



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

June 26, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Washington County Plan Amendment
DLCD File Number 005-06

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: July 12, 2006

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Ron Eber, DLCD Farm/Forest Specialist
Aisha Willits, Washington County

<paa> ya/

DLCD NOTICE OF ADOPTION

JUN 22 2006

This form must be received by DLCD within 5 working days after the final date of adoption per ORS 197.610, OAR Chapter 660 - Division 18 (See reverse side for submittal requirements)

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Washington County

Local File No.: Ordinance No. 660 (If no number, use none)

Date of Adoption: June 20, 2006 (Must be filled in)

Date Mailed: June 21, 2006

Date the Notice of Proposed Amendment was mailed to DLCD: April 20, 2006

- Comprehensive Plan Text Amendment, Land Use Regulation Amendment, New Land Use Regulation, Comprehensive Plan Map Amendment, Zoning Map Amendment, Other: (Please specify type of action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached." Ordinance No. 660 amends the Community Development Code section 430-37.2 to remove the inflation standards for Primary dwelling units that must meet the gross annual income standards outlined in ORS 215.203. The income Standards listed in the ORS section do not require an inflation index. This ordinance removes the inflation index currently Used by Washington County in order to conform the county's process for approval of farm dwellings to state law.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice for the proposed amendment, write "N/A." SAME

Plan Map Changed from: N/A to: N/A

Zone Map Changed from: N/A to: N/A

Location: N/A Acres involved: N/A

Specified Change in Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 3

Is an Exception Proposed? Yes: No: Was an Exception Adopted? Yes: No:

DLCD No: 005-04(15167)

Did the Department of Land Conservation and Development receive a notice a Proposed Amendment FORTY-FIVE (45) days prior to the first evidentiary hearing?

Yes: No:

If no, do the Statewide Planning Goals apply?

Yes: No:

If no, did The Emergency Circumstances require immediate adoption?

Yes: No:

Affected State and Federal Agencies, Local Governments or Special Districts:

Washington County

Local Contact: Aisha Willits, Senior Planner

Area Code + Phone Number: 503-846-3961

Address: Washington County DLUT, 155 N First Avenue, Suite 350-14

City: Hillsboro

Zipcode + 4: 97124-3072

Email Address: Aisha_willits@hotmail.com

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 – Division 18

1. Send this Form and **TWO (2)** Copies of the Adopted Amendment to :

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** of the adopted material, if copies are bound, please submit **TWO (2)** complete copies of documents and maps.
3. **Please Note:** Adopted materials must be sent to DLCD no later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8½ x 11 inch green paper only; or call the DLCD Office at (503) 373-0050; or Fax you request to (503) 378-5518; or email your request to Larry.French@state.or.us – ATTENTION: PLAN AMENDMENT SPECIALIST.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: PROPOSED ORDINANCE NO. 660 – AN ORDINANCE
AMENDING THE COMMUNITY DEVELOPMENT CODE
RELATING TO THE REMOVAL OF THE FARM DWELLING
INCOME INDEXING STANDARD

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

SUMMARY (Attach Supporting Documents if Necessary)

Ordinance No. 660 proposes to amend the Community Development Code (CDC) to make changes to Section 430-37.2, SPECIAL USE STANDARDS FOR DETACHED DWELLING UNITS IN THE RURAL AREA. The changes proposed by Ordinance No. 660 remove the income indexing or "inflation" standard for high-value farm land within the EFU and AF-20 Districts. The indexing standard is also proposed for removal from non high-value lands within the AF-20 District. The ordinance required that the income standards be adjusted annually to reflect changes in inflation. The Portland/Vancouver CPIU (Consumer Price Index for Urban Consumers) was used to adjust the income standards each year. References to the CPIU are also proposed for deletion from CDC Section 430-37.2. The changes proposed by Ordinance No. 660 serve to bring the county's Comprehensive Plan into compliance with state rules relating to farm dwelling income standards.

On June 7, 2006, the Planning Commission conducted a public hearing on the ordinance. The Planning Commission's recommendation will be included in the staff report, which will be provided to the Board prior to the June 20, 2006 hearing. Copies of the report will also be available at the Clerk's desk prior to the hearing.

- 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.

DEPARTMENT'S REQUESTED ACTION:

Read Ordinance No. 660 by title only and conduct the public hearing. At the conclusion of the public hearing, adopt Ordinance No. 660.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	<u>6.b.</u>
Date:	<u>6/20/06</u>

APR 18 2008

**Washington County
County Clerk**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

ORDINANCE No. 660

An Ordinance Amending the
Community Development Code
Element of the Comprehensive Plan
Relating to Removal of the Farm
Dwelling Income Indexing Standard

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 ("CDC") 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 and 654.

B. Subsequent ongoing planning efforts of the County indicate a need for changes to the CDC element of the Comprehensive Plan to update data relating to farm income indexing standard. The Board takes note that such changes are necessary to

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1 assure consistency with state law and are for the benefit of the residents of Washington
2 County, Oregon.

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

9 D. 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 that this
11 Ordinance complies with the Statewide Planning Goals, and the standards for legislative
12 plan adoption, as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the
13 Washington County Charter, and the Washington County Community Development Code.

14 SECTION 2

15 Exhibit 1 (1 page), attached hereto and incorporated herein by reference, is hereby
16 adopted as amendments to CDC Section 430-37.2 SPECIAL USE STANDARDS for
17 Detached Dwelling Units in the Rural Area.

18 SECTION 3

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

22 ////

1 SECTION 4

2 All applications received prior to the effective date shall be processed in accordance
3 with ORS 215.427 (2005 Edition).

4 SECTION 5

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

10 SECTION 6

11 The Office of County Counsel and Department of Land Use and Transportation are
12 authorized to prepare planning documents to reflect the changes adopted under Section 2
13 of this Ordinance, including deleting and adding textual material and maps, renumbering
14 pages or sections, and making any technical changes not affecting the substance of these

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21 ////

22 ////

1 amendments as necessary to conform to the Washington County Comprehensive Plan
2 format.

3 SECTION 7

4 This Ordinance shall take effect thirty (30) days after adoption.

5 ENACTED this 20th day of JUNE, 2006, being the 1st reading
6 and 1st public hearing before the Board of County Commissioners of Washington
7 County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

[Signature]
11 CHAIRMAN

[Signature]
12 RECORDING SECRETARY

13 READING

PUBLIC HEARING

14 First June 20, 2006
15 Second _____
16 Third _____
17 Fourth _____
18 Fifth _____
19 Sixth _____

June 20, 2006

20 VOTE: Aye: Brian Leeper, Duyck,
21 Schouten

Nay: _____

22 Recording Secretary: Barbara Hejtmanek Date: June 20, 2006

CDC Section 430-37.2 SPECIAL USE STANDARDS for Detached Dwelling Units in the Rural area is amended to reflect the following:

430-37.2 Rural

- A. In the EFU and AF-20 Districts, a primary dwelling unit customarily provided in conjunction with farm use may be approved when the following standards are met:
- (1) The subject tract is currently employed for farm use, as defined in ORS 215.203, that produced:
 - (a) In the EFU and AF-20 Districts on land identified as high-value farmland at least \$80,000 (1994 dollars) in gross annual income from the sale of farm products in the last two years or three of the last five years; or
 - (b) In the AF-20 District on land not identified as high-value farmland at least \$20,000 (1994 dollars) in gross annual income from the sale of farm products in the last two years or three of the last five years.

~~By March 1st of each year, the Director shall publish an annual table specifying the basis for determining the required annual income in 1994 dollars for that year and each of the last five (5) years. The table shall be computed from the Portland/ Vancouver Area CPIU, with the CPIU for the second half of 1994 as the base number for 1994 dollars. The table shall include a factor, stated as a percentage, by which any dollar amount for the year and each of the last five (5) years shall be multiplied to determine equivalent 1994 dollars. The table shall also include the equivalent of \$20,000 and \$80,000 in 1994 dollars* for the year and each of the last five (5) years;~~

~~* editor's note: The following table provides equivalent annual farm income amounts for 1994 through 2001, based on US Bureau of Labor Statistics data for Average Annual CPIU (Consumer Price Index for Urban Consumers) for the Portland Area:~~

Year	Annual Average CPIU (Portland Area)	Percentage of the CPIU for 1994	\$ Equivalent to \$20,000 in 1994	\$ Equivalent to \$80,000 in 1994
2001	182.4	122.5%	24,500	98,000
2000	178.0	119.5%	23,900	95,600
1999	172.6	115.9%	23,180	92,720
1998	167.1	112.2%	22,440	89,760
1997	164.0	110.1%	22,000	88,000

abcdef Proposed additions

abedef Proposed deletions

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Department of Land Use & Transportation (all rural CPOs)

Agenda Title: **ADOPT FINDINGS FOR ORDINANCE NO. 660 REGARDING SPECIAL USE STANDARDS FOR DETACHED DWELLING UNITS IN THE RURAL AREA**

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

Ordinance No. 660 proposes to amend the Community Development Code (CDC) to make changes to Section 430-37.2, SPECIAL USE STANDARDS FOR DETACHED DWELLING UNITS IN THE RURAL AREA. The changes proposed by Ordinance No. 660 remove the income indexing or "inflation" standard for high-value farm land within the EFU and AF-20 Districts. The indexing standard is also proposed for removal from non high-value lands within the AF-20 District. The ordinance required that the income standards be adjusted annually to reflect changes in inflation. The Portland/Vancouver CPIU (Consumer Price Index for Urban Consumers) was used to adjust the income standards each year. References to the CPIU are also proposed for deletion from CDC Section 430-37.2. The changes proposed by Ordinance No. 660 serve to bring the county's Comprehensive Plan into compliance with state rules relating to farm dwelling income standards.

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. 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. 660 and sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 06-144

Agenda Item No. 10.b.

Date: 6/20/06

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. 660) No. 06-144

This matter having come before the Washington County Board of Commissioners at its meeting of June 20, 2006; 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, and Washington County's Comprehensive Plan relating to Ordinance No. 660; 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 June 7, 2006, 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 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. 660 are hereby adopted.

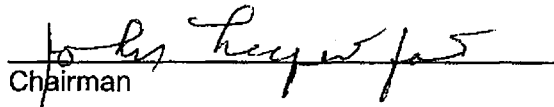
DATED this 20th day of June, 2006.

	AYE	NAY	ABSENT
BRIAN	✓	—	—
SCHOUTEN	✓	—	—
LEEPER	✓	—	—
APPROVED AS TO FORM:			✓
DUYCK	✓	—	—

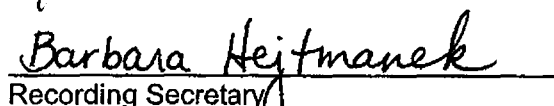


County Counsel
For Washington County, Oregon

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON



Chairman



Recording Secretary

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 660 AMENDING THE COMMUNITY DEVELOPMENT CODE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO THE REMOVAL OF FARM DWELLING INCOME INDEXING STANDARDS

JUNE 20, 2006

GENERAL FINDINGS

Ordinance No. 660 amends the Community Development Code element of the Comprehensive Plan relating to the removal of the income indexing standard that applies to detached dwelling units in the Exclusive Farm Use (EFU) and Agriculture & Forestry (AF-20) Districts. In May 2002, the Oregon Administrative Rules (OARs) relating to farm dwellings were modified to remove the farm dwelling income indexing standard. Ordinance No. 660 proposes to remove the text within CDC Section 430-37.2 relating to the income indexing standard. The changes proposed by Ordinance No. 660 would update the county's Community Development Code to conform to state rules with regard to income standards for farm dwellings.

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 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. 660 is consistent with Statewide Planning Goals, ORS and OAR requirements and the Washington County Comprehensive Plan.

Goal 1 - Citizen Involvement

CONCLUSION

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 this ordinance. Plan compliance with Goal 1 is maintained by implementing these citizen involvement options. This conclusion is supported by the following facts:

FACTS

1. Washington County's Citizen Participation Policy is outlined in Resolution and Order 86-58.
2. Resolution and Order 86-58 endorses a variety of citizen involvement mechanisms. These include public hearings, town hall meetings, open houses, advisory committees, the Committee for Citizen Involvement (CCI) and Citizen Participation Organizations (CPOs).
3. Proposed Ordinance No. 660 and an accompanying summary were mailed on May 3, 2006 to the CPOs and CCI. Also on May 3, 2006, notice of the ordinance was mailed to special service districts and cities in Washington County and other interested parties. Additionally, notice of the proposed ordinance and copies of the ordinance were mailed to DLCD on April 20, 2006.
4. A copy of the proposed ordinance was made available for review at the Cedar Mill Library and the Tigard Public Library. Copies of the ordinance were also available for review in the office of the Department of Land Use and Transportation and on the county's website.
5. Chapter X of the County Charter requires that a display ad be published in local newspapers at least 14 days prior to the first hearing. Display ads for Ordinance No. 660 were published in the following newspapers: the Washington County Weekly section of *The Oregonian* on May 18, 2006 and *The Hillsboro Argus* on May 19, 2006.
6. Chapter X of the County Charter requires that individual notice for the initial public hearings on the ordinance be mailed at least 14 days prior to the first hearing to those persons who have requested them in writing and paid a fee. Notice for Proposed Ordinance No. 660 was mailed on May 24, 2006.
7. The Planning Commission held a public hearing for this ordinance on June 7, 2006. This hearing resulted in a recommendation for adoption of Ordinance No. 660 to the Board of Commissioners. The Board of Commissioners held a public hearing on this ordinance on June 20, 2006 and voted to adopt the ordinance as filed.

Goal 2, Land Use Planning

CONCLUSION

Statewide Planning Goal 2 addresses Land Use Planning. Goal 2 requires an adequate factual base to support a decision and 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. Washington County utilized this process to adopt this ordinance.

The amendments that were made to the Community Development Code by this ordinance are consistent with the parameters set forth in the acknowledged Comprehensive Framework Plan for the Urban Area - Policy 1, Implementing Strategy (d); and the Rural/Natural Resource Plan - Policy 1, Implementing Strategy (d). Plan compliance with Goal 2 is maintained by implementing these two strategies. This conclusion is supported by the following facts:

FACTS

1. The acknowledged Comprehensive Framework Plan for the Urban Area and Rural/Natural Resource Plan both require that legislative Plan and Code amendments be adopted by ordinance in accordance with the procedures specified in the Washington County Charter and State Law.
2. Chapter X, Section 100(d) of the County Charter defines "land use ordinances" to include any ordinance that amends a comprehensive plan. Ordinance No. 660 amends the county's Community Development Code, which is an element of the county's Comprehensive Plan. It is therefore a legislative land use ordinance in accordance with the definitions in Chapter X of the County Charter.
3. Chapter X of the Washington County Charter requires that initial notice of public hearings be prepared by the Land Use Ordinance Advisory Commission. The Commission met May 18, 2006 to draft a notice for Ordinance No. 660. The Charter also requires that the notice be mailed at least 14 days prior to the initial Planning Commission hearing to those persons who have requested notices in writing and paid a fee. This notice was mailed on May 24, 2006.
4. Chapter X requires that a display ad be published in a newspaper of general circulation 14 days prior to the initial Planning Commission hearing, which was held on June 7, 2006. ORS Chapter 215.060 requires the county to provide 14 days advance public notice prior to the first public hearing. Display ads were

published in the following newspapers: the Washington County Weekly section of *The Oregonian* on May 18, 2006 and *The Hillsboro Argus* on May 19, 2006.

5. ORS 197.610, OAR 660-018-0020 and Senate Bill 543 (effective on June 30, 1999) require that notice of proposed amendments to the county's acknowledged comprehensive plan shall be forwarded to the Director of the Department of Land Conservation and Development (DLCDD) at least 45 days before the first hearing. Notice of Proposed Ordinance No. 660 was mailed to DLCDD on April 20, 2006.
6. At its hearing on April 18, 2006, the Board of County Commissioners authorized the 2006 Planning Division and Land Use Ordinance Work Program, which included the filing of an ordinance to remove the income indexing standard for farm dwellings in Section 430-37.2 (Detached Dwelling Units in the Rural Area) of the Community Development Code. These changes were included in Proposed Ordinance No. 660.

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. 660. 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:

FACTS

1. The EFU and AF-20 land use districts are Washington County's acknowledged exclusive farm use districts. Ordinance No. 660 amends the special use standards for detached dwellings in the rural area, which includes the EFU and AF-20 land use districts.
2. Section 430-37.2 A. was amended to remove the income indexing standard for farm dwellings in the EFU and AF-20 land use districts. On high-value farm land, applicants for farm dwellings on EFU and AF-20 land would be required to demonstrate evidence of meeting the \$80,000 income standard, rather than the inflated income standard based on \$80,000 in 1994 dollars. On non high-value land in the AF-20 district, the applicants would have to meet the \$20,000 income standard in present-day dollars rather than the same amount in 1994 dollars. This ordinance reflects changes made to Oregon Administrative Rules in May 2002, which removed the inflation index from the income test for farm dwellings.

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. 660 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:

FACTS

1. The EFC District is Washington County's acknowledged exclusive forest district. Ordinance No. 660 did not amend the applicable Plan policies or Code standards related to forest land resources which impact the county's compliance with Goal 4. Therefore, it is not necessary to make specific findings for Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas and Natural Resources

CONCLUSION

Policies 10, 11 and 12 of the Comprehensive Framework Plan for the Urban Area, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan and various sections of the Community Plans and the Community Development Code include provisions for the protection of Goal 5 resources. In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to Post Acknowledgment Plan Amendments (PAPAs) initiated on or after September 1, 1996 when the PAPA 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 if the PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 site.

Plan compliance with Goal 5 is maintained with amendments made by Ordinance No. 660. The amendments are consistent with the county's acknowledged policies and standards for the protection of Goal 5 resources as well as those set forth in OAR 660 Division 23. This conclusion is supported by the following facts:

FACTS

1. Ordinance No. 660 amended the Community Development Code element of the Comprehensive Framework Plan relating to the removal of income indexing standards for farm dwellings in the EFU and AF-20 Districts. Therefore, it is not necessary to make specific findings for Goal 5.

Goal 6 - Air, Water and Land Resource Quality

CONCLUSION

Policies 4, 5, 6 and 7 in the Comprehensive Framework Plan for the Urban Area and Policies 4, 5, 6, and 7 of the Rural/Natural Resource Plan provide for the maintenance and improvement of the quality of air, water and land resources.

Plan compliance with Goal 6 is maintained with the amendments made by Ordinance No. 660. The amendments are consistent with the county's acknowledged policies and standards for the protection of Goal 6 resources. This conclusion is supported by the following facts:

FACTS

1. The Community Development Code standards related to these resources are contained in Section 379 (Mineral and Aggregate Overlay District), Section 410 (Grading and Drainage), Section 423 (Environmental Performance Standards) and Section 426 (Erosion Control).
2. Ordinance No. 660 amends Section 430-37.2 (Detached Dwelling Units in the Rural Area) of the Community Development Code. Ordinance No. 660 did not amend the applicable Plan policies or Code standards related to air, water or land resources which impact the county's compliance with Goal 6. Therefore, it is not necessary to make specific findings for Goal 6.

Goal 7 - Natural Disasters and Hazards

CONCLUSION

Policy 8 in the Comprehensive Framework Plan for the Urban Area and Policy 8 in the Rural/Natural Resource Plan set out the county's policy to protect life and property from natural disasters and hazards. Plan compliance with Goal 7 is maintained with the amendments made by Ordinance No. 660. 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. This conclusion is supported by the following facts:

FACTS

1. The Community Development Code standards relating to natural disasters and hazards are contained in Sections 410 (Grading and Drainage) and 421 (Flood Plain and Drainage Hazard Area Development).

2. Ordinance No. 660 amends Section 430-37.2 of the Community Development Code relating to detached dwelling units in the rural area. The ordinance removes the income indexing standard for farm dwellings within the EFU and AF-20 Districts. Ordinance No. 660 did not amend the applicable Plan policies related to flood plain areas, or to natural disasters and hazards. Therefore, it is not necessary to make specific findings for Goal 7.

Goal 8 - Recreation Needs

CONCLUSION

Policies 33 and 34 of the Comprehensive Framework Plan for the Urban Area, Policy 24 of the Rural/Natural Resource Plan and the individual Community Plans address the recreational needs of the citizens of Washington County and visitors. Plan compliance with Goal 8 is maintained with the amendments made by Ordinance No. 660. The amendments are consistent with the county's acknowledged policies and strategies for satisfying recreational needs as required by Goal 8. This conclusion is supported by the following facts:

FACTS

1. The Code standards related to recreation uses are contained in Sections 405 (Open Space), 430-11 (Amusement Park), 430-25 (Campground), 430-50 and 430-51 (Golf Courses), 430-69 (Hunting and Fishing Preserves), 430-95 (Parks – Type I), 430-97 (Parks – Type II), 430-100 (Private Hunting and Fishing Operations in the EFC District), 430-125 (Shooting Club), 430-131 (Special Recreation Use) and 431-7 (Common Open Space).
2. Ordinance No. 660 amends Section 430-37.2 of the Community Development Code relating to detached dwelling units in the rural area. The ordinance removes the income indexing standard for farm dwellings within the EFU and AF-20 districts. Ordinance No. 660 did not directly amend any Plan policies or strategies or Code standards relating to Goal 8. Therefore, it is not necessary to make specific findings for Goal 8.

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. 660. 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:

FACTS

1. 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 Code standards directly related to this goal, amendments to the Code should follow this policy to achieve the economic development goal.
2. Ordinance No. 660 amends Section 430-37.2 of the Community Development Code relating to detached dwelling units in the rural area. The ordinance removes the income indexing standards for farm dwellings within the EFU and AF-20 districts. Ordinance No. 660 did not directly amend any Plan policies or strategies or Code standards relating to Goal 9. Therefore, it is not necessary to make specific findings for Goal 9.

Goal 10 - Housing

CONCLUSION

Policies 21, 22, 23 and 24 of the Comprehensive Framework Plan for the Urban Area 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 Community Development Code contributes to the provision of adequate housing by establishing standards that facilitate development in an orderly and efficient fashion. Plan compliance with Goal 10 is maintained with the amendments made by Ordinance No. 660. The amendments are consistent with the county's acknowledged policies and standards for regulating housing in the urban and rural area as required by Goal 10. This conclusion is supported by the following facts:

FACTS

1. Ordinance No. 660 amended Section 430-37.2 of the Community Development Code to remove the income indexing standard for farm dwellings within the EFU and AF-20 districts. The ordinance did not directly amend the applicable Plan policies related to housing. Therefore, it is not necessary to make specific findings for Goal 10.

Goal 11 - Public Facilities and Services

CONCLUSION

Policies 15, 25, 26, 27, 28, 29, 30 and 31 of the Comprehensive Framework Plan for the Urban Area 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 Community Development Code requires that adequate public facilities and services be available for new development. Plan compliance with Goal 11 is maintained with the amendments made by Ordinance No. 660. 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 are also consistent with the provisions of Chapter 660, Division 11 of the Oregon Administrative Rules and Oregon Revised Statute 195.110. This conclusion is supported by the following facts:

FACTS

1. The standards for public facilities and services in the Community Development Code are outlined in Article V (Public Facilities and Services).
2. In 1991, Washington County adopted a public facility plan, consistent with OAR 660, Division 11. Ordinance No. 660 does not amend the Washington County Public Facilities Plan.
3. Ordinance No. 660 amends Section 430-37.2 of the Community Development Code relating to the removal of the income indexing standard for farm dwellings within the EFU and AF-20 districts. The ordinance amended the Code to state that on high-value farm land, applicants for farm dwellings on EFU and AF-20 land would be required to demonstrate evidence of meeting the \$80,000 income standard, rather than the inflated income standard based on \$80,000 in 1994 dollars. On non high-value land in the AF-20 district, the applicants would have to meet the \$20,000 income standard in present-day dollars rather than 1994 dollars.
4. Farm dwellings approved under the amended income standard will be required to meet all standards required for public facilities and services related to the siting of a dwelling in the rural area.

Goal 12 - Transportation

CONCLUSION

Policy 32 of the Comprehensive Framework Plan for the Urban Area, Policy 23 of the Rural/Natural Resource Plan, and in particular the Washington County 2020

Transportation Plan, describe the transportation system necessary to accommodate the transportation needs of Washington County through the year 2020. Implementing measures are contained in the Transportation Plan and the Community Development Code. Plan compliance with Goal 12 is maintained with the amendments made by Ordinance No. 660. 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) and the Regional Transportation Plan (RTP). This conclusion is supported by the following facts:

FACTS

1. Ordinance No. 660 did not amend the applicable Plan policies related to transportation. Therefore, it is not necessary to make specific findings for Goal 12.

Goal 13 - Energy Conservation

CONCLUSION

Policies 36, 37, 38, 39 and 40 of the Comprehensive Framework Plan for the Urban Area and Policy 25 of the Rural/Natural Resource Plan address energy conservation in the urban and rural areas of unincorporated Washington County. The Community Development Code implements the energy conservation policies by establishing standards that promote energy efficient development, especially in Article IV. Plan compliance with Goal 13 is maintained with the amendments made by Ordinance No. 660. The amendments are consistent with the county's acknowledged policies and strategies for promoting energy conservation as required by Goal 13. This conclusion is supported by the following facts:

FACT

1. Ordinance No. 660 did not amend the applicable Plan policies or code sections related to energy conservation. Therefore, it is not necessary to make specific findings for Goal 13.

Goal 14 - Urbanization

CONCLUSION

Policies 13, 14, 16, 17, 18 and 19 of the Comprehensive Framework Plan for the Urban Area address urbanization within the Regional Urban Growth Boundary. The Community Development Code 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. Plan compliance with Goal 14 is maintained with the amendments made by Ordinance No. 660. The amendments are consistent with the county's acknowledged policies and strategies for urbanization as required by Goal 14. This conclusion is supported by the following facts:

FACTS

1. Ordinance No. 660 amends Section 430-37.2 of the Community Development Code relating to the removal of the income indexing standard for farm dwellings within the EFU and AF-20 districts. The ordinance amended the Code to state that on high-value farm land, applicants for farm dwellings on EFU and AF-20 land would be required to demonstrate evidence of meeting the \$80,000 income standard, rather than the inflated income standard based on \$80,000 in 1994 dollars. On non high-value land in the AF-20 district, the applicants would have to meet the \$20,000 income standard in present-day dollars rather than 1994 dollars.
2. Ordinance No. 660 did not amend the applicable Plan policies or Code standards related to urbanization which impacts the county's compliance with Goal 14. Therefore, it is not necessary to make specific findings for Goal 14.