



AGENDA ITEM

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Reference No: **RO 24-9**

Meeting Date: January 30, 2024

Status: **APPROVED**

Agenda Category: ACTION

CPO: 4B, 6, 10

Department(s): Land Use & Transportation

Presented by: Stephen Roberts, Director of Land Use & Transportation

Agenda Title: **Adopt Findings for B-Engrossed Ordinance No. 882 - An Ordinance Amending the Transportation System Plan Element of the Comprehensive Plan Relating to an Extension of Tile Flat Road**

REQUESTED ACTION:

Adopt the findings for B-Engrossed Ordinance No. 882 and authorize the Chair to sign the Resolution and Order memorializing the action.

SUMMARY:

B-Engrossed Ordinance No. 882 amends the Transportation System Plan to include three Refinement Areas that identify the long-term need for transportation planning between Scholls Ferry Road and Roy Rogers Road, within and adjacent to the area known as River Terrace 2.0, which was recently added to the Metro Urban Growth Boundary. B-Engrossed Ordinance No. 882 is posted on the County's land use ordinance webpage at the following link:

www.washingtoncountyor.gov/lut/land-use-ordinances-progress

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 WashingtonCounty'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 B-Engrossed Ordinance No. 882. The proposed findings are an exhibit attached to the Resolution and Order. These documents are also posted on the above land use ordinance webpage.

ADDITIONAL INFORMATION:

Community Feedback (Known Support/Opposition):

None

Legal History/Prior Board Action:

None

Budget Impacts:

None

ATTACHMENTS:

[Resolution and Order 24-9 - B-Engrossed Ord. No. 882 \(Tile Flat Rd.\)](#)

[B-Engrossed Ord. No. 882 \(Tile Flat Rd.\): Ordinance Findings](#)

Approved by the
Washington County Board of Commissioners
also serving as the governing body of Clean Water Services and all other County Districts



Kevin Moss, Board Clerk

January 30, 2024

Date Signed

RO 24-9

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting) RESOLUTION AND ORDER
4 Legislative Findings in Support) No. 24-9
5 of B-Engrossed Ordinance No. 882)
6)

7 This matter having come before the Washington County Board of Commissioners (Board)
8 at its meeting of January 30, 2024; and

9 It appearing to the Board that the findings contained in Exhibit A summarize relevant facts
10 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
11 Statutes and Administrative Rules, Washington County’s Comprehensive Plan, and titles of
12 Metro’s Urban Growth Management Functional Plan relating to B-Engrossed Ordinance No. 882;
13 and

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

16 It appearing to the Board that the Planning Commission, considered the matter at its
17 public hearing on December 15, 2021, and did not make a recommendation to the Board; and

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

///

1 RESOLVED AND ORDERED that the attached findings in Exhibit A in support of B-Engrossed
2 Ordinance No. 882 are hereby adopted.

3
4 DATED this 30th day of January 2024.

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6 BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

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8 
CHAIR KATHRYN HARRINGTON

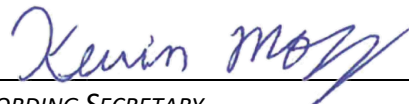
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RECORDING SECRETARY

EXHIBIT A

FINDINGS FOR B-ENGROSSED ORDINANCE NO. 882 AN ORDINANCE AMENDING THE TRANSPORTATION SYSTEM PLAN, AN ELEMENT OF THE COMPREHENSIVE PLAN, RELATING TO AN EXTENSION OF TILE FLAT ROAD

Jan. 30, 2024

Part 1 – General Findings

Part 2 – Statewide Planning Goal Findings

Part 3 – Oregon Highway Plan Findings

Part 4 – Transportation Planning Rule Findings

Part 5 – Metro Urban Growth Management Functional Plan Findings

Part 6 – Metro Regional Transportation Plan Findings

Part 1: GENERAL FINDINGS

B-Engrossed Ordinance No. 882 amends the Washington County Transportation System Plan.

The purpose of the findings in this document is to demonstrate that B-Engrossed Ordinance No. 882 is consistent with Statewide Planning Goals (Goals), 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.

Three refinement areas are adopted by B-Engrossed Ordinance No. 882: one is located entirely within the urban growth boundary; one is partially outside the current urban growth boundary; and one is entirely outside the current urban growth boundary. The adopted refinement areas facilitate additional study of potential alignments during future comprehensive planning.

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) and Regional Transportation Functional Plan (RTFP). These findings are addressed in this document.

Part 2: STATEWIDE PLANNING GOAL FINDINGS

The Washington County Board of Commissioners (Board) finds that the statewide planning 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.

None of the changes to the map or 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 B-Engrossed Ordinance No. 882.

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 (RNRP), 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 B-Engrossed Ordinance No. 882.

Notice was coordinated with all affected governmental entities and comments received regarding B-Engrossed Ordinance No. 882 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 RNRP include provisions for the preservation of agricultural lands. Agricultural land will not be taken out of production and no impacts to farm activity are anticipated as a result of B-Engrossed Ordinance No. 882. The amendments are consistent with the County’s acknowledged policies and strategies for maintaining agricultural land as required by 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 RNRP include provisions for the conservation and maintenance of forest lands. No commercial forest lands will be taken out of production and there will be no impacts to commercial forest activity now or in the future as a result of B-Engrossed Ordinance No. 882. The amendments are consistent with the County’s acknowledged policies and strategies for maintaining commercial forest land as required by 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 RNRP, and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources. B-Engrossed Ordinance No. 882 does not amend any of the Goal 5 provisions.

The amendments made by B-Engrossed Ordinance No. 882 are consistent with the County’s acknowledged policies and strategies for conserving and protecting natural resources, scenic and historic areas and open spaces through the appropriate management of development within flood plains and drainage hazard areas, as required by Goal 5. The refinement areas adopted by B-Engrossed Ordinance No. 882 facilitate additional study of potential roadway alignments to assess potential impacts on resources subject to Goal 5 during future comprehensive planning.

The CDC includes provisions for transportation projects that respond to state and federal permitting requirements, acknowledge the best management practices already employed by the County, including programmatic approaches to improve hydrologic conditions and fish passage. Implementation of a future roadway project on the TSP would be governed by the requirements of the CDC.

Goal 6 – Air, Water and Land Resources Quality

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

B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies or CDC standards related to air, water or land resources which impact the County's compliance with Goal 6. B-Engrossed Ordinance No. 882 does not amend any provisions regarding Community Plans or the CDC protections to significant wetlands, air quality or land resource quality. Plan compliance with Goal 6 is maintained with the amendments made by B-Engrossed Ordinance No. 882. The refinement areas adopted by B-Engrossed Ordinance No. 882 facilitate additional study of potential roadway alignments to assess potential impacts during future comprehensive planning. The amendments are consistent with the county's acknowledged policies and standards for the protection of Goal 6 resources.

Goal 7 – Areas Subject to Natural Hazards

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

The amendments made by B-Engrossed Ordinance No. 882 are consistent with the County's acknowledged policies and strategies for protecting areas subject to natural hazards, such as floods, from financial loss, consistent with Goal 7.

B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies and strategies or CDC sections related to flood plain areas, or to natural disasters and hazards. Plan compliance with Goal 7 is maintained with the amendments made by B-Engrossed Ordinance No. 882. The refinement areas adopted by B-Engrossed Ordinance No. 882 facilitate additional study of potential roadway alignments to assess potential impacts on areas subject to natural hazards during future comprehensive planning. The amendments are consistent with the County's acknowledged policies and standards for regulating development exposed to potential natural disasters and hazards addressed by Goal 7.

Goal 8 – Recreational Needs

Goal 8 requires local jurisdictions to satisfy the recreational needs of citizens and visitors by planning and providing for the siting of necessary recreational facilities. Policies 17, 33, 34, 35 and 39 of the CFP, Policy 24 of the RNRP and the individual Community Plans address the recreational needs of Washington County's residents and visitors.

B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies and strategies or CDC sections related to recreational needs. Plan compliance with Goal 8 is maintained with the amendments made by B-Engrossed Ordinance No. 882. The amendments are consistent with the County’s acknowledged policies and strategies for satisfying recreational needs as required by Goal 8.

Goal 9 – Economic Development

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

B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies and strategies or CDC sections related to economic development. Plan compliance with Goal 9 is maintained with the amendments made by B-Engrossed Ordinance No. 882. The amendments are consistent with the County’s acknowledged policies and strategies for strengthening the local economy as required by Goal 9.

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, 25 and 26 of the RNRP 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. B-Engrossed Ordinance No. 882 did not amend the applicable Plan policies and strategies or CDC sections related to housing, therefore compliance with Goal 10 is maintained with the amendments made by B-Engrossed Ordinance No. 882.

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 RNRP 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. B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies and strategies or CDC sections related to Public Facilities and Services. 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. Plan compliance with Goal 11 is maintained with the amendments made by B-Engrossed Ordinance No. 882.

Goal 12 – Transportation

Goal 12 requires the provision and encouragement of a safe, convenient, multimodal, and economic transportation system. Policy 32 of the CFP, Policy 23 of the RNRP and the 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.

B-Engrossed Ordinance No. 882 amends the TSP. These amendments improve consistency with other adopted or acknowledged planning efforts and 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).

Plan compliance with Goal 12 is maintained with the amendments made by B-Engrossed Ordinance No. 882. 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 TPR and the Metro RTP. Brief summaries of the applicable TPR provisions followed by findings of compliance are contained in Part 4 of this findings document.

Goal 13 – Energy Conservation

Goal 13 requires developed land uses to be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. Policies 35, 36, 37, 38, 39 and 40 of the CFP, and Policy 25 of the RNRP address energy conservation in the urban and rural areas of unincorporated Washington County. The CDC implements the energy conservation policies by establishing standards that promote energy efficient development, especially in Article IV (Development Standards).

B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies and strategies, or CDC sections related to energy conservation, therefore compliance with Goal 13 is maintained with the amendments made by B-Engrossed Ordinance No. 882. The amendments are consistent with the County's acknowledged policies and strategies for promoting energy conservation as required by Goal 13.

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 urban development that meets community goals. The Community Plans implement the urbanization policies by designating sufficient land for appropriate development.

B-Engrossed Ordinance No. 882 does not amend the applicable Plan policies and strategies, or CDC sections related to urbanization, therefore compliance with Goal 14 is maintained with the amendments made by B-Engrossed Ordinance No. 882. The amendments are consistent with the County’s acknowledged policies and strategies for urbanization as required by Goal 14.

Part 3: OREGON HIGHWAY PLAN FINDINGS

This section addresses the consistency of B-Engrossed Ordinance No. 882 with the applicable policies of the Oregon Highway Plan (OHP). The OHP is an element of the Oregon Transportation Plan. The Board finds that the OHP applies to the amendments covered by these findings only to the extent noted in specific responses to the applicable elements of this plan, and that the amendments comply with the applicable goals and policies of the OHP.

Applicable OHP policies for a TSP update include:

Policy 1A: State Highway Classification System

B-Engrossed Ordinance No. 882 does not amend Washington County’s Functional Classification maps. No new classifications are introduced, and no changes inconsistent with State Highway Classifications have been made. Therefore, B-Engrossed Ordinance No. 882 is consistent with the OHP.

1B, Land Use and Transportation

B-Engrossed Ordinance No. 882 does not change any land use designations. The adopted and acknowledged Washington County TSP addresses mobility standards consistent with State Highway mobility standards. The Washington County CDC addresses access spacing standards and other development related concerns. The adopted and acknowledged TSP addresses Active Transportation. Taken together, B-Engrossed Ordinance No. 882, with the adopted and acknowledged TSP and the CDC provide a coordinated land use and transportation system consistent with the OHP.

1C, State Highway Freight System

B-Engrossed Ordinance No. 882 does not change the Freight System Element of the TSP.

1D, Scenic Byways

No Oregon Scenic Byways are located within Washington County, therefore, B-Engrossed Ordinance No. 882 is consistent with the requirements of the OHP.

1F, Highway Mobility Standards

As described in A-Engrossed Ordinance No. 783, Exhibit 2, the roadway system identified by the Functional Classification and Lane Numbers maps is adequate to meet anticipated travel needs.

Technical Appendix 3 of the TSP includes a Countywide Motor Vehicle Deficiency Evaluation. This evaluation included all ODOT and other facilities within Washington County and assessed the system performance based on the applicable mobility standards, including OHP mobility targets and standards, as well as the Regional Transportation Functional Plan interim mobility deficiency thresholds and operating standards. The potential Deficiency Locations identified in Technical Appendix 3 require additional monitoring and system performance evaluation over time. For such locations, the ultimate decisions regarding the modes, functions, and general locations of solutions and potential development of alternative mobility measures and standards are deferred to future refinement planning to be incorporated into the TSP as updates become available.

SW Roy Rogers Road, SW Scholls Ferry Road, and SW 175th Avenue were identified in Technical Appendix 3 of the TSP as Motor Vehicle Deficiencies. The severity of these deficiencies was generally rated as either “low” (defined as V/C up to 20% above the target) or “medium” (defined as V/C 21%-50% above the target). However, some segments of Roy Rogers Road were rated as “high” deficiency severity (defined as V/C more than 50% above target). B-Engrossed Ordinance No. 882 adds three Refinement Areas that identify potential alternatives to these deficiencies.

The existing roadways in this area are not expected to meet adopted interim motor vehicle performance targets within the planning horizon. B-Engrossed Ordinance No. 882 provides a preferred alternative for further study to improve local area connectivity and increase travel route options. The TSP provides a plan for a transportation system consistent with the requirements of the OHP and monitoring of highway mobility will continue in this area. B-Engrossed Ordinance 882 preserves and supports implementation of needed local and regional multimodal connectivity. Compliance with the Oregon Highway Mobility Standards is improved with B-Engrossed Ordinance No. 882.

1G, Major Improvements

B-Engrossed Ordinance No. 882 preserves and supports implementation of needed local and regional multimodal connectivity and does not change transportation improvement procedures.

2G, Rail and Highway Compatibility

B-Engrossed Ordinance No. 882 does not impact the safe, efficient operation of railroad facilities or propose any new rail crossings. The adopted and acknowledged TSP is consistent with the requirements of the OHP.

3A-E, Access Management

Policy 3A: Classification and Spacing Standards

Article V of the CDC controls access spacing standards consistent with Policy 3A. B--Engrossed Ordinance No. 882 makes no changes to the requirements and therefore is consistent with OHP classification and spacing standards.

3B, Medians

The county TSP does not identify any median locations or treatments. The Washington County Road Design and Construction Standards control the design and placement of medians on County roadways. Washington County Resolution and Order 10-107 adopted the County's Mid-Block Crossing Policy. These previously adopted documents are consistent with the OHP and have not been modified by B-Engrossed Ordinance No. 882.

3C, Interchange Access Management Areas

Washington County has an acknowledged TSP consistent with the 2018 Regional Transportation Plan adopted by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783 in 2013 and 2014 respectively. These previously adopted documents are consistent with the OHP and have not been modified by B-Engrossed Ordinance No. 882.

3D, Deviations

B-Engrossed Ordinance No. 882 does not make any requests for deviations to state highway standards. Therefore, the TSP is consistent with the requirements of the OHP.

4A, Efficiency of Freight Movement

A-Engrossed Ordinance No. 783, Exhibit 3, adopted a roadway freight system plan consistent with State Highway Freight System designations. These previously adopted documents are consistent with the OHP and have not been modified by B-Engrossed Ordinance No. 882.

4D, Transportation and Demand Management

A-Engrossed Ordinance No. 768, Exhibit 10, Objective 5.4 and A-Engrossed Ordinance No. 783, Exhibit 5, adopted a TDM policy and system element that is consistent with the requirements of the OHP. B-Engrossed Ordinance No. 882 does not change these elements of the TSP.

Part 4: TRANSPORTATION PLANNING RULE FINDINGS

Goal 12 – Transportation

660-012-0010 Provides that transportation planning be divided into two phases, transportation system planning and project development.

FINDING: B-Engrossed Ordinance No. 882 amends the Washington County Transportation System Plan consistent with all applicable provisions of Division 12 consistent with 660-012-0010.

660-012-0011 Provides the applicable TPR rules within urban and rural areas.

FINDING: B-Engrossed Ordinance No. 882 establishes Refinement Areas in both urban and rural areas.

- As provided in OAR 660-012-0011(6), Counties may have different rules in different part of the County.
- OAR 660-012-0011(1) provides that OAR 660-012-0000, OAR 660-012-0005, OAR 660-012-0010, OAR 660-012-0011, OAR 660-012-0050, OAR 660-012-0060, OAR 660-012-0065, and OAR 660-012-0070 apply to both urban and rural lands.
- OAR 660-012-0011(2) provides that OAR 660-012-0012 and OAR 660-012-0100 through OAR 660-012-0920 apply to urban lands.
- OAR 660-012-0011(3) provides that OAR 660-012-0010 through OAR 660-012-0045 and OAR 660-012-0055 apply to where the rules identified by OAR 660-012-0011(2) do not apply.

660-012-0012 Provides for the transition and effective dates for compliance with the rule adjustments adopted on July 21, 2022.

FINDING: As demonstrated below, B-Engrossed Ordinance No. 882 fulfills the requirements for an interim TSP update consistent with OAR 660-012-0012(2)(a).

- Ordinance No. 882 was initially filed on Sept. 29, 2021. This date is over a year before Dec. 31, 2022, referenced in OAR 660-012-0012(2)(a). Initial engrossments to the Ordinance were directed by the Board on Mar. 1, 2022, and A-Engrossed Ordinance No. 882 was filed on Jun. 27, 2022. Subsequent amendments were directed by the Board on Oct. 24, 2023, and B-Engrossed Ordinance No. 882 was filed on Nov. 13, 2023.
- Notice of Ordinance No. 882 was submitted to the department as provided in OAR 660-018-0020 on Oct. 25, 2021. The notice was submitted 52 days prior to the first evidentiary hearing held by the Planning Commission on Dec. 15, 2021, and consistent with the requirements of OAR 660-018-0020.
- OAR 660-012-0012(2)(a) provides for interim amendments to the TSP as provided in OAR 660-012-0015 if notice of the proposed change to the comprehensive plan has been provided to the department consistent with the requirements of OAR 660-018-0020 no later than Dec. 31, 2022.

660-012-0015 Includes requirements for preparation and coordination of transportation system plans.

FINDING: B-Engrossed Ordinance No. 882 complies with all of the applicable requirements for preparation, coordination and adoption of TSP's required under this section of the TPR.

- B-Engrossed Ordinance No. 882 amends and is incorporated as part of Washington County's Comprehensive Plan. B-Engrossed Ordinance No. 882 more directly identifies transportation needs as consistent with OAR 660-012-0030 as documented within these findings.
- The preparation of B-Engrossed Ordinance No. 882 was coordinated with affected government agencies and service providers consistent with the RTP and the OHP.

660-012-0020 describes the elements that TSPs must contain.

FINDING: B-Engrossed Ordinance No. 882 amends the TSP consistent with OAR 660-012-0020.

- B-Engrossed Ordinance No. 882 amends the roadway element of the TSP for Washington County by adding three new refinement areas to the plan. The identified need is intended to serve multimodal mobility and connectivity.
- B-Engrossed Ordinance No. 882 does not amend the transit element of the TSP.

660-012-0025 describes the requirements for Goal compliance and refinement plans.

FINDING: B-Engrossed Ordinance No. 882 complies with the applicable provisions of Section 660-012-0025 as demonstrated by the following facts.

- These findings serve as findings of compliance with the applicable statewide planning goals for B-Engrossed Ordinance No. 882 consistent with the provisions of OAR 660-012-0025(2). Previously adopted elements of the comprehensive plans also provided findings. Chapter X of the County Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. The county has utilized these requirements for the adoption of B-Engrossed Ordinance No. 882. The findings contained herein satisfy the requirement of OAR 660-12-0025(2) and have been adopted in conjunction with B-Engrossed Ordinance No. 882.
- OAR 660-012-0025(3) establishes provisions for a local government to defer decisions regarding the function, general location, and mode to a refinement plan. B-Engrossed Ordinance No. 882 identifies three such refinement areas for future consideration of the function, general location and mode for one or more connecting roadways consistent with this provision.

- Multiple studies have identified the need for improved connectivity, circulation, and mobility in the general location of the adopted refinement areas, consistent with TPR and the RTFP requirements.
- Objective 7.2 of the Washington County TSP provides for refinement areas consistent with OAR 660-012-0025(3). The definition of Refinement Areas in the Washington County TSP was adopted in 2014 by A-Engrossed Ordinance No. 783, exhibit 2, page 4 and 5. This definition is consistent with the requirements of OAR 660-012-0025(3). Some Refinement Areas call for refinement planning to evaluate and demonstrate the transportation needs as part of identifying the solution.
- The Refinement Areas of B-Engrossed Ordinance No. 882 are consistent with Ordinance No. 879 that adopted an updated Urban Planning Area Agreement between Washington County and the City of Tigard. The City of Tigard adopted the agreement on August 24, 2021, and the Board of County Commissioners adopted it on November 9, 2021. The City and County agreed to coordinate on the ultimate design and alignment of the Tile Flat Road extension and Mountainside Way extension, which are further described below.
- The transportation objective, need and anticipated timing for refinement planning within each Refinement Area are as follows:
 - The Tile Flat Road Extension Refinement Area is intended to result in a multimodal connection between the intersection of SW Tile Flat Road at SW Scholls Ferry Road and Vandermost Road. The multimodal connection is envisioned as a component of a connected multimodal roadway network that serves this area. The connection point on Vandermost Road should be considered through the comprehensive land use planning process.
 - Objective: Serve multimodal travel between SW Tile Flat Road and the River Terrace 2.0 Urban Expansion Area and beyond.
 - Need: Provide a connected network immediately adjacent to the River Terrace 2.0 Urban Expansion Area. Provide an alternative to increasing the motor vehicle capacity at the intersection of Roy Rogers Road and Scholls Ferry Road.
 - Timing: After the Refinement Area is included inside the UGB or a future exception to Statewide Planning Goals is adopted.
 - The Tile Flat Road / Mountainside Way Extension Refinement Area envisions a roadway, or multiple connected roadways, that would provide internal connectivity within the River Terrace 2.0 community as well as connections to the existing roadway system consistent with the Regional System Connectivity Standard. The

road or roads would also provide for a suitable connection between Vandermost Road and Roy Rogers Road, at the intersection of Bull Mountain Road. The connection at Vandermost Road and the specific alignment of the multimodal roadway network should be considered through the comprehensive land use planning process.

- Objective: Serve multimodal travel within and through the River Terrace 2.0 Urban Expansion Area, including a multimodal connection to Vandermost Road.
- Need: Provide a connected network within the River Terrace 2.0 UGB expansion area as well as connections to the existing roadway system, consistent with the Regional System Connectivity Framework. Provide an alternative to increasing the motor vehicle capacity of the intersection of Roy Rogers Road and Scholls Ferry Road.
- Timing: Include in River Terrace 2.0 land use plan and funding strategy; construct in conjunction with development, including connection to Vandermost Road.
- The Mountainside Way Southern Extension Refinement Area envisions a continuation of the urban roadway network to the south, connecting to Roy Rogers Road in the vicinity of Beef Bend Road. Continuation of the Mountainside Way Extension beyond Bull Mountain Road provides measurable benefits to the multimodal transportation network, though additional evaluation is warranted and should be considered through the comprehensive land use planning process. An extension of Mountainside Way south of Bull Mountain Road should not be precluded by land development inside the UGB.
 - Objective: Serve multimodal travel within and adjacent to the River Terrace 2.0 Urban Expansion Area, including a multimodal connection to Roy Rogers Road in the vicinity of Beef Bend Road.
 - Need: Provide a connected network in and adjacent to the River Terrace 2.0 Urban Expansion Area as well as connections to the existing roadway system consistent with the Regional System Connectivity Standard. Provide an alternative to increasing the motor vehicle capacity of the intersection of Roy Rogers Road and Bull Mountain Road.
 - Timing: Within the urban growth boundary, include in River Terrace 2.0 land use plan and funding strategy; construct to southern urban growth boundary in

conjunction with development. Outside the UGB, after the Refinement Area is included inside the UGB or a future exception to Statewide Planning Goals is adopted.

660-012-0030 The provisions of this section set forth how needs shall be identified in TSPs.

- FINDING:** B-Engrossed Ordinance No. 882 identifies transportation needs as required by OAR 660-012-0030 as documented within these findings.
- Transportation system needs were initially listed as a deficiency in the technical appendix of the Washington County TSP. The needs have been further considered through multiple studies including the Cooper Mountain Transportation Study and the Urban Reserves Transportation Study.
 - B-Engrossed Ordinance No. 882 is consistent with the OHP and Metro’s RTP and findings of compliance with the OHP and RTP are included herein. B-Engrossed Ordinance No. 882 is consistent with the requirements of OAR 660-012-0030(1).
 - B-Engrossed Ordinance No. 882 is not a regional TSP; therefore OAR 660-012-0030(2) is not applicable.
 - As prescribed by OAR 660-012-0030(3), the transportation needs assessment included in TSP Technical Appendix, is based upon the Metro 2018 RTP regional travel demand model and mode split assumptions. Many efforts to reduce reliance upon the automobile were considered during the development of A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783, as described below in the findings for OAR 660-012-0045.
 - Additionally, alternative modes were considered during the analysis conducted for the Cooper Mountain Transportation Study and the Urban Reserves Transportation Study. Each of these studies has failed to identify a solution that would mitigate the need for, or provide a reasonable alternative to, the Tile Flat Road extension. Additional analysis of alternative modes is presented in the TSP Technical Appendix.
 - Metro’s RTP modal targets were applicable to A-Engrossed Ordinance No. 783. As explained in the findings of compliance with the RTP, A-Engrossed Ordinance No. 783 is consistent with the mode share target implementation measures of the RTP. Technical Appendix 3 discusses how A-Engrossed Ordinance No. 783 meets the modal targets within the RTP. B-Engrossed Ordinance No. 882 is based on the same procedures for assessing the transportation system adopted in A-Engrossed Ordinance No. 783. Appropriate findings are provided herein under OAR 660-012-0035.

660-012-0035 This section concerns how the transportation system alternatives analysis was performed.

FINDING: Washington County has an acknowledged TSP consistent with the Transportation Planning Rule provisions of 660-012-0035 adopted by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783 in 2013 and 2014 respectively.

B-Engrossed Ordinance No. 882 applied the same general methodology for assessing the transportation system, consistent with the Washington County TSP Strategy 5.1.4.

- The level of service standards and connective standards used to assess the transportation system for the development of B-Engrossed Ordinance No. 882 are consistent with Washington County’s adopted and acknowledged TSP, an element of the acknowledged Comprehensive Plan. This analysis is consistent with the requirements of OAR 660-012-0035(3). The existing facilities do not have adequate connectivity or capacity to serve existing demand.
- The Refinement Areas adopted by B-Engrossed Ordinance No. 882 do not authorize the implementation of any transportation facility. Therefore, B-Engrossed Ordinance No. 882 is consistent with OAR 660-012-0035(4) though (6). An ordinance authorizing improvements to address the needs identified may need to further consider OAR 660-012-0035(4) though (6).

660-012-0040 requires that a TSP include a transportation financing program and sets forth what such a program is required to include.

FINDING: B-Engrossed Ordinance No. 882 does not amend or otherwise impact the funding element of the TSP.

660-012-0045 concerns how a TSP is implemented.

FINDING: B-Engrossed Ordinance No. 882, together with previously adopted and acknowledged ordinances, is consistent with the applicable provisions of OAR 660-012-0045. There are no other provisions in OAR 660-012-0045 that are required to be addressed as part of these findings.

660-012-0050 concerns transportation project development.

FINDING: B-Engrossed Ordinance No. 882, together with previously adopted and acknowledged ordinances, is consistent with the applicable provisions of OAR 660-012-0050. There are no other provisions in OAR 660-012-0050 that are required to be addressed as part of these findings.

660-012-0055 Sets forth timelines for adoption of TSPs and for the specific requirements of OAR 660-012-0045(3), (4)(a)-(e) and (5)(d).

FINDING: B-Engrossed Ordinance No. 882, together with previously adopted and acknowledged ordinances, is consistent with the applicable provisions of OAR 660-012-0055. There are no other provisions in OAR 660-012-0055 that are required to be addressed as part of these findings.

660-012-0060 Sets forth requirements for plan and land use regulation amendments.

FINDING: OAR 660-012-0060 is not applicable to B-Engrossed Ordinance No. 882 as it does not amend any land use designations or regulations.

660-012-0065 Identifies the “transportation facilities, services and improvements” that may be permitted on rural lands without a goal exception.

FINDING: B-Engrossed Ordinance No. 882 does not authorize any transportation facilities. Therefore, OAR 660-012-0065 is not applicable to B-Engrossed Ordinance No. 882.

660-012-0070 Identifies the requirements for exceptions to Goals 3, 4, 11 or 14 for transportation improvements on rural lands that do not meet the requirements of OAR 660-012-0065.

FINDING: This rule is not applicable to B-Engrossed Ordinance No. 882. No rural transportation improvements or services that would affect the use of rural land have been authorized by B-Engrossed Ordinance No. 882. Rather B-Engrossed Ordinance No. 882 identifies refinement areas, consistent with the provisions of OAR 660-012-0025, on urban land and on rural land that is not designated as urban or rural reserve. Nothing in OAR 660-012-0025 or OAR 660-012-0070 suggests that refinement areas need to pursue an exception.

OAR 660-012-0100 through 660-012-0920

As described above under OAR 660-012-0012(2), OAR 660-012-0100 through OAR 660-012-0920 are not applicable to B-Engrossed Ordinance No. 882. Ordinance No. 882 was initially filed on Sept. 29, 2021 and therefore qualifies as an interim update pursuant to OAR 660-012-0012(2)(a).

Initial engrossments to Ordinance No. 882 were directed by the Board on March 1, 2022, and A-Engrossed Ordinance No. 882 was filed on June 27, 2022. These events occurred before the

adoption of the climate-friendly and equitable communities amendments to the Transportation Planning Rule adopted on July 21, 2022.

Subsequent amendments were directed by the Board, on Oct. 24, 2023, and B-Engrossed Ordinance No. 882 was filed on Nov. 13, 2023.

- B-Engrossed Ordinance No. 882 fulfills the requirements for an interim TSP update consistent with OAR 660-012-0012(2)(a), notice was provided to the department on Dec. 15, 2021. This date is over a year before Dec. 31, 2022, referenced in OAR 660-012-0012(2)(a).

If the requirements of OAR 660-012-0100 through OAR 660-012-0920 were applicable, B-Engrossed Ordinance No. 882 would be consistent with a minor TSP amendment described in OAR 660-012-0105(1). The amendments add three Refinement Areas (one on urban lands) consistent with the provisions of OAR 660-012-0190(1) as described in these findings under OAR 660-012-0025(3). No other provisions of OAR 660-012-0100 through OAR 660-012-0920 would apply and the amendments in B-Engrossed Ordinance No. 882 are consistent with the requirement of OAR 660-012-0100 through OAR 660-012-0920.

Part 5: URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FINDINGS

This section addresses the consistency of B-Engrossed Ordinance No 882 with the applicable policies of Metro’s Urban Growth Management Functional Plan (UGMFP). The Board finds that the UGMFP applies to the amendments covered by these findings only to the extent noted in specific responses to the applicable elements of this plan, as provided below, and that the amendments comply with the applicable goals and policies of the UGMFP.

Title 8 – Compliance Procedures

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

RESPONSE

Consistent with Title 8, a copy of proposed B-Engrossed Ordinance No. 882 was sent to Metro on Oct. 26, 2023, 36 days prior to the first evidentiary hearing. Metro provided no comments on B-Engrossed Ordinance No. 882.

Part 6: REGIONAL TRANSPORTATION PLAN FINDINGS

This section addresses the consistency of B-Engrossed Ordinance No. 882 with the applicable policies of Metro’s Regional Transportation Plan (RTP). The Board finds that the RTP applies to the amendments covered by these findings only to the extent noted in specific responses to the applicable elements of this plan, as provided below, and that the amendments comply with the applicable goals and policies of the RTP.

B-Engrossed Ordinance No. 882 amends the County’s Transportation System Plan (TSP) consistent with the Regional Transportation Plan (RTP) and Title 2 “Development and Update of Transportation System Plans” of the Regional Transportation Functional Plan (RTFP) Sections 210, 220 and 230.

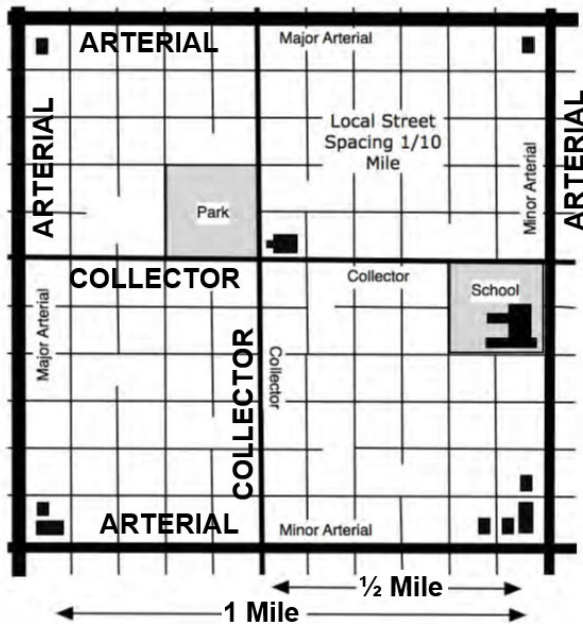
B-Engrossed Ordinance No. 882 amends the existing adopted and acknowledged TSP to provide updates to the roadway element. The Refinement Area designations adopted in B-Engrossed Ordinance No. 882 are not inconsistent with the designations identified in Metro’s 2018 RTP. As described in the Goal 12 findings above, the TSP as amended B-Engrossed Ordinance No. 882 continues to provide a system of connected transportation facilities and services consistent with the RTP. Brief summaries of the applicable RTFP provisions and findings of compliance follow.

Title 1 This section identifies the requirements for Transportation System Design, including provisions for complete streets, the transit system, pedestrian system, bicycle system, freight system and system management and operations.

FINDING: The Washington County Road Design & Construction Standards, together with A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783, provide for a transportation system design consistent with all the requirements of Title 1. These previously adopted documents are consistent with the OHP and have not been modified by B-Engrossed Ordinance No. 882.

The Regional Transportation Functional Plan (RTFP), Title 1, 3.08.110 Street System Design, Section C specifically requires jurisdictions in the region to plan for a connected grid of roadways consistent with the Regional Arterial and Throughway Network Concept. The RTFP references Figure 2.11 of the 2010 Regional Transportation Plan, this figure has been updated to figure 3.12 in the 2018 RTP and is copied below.

STREET NETWORK SPACING CONCEPT



This concept shows a spacing of roughly 1-mile between arterial streets with a collector street roughly a half-mile, at the mid-point between the arterials. The local street network concept also includes a connected grid of local streets. The intersection of Tile Flat Road and Scholls Ferry Road is roughly 4,700 feet (0.89 mile) west of the intersection of Roy Rogers Road and Scholls Ferry Road. Both Roy Rogers Road and Tile Flat Road (north of Scholls Ferry Road) are identified as Arterials on the Washington County TSP, generally matching the regional street network concept. The addition of Mountainside Way as a collector between Tile Flat Road and Roy Rogers Road also generally matches the collector spacing of the network concept.

The Refinement Areas in B-Engrossed Ordinance No. 882 identify the transportation system needs consistent with the RTP and the provisions of the RTFP.

Title 2 This section identifies the process for developing a TSP within or affecting the Metro region. Provisions include identification of transportation system performance, needs and solutions.

3.08.210 This section contains provisions regarding the assessment of transportation needs.

- FINDING:** B-Engrossed Ordinance No. 882, as well as previously adopted and acknowledged ordinances, is consistent with the provisions.
- B-Engrossed Ordinance No. 882 is intended to further the study of previously identified system deficiencies. The system deficiencies were identified in the technical appendix 3 to the TSP adopted concurrent with A-Engrossed Ordinance No. 783 in 2014. Ongoing continuous, cooperative, and comprehensive refinement planning has explored opportunities to address the list of existing and future deficiencies identified.
 - Facilities anticipated to exceed deficiency thresholds and operating standards were identified in the technical appendix 3 to the TSP adopted concurrent with A-Engrossed Ordinance No. 783 in 2014.
 - A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783, provide for a transportation system design consistent with all the requirements of RTFP. Objective 3.5 of the Washington County TSP specifically calls out the

need for equitable distribution of impacts and benefits and consideration of environmental justice populations.

- B-Engrossed Ordinance No. 882 adopts Refinement Areas identified as an outcome from the Cooper Mountain Transportation Study identified in subsection 8.2.1.1 of the 2018 RTP on page 8-6. The Tile Flat Road Extension corridor is shown as “Potential New Connection D” in figure 8.2 on page 8-7 of the 2018 RTP.

3.08.220 This section contains provisions regarding the selection of transportation solutions.

- FINDING:** B-Engrossed Ordinance No. 882, as well as previously adopted and acknowledged TSP ordinances, is consistent with the provisions.
- Consideration of B-Engrossed Ordinance No. 882 followed the steps provided in subsection A as well as in the Washington County TSP Strategy 5.1.4. This process provides for consideration of the needed multimodal connectivity and motor vehicle capacity consistent with the requirements for determining transportation needs as described above under section 3.08.210.
 - B-Engrossed Ordinance No. 882 identifies Refinement Areas to be addressed along with urban planning in most of the area. The multimodal Refinement Area identifies the connectivity challenges of the community and encourages a connected grid of parallel roadways that include pedestrian and bicycle facilities consistent with the standards of the RTFP.
 - The connectivity of a community cannot be addressed by operational solutions, transit, bicycle and pedestrian system improvements, traffic management or calming techniques or by land use strategies. The Refinement Areas are intended to facilitate the selection of an alternative that would serve to enhance the bicycle and pedestrian system connectivity and provide an opportunity for eventual transit service.
 - Consideration of inclusion of the Tile Flat Road extension into the RTP will occur during an appropriate future update process for a future RTP once the refinement planning has been completed and adopted in a future land use ordinance.

3.08.230 This section pertains to performance targets and standards.

- FINDING:** B-Engrossed Ordinance No. 882, as well as previously adopted and acknowledged TSP ordinances, is consistent with the provisions.
- A-Engrossed Ordinance No. 768, Exhibit 10 identified interim performance targets and standards consistent with the RTFP. Washington County has not adopted alternative targets and has not applied mobility standards different from those identified in the RTFP.

- Technical Appendix 3 to A-Engrossed Ordinance No. 783 identified and calculated system performance measures consistent with the requirements of the RTP. These measures were utilized to inform the planning processes necessary to develop B-Engrossed Ordinance No. 882.
- B-Engrossed Ordinance No. 882 is consistent with the throughway network as expressed in figures 3.11 and 3.12 of the 2018 RTP.
- B-Engrossed Ordinance No. 882 will not result in motor vehicle capacity improvements that go beyond the throughway network defined in figure 3.3 of the 2018 RTP.
- B-Engrossed Ordinance No. 882 does not propose any alternative targets or standards.
- B-Engrossed Ordinance No. 882 amends the previously adopted and acknowledged TSP (adopted by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783, as amended). The amendments in B-Engrossed Ordinance No. 882 are consistent with the County's acknowledged policies, goals and strategies for the provision of transportation facilities and services. The County TSP includes performance measures consistent with the requirements of the RTP. B-Engrossed Ordinance No. 882 does not amend these performance measures.

B-Engrossed Ordinance No. 882, as well as the previously adopted and acknowledged TSP, is consistent with all provisions of the Regional Transportation Functional Plan.