

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: **CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 839 – AN ORDINANCE AMENDING THE WASHINGTON COUNTY – CITY OF BEAVERTON URBAN PLANNING AREA AGREEMENT**

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

SUMMARY:

A-Engrossed Ordinance No. 839 proposes to amend the 1988 Washington County – Beaverton Urban Planning Area Agreement, an element of the County Comprehensive Plan. A-Engrossed Ordinance No. 839 is posted on the County's land use ordinance webpage at the following link:

www.co.washington.or.us/landuseordinances

After its Sept. 18, 2018 public hearing on Ordinance No. 839, the Board directed engrossment of the ordinance to make several changes to the map exhibits. A summary of the changes were included in the staff report for the Oct. 2 hearing. The Board conducted its first hearing Oct. 2 for A-Engrossed Ordinance No. 839 and continued the hearing to Oct. 23, 2018.

The staff report for the Oct. 23, hearing will be provided to the Board prior to the hearing and posted on the above land use ordinance webpage. Copies of the report will also 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. 839 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 839 and associated findings.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>3.b.</u>
Date:	10/23/18

ADOPTED

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 839

An Ordinance Amending the
Washington County – City of Beaverton
Urban Planning Area Agreement, an
Element of the Washington County
Comprehensive Plan

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

SECTION 1

A. The Board recognizes that the Urban Planning Area Agreement with the City of Beaverton (“City”) was adopted by Ordinance No. 332 on October 25, 1988.

B. Since 1988, a variety of changes have occurred affecting the urban planning area, including the Urbanization Forum process, whereby Washington County (“County”) and the City recognized, through Washington County Resolution and Order 09-63 and City of Beaverton Resolution No. 3985, that future urban growth boundary (UGB) additions are to be governed and urbanized by the City, and agreed to urge Metro to expand the regional UGB only to such areas as are contiguous to incorporated areas of Washington County. And that further, with House Bill 4078-A in 2014 and House Bill 2047 in 2015, the Oregon Legislature acknowledged the UGB, and Rural and Urban Reserves with respect to the County and City.

C. Changes since 1988 and subsequent ongoing planning efforts by the City and County indicate a need for changes to the Urban Planning Area Agreement with the City relating to the City’s Urban Planning Area and the need to coordinate planning and urban services for the new urban reserve lands.

1 The Board recognizes that such changes are necessary from time to time for the benefit and
2 welfare of the residents of Washington County, Oregon.

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

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

15 SECTION 2

16 The following Exhibit, attached and incorporated herein by reference, is hereby adopted as
17 an amendment to the Washington County – City of Beaverton Urban Planning Area Agreement, an
18 Element of the Washington County Comprehensive Plan as follows:

19 A. Exhibit 1 (20 pages) –

- 20 1. Makes changes to the coordination of planning activities in the Urban
21 Planning Area;

22 ///

2. Adds language related to coordination of concept planning activities in Urban Reserve Areas;
3. Adds language related to annexations;
4. Deletes “Exhibit A,” “Exhibit B,” and “Exhibit C” of the Washington County – City of Beaverton Urban Planning Area Agreement effective October 25, 1988; and
5. Adds new maps “Exhibit A” and “Exhibit B” of the Washington County – City of Beaverton Urban Planning Area Agreement.

SECTION 3

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

SECTION 4

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

SECTION 5

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

SECTION 6

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

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

3 SECTION 7

4 This Ordinance shall take effect 30 days after adoption.

5 ENACTED this 23rd day of October, 2018, being the 3rd reading and
6 3rd public hearing before the Board of County Commissioners of Washington County, Oregon.

7
8 BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

9 **ADOPTED**

10 *Andy Dard*
CHAIRMAN

11 *A. D. Noyola*
RECORDING SECRETARY

12
13 READING

14 First September 18, 2018
15 Second October 2, 2018
16 Third October 23, 2018
Fourth _____
Fifth _____
Sixth _____

13 PUBLIC HEARING

14 First September 18, 2018 (Engrasment)
15 Second October 2, 2018
16 Third October 23, 2018
Fourth _____
Fifth _____
Sixth _____

17 VOTE: Aye: Rogers, Malinowski,
Terry, & Duyck

17 Absent: _____
Nay: Schouten

18 Recording Secretary: Ana D. Noyola

18 Date: 10-23-18

**Washington County – Beaverton
Urban Planning Area Agreement**

THIS AGREEMENT is entered into ~~this 25th day of October, 1988~~ by WASHINGTON COUNTY, a political subdivision in the State of Oregon, hereinafter referred to as the “COUNTY”, and the CITY OF BEAVERTON, an incorporated municipality of the State of Oregon, hereinafter referred to as the “CITY.”

WHEREAS, ORS 190.010 provides that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreement, its officers or agents, have authority to perform; and

WHEREAS, Statewide Planning Goal #2 (Land Use Planning) requires that city, county, state and federal agency and special district plans and actions shall be consistent with the comprehensive plans of the cities and counties and regional plans adopted under ORS Chapter 197; and

WHEREAS, the Oregon Land Conservation and Development Commission requires each jurisdiction requesting acknowledgment of compliance to submit an agreement setting forth the means by which comprehensive planning coordination within the Regional Urban Growth Boundary (UGB) will be implemented; and

WHEREAS, following the Urbanization Forum process, the COUNTY through Resolution & Order 09-63, and the CITY through Resolution No. 3985, agreed that future additions to the UGB during or after 2010 must be governed and urbanized by the CITY in the COUNTY and also agreed to urge Metro to expand the UGB only to such areas as are contiguous to incorporated areas of Washington County; and

WHEREAS, the state legislature, with House Bill 4078-A in 2014 and House Bill 2047 in 2015, validated the acknowledged UGB and Urban and Rural Reserves established through the Metro Regional process involving both the COUNTY and the CITY; and

WHEREAS, the COUNTY and CITY desire to amend the Urban Planning Area Agreement (UPAA) to reflect the changes to the UGB, the CITY’s Urban Planning Area, and the need for urban planning of the new Urban Reserve lands; and

WHEREAS, the CITY and COUNTY entered into an Intergovernmental Agreement in 2013 in which the COUNTY agreed to assign concept planning to the CITY for the South Cooper Mountain Concept Plan area; and

WHEREAS, the COUNTY acknowledged the South Cooper Mountain Concept Plan through Resolution and Order No. 15-4 and the CITY acknowledged the South Cooper Mountain Concept Plan through Resolution No. 4290; and

WHEREAS, the CITY and COUNTY have entered into an intergovernmental agreement for transportation planning in the proposed UGB expansion area, also known as the Cooper Mountain Urban Reserve, acknowledged by the COUNTY through Minute Order No. 18-147 and the CITY through Resolution No. 4501; and

WHEREAS, the COUNTY and the CITY, to ensure coordinated and consistent comprehensive plans, consider it mutually advantageous to establish:

1. An Urban Planning Area Agreement incorporating a site-specific Urban Planning Area within the ~~Regional Urban Growth Boundary~~ UGB within which where both the COUNTY and the CITY maintain an interest in comprehensive planning and development, and an Urban Reserve Planning Area (URPA) outside the UGB where both the COUNTY and the CITY maintain an interest in concept planning;
2. A process for coordinating comprehensive planning and development in the Urban Planning Area and future concept planning in the URPA; ~~and~~
3. Special policies regarding comprehensive planning and development in the Urban Planning Area and future concept planning in the URPA; and
4. A process to amend the Urban Planning Agreement.

NOW THEREFORE, THE COUNTY AND THE CITY AGREE AS FOLLOWS:

I. Location of the Urban Planning Area and Urban Reserve Planning Area

The Urban Planning Area and URPA mutually defined by the COUNTY and the CITY includes the areas designated on the Washington County - Beaverton UPAA "Exhibit "A" to this Agreement.

II. Coordination of Comprehensive Planning and Development

A. Amendments to or Adoption of a Comprehensive Plan or Implementing Regulation

1. Definitions

Comprehensive Plan, as defined by ORS 197.015(5), means a generalized, coordinated land use map and policy statement of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including, but not limited to, sewer

and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs. For purposes of this Agreement, “Comprehensive Plan” amendments do not include quasi-judicial small-tract comprehensive plan map changes.

Implementing Regulation means any local government zoning ordinance adopted under ORS 197, 215, or 227, a land division ordinance adopted under ORS 92.044 or 92.046, or a similar general ordinance establishing standards for implementing a comprehensive plan.

~~“Implementing regulation” does not include small-tract zoning map amendments, conditional use permits, individual subdivision, partitioning or planned unit development approval or denials, annexations, variances, building permits and similar administrative type decisions.~~

Notify means to provide notice through first class mail or electronic communication.

2. The COUNTY shall provide the CITY with ~~the appropriate~~ reasonable opportunity to participate, review and comment on proposed amendments to ~~or adoption of the COUNTY comprehensive plan or adoption of~~ implementing regulations. The CITY shall provide the COUNTY with ~~the appropriate~~ reasonable opportunity to participate, review and comment on proposed amendments to ~~or adoption of the CITY comprehensive plan or adoption of~~ implementing regulations. The following procedures shall be followed by the COUNTY and the CITY to notify and involve one another in the process to amend or adopt a comprehensive plan or implementing regulation:
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall notify the other agency, hereinafter the responding agency, of the proposed action at the time such planning efforts are initiated, but in no case less than ~~45-35~~ calendar days prior to the final hearing on adoption. For COUNTY or CITY comprehensive plan updates with the potential to affect the responding agency’s land use or transportation system, the originating agency shall provide the responding agency with reasonable opportunity to participate in the originating agency’s planning process prior to the notification period, through means such as service on the originating agency’s advisory committee, if any. The specific method and level of involvement shall be finalized by “Memorandums or Understanding” negotiated and signed by the planning directors of the CITY and the COUNTY. The “Memorandums of Understanding” shall clearly outline the process by which the

~~responding agency shall participate in the adoption process. If, at the time of being notified of a proposed action, the responding agency determines it does not need to participate in the adoption process, it may waive the requirement to negotiate and sign a “Memorandum of Understanding”.~~

- b. For COUNTY or CITY comprehensive plan updates with the potential to affect the responding agency’s land use or transportation system, the originating agency shall transmit the draft amendments recommendations on any proposed actions to the responding agency for its review and comment before finalizing. Unless otherwise agreed to in a “Memorandum of Understanding”, The responding agency shall have ten (10) calendar days after receipt of a draft to submit comments orally or in writing. Lack of response shall be considered “no objection” to the draft.
- c. The originating agency shall respond to the comments made by the responding agency either by a) revising the final recommendations, or b) explaining by letter to the responding agency explaining why it has chosen not to make revisions the comments cannot be addressed in the final draft.
- d. Comments from by the responding agency and any response to them by the originating agency shall be included in given consideration as part of the public record ofn the proposed action. If after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.
- e. Upon final adoption of the proposed action by the originating agency, it shall transmit the adopting ordinance to the responding agency as soon as publicly available, or if not adopted by ordinance, whatever other written documentation is available to properly inform the responding agency of the final actions taken.

B. Development Actions Requiring Individual Notice to Property Owners

1. Definition

Development Action Requiring Notice means an action by a local government for which state law requires notifying by mail notification to the owners of property which that could potentially be affected (usually specified as a distance measured in feet) by a proposed development action which directly affects and is applied to a specific parcel or parcels.

Such ~~development~~ actions may include, but not be limited to, small tract zoning or comprehensive plan amendments, conditional or special use permits, ~~individual subdivisions~~ land divisions, ~~partitionings~~ or planned unit developments, variances, and other similar actions that requiring a quasi-judicial hearings process.
~~-which is quasi-judicial in nature.~~

2. The COUNTY and CITY agree that COUNTY and CITY staff will jointly develop a process for additional coordination on certain potential developments that would be subject to notice requirements in unincorporated Washington County near the CITY boundary. The intent of this process is to ensure applicants and potential applicants receive timely and relevant information, such as service provision options and/or requirements; annexation availability; and applicable development rules in each jurisdiction.
 - a. CITY and COUNTY shall agree on the area where additional coordination is required. Such area must be within the Urban Planning Area defined in this Agreement and include at least the area within one quarter mile (1,320 feet) of the CITY boundary;
 - b. The COUNTY and CITY shall agree on land use decisions to which the additional coordination would apply, and the COUNTY shall maintain this list of land use decisions. The list should include applications under COUNTY jurisdiction requiring notice that would result in additional developable lots or structures; and
 - c. The COUNTY and CITY shall also agree on how this process would be implemented, with the intent that coordination occurs early in the process (such as before a pre-application conference or application submittal), provides the CITY an opportunity to communicate with the potential applicant, and is consistent with the intent of additional coordination.
3. The COUNTY will provide the CITY with the opportunity to review and comment on proposed Development Actions Requiring Notice within the designated Urban Planning Area. The CITY will provide the COUNTY with the opportunity to review and comment on proposed Development Actions Requiring Notice within the CITY limits that may have an effect on unincorporated portions of the designated Urban Planning Area.
34. The following procedures shall be followed by the COUNTY and the CITY to notify one another of proposed Development Actions Requiring Notice:

- a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall send by first class mail or through electronic communication a copy of the public hearing notice or comment period notice when no public hearing is required ~~which that~~ identifies the proposed development action to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than ~~ten (10)~~ calendar days prior to the date of the scheduled public hearing or end of the comment period. The failure of the responding agency to receive a notice shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
- b. The agency receiving the notice may respond at its discretion. Comments may be submitted in written form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered “no objection” to the proposal.
- c. If received prior to the deadline established by the local code for the receipt of written testimony in a timely manner, the originating agency shall include or attach the comments to the written staff report and respond to any concerns ~~addressed~~ raised by the responding agency in such report or orally at the hearing.
- d. Comments from the responding agency shall be given consideration as a part of ~~included in~~ the public record on the proposed action. ~~If, after such consideration,~~ the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.

C. Additional ~~Coordination~~ Notification Requirements

1. The CITY and the COUNTY shall do the following to notify one another of proposed actions with the potential to which may affect the responding agency's land use or transportation systems community, but are not subject to the notification and participation requirements contained in subsections A and B above.
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposed actions, hereinafter the originating agency, shall send by first class mail or electronic communication a copy of all public hearings agendas which contain the proposed actions to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than three ~~(3)~~ calendar days prior to the date of the scheduled public hearing. The failure of the responding

agency to receive an agenda shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.

- b. The agency receiving the public hearing agenda may respond at its discretion. Comments may be submitted in written form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered “no objection” to the proposal.
- c. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. ~~If, after such consideration,~~ the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.

~~D. — The CITY and the COUNTY agree that when annexation to the CITY takes place, the transition in land use designation from one jurisdiction to another should be orderly, logical and based on a mutually agreed upon plan. Upon annexation, the CITY agrees to convert COUNTY plan and zoning designations to CITY plan and zoning designations which most closely approximate the density, use provisions and standards of the COUNTY designations. Such conversions shall be according to the tables shown in Exhibit “B” to this Agreement.~~

III. Concept Planning for Urban Reserve Areas

A. Definitions

1. Urban Reserve means those lands outside the UGB that have been so designated by Metro for the purpose of:
 - a. Future expansion of the UGB over a long-term period (40-50 years), and
 - b. The cost-effective provision of public facilities and services when the lands are included within the UGB.
2. Urban Reserve Planning Area (URPA) means those Urban Reserve areas identified for annexation and urbanization by the CITY at such time as the UGB is amended to include the areas.
3. Urban Reserve - Planning Responsibility Undefined means those Urban Reserve areas that the CITY and at least one other city may have an interest in ultimately annexing and urbanizing, but for which no final agreement has been reached. These areas are not considered part of the URPA for purposes of this Agreement.

- B. The CITY's URPA and the Urban Reserve - Planning Responsibility Undefined are identified on "Exhibit A" to this Agreement.
- C. The CITY shall be responsible for developing a concept plan in consultation with the COUNTY for URPA's in coordination with Metro and appropriate service districts. The concept plan shall include the following:
1. An agreement between the COUNTY and CITY regarding expectations for road funding, jurisdictional transfer over roadways to and from the CITY and COUNTY, and access management for county roads in the URPA. The agreement should describe any changes to the CITY and/or COUNTY Transportation System Plans, other Comprehensive Plan documents, or codes that have been adopted or will be necessary to implement this Agreement.
 2. An agreement between the COUNTY and CITY that preliminarily identifies the likely providers of urban services, as defined in ORS 195.065 (4), when the area is urbanized.
- D. The concept plan shall be approved by the CITY and acknowledged by the COUNTY.
- E. Upon completion and acknowledgement of the concept plan by the CITY and COUNTY, and the addition of the area into the UGB by Metro, the affected portion of the URPA shall be designated as part of the Urban Planning Area, as described above. Inclusion in the Urban Planning Area is automatic and does not require an amendment to this Agreement.

IV. Comprehensive Planning and Development Responsibilities for Urban Areas

- A. The CITY and COUNTY will implement any applicable Urban Reserve Concept Plan and related agreements. The CITY will amend the CITY Comprehensive Plan to include this area consistent with the concept plan. If modifications to the original concept plan are made during the comprehensive planning process, the parties will update the related agreements to reflect these changes, which may include transportation, access and funding.
- B. The CITY is responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-011 within the Urban Planning Area in coordination with other service providers that provide urban services within the CITY's Urban Planning Area.

IV. Annexations

- A. The CITY and COUNTY agree that when annexation to the CITY takes place, the transition in land use designation from one jurisdiction to another should be orderly, logical and based upon the process in B, below.
- B. Upon annexation, the CITY shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the COUNTY. The CITY shall maintain a list of COUNTY land use designations and the corresponding CITY comprehensive plan and zoning designations. If a property is subject to a concept, neighborhood, or community plan adopted by the CITY, the CITY shall apply the applicable CITY comprehensive plan and zoning designations to the property upon annexation. In addition, the COUNTY shall advise the CITY of adopted policies that apply to the annexed areas.
- A.C. The CITY shall notify the COUNTY of proposed annexations once initiated, but in no case less than 35 calendar days prior to the first hearing on the matter.
- D. When partially completed developments such as residential subdivisions, apartment complexes, industrial parks, retail or office center, etc. are annexed to the CITY after receiving development approval from the COUNTY, the CITY may, at its discretion, continue to apply the COUNTY's development standards relating to setbacks, lot sizes, lot coverage and heights for buildings and accessory structures for any new construction taking place after annexation.
- E. Upon annexation, the CITY and COUNTY desire to transfer COUNTY services to the CITY, when applicable, in an orderly and efficient manner so that service provision to residents and businesses will not be interrupted or diminished. To assure an orderly and efficient transfer of services to the CITY:
1. The COUNTY and CITY will coordinate on a long-term annexation strategy;
 2. The COUNTY shall withdraw annexed areas from any/all COUNTY service districts, unless otherwise agreed upon in an urban service agreement or intergovernmental agreement; and
 3. The COUNTY shall transfer the records to the CITY for each annexed property related to land use and development decisions in a format acceptable to both parties.
- F. Nothing in this Agreement constitutes blanket consent by the COUNTY of CITY annexations, including annexation of COUNTY roads. The COUNTY supports rational, logical and orderly annexations by the CITY of areas within the CITY'S Urban Planning Area.
- G. The COUNTY consents to annexations by the CITY of unincorporated properties, including County roads, within Annexation Area A shown in "Exhibit B" to this

Agreement, except for roads designated as COUNTY long-term jurisdiction in the County's Transportation System Plan (TSP). The boundary of Annexation Area A is 500 feet from the outer extent of the CITY boundary on the date of this Agreement, except where shown as greater than 500 feet in "Exhibit B." For areas outside Annexation Area A in "Exhibit B," and for roads designated as COUNTY long-term jurisdiction in the County's TSP, the COUNTY will determine whether it consents to annexation on a case-by-case basis.

Special Policies

- A. ~~The CITY recognizes and supports the COUNTY's Community Plans and land use designations and agrees to convert COUNTY land use designations to CITY land use designations upon annexation in accordance with Exhibit "B" of this Agreement. In addition, the COUNTY will advise the CITY of adopted policies which apply to the annexed areas and the CITY shall determine whether CITY adoption is appropriate and act accordingly.~~
- B. ~~The CITY and the COUNTY shall provide information of comprehensive planning and development actions to the Community Planning Organizations (CPOs) through the notice procedures outlined in Section II of this Agreement.~~
- C. ~~At least one copy of any COUNTY ordinance which proposes to (1) amend the COUNTY comprehensive plan, (2) adopt a new plan, or (3) amend the text of the COUNTY zoning code shall be mailed to the CITY within five (5) days after its introduction.~~
- D. ~~At least one copy of any COUNTY ordinance which proposes to rezone land within one (1) mile of the corporate limits of the CITY shall be mailed to the CITY within five (5) days after its introduction.~~
- E. ~~The CITY is responsible for conducting an urban services study within its urban planning area shown on Exhibit "A". This study will identify the area for long-range provision of urban level services and annexation to the CITY. Services to be studied shall include, but not limited to: water, sanitary sewer, storm sewer and transportation facilities; police and fire protection; land use planning and development services. The COUNTY will participate in this process as outlined in a Memorandum of Understanding and will forward the future proposed urban services boundary and policies to the County Planning Commission and Board of Commissioners for consideration as a possible amendment to the COUNTY Comprehensive Plan.~~
- F. ~~The CITY is responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 within the City limits of Beaverton as of January 1, 1986. The COUNTY is responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 within the~~

~~unincorporated area of the Urban Planning Area shown on Exhibit "A". The method of coordination and involvement of each jurisdiction in the other's planning process shall be specified in Memorandums of Understanding.~~

~~As the CITY annexes territory during the time the COUNTY prepares its public facility plan, this territory shall be withdrawn from the COUNTY's direct responsibility for planning and be given to the CITY unless both jurisdictions agree that it is in everyone's interest to continue with COUNTY responsibility.~~

~~G. The CITY and COUNTY shall adopt policy statements in the public facilities plans and/or amend this agreement to identify present and future service providers.~~

~~H. The City of Tigard, City of Beaverton and Washington County have agreed to the following stipulations regarding the connection of Murray Boulevard from Old Scholls Ferry Road to the intersection of SW 121st Avenue and Gaarde Street:~~

~~1. The City of Tigard, City of Beaverton and Washington County agree to amend their respective comprehensive plans to reflect the following functional classification and design considerations:~~

~~a. Designation: Collector~~

~~b. Number of Travel Lanes: 2 (plus turn lanes at major intersections)~~

~~c. Bike Lanes: Yes~~

~~d. Right of Way: 60 feet (plus slope easements where necessary)~~

~~e. Pavement Width: 40 foot minimum~~

~~f. Access: Limited~~

~~g. Design Speed: 35 M.P.H.~~

~~h. Minimum Turning Radius: 350 to 500 feet~~

~~i. Parking Facilities: None provided on street~~

~~j. Upon verification of need by traffic analysis, the connection may be planned to eventually accommodate additional lanes at the Murray/Old Scholls Ferry and Murray/New Scholls Ferry intersections.~~

- ~~k. The intersection of the SW 135th Avenue and Murray Boulevard connection will be designed with Murray Boulevard as a through street with 135th Avenue terminating at the Murray connection with a "T" intersection.~~
- ~~l. The general alignment of the Murray Boulevard connection is illustrated in Exhibit "C".~~
- ~~2. Any changes to the land use designations in the Murray Boulevard connection area shall be coordinated with all jurisdictions to assure that traffic impacts are adequately analyzed.~~
- ~~3. The City of Tigard, City of Beaverton and Washington County shall support improvements to the regional transportation system as outlined in the adopted Regional Transportation Plan (RTP).~~
- ~~4. Improvements to SW Gaarde Street between SW 121st Avenue and Pacific Highway 99W should occur coincident with the connection of Murray Boulevard from Walnut/135th Avenue to Gaarde Street.~~
- ~~I. The COUNTY and the CITY will execute a Memorandum of Understanding outlining the methodology for transferring COUNTY records regarding land use activities to the CITY when property is annexed to the CITY. The Memorandum of Understanding shall be drafted and executed by December 31, 1988.~~
- ~~J. The COUNTY and the CITY will execute a Memorandum of Understanding outlining the respective responsibilities for collection of fees, inspections and drainage maintenance districts on platted subdivisions annexed to the CITY. The Memorandum of Understanding shall be drafted and executed by December 31, 1988.~~

IV. Amendments to the Urban Planning Area Agreement

- A. The following procedures shall be followed by the CITY and the COUNTY to amend the language of this Agreement or the Urban Planning Area boundary:
 - 1. The CITY or COUNTY, whichever jurisdiction originates the proposal, shall submit a formal request for amendment to the responding agency. In addition, the CITY or the COUNTY shall send a copy of the Request for Amendment to affected Community Planning Participation Organizations (CPOs).
 - 2. The formal request shall contain the following:
 - a. A statement describing the amendment.

- b. A statement of findings indicating why the proposed amendment is necessary.
 - c. If the request is to amend the Urban Planning Area boundary, a map which clearly indicates the proposed change and surrounding area.
 3. Upon receipt of a request for amendment from the originating agency, the responding agency shall schedule a review of the request before the appropriate reviewing body, with said review to be held within 45 calendar days of the date the request is received.
 4. The CITY and COUNTY shall make good faith efforts to resolve requests to amend this Agreement. Upon completion of the review, the reviewing body may approve the request, deny the request, or make a determination that the proposed amendment warrants additional review. If it is determined that additional review is necessary, the following procedures shall be followed by the CITY and COUNTY:
 - a. The CITY and the COUNTY shall agree to initiate a joint study. Such a study shall commence within 30 calendar days of the date it is determined that a proposed amendment creates a disagreement, and shall be completed within 90 calendar days of said date. Methodologies and procedures regulating the conduct of the joint study shall be mutually agreed upon by the CITY and the COUNTY prior to commencing the study.
 - b. Upon completion of the joint study, the study and the recommendations drawn from it shall be included within the record of the review. The agency considering the proposed amendment shall give careful consideration to the study prior to making a final decision.
- B. ~~The parties will~~ may jointly review this Agreement ~~every two (2) years~~ as needed to evaluate the effectiveness of the processes set forth herein and to make any amendments. ~~The review process shall commence two (2) years from the date of execution and shall be completed within 60 days.~~ Both parties shall make a good faith effort to resolve inconsistencies that may have developed since the previous review. ~~If, after completion of the 60-day review period inconsistencies still remain, either party may terminate this Agreement.~~

VII. This Urban Planning Area Agreement shall become effective upon full execution by the COUNTY and CITY and shall repeals and replaces the Urban Planning Area Agreement dated ~~September 9~~October 25, 1988~~6~~. The effective date of this Agreement shall be the last date of the signature on the signature page.

IN WITNESS WHEREOF the parties have executed this Urban Planning Area Agreement on the date set opposite their signatures.

CITY OF BEAVERTON

By _____
Mayor

Date _____

Approved as to Form:

By _____
City Recorder

Date _____

WASHINGTON COUNTY

By _____
Chair, Board of Commissioners

Date _____

Approved as to Form:

By _____
County Counsel

Date _____

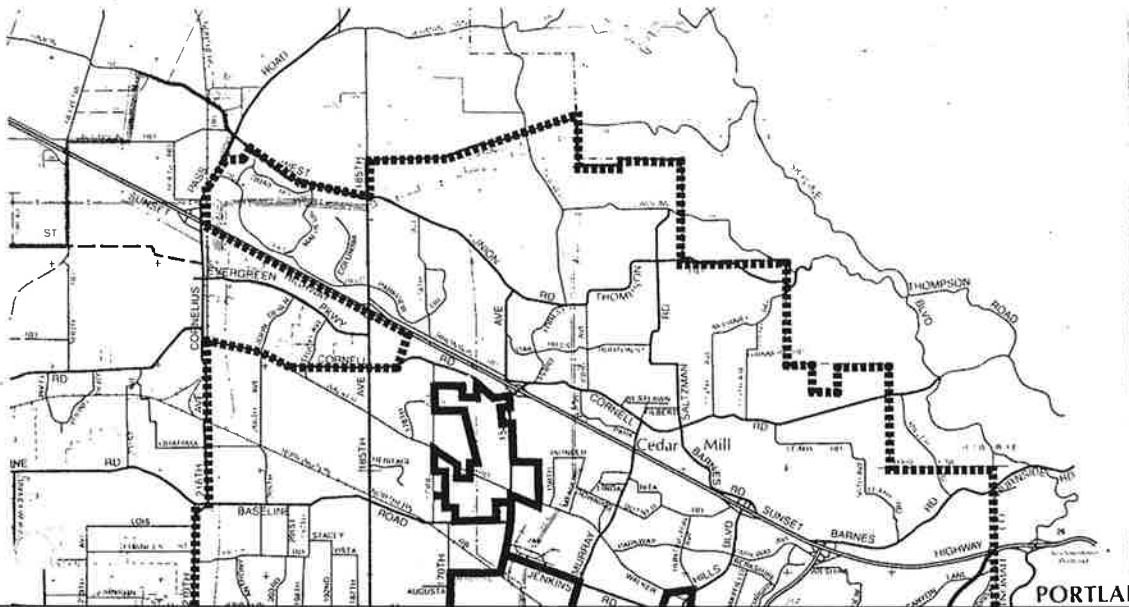
By _____
Recording Secretary

Date _____

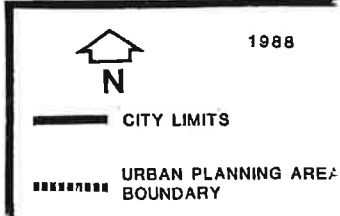
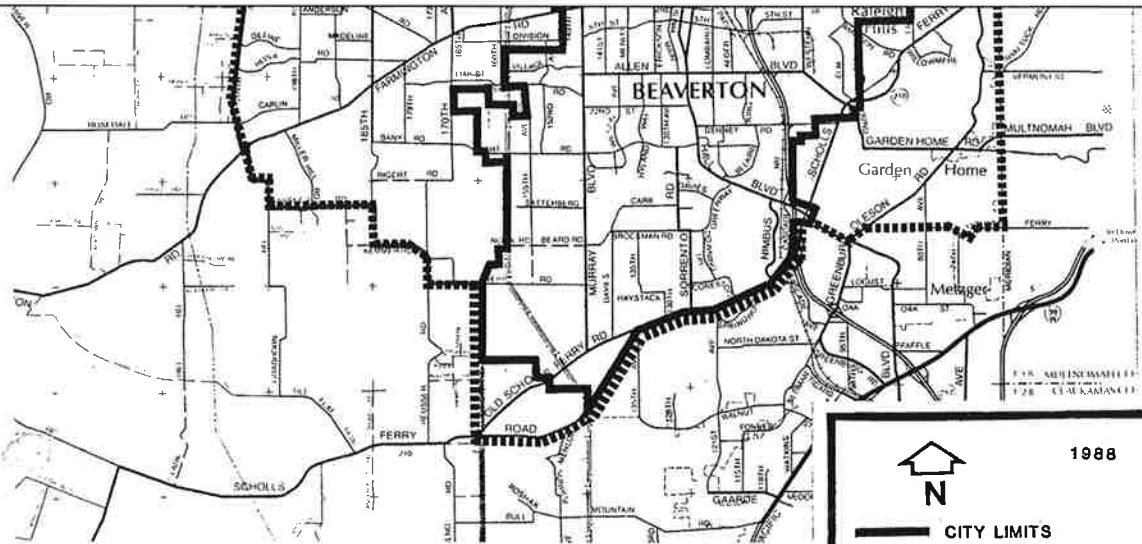
Exhibit A

CITY OF BEAVERTON
URBAN PLANNING AREA

EXHIBIT A
WASHINGTON COUNTY-BEAVERTON URBAN PLANNING AREA AGREEMENT



DELETED



abcdef Proposed additions
abcdef Proposed deletions

Exhibit "B"
CITY—COUNTY Land Use Designation Equivalents

<u>County</u>	<u>Beaverton*</u>	<u>Zoning**</u>
<u>Plan/Zoning</u>	<u>Plan</u>	
Residential 5 u/ae	Urban Standard Residential	R-7
Residential 6 u/ae	Urban Standard Residential	R-5
Residential 9 u/ae	Urban Standard Residential	R-5
Residential 15 u/ae	Urban Medium Residential	R-2
Residential 24 u/ae	Urban Medium Residential	R-2
Residential 25+ u/ae	Urban High Residential	R-1
Office Commercial	Office Commercial	O.C.
Neighborhood Commercial	Neighborhood Commercial	N.S.
Community Business District	Community Service Town Center (for property west of Hwy. 217 and south of Center only)	C.S.
General Commercial	General Commercial	G.C.
Industrial	Industrial Park Campus Industrial Light Industrial	I.P. C.I.*** L.I.
Institutional	Shown on Plan	Zoned to the most restrictive abutting zone.
Significant Natural Resource	Significant Natural Resource	Not designated on zoning map

*—— When partially completed developments such as residential subdivisions, apartment complexes, industrial parks, retail or office centers, etc. are annexed to the CITY after receiving development approval from the COUNTY, the CITY may, at its discretion, continue to apply the COUNTY's development standards relating to setbacks, lot sizes, lot coverage and heights for buildings and accessory structures for any new construction taking place after annexation.

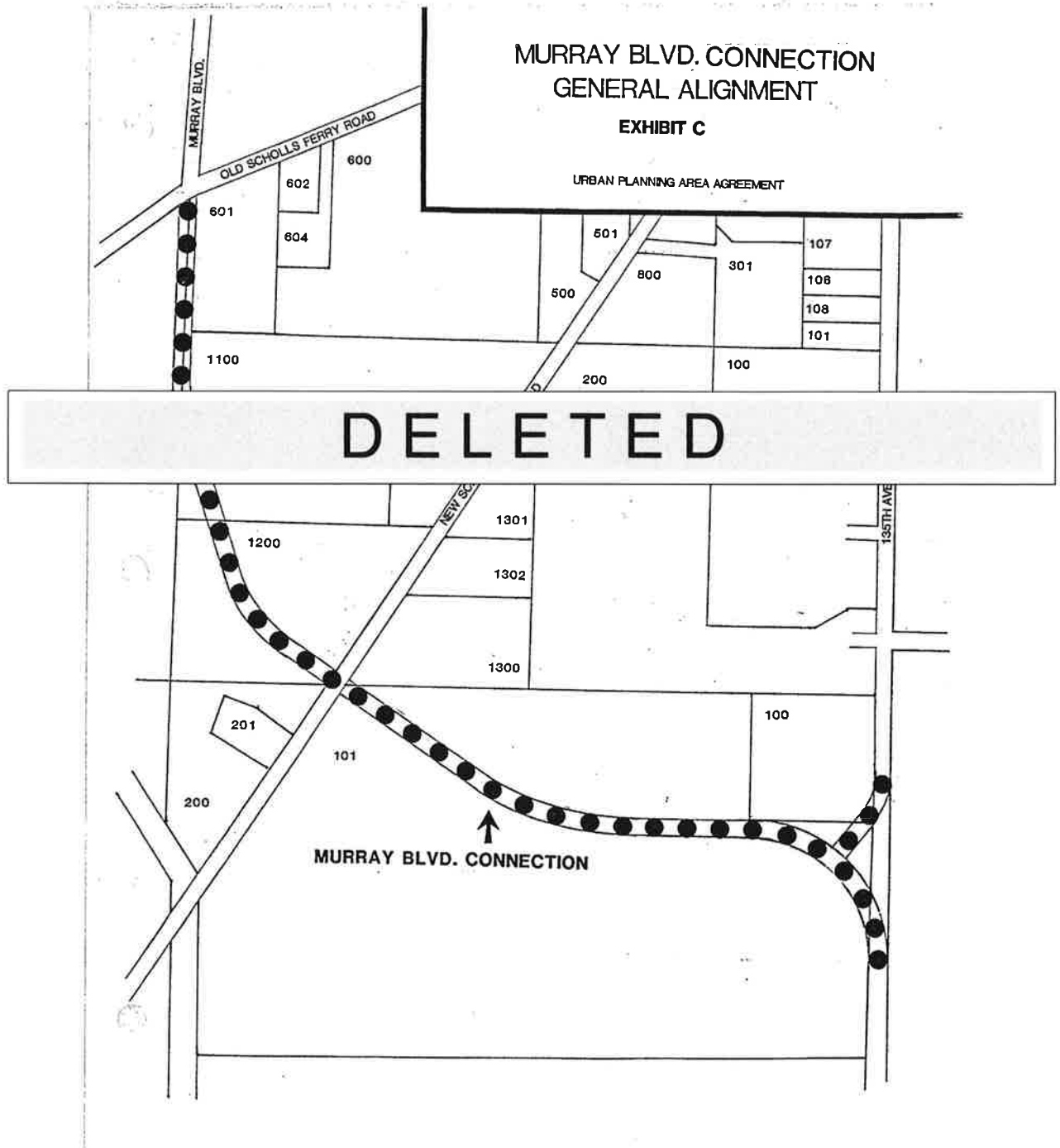
abcdef Proposed additions

abcdef Proposed deletions

~~**~~—Beaverton’s residential densities identified in Exhibit “B” reflect current standards. Amendments to the City’s standards shall revise this exhibit upon final approval by the CITY.

~~***~~—Planning Director shall determine the appropriate industrial designation based upon prevailing industrial land uses and the characteristics of individual activities, i.e., extensive outside storage, non-conforming characteristics, etc.

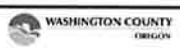
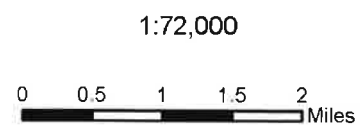
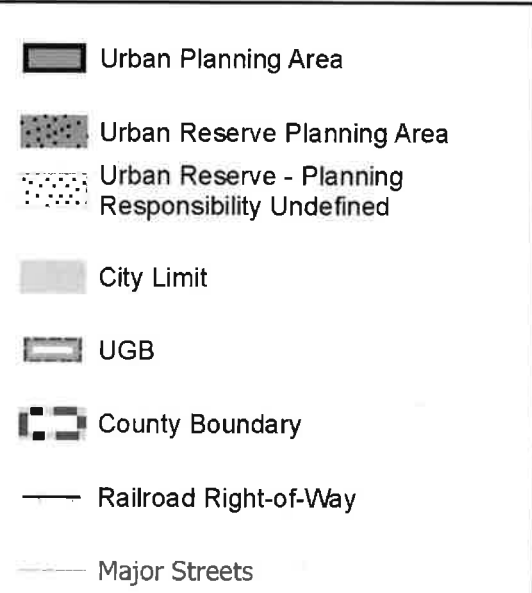
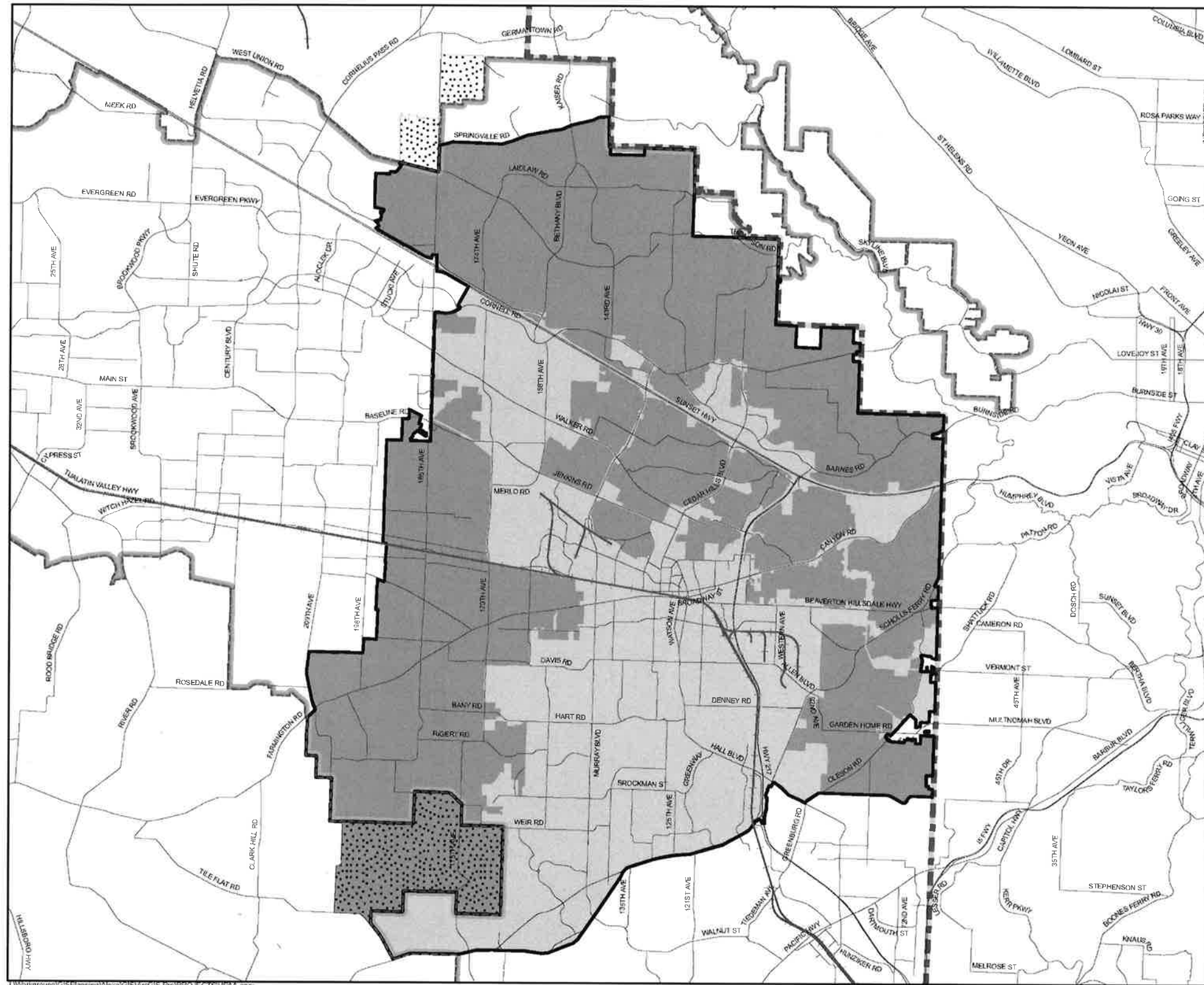
Exhibit "C"



abcdef Proposed additions
abcdef Proposed deletions

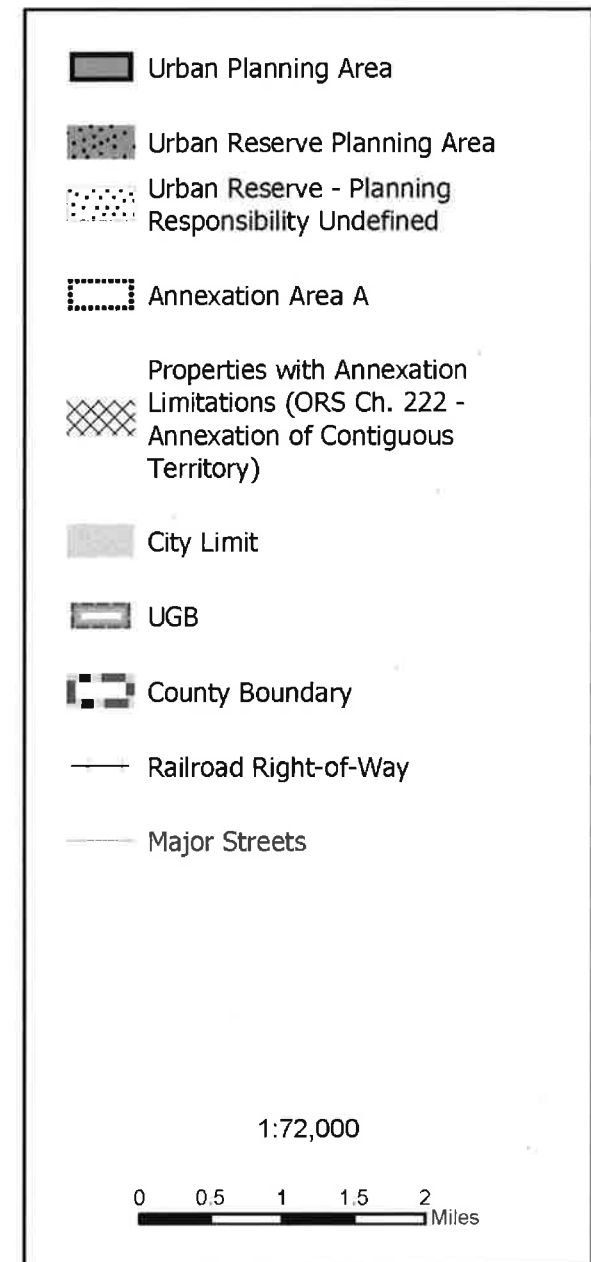
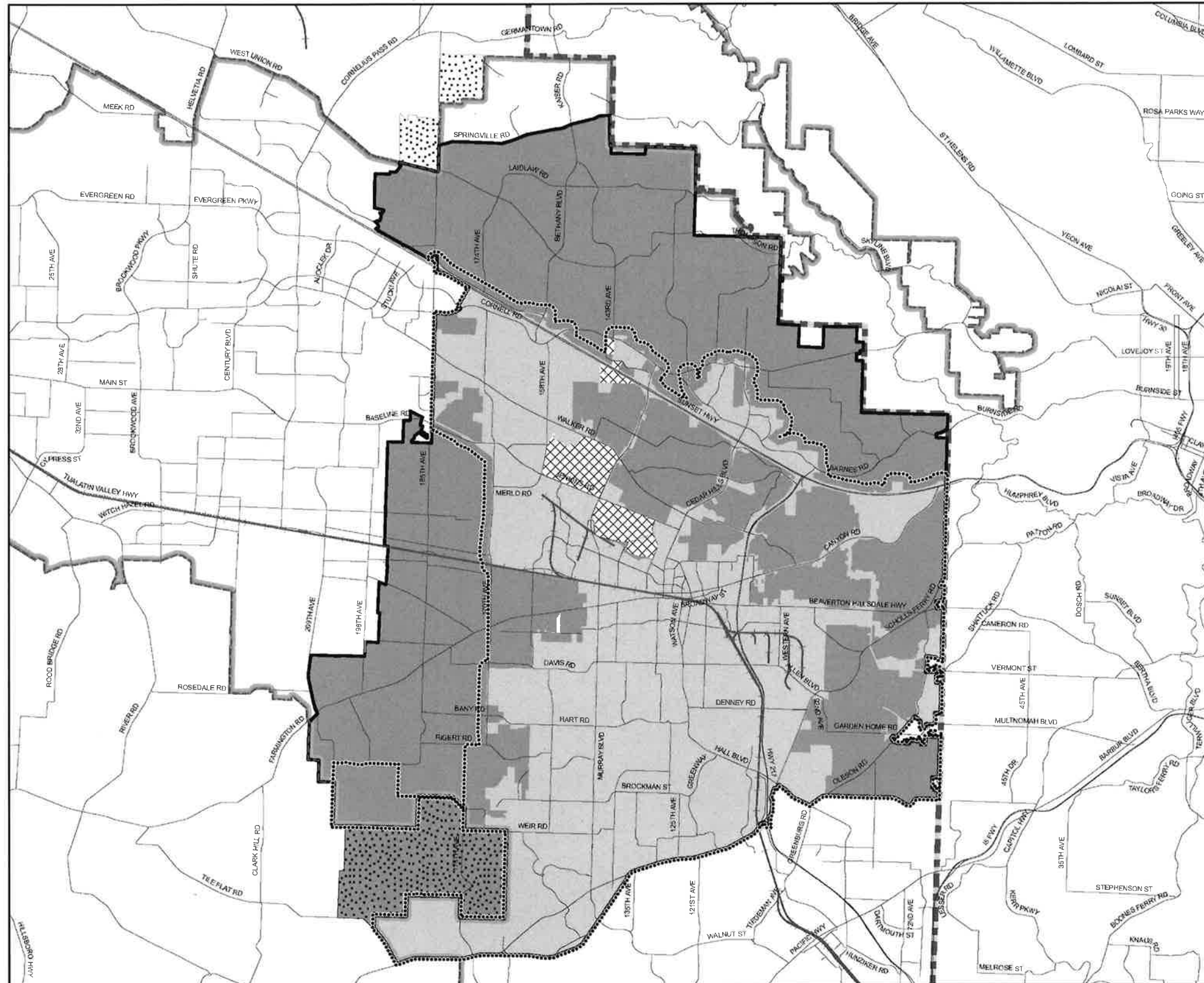
City of Beaverton
 Urban Planning Area

Washington County - Beaverton
 Urban Planning Area Agreement
 Exhibit A



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Washington County - Beaverton
 Urban Planning Area Agreement
 Exhibit B



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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (ALL CPOs)

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 839

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

SUMMARY:

A-Engrossed Ordinance No. 839 amends the 1988 Washington County – Beaverton Urban Planning Area Agreement (UPAA), an element of the County Comprehensive Plan. A-Engrossed Ordinance No. 839 is posted on the County's land use ordinance webpage at the following link:

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 such amendments be accompanied by findings setting forth the facts and analysis showing 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. 839. Prior to the Oct. 23, 2018 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

Clerk's Desk Item: Ordinance Findings *(click to access electronic copy)*

DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 839 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 18-104

Agenda Item No. 4.b.

Date: 10/23/18

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. 839) No. 18-104

5 This matter having come before the Washington County Board of Commissioners (Board) at
 6 its meeting of October 23, 2018; 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. 839; 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 August 15, 2018, 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. 839 are hereby adopted.

22 DATED this ~~23rd~~ ^{AYE NAY ABSENT} day of October, 2018.

23	DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24	SCHOUTEN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25	MALINOWSKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26	ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27	TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BOARD OF COMMISSIONERS
 FOR WASHINGTON COUNTY, OREGON


 Chairman

28 APPROVED AS TO FORM:

 County Counsel
 For Washington County, Oregon


 Recording Secretary

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE NO. 839

AN ORDINANCE AMENDING THE WASHINGTON COUNTY – BEAVERTON URBAN PLANNING AREA AGREEMENT, AN ELEMENT OF THE COMPREHENSIVE PLAN

October 23, 2018

Part 1 – General Findings

Part 2 – Statewide Planning Goal Findings

Part 3 – Metro Urban Growth Management Functional Plan Findings

Part 4 – Metro Regional Transportation Functional Plan Findings

Part 1:

GENERAL FINDINGS

A-Engrossed Ordinance No. 839 amends the Washington County – Beaverton Urban Planning Area Agreement (UPAA), an element of the Comprehensive Plan.

Key Ordinance Provisions

- Makes minor changes to the processes and policies for coordinating comprehensive planning in the Urban Planning Area.
- Adds a new section on Concept Planning for Urban Reserve Areas.
- Replaces the Urban Planning Area map “Exhibit A” of the 1988 UPAA with a new map reflecting the addition of the ‘Urban Reserve Planning Area,’ changes to the ‘Urban Planning Area’ and recent city annexations.
- Adds provisions to improve development coordination in Beaverton’s Urban Planning Area near Beaverton’s boundaries.
- Adds policies regarding annexation, and a new map “Exhibit B” that shows areas where the County consents to annexations.
- Updates how city zoning is determined after city annexation of properties.
- Makes minor text changes throughout the document to provide consistency and clarity.

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 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) and 4 (Forest Lands) 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. 839 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. 839.

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. 839.

Notice was coordinated with all affected governmental entities and comments received regarding A-Engrossed Ordinance No. 839 were addressed either as part of the proceedings or with subsequent staff coordination.

Goal 3 - Agricultural 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.

With House Bill 4078-A in 2014 and House Bill 2047 in 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing the Urban and Rural Reserves. A-Engrossed Ordinance No. 839 includes amendments to the Beaverton UPAA that add policies and processes for coordinating concept planning in the Urban Reserve lands within Beaverton's Urban Planning Area. The concept planning required under Title 11 of the UGMFP for the designated Urban Reserve areas will not change or affect comprehensive plan designations or land regulations for lands subject to Goal 3. Thus, A-Engrossed Ordinance No. 839 is consistent with Goal 3.

Goal 4 – Forest 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.

With House Bill 4078-A in 2014 and House Bill 2047 in 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing the Urban and Rural Reserves. A-Engrossed Ordinance No. 839 includes amendments to the Beaverton UPAA that add policies and processes for coordinating concept planning in the Urban Reserve lands within Beaverton's Urban Planning Area. The concept planning required under Title 11 of the UGMFP for the designated Urban Reserve areas will not change or affect comprehensive plan designations or land regulations for lands subject to Goal 4. Thus, A-Engrossed Ordinance No. 839 is consistent with Goal 4.

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. 839 does not allow any new uses in any affected land use district within the Beaverton Planning Area and therefore will not conflict with acknowledged Goal 5 resources.

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.

A-Engrossed Ordinance No. 839 does not amend the applicable Plan policies related to housing, Plan designations, or housing density standards. The amendment to the UPAA includes adding policies and processes for coordinating concept planning in the Urban Reserves within Beaverton's area of interest and minor changes to the process for comprehensive planning in the Urban Planning Area and therefore does not conflict with Goal 10.

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.

Plan compliance with Goal 11 is maintained with the amendments made to A-Engrossed Ordinance No. 839. The amendments are consistent with the County's acknowledged policies and strategies for the provision of public facilities and services as required by Goal 11. The amendments identify that the city is responsible, in coordination with the County, for developing concept plans in the unincorporated areas within Beaverton's Urban Planning Area. The UPAA includes policies and processes for coordinating concept and comprehensive planning in order to preliminarily identify the likely providers of urban services, as defined in ORS 195.065(4), when the area urbanizes. A-Engrossed Ordinance No. 839 is consistent with Goal 11.

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. 839 amends the Washington County – Beaverton Urban Planning Area Agreement (UPAA), an element of the Comprehensive Plan. A-Engrossed Ordinance No. 839 does not amend the TSP, nor does it include any transportation-related amendments to the Community Plans or the CDC.

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 or TPR, implemented via OAR Chapter 660, Division 12). The findings of compliance for the applicable TPR provisions are summarized below.

The amendments in A-Engrossed Ordinance No. 839 do not significantly affect the transportation system as described by the criteria in OAR 660-012-0060. The amendments in A-Engrossed Ordinance No. 839 do not change the functional classification of an existing or planned transportation facility; change standards implementing a functional classification system; result in types or levels of travel or access that are inconsistent with the adopted functional classification system designated by the acknowledged TSP for any existing or planned transportation facility; or degrade the performance of any existing or planned transportation facility. The amendments in A-Engrossed Ordinance No. 839 make no amendments to the Transportation System Plan and require additional transportation analysis before changes would be considered. Therefore, the amendments found in A-Engrossed Ordinance No. 839 are consistent with the TPR.

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.

With the passage of HB 4078-A in 2014, unincorporated land near Beaverton’s area of interest were added to the urban reserves, making it necessary to update the 1988 UPAA and map. Metro, with Ordinance No. 14-1336, officially amended the UGB and adopted amendments to the urban and rural reserves consistent with the provisions of HB 4078-A. These are reflected on Metro’s Functional Plan Title 14 Map.

The amendments in A-Engrossed Ordinance No. 839 are consistent with the County’s acknowledged policies and strategies for urbanization as required by Goal 14.

A-Engrossed Ordinance No. 839 does not add any land to the UGB or urbanize any land. The UPAA with Beaverton provides a process, policies and requirements for coordinating comprehensive planning in the designated unincorporated lands within the UGB in order to provide for the orderly and efficient transition from rural to urban land uses. Goal 14 will apply to future decisions to add Urban Reserve lands to the UGB or when lands are annexed in the city’s Urban Planning Area as identified in Exhibit A, the Beaverton Urban Planning Area map. A-Engrossed Ordinance No. 839 is consistent with Goal 14.

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. 839 findings have been prepared to address Title(s) 1, 8, 11 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.

A-Engrossed Ordinance No. 839 amends the Washington County – Beaverton Urban Planning Area Agreement (UPAA), which does not directly address housing capacity or housing need. The UPAA provides an opportunity for Beaverton, along with the County, to coordinate planning efforts and develop comprehensive plans that will meet Beaverton’s future housing needs and support Title 1 requirements.

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.

Consistent with Title 8, a copy of proposed Ordinance No. 839 was sent July 11, 2018 to Metro, 39 days prior to the first evidentiary hearing. A copy of A-Engrossed Ordinance No. 839 was provided to Metro Sept. 21, 2018. Metro has not provided any comments on the ordinance.

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.

In 2014 and 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing Urban and Rural Reserve land designations for the region, including Urban Reserve land within the unincorporated areas surrounding Beaverton. Title 11 identifies the planning responsibilities and guiding policies and requirements for the Urban Reserve areas as they transition from rural to urban uses.

The County has an interest in assuring that the planning for the unincorporated area meets the expectations for road funding, access management, any potential jurisdictional transfer of roadways and appropriate serviceability to the area in compliance with Title 11. Thus, the 2018 UPAA amendment provides the opportunity to clearly identify and coordinate planning responsibilities and a process that will guide the concept planning expectations for the Urban Reserve Area in a timely manner including specific provisions in the UPAA that directly address Title 11 requirements.

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.

A-Engrossed Ordinance No. 839 does not add any land to the UGB or urbanize any land. The UPAA provides a process, policies and requirements for coordinating comprehensive planning in the lands added to the UGB through HB 4078-A and concept planning in the Urban Reserve Area in order to provide for the orderly and efficient transition from rural to urban land uses. Title 14 will apply to future decisions to add Urban Reserve lands to the UGB or when lands are annexed in the city's Urban Planning Area as identified in Exhibit A, the Beaverton Urban Planning Area map. A-Engrossed Ordinance No. 839 is consistent with Title 14.

Part 4:

REGIONAL TRANSPORTATION FUNCTIONAL PLAN FINDINGS

This section addresses the consistency of A-Engrossed Ordinance No 839 with the applicable policies of Metro's Regional Transportation Functional Plan (RTFP).

A-Engrossed Ordinance No. 839 does not amend the TSP, nor does it include any transportation-related amendments to the Community Plans or the CDC. Therefore, the amendments in A-Engrossed Ordinance No. 839 are consistent with the policies in the Regional Transportation Functional Plan.