



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

November 6, 2007



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 010-07

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 20, 2007

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: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Marguerite Nabeta, DLCD Regional Representative
Andy Back, Washington County

<paa> ya/

FORM

2 Notice of Adoption

DLCD

in person electronic mailed

DEPT OF

OCT 30 2007

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

DATE
STAMP

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

Jurisdiction: **Washington County** Local file number: **Ordinance No. 680**
 Date First Evidentiary Hearing: **10/17/2007** Date of Final Hearing: **10/23/2007**
 Date Notice of Adoption form (Form #2) was sent to DLCD: **10/25/2007**
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date mailed to DLCD: **8/29/2007**

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached" (limit of 500 characters):
Ordinance 680 amends the Washington County - Wilsonville Urban Planning Area Agreement relating to delegation of planning authority for the area referred to as the Coffee Creek Concept Plan area. The ordinance also proposes to replace the 1988 planning area boundary map with an updated boundary map that generally includes the area south of Day Road and the Coffee Creek Correctional Facility.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan map changed from: **N/A** to: **N/A**
 Zone map changed from: **N/A** to: **N/A**
 Location: **Wilsonville Urban Planning Area**
 Specify density: Previous: **N/A** New density: **N/A** Acres involved: **0**

Mark applicable statewide planning goals:

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

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment 45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. 010-07(16350)

Please list affected state or federal agencies, local governments or special districts: Washington County, City of Wilsonville

Local Contact: **Andy Back, Principal Planner**
E-mail: andy_back@co.washington.or.us
Phone: (503) 846-3875

Address: **155 N. First Ave., Suite 350-14**
City: **Hillsboro** Zip: **97124**
Fax: **(503) 846-4412**

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 Complete Copies** (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not 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 not 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 now access these forms online at <http://www.lcd.state.or.us/>. Please print on 8-1/2x11 green paper only. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@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 (CPO 5)

Agenda Title: **PROPOSED ORDINANCE NO. 680 – AN ORDINANCE
AMENDING THE WASHINGTON COUNTY - WILSONVILLE
URBAN PLANNING AREA AGREEMENT**

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

SUMMARY:

Ordinance No. 680 proposes to amend the Washington County – Wilsonville Urban Planning Area Agreement, originally adopted in 1988. Ordinance 680 relates to the delegation of planning authority for the unincorporated portion of the Wilsonville Urban Planning Area referred to as the Coffee Creek Master Plan Area. The ordinance also updates the agreement's Urban Planning Area boundary map.

On October 17, 2007, 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 23, 2007 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. 680 by title only and conduct the first public hearing. At the conclusion of the hearing, adopt Ordinance No. 680.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

100-601000

Agenda Item No.	<u>4.c.</u>
Date:	<u>10/23/07</u>



WASHINGTON COUNTY OREGON

September 7, 2007

To: Citizen Participation Organizations and Interested Parties

From: Brent Curtis, Planning Manager *ABC*
Department of Land Use & Transportation

Subject: **PROPOSED ORDINANCE NO. 680**

Enclosed for your information is a copy of proposed Ordinance No. 680. Listed below is a description of the ordinance, hearing dates, and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact the Planning Division.

Ordinance Purpose and Summary

Ordinance No. 680 proposes to amend the Washington County – Wilsonville Urban Planning Area Agreement, originally adopted in 1988, relating to delegation of planning authority for the unincorporated portion of the Wilsonville Urban Planning Area referred to as the Coffee Creek Master Plan Area. The ordinance also updates the agreement's Urban Planning Area boundary map.

Who Is Affected

Owners of land located in the unincorporated portion of the Wilsonville Urban Planning Area.

What Land is Affected

Properties located in the unincorporated portion of the Wilsonville Urban Planning Area.

Key Provisions

- The Washington County – Wilsonville Urban Planning Area Agreement (UPAA) is amended to delegate planning authority for the Coffee Creek Master Plan Area, which is located outside of the city limits and within the Wilsonville Urban Planning Area, to the City of Wilsonville contingent upon selection of a preferred alternative for the I-5/Hwy. 99W connector.
- The ordinance also adds a provision to the UPAA that planning authority for the affected area may be delegated to the City prior to the selection of the preferred connector alternative provided any proposed comprehensive plan amendment preserves the needs for all of the I-5/Hwy. 99W connector alternatives selected by the Project Steering Committee.
- Exhibit A of the existing Wilsonville UPAA, which shows the current Urban Planning Area boundary, is deleted and replaced by a new Exhibit A. The new map reflects an updated Urban Planning Area boundary that includes the Coffee Creek Correctional Facility and the unincorporated area south of Day Road known as the Coffee Creek Master Plan Area.

Initial Public Hearings

Time and Place

Planning Commission
7:30 pm
October 17, 2007

Board of County Commissioners
6:30 pm
October 23, 2007

Hearings will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 N. 1st Avenue, Hillsboro, Oregon.

On October 23, 2007, the Board of County Commissioners (Board) may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted, it would become effective on November 22, 2007.

**Urban Comprehensive
Plan Policies Amended**

➤ Washington County – Wilsonville Urban Planning Area Agreement

**How to Submit
Comments**

Submit oral or written testimony to the Board and/or the Planning Commission at one of the public hearings. Written testimony may be mailed or faxed to the Board or Planning Commission in advance of the public hearings in care of the Planning Division. **We are unable to accept e-mail as public testimony.**

Washington County, Planning Division
155 N. 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Fax: 503-846-4412

Failure to submit oral or written testimony before the Board or Planning Commission may preclude appeal of a decision by the Board to adopt an ordinance as filed or amended.

Staff Contact

Andy Back, Principal Planner
155 N. 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Telephone: 503-846-3875 Fax: 503-846-4412
e-mail: andy_back@co.washington.or.us

**Proposed Ordinance is
available at the
following locations:**

- The Washington County Department of Land Use and Transportation, Planning Division, 155 N. 1st Ave., Hillsboro, OR 97124-3072
Telephone: 503-846-3519
- www.co.washington.or.us/deptmts/lut/planning/ordhome.htm
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-725-2124 for a directory of CPOs.

S:\PLNG\WPSHARE\2007ord\Ord680\notices_Affidavits\CPO_notice_Ord680.doc

FILED

AUG 28 2007

**Washington County
County Clerk**

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE NO. 680

An Ordinance Amending the Washington
County – Wilsonville Urban Planning Area
Agreement Element of the Washington
County Comprehensive Plan

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

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon (“BCC”) recognizes that the Urban Planning Area Agreement with City of Wilsonville was adopted by Ordinance No. 332 on October 25, 1988, and signed on November 24, 1988.

B. Subsequent ongoing planning efforts of the County indicate a need for an update of the Washington County – Wilsonville Urban Planning Area Agreement to reflect changes to urban planning of the area outside of the city limits and within the Urban Planning Area. The Board takes note that such changes are necessary for the benefit of the health, safety, and general welfare of the residents of Washington County, Oregon.

C. Under the provisions of Washington County Charter Chapter X, the Land Use Ordinance Advisory Commission has carried out its responsibilities, including preparation of notices, and the Planning Commission has conducted one or more public hearings on the proposed amendments and has submitted its recommendations to the Board.

D. The Board finds and takes public notice that it is in receipt of all matters and information necessary to consider, in an adequate manner, this Ordinance, and that this Ordinance complies with the Statewide Planning Goals, the Metro Urban Growth Management

1 Functional Plan, the Regional Transportation Plan, and the standards for legislative plan adoption
2 as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington County
3 Charter, and the Washington County Community Development Code.

4 SECTION 2

5 Exhibit 1 (10 pages), attached hereto and incorporated herein by reference, is hereby
6 adopted in its entirety and shall then repeal and replace the Washington County – Wilsonville
7 Urban Planning Area Agreement dated November 24, 1988, upon full execution of the
8 Agreement by the County and the City.

9 SECTION 3

10 All other Comprehensive Plan provisions, which have been adopted by prior ordinance,
11 and provisions of such prior land use ordinances, which are not expressly amended or repealed
12 herein, shall remain in full force and effect.

13 SECTION 4

14 If any portion of this Ordinance, including the exhibit, shall for any reason be held
15 invalid or unconstitutional by a body of competent jurisdiction, whether by reason of substantive
16 or procedural defect, the remainder shall not be affected thereby and shall remain in full force
17 and effect, and any provision of a prior land use ordinance amended or repealed by the stricken
18 portion of this Ordinance shall be revived and again be considered in full force and effect.

19 SECTION 5

20 B. The Office of County Counsel and Department of Land Use and Transportation
21 are authorized to codify the amendments and revise the Urban Planning Area Agreement as
22 necessary to reflect the changes adopted herein, including deleting and adding textual material

1 and maps, renumbering pages or sections, and making any technical changes not affecting the
2 substance of adopted ordinances as necessary to conform to the Washington County
3 Comprehensive Plan format.

4 SECTION 6

5 This Ordinance shall take effect 30 days after the date of its enactment.

6 ENACTED this 23 day of October, 2007, being the 1st
7 reading and 1st public hearing before the Board of County Commissioners of
8 Washington County, Oregon.

9 BOARD OF COUNTY COMMISSIONERS
10 FOR WASHINGTON COUNTY, OREGON

11 **ADOPTED**

12 Roy P. Rogers
CHAIRMAN
13 Marian Larkin
RECORDING SECRETARY

14 READING
15 First October 23, 2007
16 Second _____
17 Third _____
18 Fourth _____
19 Fifth _____
20 Sixth _____
21 Seventh _____
22 Eighth _____
Ninth _____
Tenth _____
Eleventh _____
Twelfth _____
Thirteenth _____

PUBLIC HEARING
October 23, 2007

21 VOTE: Aye: Rogers, Duyck, Strader,
Schoufen

Nay: _____

22 RECORDING SECRETARY: Marian Larkin Date: 10-23-07

The Washington County - City of Wilsonville Urban Planning Area Agreement is amended to reflect the following:

8/88

**Washington County – Wilsonville
Urban Planning Area Agreement**

THIS AGREEMENT is entered into ~~this 25th day of October, 1988~~ by WASHINGTON COUNTY, a political subdivision in the State of Oregon, hereinafter referred to as the "COUNTY", and the CITY OF WILSONVILLE, an incorporated municipality of the State of Oregon, hereinafter referred to as the "CITY".

WHEREAS, ORS 190.010 provides that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreement, its officers or agents, have authority to perform; and

WHEREAS, Statewide Planning Goal #2 (Land Use Planning) requires that City, County, State and Federal agency and special district plans and actions shall be consistent with the comprehensive plans of the cities and counties and regional plans adopted under ORS Chapter 197; and

WHEREAS, the Oregon Land Conservation and Development Commission requires each jurisdiction requesting acknowledgment of compliance to submit an agreement setting forth the means by which comprehensive planning coordination within the Regional Urban Growth Boundary will be implemented; and

WHEREAS, the COUNTY and the CITY, to ensure coordinated and consistent comprehensive plans, consider it mutually advantageous to establish:

1. A site-specific Urban Planning Area within the Regional Urban Growth Boundary within which both the COUNTY and the CITY maintain an interest in comprehensive planning;
2. A process for coordinating comprehensive planning and development in the Urban Planning Area; and
3. A process to amend the Urban Planning Agreement.

NOW THEREFORE, THE COUNTY AND THE CITY AGREE AS FOLLOWS:

I. Location of the Urban Planning Area

abcdef Proposed additions
abcdef Proposed deletions

The Urban Planning Area mutually defined by the COUNTY and the CITY includes the area designated on Exhibit "A" to this Agreement.

In addition, the CITY and the COUNTY have identified a coordination area in which development may cause an impact on the CITY. This area, defined as that portion of the Willamette River Drainage Basin located in the COUNTY, is identified on Exhibit "A" as the Wilsonville Drainage Area. Comprehensive planning and development shall be coordinated in this area the same manner as in the Urban Planning Area.

II. Coordination of Comprehensive Planning and Development

A. Amendments to or Adoption of a Comprehensive Plan or Implementing Regulation

1. Definitions

Comprehensive Plan means a generalized, coordinated land use map and policy statement of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including, but not limited to, sewer and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs. "Comprehensive Plan" amendments do not include small tract comprehensive plan map changes.

Implementing Regulation means any local government zoning ordinance, land division ordinance adopted under ORS 92.044 or 92.046 or similar general ordinance establishing standards for implementing a comprehensive plan. "Implementing regulation" does not include small tract zoning map amendments, conditional use permits, individual subdivision, partitioning or planned unit development approval or denials, annexations, variances, building permits and similar administrative-type decisions.

2. The COUNTY shall provide the CITY with the appropriate opportunity to participate, review and comment on proposed amendments to or adoption of the COUNTY comprehensive plan or implementing regulations. The CITY shall provide the COUNTY with the appropriate opportunity to participate, review and comment on proposed amendments to or adoption of the CITY comprehensive plan or implementing regulations. The following procedures shall be followed by the COUNTY and the CITY to notify and involve one another in the process to amend or adopt a comprehensive plan or implementing regulation:

- a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall notify the other agency, hereinafter the responding agency, of the proposed action at the time such planning efforts are initiated, but in no case less than 45 days prior to the final hearing on adoption. The specific method and level of involvement shall be finalized by "Memorandums of Understanding" negotiated and signed by the planning directors of the CITY and the COUNTY. The "Memorandums of Understanding" shall clearly outline the process by which the responding agency shall participate in the adoption process. If, at the time of being notified of a proposed action, the responding agency determines it does not need to participate in the adoption process, it may waive the requirement to negotiate and sign a "Memorandum of Understanding".
- b. The originating agency shall transmit draft recommendations on any proposed actions to the responding agency for its review and comment before finalizing. Unless otherwise agreed to in a "Memorandum of Understanding", the responding agency shall have ten (10) days after receipt of a draft to submit comments orally or in writing. Lack of response shall be considered "no objection" to the draft.
- c. The originating agency shall respond to the comments made by the responding agency either by a) revising the final recommendations, or b) by letter to the responding agency explaining why the comments cannot be addressed in the final draft.
- d. Comments from the responding agency shall be given consideration as part of the public record on the proposed action. If after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.
- e. Upon final adoption of the proposed action by the originating agency, it shall transmit the adopting ordinance to the responding agency as soon as publicly available, or if not adopted by ordinance, whatever other written documentation is available to properly inform the responding agency of the final actions taken.

B. Development Actions Requiring Individual Notice to Property Owners

1. Definition

Development Action Requiring Notice means an action by a local government which requires notifying by mail the owners of property which could potentially be affected (usually specified as a distance measured in feet) by a proposed development action which directly affects and is applied to a specific parcel or parcels. Such development actions may include, but not be limited to, small tract zoning or comprehensive plan amendments, conditional or special use permits, individual subdivisions, partitionings or planned unit developments, variances, and other similar actions requiring a hearings process which is quasi-judicial in nature.

2. The COUNTY will provide the CITY with the opportunity to review and comment on proposed development actions requiring notice within the designated Urban Planning Area. The CITY will provide the COUNTY with the opportunity to review and comment on proposed development actions requiring notice within the CITY limits that may have an affect on unincorporated portions of the designated Urban Planning Area.
3. The following procedures shall be followed by the COUNTY and the CITY to notify one another of proposed development actions:
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall send by first class mail a copy of the public hearing notice which identifies the proposed development action to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than ten (10) days prior to the date of the scheduled public hearing. The failure of the responding agency to receive a notice shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
 - b. The agency receiving the notice may respond at its discretion. Comments may be submitted in written form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered "no objection" to the proposal.
 - c. If received in a timely manner, the originating agency shall include or attach the comments to the written staff report and respond to any concerns addressed by the responding agency in such report or orally at the hearing.
 - d. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If, after such consideration, the originating agency, the responding

agency may seek appeal of the action through the appropriate appeals body and procedures.

C. Additional Coordination Requirements

1. The CITY and the COUNTY shall do the following to notify one another of proposed actions which may affect the community, but are not subject to the notification and participation requirements contained in subsections A and B above.
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposed actions, hereinafter the originating agency, shall send by first class mail a copy of all public hearings agendas which contain the proposed actions to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than three (3) days prior to the date of the scheduled public hearing. The failure of the responding agency to receive an agenda shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
 - b. The agency receiving the public hearing agenda may respond at its discretion. Comments may be submitted in written form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered "no objection" to the proposal.
 - c. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If, after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.

III. Special Policies

- A. Annexations to the CITY of land outside of the Urban Growth Boundary and the Urban Planning Area will not be supported by the COUNTY or CITY.
- B. The CITY shall be responsible for the preparation, adoption and amendment of the Public Facility Plan required by OAR 660-11 within the Urban Planning Area.
- C. For the area outside of the city limits and within the Urban Planning Area, delegation of the planning authority to the CITY is contingent upon selection of a preferred alternative for the I-5/Hwy. 99W connector by the I-5/Hwy. 99W Connector Project Steering Committee. The COUNTY and the CITY may agree through a Memorandum of Understanding to delegate planning authority to the

CITY for this area prior to selection of the preferred alternative provided any proposed comprehensive plan amendment includes the maximum road right of way reservations or such other assurances as are necessary and consistent for preserving the I-5/Hwy. 99W connector alternatives selected by the Project Steering Committee.

- DC. As required by OAR 660-11-010 the CITY is identified as the appropriate provider of local water, sanitary sewer, storm sewer and transportation facilities within the urban planning area. Exceptions include facilities provided by other service providers subject to the terms of any intergovernmental agreement the CITY may have with other service providers; facilities under the jurisdiction of other service providers not covered by an intergovernmental agreement; and future facilities that are more appropriately provided by an agency other than the CITY.

IV. Amendments to the Urban Planning Area Agreement

- A. The following procedures shall be followed by the CITY and the COUNTY to amend the language of this agreement or the Urban Planning Area Boundary:
1. The CITY or COUNTY, whichever jurisdiction originates the proposal, shall submit a formal request for amendment to the responding agency.
 2. The formal request shall contain the following:
 - a. A statement describing the amendment.
 - b. A statement of findings indicating why the proposed amendment is necessary.
 - c. If the request is to amend the planning area boundary, a map which clearly indicates the proposed change and surrounding area.
 3. Upon receipt of a request for amendment from the originating agency, the responding agency shall schedule a review of the request before the appropriate reviewing body, with said review to be held within 45 days of the date the request is received.
 4. The CITY and COUNTY shall make good faith efforts to resolve requests to amend this agreement. Upon completion of the review, the reviewing body may approve the request, deny the request, or make a determination that the proposed amendment warrants additional review. If it is determined that additional review is necessary, the following procedures shall be followed by the CITY and COUNTY:

- a. If inconsistencies noted by both parties cannot be resolved in the review process as outlined in Section IV (3), the CITY and the COUNTY may agree to initiate a joint study. Such a study shall commence within 30 days of the date it is determined that a proposed amendment creates an inconsistency, and shall be completed within 90 days of said date. Methodologies and procedures regulating the conduct of the joint study shall be mutually agreed upon by the CITY and the COUNTY prior to commencing the study.
 - b. Upon completion of the joint study, the study and the recommendations draw from it shall be included within the record of the review. The agency considering the proposed amendment shall give careful consideration to the study prior to making a final decision.
- B. The parties will jointly review this Agreement every two (2) years to evaluate the effectiveness of the processes set forth herein and to make any amendments. The review process shall commence two (2) years from the date of execution and shall be completed within 60 days. Both parties shall make a good faith effort to resolve any inconsistencies that may have developed since the previous review. If, after completion of the 60 day review period inconsistencies still remain, either party may terminate this Agreement.
- V. This Agreement shall become effective upon full execution by the COUNTY and the CITY and shall then repeal and replace the Washington County – Wilsonville Urban Planning Area Agreement dated November 24, 1988. The effective date of this Agreement shall be the last date of signature on the signature pages.~~This Urban Planning Area Agreement repeals and replaces the Urban Planning Area Agreement dated September 9, 1986.~~

~~This Agreement commences on November 24, 1988.~~

IN WITNESS WHEREOF the parties have executed this Urban Planning Area Agreement on the date set opposite their signatures.

CITY OF WILSONVILLE

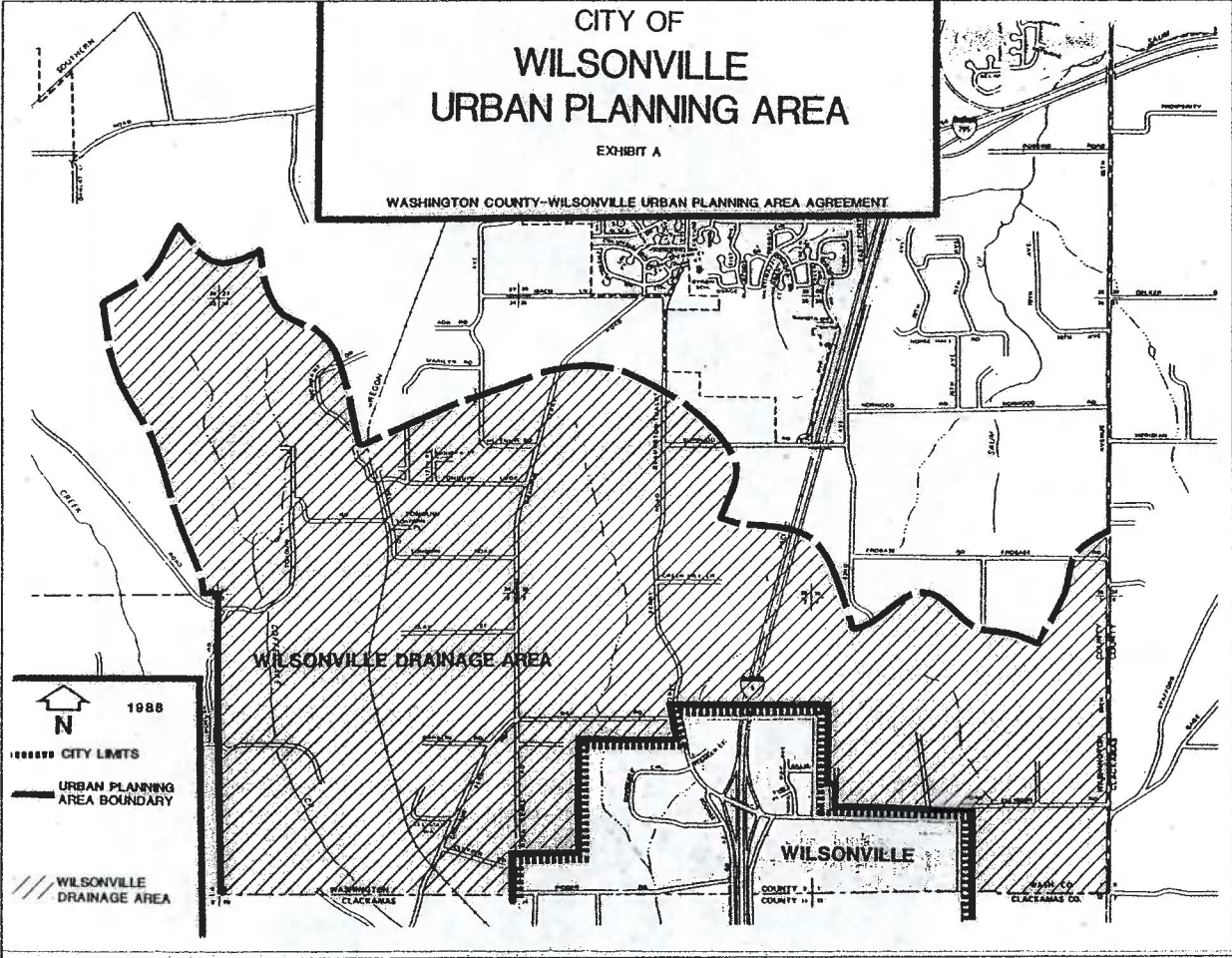
By _____ Date _____
Charlotte Lehan, Mayor

WASHINGTON COUNTY

By _____ Date _____
Chairman
Board of County Commissioners

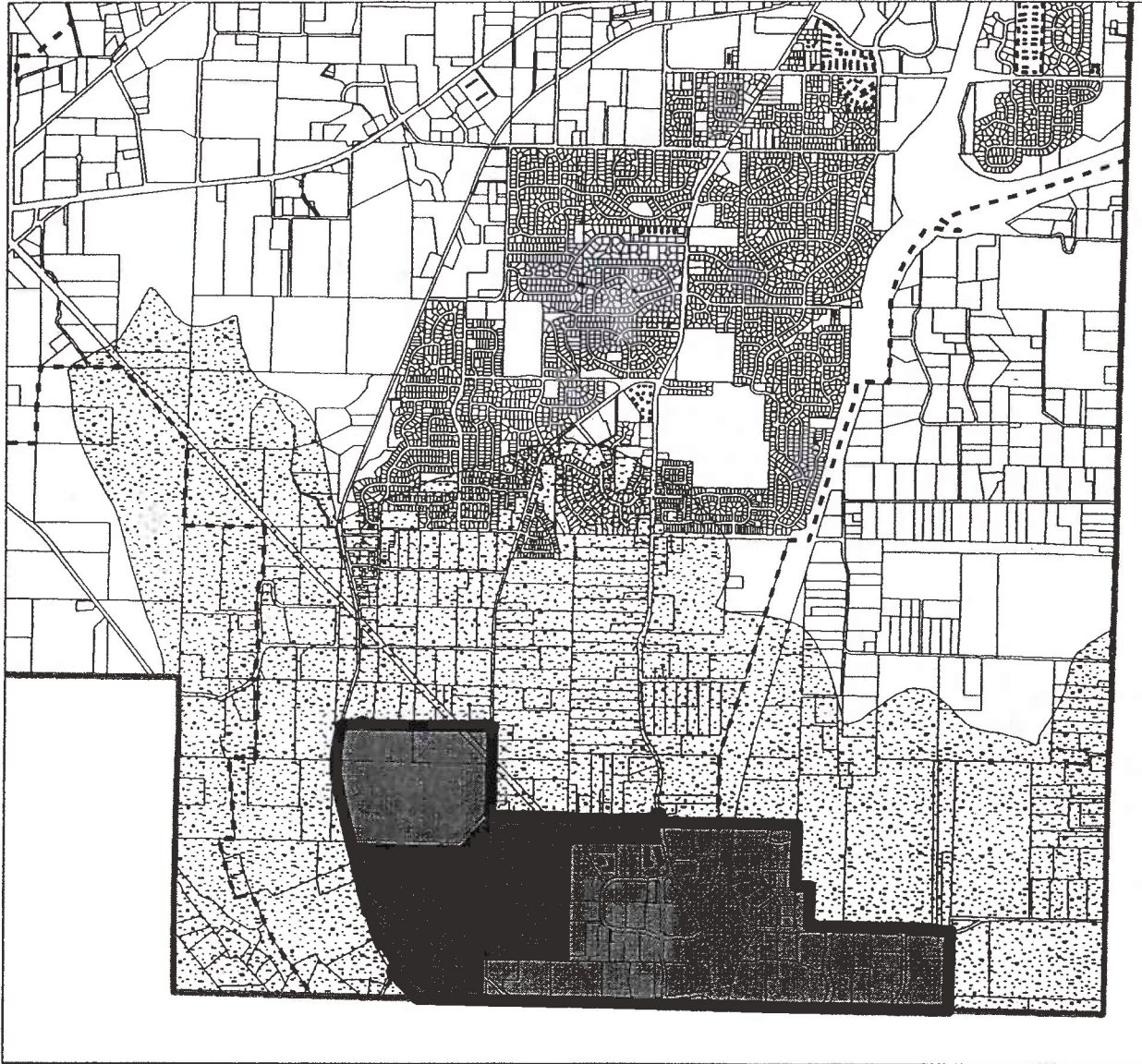
By _____ Date _____
Recording Secretary

Delete existing *Exhibit A - City of Wilsonville Urban Planning Area* as shown below and replace with new Exhibit A on page 10.









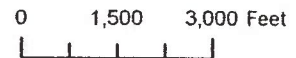
abcdef Proposed additions
abcdef Proposed deletions

Add new *Exhibit A - City of Wilsonville Urban Planning Area* as shown below to the Washington County - City of Wilsonville Urban Planning Area Agreement.



Legend

-  Wilsonville Urban Planning Area
-  Urban Growth Boundary
-  Willamette River Drainage Basin
-  County Boundary
-  Coffee Creek Master Plan Area
-  City of Wilsonville



abcdef Proposed additions
~~abcdef~~ Proposed deletions

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO 5)

Agenda Title: ADOPT FINDINGS FOR ORDINANCE NO. 680

Presented by: Brent Curtis, Planning Manager

SUMMARY:

Ordinance No. 680 proposes to amend the Washington County – Wilsonville Urban Planning Area Agreement relating to the delegation of planning authority for the unincorporated portion of the Wilsonville Urban Planning Area referred to as the Coffee Creek Master Plan Area. The ordinance also updates the agreement's Urban Planning Area boundary map.

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 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 for Ordinance No. 680. 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. 680 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 07-177

Agenda Item No.	<u>5.b.</u>
Date:	<u>10/23/07</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. 680) No. 07-177

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 23, 2007; 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, Washington County's Comprehensive Plan, and titles of Metro's
10 Urban Growth Management Functional Plan relating to Ordinance No. 680; 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 17, 2007, 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. 680 are hereby adopted.

22 DATED this 23rd day of October, 2007.

		PRESENT	ABSENT	
BRIAN				✓
SCHOUTEN	✓			
STRADELL	✓			
ROGERS	✓			
DUYCK	✓			

23 BOARD OF COUNTY COMMISSIONERS
24 FOR WASHINGTON COUNTY, OREGON
25 Roy R. Rogers
Chairman

26 APPROVED AS TO FORM:

27 [Signature]
County Counsel
28 For Washington County, Oregon

26 [Signature]
Recording Secretary

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 680 AMENDING THE WASHINGTON COUNTY – WILSONVILLE URBAN PLANNING AREA AGREEMENT ELEMENT OF THE COMPREHENSIVE PLAN

October 23, 2007

GENERAL FINDINGS

Ordinance No. 680 amends the Washington County – Wilsonville Urban Planning Area Agreement (UPAA) to add properties added to the Regional Urban Growth Boundary by Metro in December 2002 to the city's urban planning area boundary. The expansion of the Regional UGB was approved by the Land Conservation and Development Commission (LCDC) in July 2003. The ordinance also updates the UPAA boundary map and delegates planning authority for the unincorporated portion of the Wilsonville Urban Planning Area referred to as the Coffee Creek Master Plan Area.

The Board of County Commissioners (Board) finds that the Statewide Planning Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual 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. 680 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. 680 and an accompanying summary were mailed on September 7, 2007 to the CPOs and CCI. Also on September 7th, 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 and Metro on August 29, 2007.
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. 680 were published in the following newspapers: *The Hillsboro Argus* on September 28, 2007 and the Washington County Weekly section of *The Oregonian* on September 27, 2007.
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. The notice prepared by the Land Use Ordinance Advisory Commission (LUOAC) describing proposed Ordinance No. 680 was mailed to the list of individuals on the General Notification List on October 3, 2007.
7. On October 17, 2007 the Planning Commission (Commission) held a public hearing for Ordinance No. 680. The Commission voted unanimously to recommend to the Board that they adopt Ordinance No. 680.
8. The Board held a public hearing for Ordinance No. 680 on October 23, 2007. After receiving public testimony on the ordinance, the Board voted to adopt Ordinance No. 680.

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 the Rural/Natural Resource Plan, Urban Planning Area Agreements and the Community Development Code (Code). Washington County utilized this process to adopt this ordinance.

The amendments that were made to the Washington County – Wilsonville Urban Planning Area Agreement 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. 680 amends the Washington County – Wilsonville Urban Planning Area Agreement, 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 LUOAC. LUOAC met September 27, 2007 to draft a notice for Ordinance No. 680. 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 3, 2007.
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 3, 2007. 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 Hillsboro Argus* on September 28, 2007 and the Washington County Weekly section of *The Oregonian* on September 27, 2007.
5. ORS 197.610, OAR 660-18-020 and Senate Bill 543 (effective on June 30, 1999) require that notice of proposed amendments to the county’s acknowledged Comprehensive Plan shall be forwarded to the Director of the Department of Land Conservation and Development (DLCD) at least 45 days before the first hearing. Notice of proposed Ordinance No. 680 was mailed to DLCD on August 29, 2007.
6. The existing Urban Planning Area Agreement (UPAA) between Washington County and the City of Wilsonville dated October 25, 1988 provides the basis for intergovernmental cooperation for adopting plan amendments and amending the City's planning area boundary. The county received a request for changes to the UPAA from the City of Wilsonville. The ordinance proposed to implement the changes was presented to the Planning Commission and Board, and adopted by the Board on October 23, 2007 as Ordinance No. 680. Therefore, the proposed amendments to the UPAA are consistent with the UPAA and Goal 2.
7. Policies 1, 18 and 41 of the Comprehensive Framework Plan for the Urban Area guide the designation of lands added to an urban growth boundary. B-Engrossed Ordinance No. 615, adopted in April 2004, amended Policy 18 to state that lands added to the Regional

UGB shall be designated FD-20. Because the county provided notice consistent with state law and no appeals were filed, the changes made to Policy 18 became acknowledged on May 27, 2004 by operation of law as provided under ORS 197.625(1).

8. Ordinance No. 680 maintains the FD-20 designation on the properties added to the planning area boundary for the City of Wilsonville. Land use and resource designations for the property will continue to apply on the properties until such time that they are annexed to the City of Wilsonville.

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. 680. 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. These amendments will not alter allowed or prohibited uses or activities in these districts.

Goal 4 - Forest Lands

CONCLUSION

Policy 16 of the Rural/Natural Resource Plan includes provisions for the preservation of forest lands. Amendments made by Ordinance No. 680 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.
2. Ordinance No. 680 did not amend any plan policies or strategies related to the EFC District.

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

CONCLUSION

This topic is addressed by Statewide Planning Goal 5, and Division 23 of Chapter 660 in the Oregon Administrative Rules. Policies 10, 11 and 12 of the Framework Plan, Policies 7, 10, 11, 12 and 13 of the Rural/Natural Resource Plan and various sections of the Code include strategies and provisions for the protection of Goal 5 resources.

Ordinance No. 680 is consistent with Metro's UGMFP as it pertains to Goal 5 since this ordinance does not affect or otherwise make changes to the Framework Plan, the Rural / Natural Resource Plan Element or the various Code sections that guide and direct protection of identified Goal 5 resources. This conclusion is supported by the following facts:

FACTS

1. Ordinance No. 680 did not affect a Goal 5 resource as defined by OAR 660-023-0250(3).
2. The Code standards related to these resources are contained in Section 379 (Mineral and Aggregate Overlay District), Section 410 (Grading and Drainage), Section 421 (Flood Plain and Drainage Hazard Area Development), Section 422 (Significant Natural Resources), Section 423 (Environmental Performance Standards) and Section 426 (Erosion Control). Ordinance No. 680 did not amend these Code standards related to Goal 5 resources.
3. Ordinance No. 680 did not amend the applicable policies of the Framework Plan or the Rural / Natural Resource Plan Element related to Goal 5 resources.

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. 680. 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 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 424 (Erosion Control).
2. Ordinance No. 680 did not amend the applicable Plan policies or Code standards related to air, water and 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. 680. 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 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. 680 did not amend the applicable Plan policies or Code standards 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, 34 and 35 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. 680. 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), 430-51 (Golf Courses), 430-69 (Hunting and Fishing Preserves), 430-95 (Parks), 430-97 (Parks), 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. 680 did not amend any Plan policies, Code sections, or Community Plan provisions related to recreation. 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 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. 680. 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. 680 did not amend the applicable Plan policies or code standards related to Goal 9. Therefore, it is not necessary to make specific findings for Goal 9.

Goal 10 - Housing

CONCLUSION

Policies 21, 22, 23 and 24 of the Comprehensive Framework Plan for the Urban Area and Policies 19 and 25 of the Rural/Natural Resource Plan address the provision of housing in the urban and rural areas of the county. The 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. 680. 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. 680 did not amend the applicable Plan policies related to housing. Therefore, it is not necessary to make specific findings for Goal 10.

Goal 11 - Public Facilities and Services

CONCLUSION

Policies 15, 25, 26, 27, 28, 29, 30 and 31 of the Comprehensive Framework Plan for the Urban Area and Policy 22 of the Rural/Natural Resource Plan address the provision of public facilities and services in the urban and rural areas of unincorporated Washington County. The 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. 680. 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 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. 680 does not amend the Washington County Public Facilities Plan.
3. Ordinance No. 680 did not amend the applicable Plan policies related to public facilities and services. 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 Code. Plan compliance with Goal 12 is maintained with the amendments made by Ordinance No. 680. 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. 680 did not specifically amend any Plan policies and strategies relating to Goal 12. 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 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. 680. 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. 680 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, 19, 41 and 42 of the Comprehensive Framework Plan for the Urban Area address urbanization within the Regional Urban Growth Boundary. The 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. 680. 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. The Regional UGB was expanded in 2002 to include land generally northwest of Wilsonville. The expansion was subsequently acknowledged by the Land Conservation and Development Commission in July 2003. The county relies on the findings acknowledged by LCDC to demonstrate compliance with Statewide Planning Goal 14.
2. Ordinance No. 680 amended the Washington County – Wilsonville Urban Planning Area Agreement to include areas added to the Regional UGB. The land added to the planning area boundary of Wilsonville will retain the FD-20 designation until annexed to the City of Wilsonville.
3. Policies 1, 18 and 41 of the Comprehensive Framework Plan for the Urban Area guide the designation of lands added to an urban growth boundary. B-Engrossed Ordinance No. 615, adopted in April 2004, amended Policy 18 to state that lands added to the Regional UGB shall be designated FD-20. Because the county provided notice consistent with state law and no appeals were filed, the changes made to Policy 18 became acknowledged on May 27, 2004 by operation of law as provided under ORS 197.625(1).
4. The Washington County – Wilsonville Urban Planning Area Agreement was amended by Ordinance No. 680 to reflect the expansion of the Regional UGB adopted by Metro. Subsequent to the urban growth boundary expansion, the City of Wilsonville requested that land subject to the expansion be added to the city's planning area boundary. Ordinance No. 680 implements that request.

**FINDINGS OF COMPLIANCE WITH METRO'S URBAN GROWTH MANAGEMENT
FUNCTIONAL PLAN FOR ORDINANCE NO. 680 (RELATING TO PLANNING FOR
NEW URBAN GROWTH BOUNDARY LANDS)**

FOR THE OCTOBER 17, 2007 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, 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. 680 amended the Washington County – Wilsonville Urban Planning Area Agreement (UPAA) to add properties added to the Regional UGB in 2002 by Metro to the city's urban planning area boundary. The FD-20 designation on the properties added to the urban planning area will remain until the land is annexed to the City of Wilsonville.

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. 680 does not change any standards relating to water quality or flood plain management. Significant natural, historic and cultural designations on the properties added to the urban planning area boundary are maintained as shown on the "Goal 5 Resources for Future Development Areas" shown in Policy 41 of the Comprehensive Framework Plan for the Urban Area. 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. 680 amended the Washington County – Wilsonville Urban Planning Area Agreement (UPAA) to add properties added to the Regional UGB in 2002 by Metro to the city's urban planning boundary. Some of the properties added to the Regional UGB in 2002 that were added to the city's urban planning area by Ordinance No. 680 are designated as Employment and Industrial Lands on Metro's 2040 Growth Concept Plan. These same lands were designated FD-20 by B-Engrossed Ordinance No. 615, adopted in April 2004. The FD-20 designation on the properties added to the urban planning area will remain until the land is annexed to the City of Wilsonville.

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. 680 amended the Washington County – Wilsonville Urban Planning Area Agreement (UPAA) to add properties added to the Regional UGB in 2002 by Metro to the city's urban planning boundary. None of the properties added to the city's urban planning area boundary by Ordinance No. 680 are located within a Metro designated Central City, Regional Center, Town Center or Station Community.

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. 680 on August 29, 2007. The findings in this document demonstrate 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

The requirements of Title 11 for lands added to the regional urban growth boundary in December 2002 were incorporated into B-Engrossed Ordinance No. 615 by the creation of the FD-20 and the establishment of Areas of Special Concern for new UGB lands with specific development criteria prescribed by Metro. The FD-20 district requires a minimum parcel size of 20 acres, in keeping with Metro's interim protection measures for new urban lands. The lands added to the city's urban planning area are designated FD-20. The FD-20 designation will remain until the properties have been annexed to the City of Wilsonville.