



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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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 019-06



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
Ron Eber, DLCD Farm/Forest Specialist
Gary Fish, DLCD Regional Representative
Aisha Willits, Washington County

<paa> ya/



FORM 2

DLCD NOTICE OF ADOPTION

DEPT OF

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)

OCT 30 2006

LAND CONSERVATION AND DEVELOPMENT

Jurisdiction: Washington County

Local File No.: Ordinance No. 676 (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 (checked)
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. 676 makes conforming amendments to the Community Development Element of the Comprehensive Plan relating to land use legislation adopted in 2005. The amendments add clarifying language related to uses allowed in an exclusive farm use zone (EFU and AF-20), and adds language to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met.

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, 10, 11

Is an Exception Proposed? Yes: No: (checked)

Was an Exception Adopted? Yes: No: (checked)

DLCD No: 019-06 (15516)

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

Agenda Title: **PROPOSED ORDINANCE NO. 676 – AN ORDINANCE
AMENDING THE COMMUNITY DEVELOPMENT CODE
ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO
THE IMPLEMENTATION OF 2005 LEGISLATIVE CHANGES**

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

SUMMARY (Attach Supporting Documents if Necessary)

Ordinance No. 676 makes conforming amendments to the Community Development Code Element of the Comprehensive Plan relating to land use legislation adopted in 2005. The amendments add clarifying language related to uses allowed in an exclusive farm use zone (EFU and AF-20), and adds language to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met.

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. 676 by title only and conduct the public hearing. At the conclusion of the public hearing, adopt Ordinance No. 676.

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

ADOPTED

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE NO. 676

An Ordinance Amending the Community Development Code Element of the Comprehensive Plan Relating to the Implementation of 2005 Legislative Changes

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

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon, recognizes that the Community Development Code ("CDC") element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 660, and 661.

B. Subsequent ongoing planning efforts of the County indicate a need for changes to the CDC element of the Comprehensive Plan in order to implement the 2005 legislative changes. The Board takes note that such changes are necessary to assure

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

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

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

14 SECTION 2

15 The following exhibits, attached hereto and incorporated herein by reference, are
16 adopted and made applicable to the designated documents as provided below:

17 (A) Exhibit 1 (2 pages) – Amending CDC Section 340, EXCLUSIVE FARM
18 USE DISTRICT (EFU);

19 (B) Exhibit 2 (2 pages) – Amending CDC Section 344, AGRICULTURE AND
20 FOREST DISTRICT (AF-20); and

21 (C) Exhibit 3 (2 pages) – Amending CDC Section 430-77, SPECIAL USE
22 STANDARDS for Manufacturing Dwelling Parks.

1 SECTION 3

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

5 SECTION 4

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

8 SECTION 5

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

14 SECTION 6

15 The Office of County Counsel and Department of Land Use and Transportation are
16 authorized to prepare planning documents to reflect the changes adopted under Section 2
17 of this Ordinance, including deleting and adding textual material and maps, renumbering
18 pages or sections, and making any technical changes not affecting the substance of these
19 amendments as necessary to conform to the Washington County Comprehensive Plan
20 format.

21 ////

22 ////

1 SECTION 7

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

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

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 John Leeper for
CHAIRMAN

10 Barbara Hejtmanek
RECORDING SECRETARY

11 READING

PUBLIC HEARING

12 First October 24, 2006

October 24, 2006

13 Second _____

14 Third _____

15 Fourth _____

16 Fifth _____

17 Sixth _____

18 VOTE: Aye: Brian, Leeper, Schouten

Nay: _____

19 Recording Secretary: Barbara Hejtmanek

Date: October 24, 2006

CDC Section 340, Exclusive Farm Use District (EFU) is amended to reflect the following:

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

- A. Commercial Activities in Conjunction with Farm Use not including the processing of farm crops as described in Section 340-4.1 C. - Section 430-33.
- B. Primary Dwelling Unit in conjunction with farm use - Section 430-37.2 A. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- C. Primary Dwelling Unit in conjunction with the propagation or harvesting of a forest product - Section 430-37.2 B. This use is not permitted on high-value farmland. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- D. Dwelling Unit in conjunction with a wildlife habitat conservation and management plan pursuant to ORS 215.804 subject to the following standards:
 - (1) A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use;
 - (2) Is situated on a lot or parcel existing on November 4, 1993;
 - (3) Qualifies for a farm dwelling under ORS 215.213(2)(a) or (b) or a nonfarm dwelling under ORS 215.213(3); and
 - (4) Will not be established on a lot or parcel that is predominantly composed of soils rated as Class I or II, when not irrigated, or rated Prime or Unique by the United States National Resources Conservation Service or any combination of such soils.
- E. Forest Products, Primary Processing - Section 430-47.
- F. Home Occupation - Section 430-63. Applications to renew a home occupation do not have to address Section 340-4.3 if that section was addressed in a prior application. A home occupation on high-value farmland shall be operated in the dwelling or other buildings normally associated with uses permitted in the district. A home occupation shall not unreasonably interfere with other uses permitted on surrounding land in the EFU, EFC and AF-20 Districts.
- G. Improvement of public road and highway related facilities such as maintenance yards, weigh stations and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.

- H. Onsite filming and activities accessory to onsite filming for more than forty-five (45) days - See ORS 215.306 for standards.
- I. Operations for the extraction and bottling of water.
- J. Parking log trucks [no more than seven (7) log trucks] - See ORS 215.311 for standards.
- K. Parks - Section 430-97. Private parks are not permitted on high-value farmland. Public parks include only the uses specified under OAR 660-034-0035 or OAR 660-034-0040, if applicable.
- L. Propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission ~~and/or~~ insect species. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture.
- M. Residential home as defined in Section 106-179, in an existing dwelling. This use is exempt from Section 430-53 (Group Care Facilities). A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- N. Room and board arrangements, including a bed and breakfast facility, for a maximum of five (5) unrelated persons in an existing dwelling. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- O. Solid Waste Disposal Site - Section 430-127.1. This use is not permitted on high-value farmland.
- P. Stockpiling of aggregate, sand and gravel for road maintenance purposes. For required standards see Section 430-132.
- Q. Temporary Use - Section 430-135.2 A. Applications to renew a temporary use do not have to address Section 340-4.3 if that section was addressed in a prior application. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- R. State or Regional Park uses listed in a County-approved Master Plan. See Section 383, State and Regional Park Overlay District.
- S. Community centers - owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community.

CDC Section 344, Agriculture and Forest District (AF-20) is amended to reflect the following:

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

- A. Commercial Activities in Conjunction with Farm Use not including the processing of farm crops as described in Section 344-4.1 C. - Section 430-33.
- B. Primary Dwelling Unit in conjunction with farm use - Section 430-37.2 A. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- C. Primary Dwelling Unit in conjunction with the propagation or harvesting of a forest product - Section 430-37.2 B. This use is not permitted on high-value farmland. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- D. Dwelling Unit in conjunction with a wildlife habitat conservation and management plan pursuant to ORS 215.804 subject to the following standards:
 - (1) A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use;
 - (2) Is situated on a lot or parcel existing on November 4, 1993;
 - (3) Qualifies for a farm dwelling under ORS 215.213 (2)(a) or (b) or a nonfarm dwelling under ORS 215.213(3); and
 - (4) Will not be established on a lot or parcel that is predominantly composed of soils rated as Class I or II, when not irrigated, or rated Prime or Unique by the United States National Resources Conservation Service or any combination of such soils.
- E. Forest Products, Primary Processing - Section 430-47.
- F. Home Occupation - Section 430-63. Applications to renew a home occupation do not have to address Section 344-4.3 if that section was addressed in a prior application. A home occupation on high-value farmland shall be operated in the dwelling or other buildings normally associated with uses permitted in the district. A home occupation shall not unreasonably interfere with other uses permitted on surrounding land in the EFU, EFC and AF-20 Districts.
- G. Improvement of public road and highway related facilities such as maintenance yards, weigh stations and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.

- H. Onsite filming and activities accessory to onsite filming for more than forty-five (45) days - See ORS 215.306 for standards.
- I. Operations for the extraction and bottling of water.
- J. Parking log trucks [no more than seven (7) log trucks] - See ORS 215.311 for standards.
- K. Parks - Section 430-97. Private parks are not permitted on high-value farmland. Public parks include only the uses specified under OAR 660-034-0035 or OAR 660-034-0040, if applicable.
- L. Propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission ~~and~~ insect species. Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture.
- M. Residential home as defined in Section 106-179, in an existing dwelling. This use is exempt from Section 430-53 (Group Care Facilities). A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- N. Room and board arrangements, including a bed and breakfast facility, for a maximum of five (5) unrelated persons in an existing dwelling. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- O. Solid Waste Disposal Site - Section 430-127.1. This use is not permitted on high-value farmland.
- P. Stockpiling of aggregate, sand and gravel for road maintenance purposes. For required standards see Section 430-132.
- Q. Temporary Use - Section 430-135.2 A. Applications to renew a temporary use do not have to address Section 344-4.3 if that section was addressed in a prior application. A waiver of the right to remonstrate against commonly accepted farm or forest practices shall be recorded for this use.
- R. State or Regional Park uses listed in a County-approved Master Plan. See Section 383, State and Regional Park Overlay District.
- S. Community centers - owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community.

CDC Section 430-77 SPECIAL USE STANDARDS for Manufactured Dwelling Parks is amended to reflect the following:

430-77 Manufactured Dwelling Park

A Manufactured Dwelling Park is a parcel of land under single ownership on which two (2) or more manufactured dwellings are occupied as residences. The manufactured dwelling sites usually are rented. Manufactured Dwelling Parks shall:

- 430-77.1 Meet all the general manufactured dwelling requirements of Section 430-75;
- 430-77.2 Be a minimum of three (3) acres;
- 430-77.3 Shall maintain the density requirement of the underlying district and in no case shall exceed ten (10) units per acre. If the underlying district would otherwise allow more than ten (10) units per acre, any loss of density that occurs as a result of approving a manufactured dwelling park may be transferred. The following relate to transfer of said density:
 - A. Any loss of said density may be transferred to the remainder of the lot or parcel over the required three (3) acres if the park does not occupy an entire site; or
 - B. Any loss of said density may be transferred to any contiguous parcels in the same or higher density district; and
 - C. If a density transfer occurs, the maximum density for the area approved for the park shall be ten (10) units per acre;
- 430-77.4 Require that each manufactured dwelling have a minimum front yard setback of ten (10) feet. The front yard setback shall be measured from the back of the street curb or sidewalk, whichever is closest;
- 430-77.5 Require that each manufactured dwelling have a minimum rear yard and street side yard setback of ten (10) feet and side yard setback of five (5) feet. The street side yard setback shall be measured from the back of the street curb or sidewalk, whichever is closest;
- 430-77.6 Have minimum exterior perimeter setbacks of fifteen (15) feet with planting and screening as required for a Type II buffer (Section 411-6.2);
- 430-77.7 The manufactured dwelling shall meet the requirements of Section 418 (Setbacks);
- 430-77.8 The site plan for the building permit for the manufactured home shall show all door openings; appurtenances, including carports, garages, porches, steps and landings; and accessory buildings;
- 430-77.9 Provide a paved driveway, at least ten (10) feet in width, for each space;

- 430-77.10 Provide a minimum of one (1) paved off street parking place;
- 430-77.11 Provide a minimum of two-hundred-forty (240) cubic feet of detached storage space for each manufactured dwelling space;
- 430-77.12 Allow double carports or garages to serve two adjacent manufactured dwellings;
- 430-77.13 Allow only manufactured dwellings for residences and accessory uses, including home occupations. Recreational vehicles may be placed within a manufactured dwelling park if the following standards are met:
- A. The recreational vehicle must be occupied as a residential dwelling, and
 - B. The recreational vehicle must be lawfully connected to:
 - (1) a water supply system;
 - (2) an electrical supply system; and
 - (3) a sewage disposal system.
- Special conditions may be imposed on the placement of recreational vehicles provided such conditions do not impose a limit on the length of occupancy solely on the grounds that the occupancy is in a recreational vehicle.
- 430-77.14 Provide an on-site circulation network including streets and pedestrian facilities in conformance with Section 408 (Neighborhood Circulation) and 409 (Private Streets);
- 430-77.15 Obtain a Mobile Home Park Construction Permit from Washington County;
- 430-77.16 Meet the standards of this Section prior to occupancy;
- 430-77.17 Expansions of existing parks shall meet the standards of this Section;
- 430-77.18 Access to a manufactured dwelling park may be provided through an urban commercial or urban industrial district if no other access is available; and
- 430-77.19 Comply with applicable State requirements, such as requirements for streets, utilities and open space/ recreational areas.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: ADOPT FINDINGS FOR ORDINANCE NO. 676

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

Ordinance No. 676 makes conforming amendments to the Community Development Code Element of the Comprehensive Plan relating to land use legislation adopted in 2005. The amendments add clarifying language related to uses allowed in an exclusive farm use zone (EFU and AF-20), and adds language to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met.

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

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

RO 06-230

Agenda Item No. 5.e.

Date: 10/24/06

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. 676) No. 06-230

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, and Washington County's Comprehensive Plan relating to
10 Ordinance No. 676; 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. 676 are hereby adopted.

22 DATED this 24th day of October, 2006.

	AYE	NAY	ABSENT
BRIAN	✓	—	—
SCHOUTEN	✓	—	—
LEEPER	✓	—	—
ROGERS	—	—	✓
BUYCK	—	—	✓

APPROVED AS TO FORM: ✓

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

John Leeper
Chairman

Barbara Heitmanek
Recording Secretary

[Signature]
County Counsel
For Washington County, Oregon

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 676 AMENDING THE COMMUNITY DEVELOPMENT CODE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO THE IMPLEMENTATION OF 2005 LEGISLATIVE CHANGES

OCTOBER 24, 2006

GENERAL FINDINGS

Ordinance No. 676 proposes to amend several sections of the Community Development Code to implement Senate Bill 346 (SB 346) and House Bill 2247 (HB 2247), adopted by the Oregon Legislature in 2005. SB 346 amended Oregon Revised Statute 215 by adding clarifying language related to uses allowed in an exclusive farm use zone, specifically the farming of aquatic species. HB 2247 amended Oregon Revised Statutes 90 and 446 to allow recreational vehicle to be occupied as a residential dwelling in certain situations. The local government may not prohibit the placement or occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle. Adoption of Ordinance No. 676 would bring the county into compliance with Oregon Revised Statutes relating to farming of aquatic species in exclusive farm use zones and the use of recreational vehicles as residences when certain conditions are met.

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.

The County also is required to make findings that the amendments are consistent with the requirements of Metro's Urban Growth Management Functional Plan. These findings are also addressed in this document.

GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that Ordinance No. 676 is consistent with Statewide Planning Goals, ORS and OAR requirements and the Washington County Comprehensive Plan, and Metro's Urban Growth Management Functional Plan (UGMFP).

Goal 1 - Citizen Involvement

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. 676 and an accompanying summary were mailed 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. 676 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. 676 was mailed on October 4, 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. 676 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. 676.

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. 676 amends the county's Community Development Code, which is an element of the county's Comprehensive Plan. It is therefore a legislative land use ordinance in accordance with the definitions in Chapter X of the County Charter.
3. Chapter X of the Washington County Charter requires that initial notice of public hearings be prepared by the Land Use Ordinance Advisory Commission. The Commission met September 21, 2006 to draft a notice for Ordinance No. 676. 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 (DLCDD) at least 45 days before the first hearing. Notice of Proposed Ordinance No. 676 was mailed to DLCDD 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 implement limited 2005 legislative changes to maintain the Comprehensive Plan's consistency. These changes were included in Proposed Ordinance No. 676.

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. 676. 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. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species.
2. Ordinance No. 676 reflects changes made to Oregon Revised Statutes 215.203, 215.213, and 215.283 by the Oregon Legislature in 2005, which amended the list

of approved uses in exclusive farm use districts to clarify that propagation, cultivation, maintenance and harvesting of aquatic species is an allowed use in exclusive farm use zones provided the species are not under the jurisdiction of the State Fish and Wildlife Commission.

3. Ordinance No. 676 amended Sections 340 (Exclusive Farm Use District) and 344 (Agriculture & Forest 20 Acre District) to implement Senate Bill 346, adopted by the Oregon Legislature in 2005. Sections 340 and 344 were amended to clarify that aquatic species not under the jurisdiction of the State Fish and Wildlife Commission are an allowed farm use.

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. 676 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. 676 did not amend the applicable Plan policies or Code standards related to forest land resources which impact the county's compliance with Goal 4. Therefore, it is not necessary to make specific findings for Goal 4.

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

CONCLUSION

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

Plan compliance with Goal 5 is maintained with amendments made by Ordinance No. 676. 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. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. The ordinance does not amend any Plan policies or strategies or Code standards related to natural resources, therefore, it is not necessary to make specific findings for Goal 5.

Goal 6 - Air, Water and Land Resource Quality

CONCLUSION

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

Plan compliance with Goal 6 is maintained with the amendments made by Ordinance No. 676. 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. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. The ordinance does not amend any Plan policies or strategies 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. 676. 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. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. Ordinance No. 676 did not amend the applicable Plan policies related to flood plain areas, or to natural disasters and hazards. Therefore, it is not necessary to make specific findings for Goal 7.

Goal 8 - Recreation Needs

CONCLUSION

Policies 33 and 34 of the Comprehensive Framework Plan for the Urban Area, Policy 24 of the Rural/Natural Resource Plan and the individual Community Plans address the recreational needs of the citizens of Washington County and visitors. Plan compliance with Goal 8 is maintained with the amendments made by Ordinance No. 676. 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. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. Ordinance No. 676 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. 676. The amendments are consistent with the county's acknowledged policies and strategies for strengthening the local economy as required by Goal 9. This conclusion is supported by the following facts:

FACTS

1. Implementing Strategy a. of Policy 20 (Urban Area Economy) of the county's Comprehensive Framework Plan for the Urban Area states in part that, "The County will clarify and streamline the development review process in the Community Development Code." While there are no specific Code standards directly related to this goal, amendments to the Code should follow this policy to achieve the economic development goal.
2. Ordinance No. 676 reflects changes made to Oregon Revised Statute 215.203, 215.213, and 215.283 by the Oregon Legislature in 2005. The legislation amended the list of approved uses in exclusive farm use districts to include propagation, cultivation, maintenance and harvesting of aquatic species provided the species are not under the jurisdiction of the State Fish and Wildlife Commission.

3. Ordinance No. 676 amended Sections 340 (Exclusive Farm Use District) and 344 (Agriculture & Forest 20 Acre District) to implement Senate Bill 346, adopted by the Oregon Legislature in 2005. Sections 340 and 344 were amended to clarify that aquatic species not under the jurisdiction of the State Fish and Wildlife Commission are an allowed farm use.

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. 676. 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. HB 2247 amended Oregon Revised Statutes 90.100, 90.140, 90.425, 90.510, 90.630, 90.675, 90.725, and 446.51. The legislation made several amendments relating to manufactured dwellings and specifically stated that local governments may not prohibit the placement or occupancy of recreational vehicles, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, provided the recreational vehicle is:
 - Located in a manufactured dwelling park, mobile home park or recreational vehicle park;
 - Occupied as a residential dwelling; and
 - Lawfully connected to water and electrical supply systems and a sewage disposal system.
2. Ordinance No. 676 amended Section 430-77 (Special Use Standards for Manufactured Dwelling Parks) to incorporate legislative changes made through HB 2247 which was adopted by the Oregon Legislature and took effect on January 1, 2006. Section 430-77.13 is amended to implement the changes made by HB 2247.

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. 676. 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. 676 does not amend the Washington County Public Facilities Plan.
3. Ordinance No. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. Ordinance No. 676 did not directly amend any Plan policies or strategies or Code standards relating to Goal 11. Therefore, it is not necessary to make specific 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. 676. 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. 676 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. 676. 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. 676 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. 676. 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. 676 amended the Community Development Code element of the Comprehensive Plan by adding clarifying language related to uses allowed in the EFU and AF-20 Districts, specifically the farming of aquatic species. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. Ordinance No. 676 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. 676
AMENDING THE COMMUNITY DEVELOPMENT CODE ELEMENT OF THE
COMPREHENSIVE PLAN RELATING TO THE IMPLEMENTATION OF 2005
LEGISLATIVE CHANGES**

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, 3, 4, 6, and 8 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

HB 2247 amended Oregon Revised Statutes 90.100, 90.140, 90.425, 90.510, 90.630, 90.675, 90.725, and 446.51. The legislation made several amendments relating to manufactured dwellings and specifically stated that local governments may not prohibit the placement or occupancy of recreational vehicles, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, provided the recreational vehicle is:

- Located in a manufactured dwelling park, mobile home park or recreational vehicle park;
- Occupied as a residential dwelling; and
- Lawfully connected to water and electrical supply systems and a sewage disposal system.

Ordinance No. 676 amended Section 430-77 (Special Use Standards for Manufactured Dwelling Parks) to incorporate legislative changes made through HB 2247. The use of recreational vehicles as residences may increase the capacity of housing within the growth boundary. Therefore the changes adopted by Ordinance No. 676 are consistent with Title 1 of the UGMFP.

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. 676 does not change any standards relating to water quality or flood plain management. Significant natural, historic and cultural designations are carried over from the Rural/Natural Resource Plan to the Future Development Areas Map in the Comprehensive Framework Plan for the Urban Area and various community plans.

Ordinance No. 676 reflects changes made to Oregon Revised Statutes 215.203, 215.213, and 215.283 by the Oregon Legislature in 2005, which amended the list of approved uses in exclusive farm use districts to clarify that propagation, cultivation, maintenance and harvesting of aquatic species is an allowed use in exclusive farm use zones provided the species are not under the jurisdiction of the State Fish and Wildlife Commission. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. Ordinance No. 676 clarifies the farming of aquatic species and the use of recreational vehicles as residences. Therefore, Ordinance No. 676 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. 676 reflects changes made to Oregon Revised Statutes 215.203, 215.213, and 215.283 by the Oregon Legislature in 2005, which amended the list of approved uses in exclusive farm use districts to clarify that propagation, cultivation, maintenance and harvesting of aquatic species is an allowed use in exclusive farm use zones provided the species are not under the jurisdiction of the State Fish and Wildlife Commission. Language was also added to the special use standards for manufactured dwelling parks that would allow recreational vehicles to be used as residences if certain conditions are met. Ordinance No. 676 clarifies the farming of aquatic species and the use of

recreational vehicles as residences. Therefore, Ordinance No. 676 does not amend industrial and other employment areas.

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. 676 does not change 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. 676 on August 30, 2006. These findings demonstrate the amendments made by this ordinance are in substantial compliance with the UGMFP.