minutes thereof if no verbatim record is available due to mechanical failure or inadvertent error. However, a party may prepare all or a portion of the transcript for submission to the Board;

4. SECTION 312 – OFFICE COMMERCIAL DISTRICT

312-5 Prohibited Uses

- 312-5.1 Structures or uses of land not specifically authorized by this District unless the structure or use has substantially similar use and impact characteristics to a use listed as determined through the provisions of Section 202-2.2.
- 312-5.2 Drive-in or drive-up establishments except as listed in 312-3.2 A. (2) and 312-3.6
- ~~313-5.3 New dwelling units, except pursuant to Section 313-3.40.~~
- 312-5.4~~3~~ New Dwelling units except as provided in 312-4.4 B.
- 312-5.5~~4~~ Shopping Centers.
- 312-5.6~~5~~ The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.
- 312-5.7~~6~~ Auto wrecking yards.

5. SECTION 430 – SPECIAL USE STANDARDS

In addition to the requirements of Sections 400 through 425, the following special use standards are provided for specific uses. Additional or amended special use standards that are applicable in the North Bethany Subarea of the Bethany Community Plan are located in Section 390, North Bethany Subarea Overlay District.

430-37 Detached Dwelling Unit

430-37.2 Rural

- E. In the EFC District, a single-family dwelling unit on a lot or parcel may be approved when the following standards are met:

abcdef Proposed additions

~~abcdef~~ Proposed deletions

6. SECTION 431 – TRANSIT ORIENTED DESIGN PRINCIPLES, STANDARDS AND GUIDELINES

431-3 Definitions

Delete Section 431-3.13 defining an open space feature in the Peterkort Station Area which is now under the jurisdiction of the city of Beaverton.

~~431-3.13 **The Green.** A central organizing open space feature that is the focus of the Peterkort Station Area.~~

Delete entire Subsection 431-12, "Peterkort Station Area Design Standards," including Figure 12.1a – 12.1h and Figure 12.2a as a result of annexations to the city of Beaverton in 1997-2011.

~~431-12 **Peterkort Station Area Design Standards**~~

7. SECTION 610 – LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS OUTSIDE A UGB

610-2 Rural Land Divisions (Partitions and Subdivisions)

610-2.1 Procedures

Partitions and subdivisions shall be processed through a two-step process consisting of a preliminary review and a final review.

A. Preliminary Review:

The preliminary review of a partition or subdivision shall:

- (1) Be through a Type II procedure when no variance from the standards of this Code is required; or
- (2) Be through a Type III procedure when a variance from the applicable standards of this Code is required or when in conjunction with a Type III development.
- ~~(3) Subsequent phases of a Rural Planned Development which has an approved phasing schedule may be processed through a Type I procedure when the following criteria are met:
 - ~~(a) All the conditions of approval apply to the subsequent phase; and~~
 - ~~(b) The lot configurations remain as approved.~~~~

~~(4)~~(3) Expire automatically four (4) years from the date of approval.

- (a) A request for final review, which includes all required information, is filed with the County; or
- (b) A request for an extension is filed with the County pursuant to Article II; or
- (c) Development is commenced pursuant to Section 201-6. If the Director determines that development has commenced prior to final approval, the preliminary review shall expire five (5) years from the date of approval unless final approval is granted.

B. Final Review:

Final review of a partition or subdivision shall be through a Type I procedure, unless otherwise specified by the Review Authority in the preliminary approval. Final approval shall be granted prior to approval of the partition or subdivision plat by the County Surveyor.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use and Transportation (All CPOs)

Agenda Title: ADOPT FINDINGS FOR ORDINANCE NO. 813

Presented by: Andrew Singelakis, Director of Land Use and Transportation

SUMMARY:

Ordinance No. 813 proposes minor housekeeping and general updates to the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code. Ordinance No. 813 is posted on the County's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/landuseordinances.cfm>

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 Ordinance No. 813. Prior to the August 23, 2016 meeting, the proposed findings will be provided to the Board, posted on the above land use ordinance web page, and available at the Clerk's desk.

Attachment: Resolution and Order

RO Exhibit A (Ordinance Findings) is linked online.

DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for Ordinance No. 813 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 16-106

Agenda Item No.	<u>4.a.</u>
Date:	08/23/16

IN THE BOARD OF COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting) RESOLUTION AND ORDER
Legislative Findings in Support)
of Ordinance No. 813) No. 16-106

This matter having come before the Washington County Board of Commissioners at its meeting of August 23, 2016; and

It appearing to the Board that the findings contained in "Exhibit A" summarize relevant facts and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's Urban Growth Management Functional Plan relating to Ordinance No. 813; and

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

It appearing to the Board that the Planning Commission, at the conclusion of its public hearing on July 20, 2016, made a recommendation to the Board, which is in the record and has been reviewed by the Board; and

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

RESOLVED AND ORDERED that the attached findings in "Exhibit A" in support of Ordinance No. 813 are hereby adopted.

DATED this 23rd day of August, 2016.

	AYE	NAY	ABSENT
DUYCK	✓	—	—
SCHOUTEN	✓	—	—
MALINOWSKI	✓	—	—
APPROVED AND FORGERS RM:	✓	—	—
TERRY	✓	—	—

BOARD OF COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman


Recording Secretary



County Counsel
For Washington County, Oregon

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 813 AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE RELATING TO A GENERAL UPDATE AND HOUSEKEEPING CHANGES

August 23, 2016

GENERAL FINDINGS

Ordinance No. 813 proposes housekeeping amendments and general updates to the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code to make general revisions and corrections, updates, and ministerial changes for conformance with state law.

Key Ordinance Provisions

Amends Rural/Natural Resource Plan Policies as follows:

- Policy 17, Agriculture and Forest-20 Land: Removes reference to a 20-acre lot minimum for consistency with the CDC and the state's goal 3 requirements for resource farmland. In most cases the CDC requires a minimum of 80 acres and in no case does it specify a 20-acre minimum.
- Policy 22, Public Facilities and Services: Corrects a reference to an Oregon Revised Statute (ORS) number.

Amends Urban Comprehensive Framework Plan Policies as follows:

- Summary Analysis of Constraints and Opportunities for Land Development: Corrects the name of a referenced Community Plan.
- Policy 30, Schools: Corrects a reference to an ORS number.

Amends Community Development Code Standards as follows:

- Section 107, Planning Participants: Changes the word "tape" to "audio recording" consistent with current technology.
- Section 201, Development Permit: Changes a cross-referenced section number based on proposed changes in Section 610 that affect the referenced numbering.
- Section 209, Appeals: Changes the word "tape" to "audio recording" consistent with current technology.
- Section 312, Office Commercial District (OC): Deletes a standard erroneously included within Section 312, numbered as 313-5.3, that pertains to a different land use district. Existing subsection 312-5.4, which includes related standards appropriate to the Office Commercial District, is renumbered accordingly, as are subsequent standards.
- Section 430, Special Use Standards: Adds a missing word consistent with terminology found throughout the CDC.

- Section 431, Transit Oriented Design Principles, Standards and Guidelines: Removes a definition and standards pertaining to the Peterkort Station Area, which has transferred to the City of Beaverton via a series of annexations occurring 1997-2011.
- Section 610, Land Divisions and Property Line Adjustments Outside A UGB: Deletes a standard pertaining to Rural Planned Developments (RPDs) since allowances for new RPDs were struck by Ordinance No. 462 in 1995 and no prior RPD permits remain active.

Amended

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 Board of County 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 Wetlands), 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 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 at the end of this document.

GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that Ordinance No. 813 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 text of the Plan implicate a goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

Goal 1 - Citizen Involvement

Washington County has an acknowledged citizen involvement program that provides opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has utilized these requirements for the adoption of Ordinance No. 813. One letter of comment was received regarding Ordinance No. 813, which was addressed as part of the proceedings and did not lead to further amendments.

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 Ordinance No. 813. Notice was coordinated with all affected governmental entities.

Goal 3 - Agricultural Lands

Goal 4 – Forest Lands

Goal 3 seeks to preserve and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products, forest and open space, and with the state's agricultural land use policies. Policy 15, Implementing Strategies (a) and (f), of the Rural/Natural Resource Plan include provisions for the preservation of agricultural lands.

Goal 4 addresses the conservation of forest lands by maintaining the forest land base and protecting the state's forest economy by making possible economically efficient forest practices. Policy 16, Implementing Strategies (a) and (c) of the Rural/Natural Resource Plan include provisions for the conservation and maintenance of forest lands.

Ordinance No. 813 amends CDC Section 610, Land Divisions and Property Line Adjustments Outside a UGB, which affects all rural lands in the County. The ordinance deletes a standard pertaining to Rural Planned Developments (RPDs). Allowances for new RPDs were struck by Ordinance No. 462 in 1995, based on DLCD concerns that RPDs could lead to densities in excess of those allowed on rural resource lands and thereby affect compliance with farm and forest protections of Goals 3 and 4. No RPDs approved prior to 1995 remain in process.

Ordinance No. 815 also updates a referenced ORS number within Rural/Natural Resource Plan Policy 22, regarding rural Public Facilities and Services, and makes other simple, non-substantive Community Development Code language or format changes to standards affecting (but not specific to) forest and exclusive farm use lands. These are intended for clarification, consistency, and cross-reference accuracy. Amendments made through Ordinance No. 813 maintain compliance with Goals 3 and 4, and the County's acknowledged policies for preservation of farm and forest lands.

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.

Ordinance No. 813 updates a reference to an ORS number regarding schools, within Rural/Natural Resource Plan Policy 22 (Public Facilities and Services) and within the CFP, Policy 30 (Schools). It also updates the name of a community plan in the CFP's Summary Analysis of Constraints and Opportunities for Development -- Transportation System Capacity. That change is consistent with the name otherwise reflected throughout the document and does not impact transportation provisions. Updates are for accuracy and consistency with state provisions, and there is otherwise no effect on compliance with Goal 11.

Goal 14 - Urbanization

Goal 14 requires provisions for the orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. Policies 13, 14, 16, 17, 18, 19, 41 and 42 of the CFP address urbanization within the Regional Urban Growth Boundary. The CDC implements the urbanization policies by establishing standards to promote appropriate urban development. The Community Plans implement the urbanization policies by designating sufficient land for appropriate development.

Ordinance No. 813 removes a definition under CDC Section 431-3.13 and the entirety of Section 431-12. Both pertain to the Peterkort Station Area, which has transferred to the city of Beaverton via a series of annexations occurring 1997-2011. Appropriate urban development, consistent with Goal 14, has since been addressed under City of Beaverton standards. Prior to transfer, the subject area was already within the UGB, so this change does not apply to any land that was transitioning from rural to urban.

Ordinance No. 813 makes other simple non-substantive Community Development Code amendments to language or format affecting (but not necessarily specific to) urban development. The changes are intended for clarification, consistency, and cross-reference accuracy. The amendments do not impact compliance with the county's acknowledged policies and strategies for urbanization as required by Goal 14.

URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FINDINGS

Title 8 sets forth Metro's procedures for determining compliance with the Urban Growth Management Functional Plan (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. Staff delivered Metro a copy of proposed Ordinance No. 813 on June 14, 2016, 36 days prior to the first evidentiary hearing. Staff received no comments from Metro on Ordinance No. 813. Ordinance No. 813 makes only housekeeping and general update amendments to the CDC that are not substantive in nature and therefore do not affect its compatibility with requirements of the UGMFP.