



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office Fax: (503) 378-5518

Third Floor/Measure 37 Fax: (503) 378-5318

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

November 6, 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 017-06



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: November 16, 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
Aisha Willits, Washington County

<paa> ya/



DLCD NOTICE OF ADOPTION

OCT 30 2006

This form must be received by DLCD within 5 working days after the final decision 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. 674 (If no number, use none)

Date of Adoption: October 24, 2006 (Must be filled in)

Date Mailed: October 26, 2006

Date the Notice of Proposed Amendment was mailed to DLCD: August 30, 2006

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

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached." Ordinance No. 674 makes amendments to various elements of the Comprehensive Plan relating to housekeeping Changes. Changes include updating the functional classification map in the 2020 Transportation Plan; adding clarifying Text to the Aloha-Reedville-Cooper Mountain Community Plan; clarifying definitions and standards related to lot lines, Procedures for Type I and II development actions, and dwelling units in the R-5 and R-6 Districts. Text corrections and Clarifications are made to land use districts, and standards for circulation analysis, forest dwellings, and service Extensions.

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: Various areas throughout the county Acres involved: N/A

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

Applicable Statewide Planning Goals: 1, 2, 3, 4, 10, 11, 12

Is an Exception Proposed? Yes: No: [checked]

Was an Exception Adopted? Yes: No: [checked]

DLCD No: 017-06 (15514)

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@co.washington.or.us

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 –
Land Use & Transportation; County Counsel (All CPOs)

Agenda Title: PROPOSED ORDINANCE NO. 674 – AN ORDINANCE
AMENDING THE 2020 TRANSPORTATION PLAN, THE ALOHA-
REEDVILLE-COOPER MOUNTAIN COMMUNITY PLAN AND
THE COMMUNITY DEVELOPMENT CODE RELATING TO
HOUSEKEEPING AMENDMENTS

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

SUMMARY (Attach Supporting Documents if Necessary)

Ordinance No. 674 proposes to amend various elements of the Comprehensive Plan to make housekeeping changes. The proposed changes correct a mapping error on the Lane Numbers Map of the 2020 Transportation Plan and clarifies the language relating to the provision of pedestrian and bicycle pathways in the Aloha-Reedville-Cooper Mountain Community Plan. Several changes are also made to the Community Development Code relating to procedure types for certain uses, clarifying definitions and standards for application materials and to refine the procedures followed at meetings before the county's Hearings Officer. The amendments also correct CDC Sections cross-referenced throughout the document, and add references to Oregon Revised Statutes and Oregon Administrative Rules relating to forest dwelling standards and water and sewer line extensions outside of urban growth boundaries.

On October 18, 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 October 24, 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. 674 by title only and conduct the public hearing. At the conclusion of the public hearing, adopt Ordinance No. 674.

COUNTY ADMINISTRATOR'S RECOMMENDATION: I concur with the requested action.

ADOPTED

Agenda Item No.	<u>4.c.</u>
Date:	10/24/06

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE NO. 674

An Ordinance Amending the 2020
Transportation Plan, the Aloha-
Reedville-Cooper Mountain Community
Plan, and the Community Development
Code Element of the Comprehensive
Plan Relating to Housekeeping
Amendments

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 Transportation Plan Element of the Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, with portions subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, 611, 626, 627, 631, 642, and 649.

B. The Board of County Commissioners of Washington County, Oregon, recognizes that the Aloha-Reedville-Cooper Mountain Community Plan was adopted by Ordinance Nos. 263 and 265 and amended by Ordinance Nos. 292, 294, 344, 367, 418, 420, 471, 480, 551, 588, 610, 615, 620, 649, and 653.

C. 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,

1 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525-
2 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-
3 605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654,
4 660, and 661.

5 D. Subsequent ongoing planning efforts of the County indicate a need for changes to
6 the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan, and the
7 Community Development Code element of the Comprehensive Plan relating to a general update
8 and housekeeping changes. The Board takes note that such changes are necessary for the benefit
9 of the health, safety, and general welfare of the residents of Washington County, Oregon.

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

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

21 ////

22 ////

1 SECTION 2

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

- 4 (A) Exhibit 1 (1 page) amending the 2020 Transportation Plan, Lane Numbers Map;
- 5 (B) Exhibit 2 (1 page) amending the General Design Element 8 of the Aloha-Reedville-
6 Cooper Mountain Community Plan;
- 7 (C) Exhibit 3 (1 page) amending Community Development Code Article I:
8 INTRODUCTION AND GENERAL PROVISIONS;
- 9 (D) Exhibit 4 (5 pages) amending Community Development Code Article II:
10 PROCEDURES;
- 11 (E) Exhibit 5 (14 pages) amending Community Development Code Article III: LAND
12 USE DISTRICTS;
- 13 (F) Exhibit 6 (5 pages) amending Community Development Code Article IV:
14 DEVELOPMENT STANDARDS; and
- 15 (G) Exhibit 7 (1 page) amending Community Development Code Section 710,
16 ALTERATIONS TO SIGNIFICANT NATURAL RESOURCES.

17 ///
18 ///
19 ///
20 ///
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 (2005 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 thirty (30) days after adoption.

5 ENACTED this 24th day of October, 2006, being the 1st reading and
6 1st public hearing before the Board of County Commissioners of Washington County,
7 Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

11 John Leeper for
CHAIRMAN

12 Barbara Hejtmanek
RECORDING SECRETARY

13 READING

13 PUBLIC HEARING

14 First October 24, 2006

14 October 24, 2006

15 Second _____

15 _____

16 Third _____

16 _____

17 Fourth _____

17 _____

18 Fifth _____

18 _____

19 Sixth _____

19 _____

20 VOTE: Aye: Brian, Leeper, Schouten

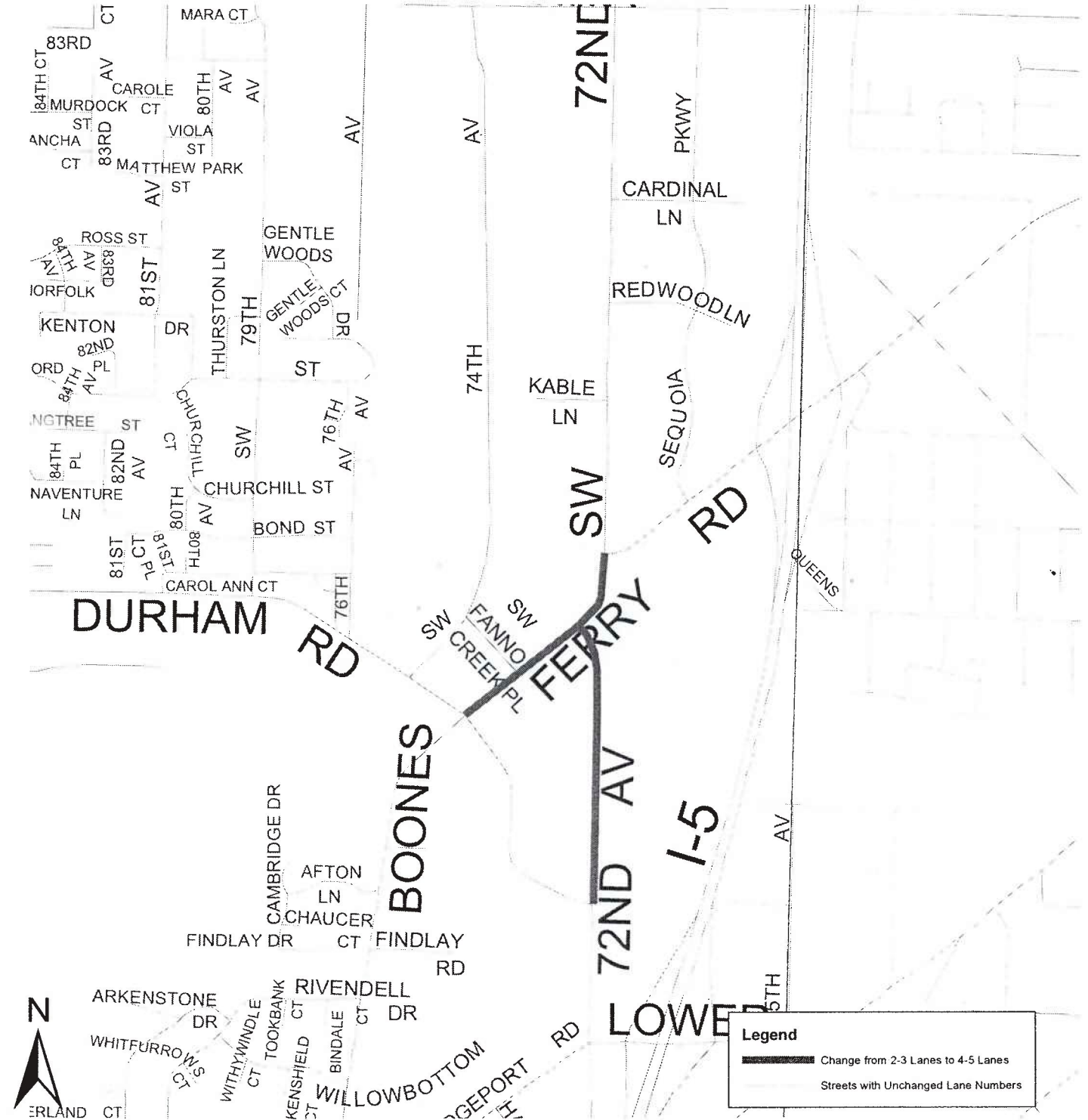
20 Nay: _____

21 Recording Secretary: Barbara Hejtmanek

22 Date: October 24, 2006

Washington County 2020 Transportation Plan Lane Numbers Map

Revise the lane numbers of the roads shown below on the Washington County Lane Numbers map (Figure 5).



General Design Element 8 of the Aloha-Reedville-Cooper Mountain Community Plan is amended to reflect the following:

8. Pedestrian/bicycle pathways identified in the County's Transportation Plan and this community plan shall be included in the design of road improvements that are required of new developments to meet the County's growth management policies, ~~pedestrian/bicycle pathways identified in the County's Transportation Plan shall be included.~~

CDC Article I: INTRODUCTION AND GENERAL PROVISIONS is amended to reflect the following:

1. Amend Section 106, DEFINITIONS, as follows:

106-113.2 Rear Lot Line The line which divides one lot from another opposite from the front lot line. For irregular or triangular lots, the rear lot line shall be a line ten (10) feet in length, within the lot, parallel to and at the maximum distance from the front lot line. A four-sided irregular lot is one in which a side lot line and the rear lot line form an interior angle of at least 135 degrees.

CDC Article II: PROCEDURES is amended to reflect the following:

1. Amend Section 203, PROCESSING TYPE I, II AND III DEVELOPMENT ACTIONS, as follows:

203-1 Initiation and Withdrawal of Action

203-1.1 Type I, II and III development actions may be initiated only by:

- A. Application by all the owners or all the contract purchasers of the subject property, or any person authorized in writing to act as agent of the owners or contract purchasers. For development allowed within a recorded easement, the signature of the other party to the easement is not required. In case of an application for a plan designation which requires that an exception be taken to Statewide Goals 3 and 4 pursuant to Goal 2, only one owner/applicant's signature is required. Contract purchasers shall indicate in writing that the contract vendor(s) has been notified of the application. If a lot or parcel has been divided without the approval of the County and such approval was required at the time the division occurred, a development action for approval of the improper division may be initiated by the owners of a portion of the existing lot or parcel, notwithstanding that less than all of the owners of the existing legal lot or parcel have applied for the approval;
- B. The Board of County Commissioners;
- C. The Planning Commission;
- D. The Director; or
- E. Public agencies or private entities that have statutory rights of eminent domain for projects they have the authority to construct.

203-1.2 The Director may withdraw any application, petition for review or motion for reconsideration at the request of the applicant or petitioner except when an application is deemed complete. Once accepted as complete, ~~however, the application~~ applicant or petitioners shall be entitled to may be withdrawn by right only if the Director determines that:

- A. Written consent to withdraw an application has been obtained from a majority of the owners or contract purchasers or the majority interest holders in the property, or all signers of the petition for review; and
- B. No existing violation of this Code or the Comprehensive Plan, which might best be cured by further processing the application, have been identified on the subject property.

- 203-1.3 If an application, petition for review or motion for reconsideration is withdrawn after public notice has been provided and the Review Authority has not rendered a decision, the Director shall provide written notification to all persons that were entitled to be mailed a public notice of pending review of the Type II or Type III action and all parties of record stating the application has been withdrawn.
- 203-1.4 Fees for applications and petitions for review withdrawn at the request of the applicant shall be refunded, less the actual costs incurred by the County.

2. Amend Section 203-3.3, Neighborhood Meeting Requirements, as follows:

203-3.3 Neighborhood Meeting Requirements

Neighborhood meetings shall be held at a location within the boundaries of the applicable CPO. The meeting shall be held on a weekday evening, or weekends at any reasonable time. Mailed notice of the meeting shall be provided by the applicant to the surrounding neighborhood and applicable CPO. The applicant shall also post notice of the neighborhood meeting by posting a sign on the subject site in advance of the meeting. The applicant shall prepare meeting notes of major points about the development proposal that were discussed at the meeting. The applicant shall be required to hold only one meeting prior to submitting an application for a specific site, but may hold more if desired. The Board of County Commissioners shall establish by Resolution and Order specific requirements for notice of posting and conducting of neighborhood meetings for the categories of applications described in Section 203. The Board shall describe the requirements and procedures for each category of application. These requirements may be amended by Resolution and Order of the Board.

If the applicant fails to hold a neighborhood meeting and the application is deemed complete, failure to hold a neighborhood meeting in accordance with these provisions and the Resolution and Order prior to submittal of a complete application shall result in denial of the application. If the applicant adds one or more tax lots to the development application after the neighborhood meeting, the applicant shall hold an additional neighborhood meeting with a new notice.

3. Amend Section 203-4, Application as follows:

- 203-4.1 Applications for development actions shall be submitted in accordance with the format and upon such forms as may be established by the Director.
- 203-4.2 A complete application is one which contains the information required to address the relevant standards of this Code and the applicable standards and requirements of the Comprehensive Plan as specified by this Code. It shall consist of the following:
 - A. A completed original application form, signed by all persons required for initiating an application under Section 203-1.1. No application shall be deemed complete

abcdef Proposed additions
~~abcdef~~ Proposed deletions

if it is determined that all necessary authorization to file has not been obtained. Failure to provide such authorization shall result in denial of the application;

- B. A current Washington County tax map(s) showing the subject property(ies);
- C. Current county tax maps showing all properties in an adjoining county that are:
 - (1) Within five hundred (500) feet of the subject property(ies) in the Urban area;
or
 - (2) Within one thousand (1,000) feet of the subject property(ies) in the Rural area.

The tax maps shall be obtained from the adjoining county;

- D. Documentation of the names and addresses of the owners of record of the properties described in C above recorded with the Department of Assessment and Taxation of the adjoining county;
- E. A site plan of the property illustrating the property boundaries, proposed and existing: structures and improvements, easements, driveways, water and sewer lines, septic tanks and drainfields, and all drainage courses and structures within 250 feet of a drainage course. Site plans of the entire property must be drawn at an even scale (1:100 preferred) with detailed site plans drawn at an even scale (1:20 preferred) on 11x17 paper, or as approved by the Director.
- ~~E~~F. Documentation of whether a railroad-highway crossing provides or will provide the only access to the subject property.
- ~~F~~G. Information required pursuant to Article V, Public Facilities Requirements;
- ~~G~~H. Additional information required by other provisions of this Code, including applicable standards and requirements of the Comprehensive Plan as specified by this Code;
- ~~H~~I. Additional information directly related to the applicable standards of this Code, including applicable standards and requirements of the Comprehensive Plan as specified by this Code as deemed essential by the Director to evaluate adequately the specific application for compliance with those criteria and standards;
- ~~I~~J. A written statement that explains the criteria and standards considered relevant to the application, states the facts relied upon in determining that the application meets the applicable criteria, standards, and explains the justification for approving the application based on the criteria and standards and facts set forth in the application. The findings must be substantive, not just recitations of the criteria and standards, and shall be supported by evidence in the application;

~~JK~~. Evidence of compliance with the Neighborhood Meeting requirements required by Section 203-3, if required;

~~KL~~. The applicable fees adopted by the Board of County Commissioners are hereby incorporated by reference as the fees herein. These fees may be amended by Resolution and Order by the Board; and

~~LM~~. For lands within the Clean Water Services boundary, documentation from the Clean Water Services which specifies the conditions and requirements necessary for the applicant to comply with the Agency's stormwater connection permit, water quality, erosion control, and sanitary sewer standards.

3. Amend Section 205, PUBLIC HEARINGS, as follows:

205-5 Procedural Rights

Subject to the specific standards and limitations set forth in this Code, the following procedural entitlements shall be provided at the public hearing:

205-5.1 A reasonable opportunity for those persons entitled to notice or who may be adversely affected or aggrieved by the decision to present evidence;

205-5.2 A reasonable opportunity to cross-examine witnesses, including staff, provided that right is asserted at the first reasonable opportunity. Staff similarly shall be entitled to reasonable cross-examination of witnesses; The decision to allow cross-examination shall be at the discretion of the Hearings Officer;

205-5.3 A reasonable opportunity for rebuttal of new material;

205-5.4 An impartial review authority as free from potential conflicts of interest and pre-hearing ex-parte contacts as reasonably possible. It is recognized, however, that the public has a countervailing right of free access to public officials:

A. Review Authority members shall disclose the substance of any significant pre-hearing ex-parte contacts with regard to the matter at the commencement of the public hearing on the matter. The member shall state whether the contact has impaired the impartiality or ability of the member to vote on the matter and shall participate or abstain accordingly.

B. A member of the Review Authority shall not participate in any proceeding or action in which any of the following has a direct or substantial financial interest: The member or the member's spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which the member is then serving or has served within the previous two (2) years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interests shall be disclosed at the meeting of the Review Authority where the action is being taken.

- C. Disqualification of a Review Authority member due to contacts or conflict may be ordered by a majority of the members present and voting. The person who is the subject of the motion may not vote.
- D. If all members abstain or are disqualified, the administrative rule of necessity shall apply. All members present who declare their reasons for abstention or disqualification shall thereby be requalified to act.
- E. Staff may confer with the Hearings Officer after the close of the record on technical review or procedural matters, but may not engage in argument or present additional evidence.

205-6 Presentations

- 205-6.1 The Review Authority may set reasonable time limits for oral presentations. The Review Authority may determine not to receive cumulative, repetitious, immaterial, derogatory or abusive testimony. Persons may be required to submit written testimony in lieu of oral if the Review Authority determines that a reasonable opportunity for oral presentations has been provided.
- 205-6.2 No testimony shall be accepted after the close of the public hearing unless the Review Authority sets a deadline for such testimony and provides an opportunity for review and rebuttal prior to making a decision.
- 205-6.3 Counsel for the Review Authority may be consulted solely on legal issues without reopening the public hearing. Objections alleging that counsel is discussing or testifying as to factual matters shall be heard: at the discretion of the Review Authority.
- 205-6.4 The presiding officer shall preserve order at all public hearings and shall decide questions of order subject to a majority vote of the Review Authority. Persons who become disruptive or abusive may be ejected from the hearing.

CDC Article III: LAND USE DISTRICTS, is amended to reflect the following:

1. Amend Section 302, R-5 DISTRICT (RESIDENTIAL 5 UNITS PER ACRE) as follows:

302-3 Uses Permitted Through a Type II Procedure

The following uses 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.

- 302-3.1 Ambulance Service - Section 430-9.1.
- 302-3.2 Flag lot - Section 430-45.
- 302-3.3 Home Occupation - Section 430-63.2.
- 302-3.4 Infill - Section 430-72.
- 302-3.5 Parks - Section 430-97.
- 302-3.6 Construction of a local street not in conjunction with a development application or within existing right-of-way.
- 302-3.7 Temporary Use - Section 430-135.2 A.
- 302-3.8 Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.
- 302-3.9 Uses Accessory and Incidental to a Residential Development Provided for the Service and Convenience of the Residents:
 - A. Clubhouse.
 - B. Meeting hall.
 - C. Day care center - Section 430-53.2.
 - D. Recreation center.
 - E. Gymnasium.
 - F. Indoor swimming pool.

302-3.10 Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

302-3.11 Detached Dwelling Unit on an existing lot or parcel with a buildable area greater than sixteen-thousand five-hundred (16,500) square feet (buildable area is exclusive of unbuildable land categories listed in Section 300-3.1) - Section 430-37.1 B. Does not apply to additions or replacement of lawfully established dwellings.

302-3.12 Manufactured Home on an existing lot or parcel with a buildable area greater than sixteen-thousand five-hundred (16,500) square feet (buildable area is exclusive of unbuildable land categories listed in Section 300-3.1) - Section 430-76 and Section 430-37.1 B.(1-3).

302-3.13 Guest House - Section 430-55.

302-5 Prohibited Uses

302-5.1 Structures or uses not specifically authorized by Section 302.

302-5.2 The use of a manufactured dwelling or recreational vehicle as a residence except where specifically authorized as a temporary use in Section 302-2.89, 302-2.940, 302-3.7, or 302-3.1243.

302-5.3 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.

302-5.4 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except as approved in conjunction with a development.

302-5.5 Keeping of fowl for sale, keeping swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.

302-5.6 The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing June, 1983 airport year 2000 LDN fifty-five (55) contour.

302-5.7 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.

302-5.8 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.

302-5.9 Auto wrecking yards.

2. Amend Section 303, R-6 DISTRICT (RESIDENTIAL 6 UNITS PER ACRE), as follows:

303-3 Uses Permitted Through a Type II Procedure

The following uses 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.

303-3.1 Ambulance Service - Section 430-9.1.

303-3.2 Attached Dwelling Unit - Section 430-13.

303-3.3 Flag lot - Section 430-45.

303-3.4 Home Occupation - Section 430-63.2.

303-3.5 Infill - Section 430-72.

303-3.6 Manufactured Dwelling Park - Section 430-77.

303-3.7 Manufactured Dwelling Subdivision - Section 430-79.

303-3.8 Parks - Section 430-97.

303-3.9 Construction of a local street not in conjunction with a development application or within existing right-of-way.

303-3.10 Single-Family Accessory Dwelling Unit - Section 430-117.1.

303-3.11 Temporary Use - Section 430-135.2 A.

303-3.12 Zero Lot Line Development - Section 430-147.

303-3.13 Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

303-3.14 Uses Accessory and Incidental to a Residential Development Provided for the Service and Convenience of the Residents:

A. Clubhouse.

B. Meeting hall.

abcdef Proposed additions

~~abcdef~~ Proposed deletions

- C. Day care center - Section 430-53.2.
- D. Recreation center.
- E. Gymnasium.
- F. Indoor swimming pool.

- 303-3.15 Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.
- 303-3.16 Detached Dwelling Unit on an existing lot or parcel with a buildable area greater than thirteen-thousand one-hundred (13,100) square feet (buildable area is exclusive of unbuildable land categories listed in Section 300-3.1) - 430-37.1 B. Does not apply to additions or replacement of lawfully established dwellings.
- 303-3.17 Manufactured Home on an existing lot or parcel with a buildable area greater than thirteen-thousand one-hundred (13,100) square feet (buildable area is exclusive of unbuildable land categories listed in Section 300-3.1) - 430-76 and Section 430-37. B.(1-3)
- 303-3.18 Guest House - Section 430-55.

303-5 Prohibited Uses

- 303-5.1 Structures or uses not specifically authorized by Section 303.
- 303-5.2 The use of a manufactured dwelling or recreational vehicle as a residence except where specifically authorized under Section 303-2.409, 303-2.4410, 303-3.6, 303-3.7, 303-3.11, or 303-3.4817.
- 303-5.3 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.
- 303-5.4 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except as approved in conjunction with a development.
- 303-5.5 Keeping of fowl for sale, keeping of swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.
- 303-5.6 The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach

zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.

- 303-5.7 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
- 303-5.8 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
- 303-5.9 Auto wrecking yards.

3. Amend Section 304, R-9 DISTRICT (RESIDENTIAL 9 UNITS PER ACRE), as follows:

304-5 Prohibited Uses

- 304-5.1 Structures or uses not specifically authorized by Section 304.
- 304-5.2 The use of a manufactured dwelling or recreational vehicle as a residence except where specifically authorized under Section 304-2.87, 304-2.1211, 304-3.56, 304-3.910, 304-3.16 or 304-3.17.
- 304-5.3 Any parking or storage of tractor trailers, semi-trucks or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.
- 304-5.4 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot for more than forty-eight (48) hours, except as approved in conjunction with a development.
- 304-5.5 Keeping of fowl for sale, keeping of swine (except for up to three purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.
- 304-5.6 The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.
- 304-5.7 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
- 304-5.8 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
- 304-5.9 Auto wrecking yards.

4. Amend Section 305, R-15 DISTRICT (RESIDENTIAL 15 UNITS PER ACRE), as follows:

305-5 Prohibited Uses

305-5.1 Structures or uses of land not specifically authorized by Section 305.

305-5.2 The use of a manufactured dwelling or recreational vehicle as a residence except where specifically authorized in Section 305-2.9, 305-2.11, 305-3.7, 305-3.8, 305-3.11, or 305-3.17~~16~~.

305-5.3 Any parking or storage of tractor trailers, semi-trucks or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.

305-5.4 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot for more than forty-eight (48) hours except as approved in conjunction with a development.

305-5.5 Keeping of fowl for sale, keeping of swine (except for up to three purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.

305-5.6 The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.

305-5.7 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.

305-5.8 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.

305-5.9 Auto wrecking yards.

5. Amend Section 306, R-24 DISTRICT (RESIDENTIAL 24 UNITS PER ACRE), as follows:

306-5 Prohibited Uses

306-5.1 Structures or uses not specifically authorized by Section 306.

306-5.2 The use of a manufactured dwelling or recreational vehicle as a residence except where specifically authorized in Sections 306-2.9, 306-2.11, 306-3.9, or 306-3.14~~14~~.

- 306-5.3 Any parking or storage of tractor trailers, semi-trucks or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.
- 306-5.4 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot for more than forty-eight (48) hours except as approved in conjunction with a development.
- 306-5.5 Keeping of fowl for sale, keeping of swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.
- 306-5.6 The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.
- 306-5.7 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
- 306-5.8 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
- 306-5.9 Auto wrecking yards.

6. Amend Section 307, R-25+ DISTRICT (RESIDENTIAL 25 UNITS OR MORE PER ACRE)

307-5 Prohibited Uses

- 307-5.1 Structures or uses not specifically authorized by Section 307.
- 307-5.2 The use of a manufactured dwelling or recreational vehicle as a residence except where specifically authorized in Sections 307-2.8, 307-2.10, 307-3.9, or 307-3.14~~13~~.
- 307-5.3 Any parking or storage of tractor trailers, semi-trucks or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.
- 307-5.4 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot for more than forty-eight (48) hours except as approved in conjunction with a development.
- 307-5.5 Keeping of fowl for sale, keeping of swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.

- 307-5.6 The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.
- 307-5.7 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
- 307-5.8 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
- 307-5.9 Auto wrecking yards.

7. Amend Section 308, FUTURE DEVELOPMENT 20 ACRE DISTRICT (FD-20), as follows:

308-4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted unless specified otherwise by the applicable Community Plan or Policy 41 of the Comprehensive Framework Plan. These uses may be 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.

- 308-4.1 Cemetery - Section 430-27.
- 308-4.2 Church - Section 430-29.
- 308-4.3 Commercial Chicken or Rabbit Raising.
- 308-4.4 Commercial Greenhouse.
- 308-4.5 Commercial Equestrian Uses, including Training Tracks, Riding Arenas and/or Stables (See Boarding of Horses - Section 430-21).
- 308-4.6 Contractor's Establishment.
- 308-4.7 Day Care Center - Section 430-53.2.
- 308-4.8 Public Building - Section 430-103.
- 308-4.9 Public Utility - Section 430-105.

- 308-4.10 Facility 3 and 4 communication towers, to a maximum height of one-hundred (100) feet - Section 430-109.
- 308-4.11 Broadcast Towers a maximum height of one hundred (100) feet - Section 430-109.
- 308-4.12 School - Section 430-121.

- 308-5 Prohibited Uses
 - 308-5.1 Structures or uses not specifically authorized in Section 308.
 - 308-5.2 Structures or uses prohibited by the applicable Community Plan or Policy 41 of the Comprehensive Framework Plan for the Urban Area.
 - 308-5.3 The use of a recreational vehicle as a residence except where specifically authorized as a temporary use in Sections 308-2.8 and 308-3.4.
 - 308-5.4 The outdoor parking or storage of any five (5) or more vehicles on a single lot or parcel for more than forty-eight (48) hours, except as approved in conjunction with a development.
 - 308-5.5 Keeping of fowl for sale, keeping of swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot, except as provided in Section 308-4.3.
 - 308-5.6 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
 - 308-5.7 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
 - 308-5.8 Auto wrecking yards.
 - 308-5.9 Any parking or storage of tractor-trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.

8. Amend Section 309, FUTURE DEVELOPMENT 10 ACRE DISTRICT (FD-10), as follows:

309-4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be 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.

- 309-4.1 Cemetery - Section 430-27.
- 309-4.2 Church - Section 430-29.
- 309-4.3 Commercial Chicken or Rabbit Raising.
- 309-4.4 Commercial Greenhouse.
- 309-4.5 Commercial Equestrian Uses, including Training Tracks, Riding Arenas and/or Stables (See Boarding of Horses - Section 430-21).
- 309-4.6 Contractor's Establishment.
- 309-4.7 Day Care Center - Section 430-53.2.
- 309-4.8 Public Building - Section 430-103.
- 309-4.9 Public Utility - Section 430-105.
- 309-4.10 Facility 3 and 4 communication towers, to a maximum height of one-hundred (100) feet - Section 430-109.
- 309-4.11 Broadcast Towers a maximum height of one hundred (100) feet - Section 430-109.
- 309-5 Prohibited Uses
 - 309-5.1 Structures or uses not specifically authorized in Section 309.
 - 309-5.2 The use of a recreational vehicle as a residence except where specifically authorized as a temporary use in Sections 309-2.8 and 309-3.4.
 - 309-5.3 The outdoor parking or storage of any five (5) or more vehicles on a single lot or parcel for more than forty-eight (48) hours, except as approved in conjunction with a development.
 - 309-5.4 Keeping of fowl for sale, keeping of swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot, except as provided in Section 309-4.3.
 - 309-5.5 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
 - 309-5.6 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.

- 309-5.7 Auto wrecking yards.
- 309-5.8 Any parking or storage of tractor-trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.

9. Amend Section 344, AGRICULTURE AND FOREST DISTRICT (AF-20), as follows:

344-6 Prohibited Uses

- 344-6.1 Structures or uses of land not specifically authorized by Section 344.
- 344-6.2 The use of a recreationala vehicle for a residence, except as provided for under Section 430-135.2 A.
- 344-6.3 Outdoor advertising displays and structures except as provided in Section 414.
- 344-6.4 The location of service facilities which house groups of people and public assembly facilities in airport approach zones. These facilities shall be avoided within any existing, June, 1983 airport year 2000 LDN fifty-five (55) contour.
- 344-6.5 Auto wrecking yards.
- 344-6.6 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except in conjunction with an approved development or with a farm use.
- 344-6.7 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.

10. Amend Section 346, AGRICULTURE AND FOREST DISTRICT (AF-10), as follows:

346-5 Prohibited Uses

- 346-5.1 Structures or uses of land not specifically authorized by Section 346.
- 346-5.2 The use of a recreationala vehicle for a residence, except as provided for under Section 430-135.2 A.
- 346-5.3 Outdoor advertising displays, advertising signs or structures except as provided in Section 414.

- 346-5.4 The location of service facilities which house groups of people and public assembly facilities in airport approach zones. These facilities shall be avoided within any existing June, 1983 Airport Year 2000 LDN fifty-five (55) contour.
- 346-5.5 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
- 346-5.6 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
- 346-5.7 Auto wrecking yards.
- 346-5.8 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except in conjunction with an approved development or with a farm use.
- 346-5.9 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.

11. Amend Section 348, AGRICULTURE AND FOREST DISTRICT (AF-5), as follows:

- 348-5 Prohibited Uses
 - 348-5.1 Structures or uses of land not specifically authorized by Section 348.
 - 348-5.2 The use of a recreational vehicle for a residence, except as provided for under Section 430-135.2 A.
 - 348-5.3 Outdoor advertising displays, advertising signs or structures except as provided in Section 414.
 - 348-5.4 The location of service facilities which house groups of people and public assembly facilities in airport approach zones. These facilities shall be avoided within any existing June, 1983 Airport Year 2000 LDN fifty-five (55) contour.
 - 348-5.5 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.
 - 348-5.6 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.
 - 348-5.7 Auto wrecking yards.
 - 348-5.8 The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except in conjunction with an approved development or with a farm use.

348-5.9 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, except in conjunction with an approved development or with a farm or forest use.

12. Amend Section 350, RURAL RESIDENTIAL FIVE ACRE MINIMUM DISTRICT (RR-5), as follows:

350-5 Prohibited Uses

350-5.1 Structures or uses of land not specifically authorized by Section 350.

350-5.2 The use of a recreationall vehicle as a residence.

350-5.3 Outdoor advertising displays, advertising signs of structures except as provided in Section 414.

350-5.4 The outdoor storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except as approved in conjunction with a development.

350-5.5 The location of service facilities such as schools, hospitals, nursing homes and public assembly in airport approach zones. These facilities shall be avoided within any existing June, 1983 Airport Year 2000 LDN fifty-five (55) contour.

350-5.6 Mounting a communication tower or antenna, that is not a permitted accessory use, on a detached dwelling.

350-5.7 Mounting an antenna, that is not a permitted accessory use, on a communication tower that is accessory to a detached dwelling.

350-5.8 Auto wrecking yards.

350-5.9 Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, not including farm equipment used in conjunction with a farm or forest use.

13. Amend Section 352, RURAL COMMERCIAL DISTRICT (R-COM), as follows:

352-5 Prohibited Uses

352-5.1 Structures or uses of land not specifically authorized by Section 352.

352-5.2 The use of a recreationall vehicle for a residence.

352-5.3 The location of service facilities which house groups of people and public assembly facilities in airport approach zones. Such facilities shall be avoided within any existing June, 1983 Airport Year 2000 LDN fifty-five (55) contour.

352-5.4 Auto wrecking yards.

14. Amend Section 356 (LAND EXTENSIVE INDUSTRIAL DISTRICT (MAE), as follows:

356-5 Prohibited Uses

356-5.1 Structures or uses of land not specifically authorized by Section 356.

356-5.2 The use of a recreationala vehicle as a residence.

356-5.3 The location of service facilities which house groups of people and public assembly facilities in airport approach zones. Such facilities shall be avoided in existing June, 1983 airport year 2000 LDN fifty-five (55) contour.

CDC Article IV: DEVELOPMENT STANDARDS, is amended to reflect the following:

1. Amend Section 408, NEIGHBORHOOD CIRCULATION, as follows:

408-4 Circulation Analysis

408-4.1 For all development on a site of two (2) acres or less the applicant shall submit a circulation analysis which at a minimum meets the Off-Site analysis requirements of Section 404-1.4. A larger analysis area may be required in order for the applicant to demonstrate compliance with the requirements of 408-5 or 408-6.

408-4.2 For all development on a site which exceeds two (2) acres, the applicant shall submit a circulation analysis which at a minimum includes the subject site and the entirety of all property within 300 feet of the proposed development site. A larger analysis area may be required in order for the applicant to demonstrate compliance with the requirements of 408-5 or 408-6. This plan shall incorporate the following features both onsite and offsite:

- A. The neighborhood circulation plan shall be produced on paper that is 18" x 24" in size, or a size approved by the Director;
- B. Scale of Drawing - 1" to 100' is suggested, however, the scale may be increased or decreased at a scale approved by the Director;
- C. Existing and proposed topography for slopes of ten (10) percent of greater, with contour intervals not more than ten (10) feet;
- D. Drainage hazard areas, flood plains, and significant natural resources areas;
- E. The name, location, right-of-way, pattern and grades of all existing and approved streets, bikeways, and pedestrian ways;
- F. Proposed streets and off-street bike or pedestrian ways identified in the Transportation Plan or Community Plans;
- G. All permanent structures;
- H. Property lines;
- I. Pedestrian oriented uses within 1,000 feet of the site;
- J. Transit streets and facilities; and
- K. All streets and accessways proposed by the applicant.

2. Amend Section 428, FOREST STRUCTURE SITING AND FIRE SAFETY STANDARDS, as follows:

428-3 Standards for Dwellings and Structures, Including Replacement Dwellings, Reviewed Through a Type I Procedure

428-3.3 Stocking Requirements For Dwellings

All dwellings, including replacement dwellings, shall comply with the following stocking standards:

A. Pursuant to ORS 215-730, approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet the Oregon Department of Forestry stocking requirements at the time specified in the Oregon Department of Forestry administrative rules. For replacement dwellings, the portion(s) of the tract that is in farm use shall not be required to meet the stocking requirements.

~~The applicant shall submit a letter from a professional forestry consultant describing whether or not the stocking requirements have been met, and if necessary, what is required to meet the stocking requirements. When there are no trees on a tract or portion of a tract due to farming or logging activities or open space areas, the applicant may submit other evidence (as approved by the Director) to demonstrate the number of trees that must be planted in that area to meet the stocking requirements. Acceptable alternative evidence may include a letter from the Oregon Department of Forestry specifying the minimum number of trees per acre that are needed to comply with the stocking requirements. If trees must be planted, they shall be planted prior to the issuance of a building permit for the dwelling. Prior to the issuance of the building permit, the applicant shall submit a letter from a professional forestry consultant verifying that sufficient trees have been planted.~~

~~B. The Director shall notify the county assessor of the above condition at the time the dwelling is approved.~~

~~C. The property owner shall submit a stocking survey report to the county assessor and the assessor shall verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that minimum stocking requirements have not been met. The minimum stocking requirement cannot be waived by the Department of Forestry.~~

~~D. Upon notification by the assessor, the Oregon Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, the department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.~~

428-4 Standards for Dwellings and Structures Reviewed Through a Type II Procedure

428-4.3 Stocking Requirements For Dwellings

All dwellings, including replacement dwellings, shall comply with the following stocking standards:

A. ~~Pursuant to ORS 215.730, a~~Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract (except for required firebreaks) to demonstrate that the tract is reasonably expected to meet the Oregon Department of Forestry stocking requirements at the time specified in the Oregon Department of Forestry administrative rules. ~~For replacement dwellings, the portion(s) of the tract that is in farm use shall not be required to meet the stocking requirements.~~

~~The applicant shall submit a letter from a professional forestry consultant describing whether or not the stocking requirements have been met, and if necessary, what is required to meet the stocking requirements. If it is necessary to plant trees, they shall be planted prior to the issuance of the building permit for the dwelling. Prior to the issuance of the building permit, the applicant shall submit a letter from a professional forestry consultant verifying that sufficient trees have been planted. For replacement dwellings, the portion(s) of the tract that is in farm use shall not be required to meet the stocking requirements.~~

B. ~~The Director shall notify the county assessor of the above condition at the time the dwelling is approved.~~

C. ~~The property owner shall submit a stocking survey report to the county assessor and the assessor shall verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that minimum stocking requirements have not been met. The minimum stocking requirement cannot be waived by the Department of Forestry.~~

D. ~~Upon notification by the assessor, the Oregon Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest~~

abcdef Proposed additions

abcdef Proposed deletions

~~Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, the department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.~~

3. Amend Section 430-76, Manufactured Home, in the R-5, R-6, R-9, R-15, R-24, R-25+ and FD-10 Districts, as follows:

430-76 Manufactured Home, in the R-5, R-6, R-9, R-15, R-24, R-25+, FD-20 and FD-10 Districts

A manufactured home, as defined by Section 106-131.3, may be placed on a lawfully created lot or parcel, that is not within a manufactured dwelling subdivision, in the R-5, R-6, R-9, R-15, R-24, R-25+, FD-20 and FD-10 Districts subject to compliance with the following standards. Manufactured homes subject to the requirements of this Section are not subject to the standards of Section 430-75. Section 430-76 is not applicable to manufactured homes in a manufactured dwelling subdivision.

4. Amend Section 430-77, Manufactured Dwelling Park, as follows:

430-77.15 Obtain a Manufactured Dwelling Mobile Home Park Construction Permit from Washington County;

5. Amend Section 430-105, Public Utility, as follows:

430-105 Public Utility

Any corporation, including municipal or semi-municipal corporation, service district, company, individual, or association that owns or operates any plant or equipment for the conveyance of telegraph or telephone messages, with or without wires; for the transportation of water, gas, or petroleum products by pipeline; for the production, transmission, delivery or furnishing of heat, light, water, or electricity; for the transmission and delivery of television pictures and sound by cables; for the transportation of persons or property by street, railroads or other street transportation or common carriers; for the disposal of sewage; or for the disposal of storm water runoff.

430-105.7 Underground pipes and conduits which introduce an urban service outside the Urban Growth Boundary.

Prior to commencing any extension of underground pipes or conduits for urban services into any area outside the Urban Growth Boundary, an applicant shall

provide a sworn affidavit that no hookups to the extended line will be allowed outside the UGB except:

A. Waterlines (Must also comply with OAR 660-011-0065) |

- (1) Within the boundaries of a lawfully created community, private or public water system or district, as allowed by Policy 22 of the Rural/Natural Resource Plan; or
- (2) To replace water from an existing water supply that has been documented to be unsafe for human consumption or insufficient to support domestic uses, in the manner described by the Rural/Natural Resource Plan.

B. Sewerlines (Must also comply with OAR 660-011-0060) |

- (1) To relieve an identified health hazard; or
- (2) Once the line is established, to provide for disposal of sewage in connection with:
 - (i) A farm labor camp; or
 - (ii) A food processing operation.
- (3) Notwithstanding (1) and (2) above, a connection to an existing sewerline may be approved for a residential use pursuant to OAR 660-011-0060(8) and (9).

CDC Section 710, ALTERATIONS TO SIGNIFICANT NATURAL RESOURCES, is amended to reflect the following:

710-2 Category B alterations of an area designated as a Significant Natural Resource shall comply with the following standards:

710-2.1 The design elements of the applicable Community Plan; or the applicable implementing strategies of the Rural/Natural Resource Plan Element, Policy 10, Implementing Strategy E which states:

“Implement the recommendations of the Oregon Department of Fish and Wildlife Habitat Protection Plan for Washington County and to mitigate the effects of development in the Big Game Range within the EFU, EFC and AF-20 land use designations.”

710-2.2 Any proposed project in a Significant Natural Area, as identified by the applicable Community Plan or the Rural/Natural Resource Area Plan Element, shall reduce its impact, to the maximum extent feasible, on the unique or fragile character or features of the Significant Natural Area.

710-2.3 Any proposed project in a Significant Natural Resource Area shall not seriously interfere with the preservation of fish and wildlife areas and habitat identified in the Washington County Comprehensive Plan, or shall identify how the interference can be mitigated.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: ADOPT FINDINGS FOR ORDINANCE NO. 674

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

Ordinance No. 674 proposes to amend various elements of the Comprehensive Plan to make housekeeping changes. The proposed changes correct a mapping error on the Lane Numbers Map of the 2020 Transportation Plan and clarifies the language relating to the provision of pedestrian and bicycle pathways in the Aloha-Reedville-Cooper Mountain Community Plan. Several changes are also made to the Community Development Code relating to procedure types for certain uses, clarifying definitions and standards for application materials and to refine the procedures followed at meetings before the county's Hearings Officer. The amendments also correct CDC Sections cross-referenced throughout the document, and add references to Oregon Revised Statutes and Oregon Administrative Rules relating to forest dwelling standards and water and sewer line extensions outside of urban growth boundaries.

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. Additionally, as required by Title 8, Section 3 of Metro's Urban Growth Management Functional Plan, any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the Functional 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. 674 and sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION: I concur with the requested action.

RO 06-228

Agenda Item No.	<u>5.c.</u>
Date:	<u>10/24/06</u>

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)
of Ordinance No. 674) No. 06-228

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 24, 2006; and

7 It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
9 Statutes and Administrative Rules, Metro's Urban Growth Management Functional Plan and
10 Washington County's Comprehensive Plan relating to Ordinance No. 674; and

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

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
14 on October 18, 2006, made a recommendation to the Board, which is in the record and has been
15 reviewed by the Board; and

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

20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of Ordinance
21 No. 674 are hereby adopted.

22 DATED this 24th day of October, 2006.

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

23 BOARD OF COUNTY COMMISSIONERS
24 FOR WASHINGTON COUNTY, OREGON

25 John Leeper for
Chairman

26 Barbara Hejtmanek
27 Recording Secretary

28 [Signature]
County Counsel
For Washington County, Oregon

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 674 AMENDING THE 2020 TRANSPORTATION PLAN, THE ALOHA-REEDVILLE- COOPER MOUNTAIN COMMUNITY PLAN AND THE COMMUNITY DEVELOPMENT CODE ELEMENTS OF THE COMPREHENSIVE PLAN RELATING TO HOUSEKEEPING CHANGES

OCTOBER 24, 2006

GENERAL FINDINGS

Ordinance No. 674 amends the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan relating to housekeeping changes. The proposed changes correct a mapping error on the Lane Numbers Map of the 2020 Transportation Plan and clarifies the language relating to the provision of pedestrian and bicycle pathways in the Aloha-Reedville-Cooper Mountain Community Plan. Several changes are also made to the Community Development Code relating to procedure types for certain uses, clarifying definitions and standards for application materials and to refine the procedures followed at meetings before the county's Hearings Officer. The amendments also correct CDC Sections cross-referenced throughout the document, and add references to Oregon Revised Statutes and Oregon Administrative Rules relating to forest dwelling standards and water and sewer line extensions outside of urban growth boundaries.

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. 674 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. 674 and an accompanying summary were mailed on September 8, 2006 to the CPOs and CCI. Also on September 8, 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 August 30, 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. 674 were published in the following newspapers: the Washington County Weekly section of *The Oregonian* on September 28, 2006 and *The Hillsboro Argus* on September 29, 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. 674 was mailed on October 4, 2006, 2006.
7. The Planning Commission held a public hearing for this ordinance on October 18, 2006. This hearing resulted in a recommendation for adoption of Ordinance No. 674 to the

Board of Commissioners. The Board of Commissioners held a public hearing on the ordinance on October 24, 2006 and voted to adopt Ordinance No 674.

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. 674 amends the county's 2020 Transportation Plan, Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code, which are elements 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 September 21, 2006 to draft a notice for Ordinance No. 674. 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 October 4, 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 October 18, 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 September 28, 2006 and *The Hillsboro Argus* on September 29, 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 be forwarded to the Director of the Department of Land Conservation and Development (DLCD) at least 45 days before the first hearing. Notice of Proposed Ordinance No. 674 was mailed to DLCD on August 30, 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 make housekeeping changes. These changes were included in Proposed Ordinance No. 674.

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. 674. 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. 674 amended Section 344 (AF-20 District) of the Community Development Code to make a housekeeping change to the list of prohibited uses. The letters "-al" were added to "recreation" in Section 344-6.2 to read that the use of a "recreational vehicle" as a residence is prohibited except in specific situations.
2. Ordinance No. 674 did not amend the applicable Plan policies related to exclusive farm land. Therefore, it is not necessary to make additional findings for Goal 3.

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. 674 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. 674 amends Section 428 (Forest Structure Siting and Fire Safety Standards), which applies to structures on forestland. The stocking standards in Section 428 are applicable to both Type I and Type II applications, therefore Sections 428-3.3 and 428-4.3 are amended. The amendments remove text relating to evidence that applicants must provide to the county's assessor to demonstrate that stocking standards have been met. Because the requirements are not related to the land use, they were removed from the Community Development Code to streamline the stocking standards for forest dwellings. The Oregon Revised Statute that applies to stocking standards is added to the text for reference purposes.
2. Ordinance No. 674 did not amend the applicable Plan policies related to forest land resources which impact the county's compliance with Goal 4. Therefore, it is not necessary to make additional 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. 674. 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. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make housekeeping changes. Code Section 710 (Alterations to Significant Natural Resources) is amended by Ordinance No. 674 to correct a reference to

the Rural/Natural Resource Plan quoted in Section 710-2.1. The quoted section of Implementing Strategy E of Policy 10 (Fish and Wildlife Habitat) was changed as shown below (added text shown as underlined text):

“Implement the recommendations of the Oregon Department of Fish and Wildlife Habitat Protection Plan for Washington County and to mitigate the effects of development in the Big Game Range within the EFU, EFC and AF-20 land use designations.”

2. The ordinance does not amend any Plan policies or strategies related to natural resources, therefore, it is not necessary to make additional 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. 674. 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. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make various housekeeping changes. Ordinance No. 674 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. 674. 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. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make various housekeeping changes. Ordinance No. 674 did not amend the applicable Plan policies and strategies or Code sections 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. 674. 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. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan, and the Community Development Code elements of the Comprehensive Plan to make various housekeeping changes. Ordinance No. 674 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. 674. 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.
3. Ordinance No. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make several housekeeping changes. Policy 10 (Functional Classification) of the 2020 Transportation Plan was amended to correct the Lane Numbers Map in order to show the correct number of future lanes for segments of SW 72nd Avenue and SW Boones Ferry Road in an area under the jurisdiction of the city of Tigard. The Lane Numbers Map, adopted as part of the Transportation Plan Update process in 2002, was based upon an incorrect map included in the Regional Transportation Plan (RTP) adopted by Metro. This change allows for correct information to be addressed during the development review process, which is consistent with Goal 9.
4. General Design Element 8 of the Aloha-Reedville-Cooper Mountain Community Plan was modified by Ordinance No. 674 to more clearly state that pedestrian and bicycle pathways identified both in the county's Transportation Plan and in the Aloha-Reedville-Cooper Mountain Community Plan would be included in the design of road improvements. This change clarifies the development review process, which is consistent with Goal 9.
5. Ordinance No. 674 makes various housekeeping amendments to the Community Development Code to improve implementation of standards through the development

review process. The changes include updating definitions, clarifying the application submittal process and hearings officer procedures, and adds text to make clear the procedure types required for certain uses in the R-5, R-6, FD-20 and FD-10 Districts. The ordinance also updates cross-references to other Code sections and clarifies the requirements for neighborhood circulation analysis. The Code is further amended to streamline the requirements for stocking standards in the EFC District, add references to Oregon Administrative Rules that apply to water and sewer line extensions to the rural area, and to correct a quoted reference to the Rural/Natural Resource Plan. These clarifying housekeeping amendments promote a streamlined development review process and are consistent with 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. 674. 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. 674 amended several sections of the Community Development Code to make clarifying and housekeeping amendments. Section 106 (Definitions) amended the definition for "Rear Lot Line" to include a description of a four-sided irregular lot. A four-sided irregular lot was defined as one in which a side lot line and the rear lot line form an interior angle of at least 135 degrees.
2. Ordinance No. 674 also amended Article III of the Code to clarify that replacement dwellings and additions to existing detached dwelling units in the R-5 and R-6 Districts are not required to be reviewed through a Type II process when the subject tax lot exceeds 16,500 (In the R-5 District) or 13,100 (in the R-6 District) square feet in size. Development beyond a replacement dwelling or addition in these circumstances are still required to comply with the requirements of Code Sections 302-3.11 and 303-3.16. Ordinance No. 674 does not directly amend any Plan policies or strategies relating to Goal 10. Therefore, it is not necessary to make additional 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. 674. 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. 674 does not amend the Washington County Public Facilities Plan.
3. Ordinance No. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make various housekeeping changes. Code Section 430-105 (Public Utility) is amended to add the applicable Oregon Administrative Rule to 430-105.7 A. Waterlines and B. Sewerlines. Ordinance No. 674 did not directly amend any Plan policies or strategies relating to Goal 11. Therefore, it is not necessary to make specific additional findings for Goal 11.

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. 674. 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. 674 amended the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make various housekeeping amendments. Ordinance No. 674 amended the 2020 Transportation Plan to correct a mapping error on the Lane Numbers Map included in Policy 10 (Functional Classification). When the Lane Numbers Map was adopted as part of the 2002 Transportation Plan update, it was based upon an incorrect map in the Regional Transportation Plan (RTP). The city of Tigard's transportation system plan, which has jurisdiction over the area incorrectly shown in the RTP, shows the correct number of lanes for SW Boones Ferry Road and SW 72nd Avenue. This ordinance amends the transportation plan to achieve compliance with city of Tigard's transportation plan.
2. Section 408 (Neighborhood Circulation) of the Community Development Code was amended by Ordinance No. 674 to state that a larger analysis area may be required to determine compliance with the county's circulation standards. This change clarifies the existing county practice to require an analysis area larger than the analysis area of 300 feet currently required in the Code. The ordinance 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. 674. 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. 674 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. 674. 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. 674 did not directly amend any Plan policies or strategies or Code standards relating to Goal 14. Therefore, it is not necessary to make specific findings for Goal 14.

**FINDINGS OF COMPLIANCE WITH METRO'S URBAN GROWTH MANAGEMENT
FUNCTIONAL PLAN FOR ORDINANCE NO. 674 (RELATING TO HOUSEKEEPING
AMENDMENTS)**

FOR THE OCTOBER 24, 2006 HEARING

Urban Growth Management Functional Plan

Section 3.07.830.A. of Title 8 of the Urban Growth Management Functional Plan (UGMFP) requires that all comprehensive plan changes submitted after February 19, 1997 "...be consistent with this functional plan." The following findings have been prepared to address Titles 1, 2, 3, 4, 6, 8 and 11 of the Functional Plan.

Title 1 - Requirements for Housing and Employment Accommodations

Functional Plan policies in Title 1 seek ways to increase the capacity within the urban growth boundary, such as changing local zoning to accommodate development at higher densities in locations supportive of the transportation system.

RESPONSE

Ordinance No. 674 made housekeeping amendments to the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan. The Community Development Code was amended to make changes to Sections 302 (R-5 District) and 303 (R-6 District) to clarify that minimum density standards would not apply to large lots within the R-5 and R-6 Districts when the development request is for a replacement dwelling or for an addition to an existing dwelling. More intensive development of R-5 and R-6 land, such as a partition or subdivision, would trigger compliance with minimum density standards.

Title 2 - Regional Parking Policy

To meet state TPR requirements to reduce new parking spaces and vehicle miles traveled in the region, Metro requires limits on the minimum and maximum number of parking spaces.

RESPONSE

Ordinance No. 674 does not affect the County's parking standards, which are set forth in the Community Development Code and Community Plans. No amendments to parking requirements are included as part of Ordinance No. 674.

Title 3 - Water Quality, Flood Management and Fish/Wildlife Habitat Conservation

Protect beneficial uses and functional values of water quality and flood management resources by limiting uses in these areas. Establish buffer zones around resource areas to protect from new development.

RESPONSE

Implementation of Title 3 requirements has been completed primarily through the adoption of regulations by Clean Water Services (CWS). CWS is responsible for water quality and flood management within the urban unincorporated areas of Washington County. Ordinance No. 674 does not change any standards relating to water quality or flood plain management. The ordinance does not amend any significant natural resource designations.

Title 4 - Industrial and Other Employment Areas

To improve the region's economic climate, the Plan seeks to protect the supply of sites for employment by limiting incompatible uses within Industrial and Employment Areas.

RESPONSE

Ordinance No. 674 amends the 2020 Transportation Plan, the Aloha-Reedville-Cooper Mountain Community Plan and the Community Development Code elements of the Comprehensive Plan to make various housekeeping changes. The ordinance does not amend any plan designations that would affect the county's supply of industrial land.

Title 6 - Central City, Regional Centers, Town Centers and Station Communities

Title 6 intends to enhance Centers by encouraging development in these Centers that will improve the critical roles they play in the region and by discouraging development outside Centers that will detract from those roles.

RESPONSE

Ordinance No. 674 amends various elements of the county's Comprehensive Plan to make housekeeping changes to increase Plan efficiency and implementation. The ordinance does not make substantive policy changes or modify any standards relating to the designation of Title 6 Centers.

Title 8 - Compliance Procedures

Title 8 sets forth Metro's procedures for determining compliance with the Urban Growth Management Functional Plan. Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to Comprehensive Plans.

RESPONSE

Consistent with Title 8, Metro was sent a copy of Proposed Ordinance No. 674 on August 30, 2006. The findings in this document demonstrate that the amendments made by this ordinance are in substantial compliance with the UGMFP.

Title 11 - Planning For New Urban Areas

Title 11 describes Metro's requirements for converting from rural to urban use of areas brought into the urban growth boundary. Title 11 includes requirements that the development of areas added to the UGB implement the Regional Framework Plan and the 2040 Growth Concept.

RESPONSE

Ordinance No. 674 amends various elements of the county's Comprehensive Plan to make housekeeping changes to increase Plan efficiency and implementation. The ordinance does not make substantive policy changes or modify any standards relating to the planning of new urban areas described in Title 11.