



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/12/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Washington County Plan Amendment
DLCD File Number 003-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, June 25, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Anne Elvers, Washington County
Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative

<paa> YA

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD WITHIN
5 WORKING DAYS AFTER THE FIRST FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660, DIVISION 18

DATE STAMP	in person <input type="checkbox"/> electronic <input type="checkbox"/> mailed <input type="checkbox"/>
	DEPT OF
	JUN 05 2009
	LAND CONSERVATION AND DEVELOPMENT For DLCD Use Only

Jurisdiction: **Washington County**

Local file number: **Ordinance No. 711**

Date First Evidentiary Hearing: **5/6/2009**

Date of Final Hearing: **6/2/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date submitted: **3/20/2009**

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached" (limit of 500 characters):

Ordinance No. 711 proposes to amend Section 106 of the Community Development Code (CDC) to reflect recent changes to the definitions of "cubic foot per acre per year" and "cubic foot per tract per year" in Oregon Administrative Rule (OAR) 660-006-0005. The proposed changes to CDC Sections 340 and 344 include the addition of the production of biofuels as defined in Oregon Revised Statute (ORS) 315.141 to the allowed uses permitted through a Type II procedure. Also, allowed uses through a Type II procedure in Sections 340 and 344 would be amended to include landscaping contracting businesses and landscape architecture services as defined ORS 671.520 and ORS 671.318, respectively.

Does the Adoption differ from proposal? **No**

Plan map changed from: **n/a**

to: **n/a**

Zone map changed from: **n/a**

to: **n/a**

Location: **n/a**

Specify density:

Previous: **n/a**

New density: **n/a**

Acres involved: **n/a**

Mark applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 003-09 (17435) [15546]

Please list affected state or federal agencies, local governments or special districts:

DLCD and Metro

Local Contact: **Anne Elvers, Associate Planner**

E-mail: **anne_elvers@co.washington.or.us**

Phone: **(503) 846-3583**

Address: **155 N. First Ave., Suite 350-14**

City: **Hillsboro**

Zip: **97124**

Fax: **(503) 846-4412**

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: **PROPOSED ORDINANCE NO. 711 – AN ORDINANCE
AMENDING THE COMMUNITY DEVELOPMENT CODE
ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO
LEGISLATIVE CHANGES AND GENERAL UPDATES**

Presented by: Brent Curtis, Planning Manager; Dan Olsen, County Counsel

SUMMARY:

Ordinance No. 711 proposes to amend various sections of the Community Development Code (CDC) Element of the Comprehensive Plan to update county standards for compliance with changes made by the Oregon Legislature as well as changes made to Oregon Administrative Rules (OAR). Changes include updating the CDC definitions of “Cubic Foot Per Acre” and “Cubic Foot Per Tract Per Year” and adding the production of biofuel and landscaping contracting businesses to the allowed uses in CDC Sections 340 and 344.

On May 6, 2009, the Planning Commission conducted public hearings for this ordinance and unanimously approved this ordinance.

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

Staff Report: Will be provided to the Board prior to the June 2, 2009 hearing. Copies of the report will also be available at the Clerk’s desk prior to the hearing.

DEPARTMENT’S REQUESTED ACTION:

Read Ordinance No. 711 by title only and conduct the first public hearing. At the conclusion of the hearing, adopt Ordinance No. 711.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

100-601000

ADOPTED

Agenda Item No.	<u>5.d.</u>
Date:	<u>06/02/09</u>

MAR 20 2009

Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 711

An Ordinance Amending the
Community Development Code Element
of the Comprehensive Plan relating to
Legislative Changes and a General
Update

The Board of County Commissioners of Washington County, Oregon, ordains:

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon, recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 694-698, 703 and 704.

B. Subsequent ongoing planning efforts of the County indicate a need for changes to the CDC to reflect legislative changes and provide general update and housekeeping amendments. The Board takes note that such changes are necessary to assure consistency with state law and are for the benefit of the health, safety, and general welfare of the residents of Washington County, Oregon.

////

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

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

13 SECTION 2

14 The following exhibits, attached hereto and incorporated herein by reference, are hereby
15 adopted as amendments to the documents designated below:

- 16 A. Exhibit 1 (1 page) amending the CDC Section 106 DEFINITIONS; and
17 B. Exhibit 2 (3 pages) amending the CDC Section 340 EXCLUSIVE
18 FARM USE (EFU) DISTRICT and Section 344 AGRICULTURE
19 AND FORESTRY 20 ACRE (AF-20) DISTRICT regarding the
20 production of biofuel as defined by ORS 315.141, a landscaping
contracting business as defined by ORS 671.520, and a business
providing landscape architecture services as defined by ORS 671.318.

21 ///

22 ///

1 SECTION 3

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

4 SECTION 4

5 All applications received prior to the effective date shall be processed in accordance with
6 ORS 215.427 (2007 Edition).

7 SECTION 5

8 If any portion of this Ordinance, including the exhibits, shall for any reason be held invalid
9 or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby
10 and shall remain in full force and effect, and any provision of a prior land use ordinance amended
11 or repealed by the stricken portion of this Ordinance shall be revived and again be considered in
12 full force and effect.

13 SECTION 6

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

17 ////

18 ////

19 ////

20 ////

21 ////

22 ////

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

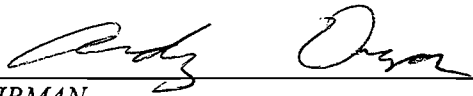
3 SECTION 7

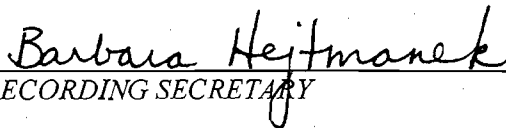
4 This Ordinance shall take effect 30 days after adoption.

5 ENACTED this 2nd day of June, 2009, being the
6 1st reading and 1st public hearing before the Board of County Commissioners of
7 Washington County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

11 
12 CHAIRMAN

13 
14 RECORDING SECRETARY

15 READING

16 PUBLIC HEARING

17 First June 2, 2009

18 First June 2, 2009

19 Second _____

20 Second _____

21 Third _____

22 Third _____

Fourth _____

Fourth _____

Fifth _____

Fifth _____

Sixth _____

Sixth _____

VOTE: Aye: Duyck, Rogers, Strader, Nay: _____
Schouten

Recording Secretary: Barbara Hejtmanek Date: June 2, 2009

Community Development Code Section 106 DEFINITIONS is amended to reflect the following:

- 106-45** Cubic Foot Per Acre Per Year The average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the ~~USDA Soil Conservation Service~~Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where ~~such~~SCS data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry.
- 106-46** Cubic Foot Per Tract Per Year The average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the ~~USDA Soil Conservation Service~~Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where ~~SCS~~such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry.

Community Development Code Section 340 EXCLUSIVE FARM USE (EFU) DISTRICT and Section 344 AGRICULTURE AND FORESTRY 20 ACRE (AF-20) DISTRICT are amended to reflect the following:

1. Amend CDC Section 340-4, Uses Permitted Through a Type II Procedure, as shown below:

340-4 Uses Permitted Through a Type II Procedure

The uses listed in Sections 340-4.1 and 340-4.2 are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. Unless the use is specifically exempted, the Review Authority shall make specific findings with respect to the standards in Section 340-4.3.

340-4.1 Permitted Uses which are exempt from Section 340-4.3:

- A. Accessory dwellings customarily provided in conjunction with farm use – Section 430-37.2 D. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- B. Alteration, restoration or replacement of a lawfully established dwelling not permitted through a Type I procedure. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use. For required standards see Sections 430-8.2, 8.3, and 8.4.
- C. Dwelling Unit(s) occupied by a relative of the farm operator or farm operator's spouse who assists or will assist with the management of the farming. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use. For required standards see Section 430-37.2 C.
- D. Facility for the processing of farm crops or the production of biofuel, as defined in ORS 315.141, located on a farm operation that provides at least one-quarter of the crops processed at the facility. The building established for the processing facility shall not exceed ten-thousand (10,000) square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than ten-thousand (10,000) square feet to processing activities within another building supporting farm uses. A processing facility shall comply with all applicable siting standards but the standards shall not be applied in a manner that prohibits the siting of the processing facility. Any division or property line adjustment proposing to separate a processing facility from the farm operation on which it is located is prohibited.

2. Amend CDC Section 340-4.2, Permitted Uses which are subject to Section 340-4.3, as shown below:

340-4.2 Permitted Uses which are subject to Section 340-4.3:

- A. Commercial Activities in Conjunction with Farm Use, ~~not~~ including the processing of farm crops into biofuel not permitted under ORS 215.203(2)(b)(L) or as described in Section 340-4.1 DC. - Section 430-33.

NEW A landscaping contracting business, as defined in ORS 671.520, or a business providing landscape architecture services, as described in ORS 671.318, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes the primary farm use.

3. Amend CDC Section 344-4, Uses Permitted Through a Type II Procedure as shown below:

344-4 Uses Permitted Through a Type II Procedure

The uses listed in Section 344-4.1 and 344-4.2 are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. Unless the use is specifically exempted, the Review Authority shall make specific findings with respect to the standards in Section 344-4.3.

344-4.1 Permitted Uses which are exempt from Section 344-4.3:

- A. Accessory dwellings customarily provided in conjunction with farm use – Section 430-37.2 D. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- B. Alteration, restoration or replacement of a lawfully established dwelling not permitted through a Type I procedure. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use. For required standards see Section 430-8.2, 8.3, and 8.4.
- C. Dwelling Unit(s) occupied by a relative of the farm operator or farm operator's spouse who assists or will assist with the management of the farming. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use. For required standards see Section 430-37.2 C.
- D. Facility for the processing of farm crops or the processing of biofuel, as defined in ORS 315.141, located on a farm operation that provides at least one-quarter (¼) of the crops processed at the facility. The building established for the processing

facility shall not exceed ten-thousand (10,000) square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than ten-thousand (10,000) square feet to processing activities within another building supporting farm uses. A processing facility shall comply with all applicable siting standards but the standards shall not be applied in a manner that prohibits the siting of the processing facility. Any division or property line adjustment proposes to separate a processing facility from the farm operation on which it is located is prohibited.

4. Amend CDC Section 344-4.2, Permitted Uses which are subject to Section 344-4.3, as shown below:

344-4.2 Permitted Uses which are subject to Section 344-4.3:

- A. Commercial Activities in Conjunction with Farm Use, ~~not~~ including the processing of farm crops into biofuel not permitted under ORS 215.203(2)(b)(L) or as described in Section 344-4.1 CD. - Section 430-33.

NEW A landscaping contracting business, as defined in ORS 671.520, or a business providing landscape architecture services, as described in ORS 671.318, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes the primary farm use.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: ADOPT FINDINGS FOR ORDINANCE NO. 711

Presented by: Brent Curtis, Planning Manager

SUMMARY:

Ordinance No. 711 proposes to amend various sections of the Community Development Code (CDC) Element of the Comprehensive Plan to update county standards for compliance with changes made by the Oregon Legislature as well as changes made to Oregon Administrative Rules (OAR). Changes include updating the CDC definitions of “Cubic Foot Per Acre” and “Cubic Foot Per Tract Per Year” and adding the production of biofuel and landscaping contracting businesses to the allowed uses in CDC Sections 340 and 344.

As required by ORS 197.615, post acknowledgment comprehensive plan amendments (e.g., 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) must be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County’s Comprehensive Plan.

Attached is the Resolution and Order to adopt the findings for Ordinance No. 711. The proposed findings will be provided to the Board prior to the hearing and will also be available at the Clerk’s desk.

DEPARTMENT’S REQUESTED ACTION:

Adopt the proposed findings for Ordinance No. 711 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 09-43

Agenda Item No.	<u>7.c.</u>
Date:	<u>06/02/09</u>

IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting) RESOLUTION AND ORDER
Legislative Findings in Support)
of Ordinance No. 711) No. 09-43

This matter having come before the Washington County Board of Commissioners at its meeting of June 2, 2009; and

It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's Urban Growth Management Functional Plan relating to Ordinance No. 711; and

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

It appearing to the Board that the Planning Commission, at the conclusion of its public hearing on May 6, 2009, made a recommendation to the Board, which is in the record and has been reviewed by the Board; and

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

RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of Ordinance No. 711 are hereby adopted.

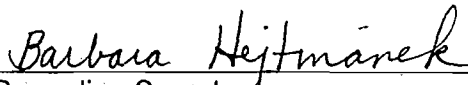
DATED this 2nd day of June, 2009.

	AYE	NAY	ABSENT
BRIAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STRADER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED AS TO FORM: ☒ ☐

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman


Recording Secretary

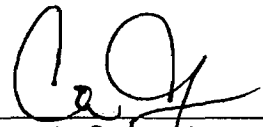

County Counsel
For Washington County, Oregon

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 711 AMENDING THE COMMUNITY DEVELOPMENT CODE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO LEGISLATIVE CHANGES AND GENERAL UPDATES

June 2, 2009

GENERAL FINDINGS

Ordinance No. 711 proposes to amend several sections of the Community Development Code (CDC) to implement changes to Oregon Administrative Rule (OAR) 660-006, House Bill 2210 (HB 2210) and House Bill 2069 (HB 2069).

Ordinance No. 711 amends Section 106 of the CDC to reflect recent changes to the definitions of "cubic foot per acre per year" and "cubic foot per tract per year" in OAR 660-006-0005. These definitions are applicable to forest related uses in the EFC District. Changes to CDC Sections 340 and 344 include the addition of the production of biofuel, as defined in ORS 315.141, to the allowed uses permitted through a Type II procedure (administrative review with public notice). Also, allowed uses through a Type II procedure in Sections 340 and 344 are amended to include landscaping contracting businesses and landscape architecture services as defined ORS 671.520 and ORS 671.318, respectively.

Because the ordinance would make changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The Board of County Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual applicable Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related OARs are not addressed because these resources are not located within Washington County.

GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that Ordinance No. 711 is consistent with Statewide Planning Goals, ORS and OAR requirements and the Washington County Comprehensive Plan, and Metro's Urban Growth Management Functional Plan (UGMFP).

Goal 1 - Citizen Involvement

Washington County has an acknowledged citizen involvement program that provides opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has utilized these requirements for the adoption of Ordinance No. 711.

Goal 2 - Land Use Planning

Statewide 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 Comprehensive Plan, which includes documents such as the Rural/Natural Resource Plan, Urban Planning Area Agreements and the Community Development Code (CDC). Washington County utilized this process to adopt Ordinance No. 711. Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

Goal 3 - Agricultural Land

CONCLUSION

Policy 15, Implementing Strategies (a) and (f) of the Rural/Natural Resource Plan include provisions for the preservation of agricultural lands. Plan compliance with Goal 3 is maintained with the amendments made by Ordinance No. 711. The amendments are consistent with the county's acknowledged policies and standards for protecting agricultural lands identified under Goal 3. This conclusion is supported by the following facts:

In response to HB 2210, the production of biofuels as a commercial activity in conjunction with a farm use has been added to the list of allowed Type II uses in the Exclusive Farm Use (EFU) and Agriculture and Forest (AF-20) Districts.

In response to HB 2069, landscaping contracting businesses and landscape architecture services have been added to the list of allowed Type II uses in the EFU and AF-20 Districts. Ordinance No. 711 does not amend the applicable Plan policies or strategies relating to farm use districts.

Goal 4 - Forest Lands

CONCLUSION

Policy 16 of the Rural/Natural Resource Plan includes provisions for the preservation of forest lands. Amendments made by Ordinance No. 696 are consistent with Goal 4; OAR Chapter 660, Division 06; and the county's acknowledged policies for preservation of forest lands. This conclusion is supported by the following facts:

OAR 660-006-0005 was amended by the Land Conservation and Development Commission (LCDC) in 2008. Specifically, the definitions of "cubic foot per acre" and "cubic foot per tract per year" were changed, and in response, Section 106 (DEFINITIONS) of the CDC is updated to reflect those changes.

Ordinance No. 711 does not amend the applicable Plan policies or strategies relating to forest use districts.

Goal 9 - Economy of the State

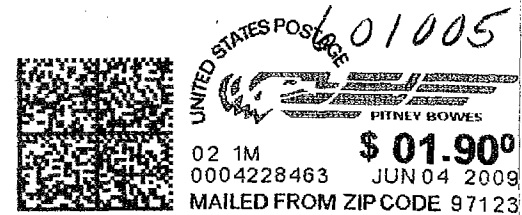
CONCLUSION

Policy 20 in the Comprehensive Framework Plan for the Urban Area and Policies 15, 16, 20 and 21 in the Rural/Natural Resource Plan set out the county's policies to strengthen the local economy. The Community Development Code contributes to a sound economy by providing standards that facilitate development in an orderly and efficient fashion. Plan compliance with Goal 9 is maintained with the amendments made by Ordinance No. 711. The amendments are consistent with the county's acknowledged policies and strategies for strengthening the local economy as required by Goal 9. This conclusion is supported by the following facts:

Implementing Strategy a. of Policy 20 (Urban Area Economy) of the county's Comprehensive Framework Plan for the Urban Area states in part that, "The County will clarify and streamline the development review process in the Community Development Code." While there are no specific CDC standards directly related to this goal, amendments to the CDC should follow this policy to achieve the economic development goal.

As previously mentioned, the production of biofuels as a commercial activity in conjunction with a farm use, landscaping contracting businesses and landscape architecture services have been added to the list of allowed Type II uses in the EFU and AF-20 Districts. These amendments to the CDC strengthen the local economy by expanding and diversifying the types of uses allowed in rural areas.

SHINGTON COUNTY - DLUT
g Range Planning Division, #350-14
North First Avenue
sboro, OR 97124-3072



**Attn: Plan Amendment Specialist
DLCD
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540**