



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/01/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: Washington County Plan Amendment  
DLCD File Number 007-12

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: Friday, October 12, 2012

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

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

\*NOTE: The Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Andy Back, Washington County  
Jon Jinings, DLCD Community Services Specialist  
Anne Debbaut, DLCD Regional Representative  
Gary Fish, DLCD Transportation Planner

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

In person  electronic  mailed

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DEPT OF

SEP 24 2012

LAND CONSERVATION  
AND DEVELOPMENT  
For Official Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Washington County**

Local file number: **A-Eng Ordinance 750**

Date of Adoption: **9-18-2012**

Date Mailed: **9-21-2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 6-4-2012

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".

Amends Washington County Transportation Plan to incorporate the proposed 124th Avenue Extension to Washington County Transportation Plan Policy 10 - Functional Classification Policy, Policy 11- Road Jurisdiction Policy, and Policy 16 - Freight Policy. The proposed 124th Avenue Extension is within the existing uncontested portion of the UGB, a study area is added to policy 10 to address needs in the area as part of future concept planning within the urban reserves in the vicinity.

Does the Adoption differ from proposal? Yes, Please explain below:

Yes. The study area's eastern boundary was shifted to the west. This reduced the size and expanse of the study area, thus minimizing the size and scope of the designation on the map.

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

to: **N/A**

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

to: **N/A**

Location: **N/A**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

**1** **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-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.** 007-12 (19268) [17185]



Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Tualatin, City of Sherwood, Washington County, Tualatin Valley Fire and Rescue, Metro, TriMet, ODOT

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Local Contact: **Andy Back**

Phone: **(503) 846-3519** Extension:

Address: **155 N First Ave**

Fax Number: **503-846-4412**

City: **Hillsboro**

Zip: **97124-**

E-mail Address: **andy\_back@co.washington.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

# AGENDA

Continued from August 28, 2012

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

**Agenda Category:** Public Hearing – Third Reading and Third Public Hearing  
Land Use & Transportation; County Counsel (CPO 5)

**Agenda Title:** **PROPOSED A-ENGROSSED ORDINANCE NO. 750 – AN  
ORDINANCE ADDING THE EXTENSION OF SW 124<sup>TH</sup> AVENUE  
TO THE 2020 TRANSPORTATION PLAN**

**Presented by:** Andrew Singelakis, Director, Land Use & Transportation  
Alan Rappleyea, County Counsel

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### SUMMARY:

A-Engrossed Ordinance No. 750 adds the proposed 124<sup>th</sup> Avenue extension to the Washington County Transportation Plan Policy 10 – Function Classification Policy, Policy 11 – Road Jurisdiction Policy, and Policy 16 – Freight Policy. A study area is added to Policy 10 to address needs in the area as part of the future concept planning within the urban reserves in the vicinity. The ordinance is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2012-land-use-ordinances.cfm>

The Board conducted the first public hearing for Ordinance No. 750 on August 7, 2012. At the hearing the Board ordered engrossment of the ordinance to adjust the study area map as requested by the Tonquin Industrial Group and as recommended by the Planning Commission at its July 11, 2012 public hearing for Ordinance No. 750. The Board continued the hearing to August 28, and September 18, 2012 for the required public hearings for the engrossed ordinance.

- Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

### DEPARTMENT'S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 750 by title only and conduct the third public hearing. At the conclusion of the hearing, adopt the Ordinance.

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### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

# ADOPTED

Agenda Item No.	<u>4.b.</u>
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Date:	09/18/12
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BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 750

An Ordinance Adding the Extension of SW 124<sup>th</sup>  
Avenue to the 2020 Transportation Plan

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

SECTION 1.

A. The Board of County Commissioners of Washington County, Oregon, recognizes that the Transportation Plan Element of the Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, with portions subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, 730, 739, and 744.

B. Subsequent ongoing planning efforts of the County indicate a need for changes to the Transportation Plan to incorporate the proposed 124<sup>th</sup> Avenue Extension in order to ensure sufficient capacity and safe operations due to increased future use. Exhibit 3 is replaced with a map depiction reflecting a change to the SW 124<sup>th</sup> Avenue extension study 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 Department of Land Use and Transportation has carried out its responsibilities, including preparation of notices, and the County Planning Commission has conducted public hearings on the proposed



1 amendments and has submitted its recommendations to the Board. The Board finds that this  
2 Ordinance is based on that recommendation and any modifications made by the Board, as a result  
3 of the public hearings process.

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

10 SECTION 2.

11 The following exhibits, attached and incorporated herein by reference, are hereby adopted as  
12 amendments to the Transportation Plan:

- 13 (A) Exhibit 1: Figure 4D – Washington County Functional Classification System map, is  
14 amended to add the proposed 124<sup>th</sup> Avenue Extension;
- 15 (B) Exhibit 2: Figure 5 – Washington County Lane Numbers map, is amended to add the  
16 proposed 124<sup>th</sup> Avenue Extension;
- 17 (C) Exhibit 3: Adds the 124<sup>th</sup> Extension Study Area Overlay Map to the Transportation  
18 Plan;
- 19 (D) Exhibit 4: Adds text describing the 124<sup>th</sup> Extension Study Area to the list of Study  
20 Areas in the Transportation Plan;
- 21 (E) Exhibit 5: Figure 10 – Countywide Road System map, is amended to add the  
22 proposed 124<sup>th</sup> Avenue Extension; and,

1 (F) Exhibit 6: Figure 14 – Countywide Through-Truck Route map, is amended to add  
2 the proposed 124<sup>th</sup> Avenue Extension.

3 SECTION 3.

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

6 SECTION 4

7 All applications received prior to the effective date shall be processed in accordance with  
8 ORS 215.427.

9 SECTION 5.

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

15 SECTION 6.

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

21 ///

22 ////

1 SECTION 7.

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

3 ENACTED this 18 day of September, 2012, being the 3rd reading and  
4 3rd public hearing before the Board of County Commissioners of Washington County,  
5 Oregon.

6 BOARD OF COUNTY COMMISSIONERS  
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 Andy Ond  
CHAIRMAN

10 Barbara Hejtmanek  
RECORDING SECRETARY

11 READING

PUBLIC HEARING

12 First August 7, 2012  
13 Second August 28, 2012  
14 Third September 18, 2012  
Fourth \_\_\_\_\_  
Fifth \_\_\_\_\_

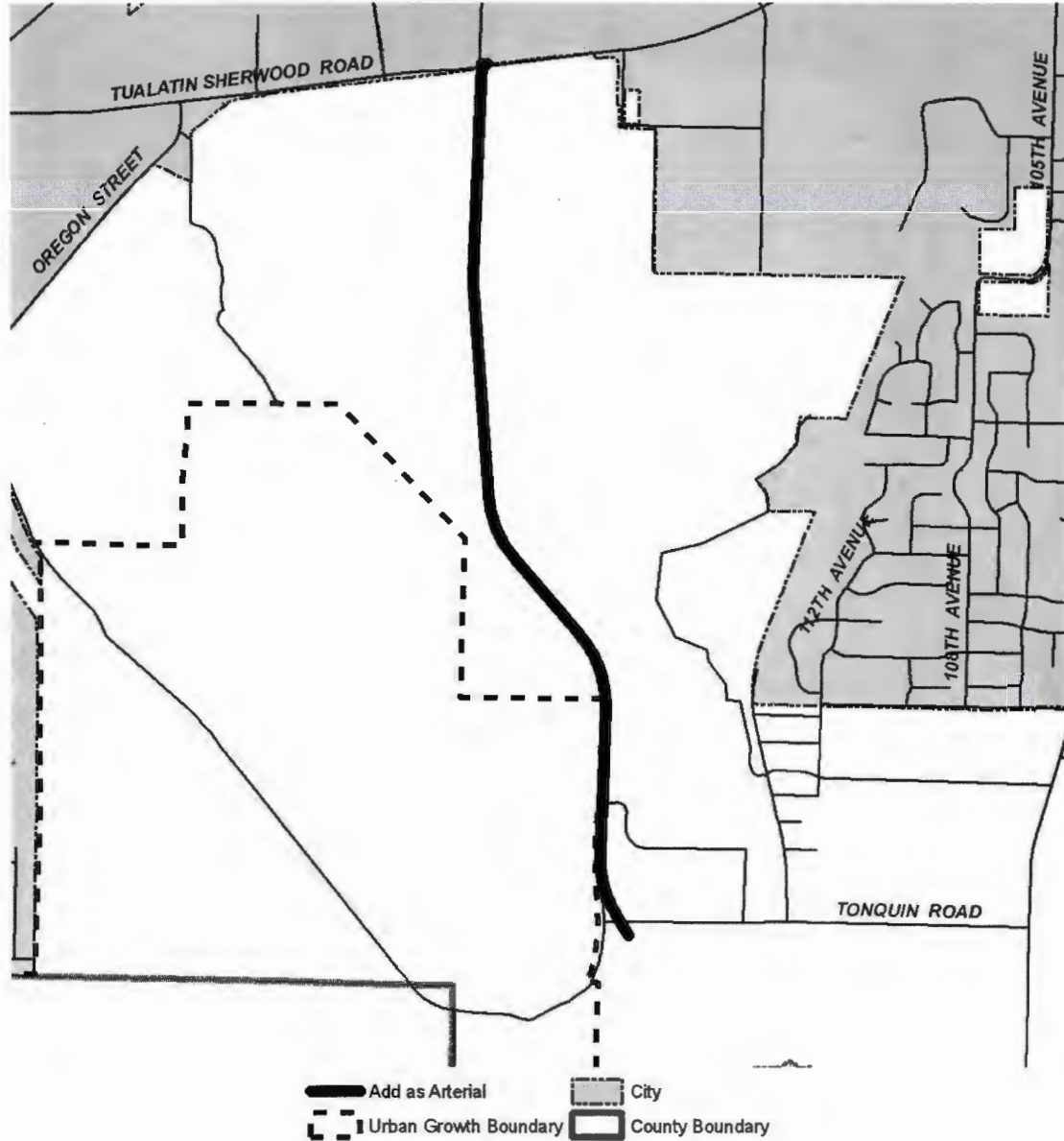
First August 7, 2012  
Second August 28, 2012  
Third September 18, 2012  
Fourth \_\_\_\_\_  
Fifth \_\_\_\_\_

15 VOTE: Aye: Duyck, Schouten, Rogers, Nay: \_\_\_\_\_  
Malinowski, Terry

16 Recording Secretary: Barbara Hejtmanek Date: 9-18-12

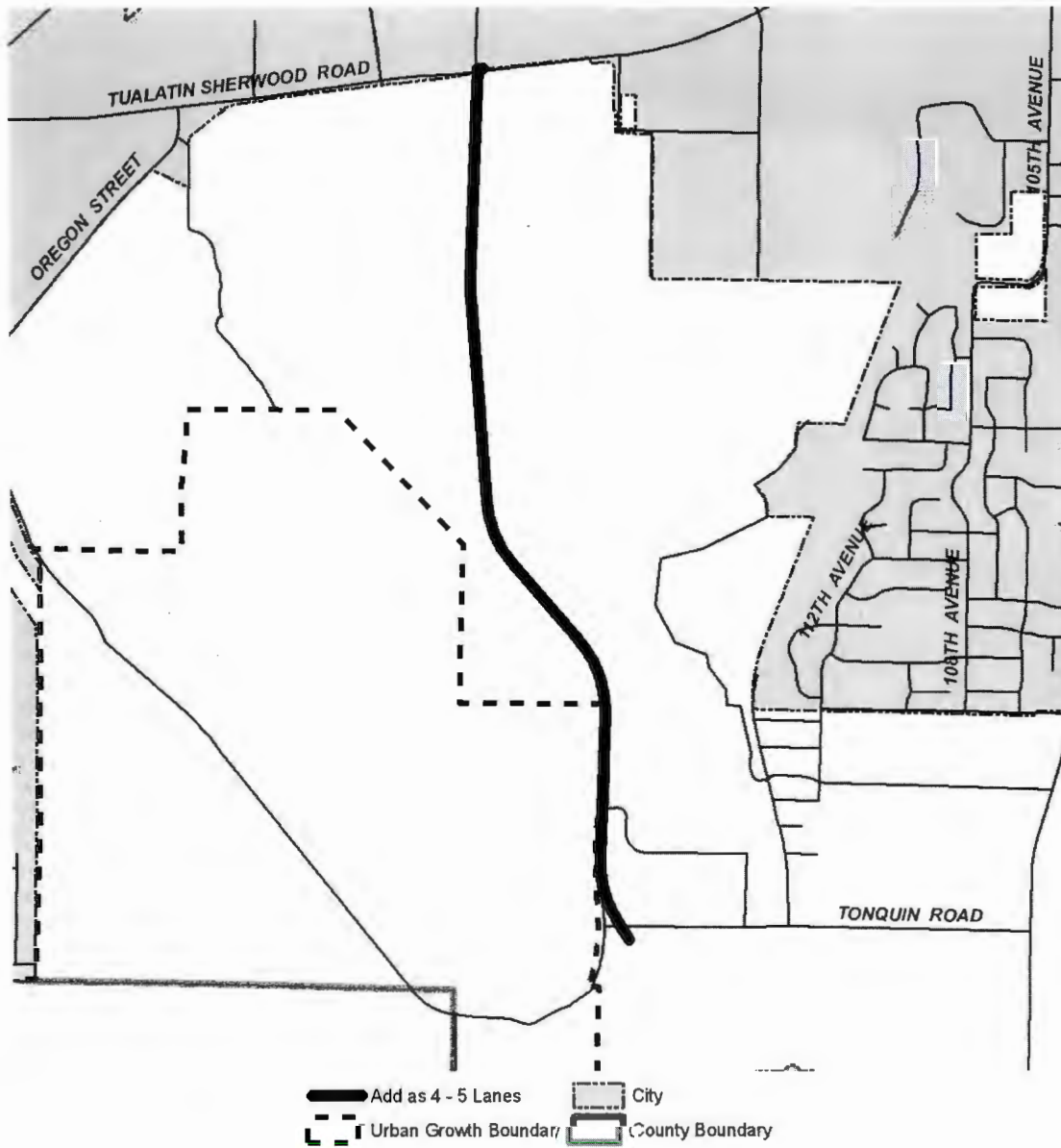


Figure 4D – Washington County Functional Classification System map, is amended as follows:



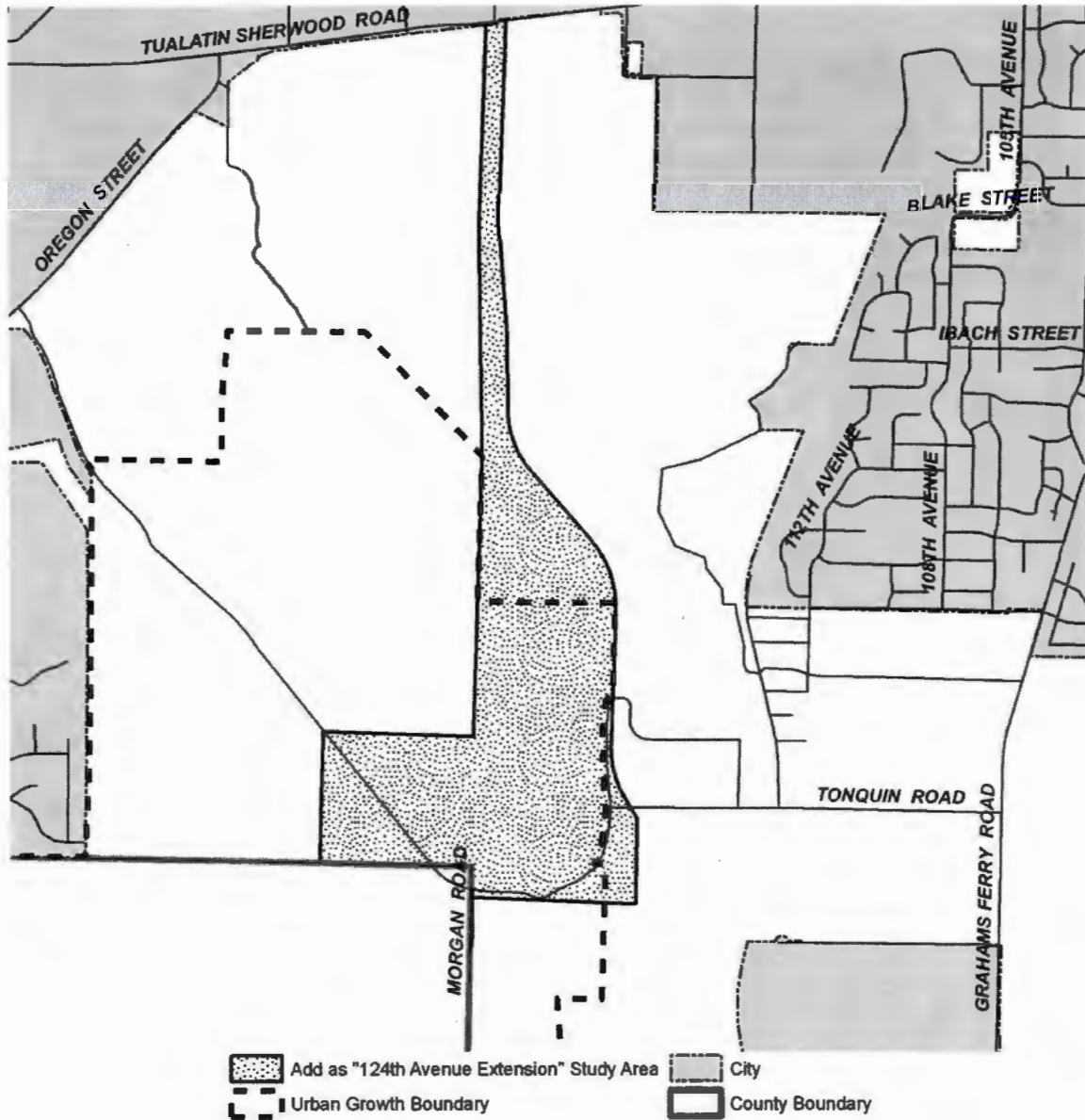
Abcdef Proposed additions  
A~~b~~cdef Proposed deletions

Figure 5 – Washington County Lane Numbers map, is amended as follows:



At: cdef Proposed additions  
Ab: edef Proposed deletions

Add the following 124<sup>th</sup> Avenue Study Area Overlay Map as Figure 9C in the Functional Classification Policy Section of the Washington County Transportation Plan:



Abcdef Proposed additions  
Abcdef Proposed deletions

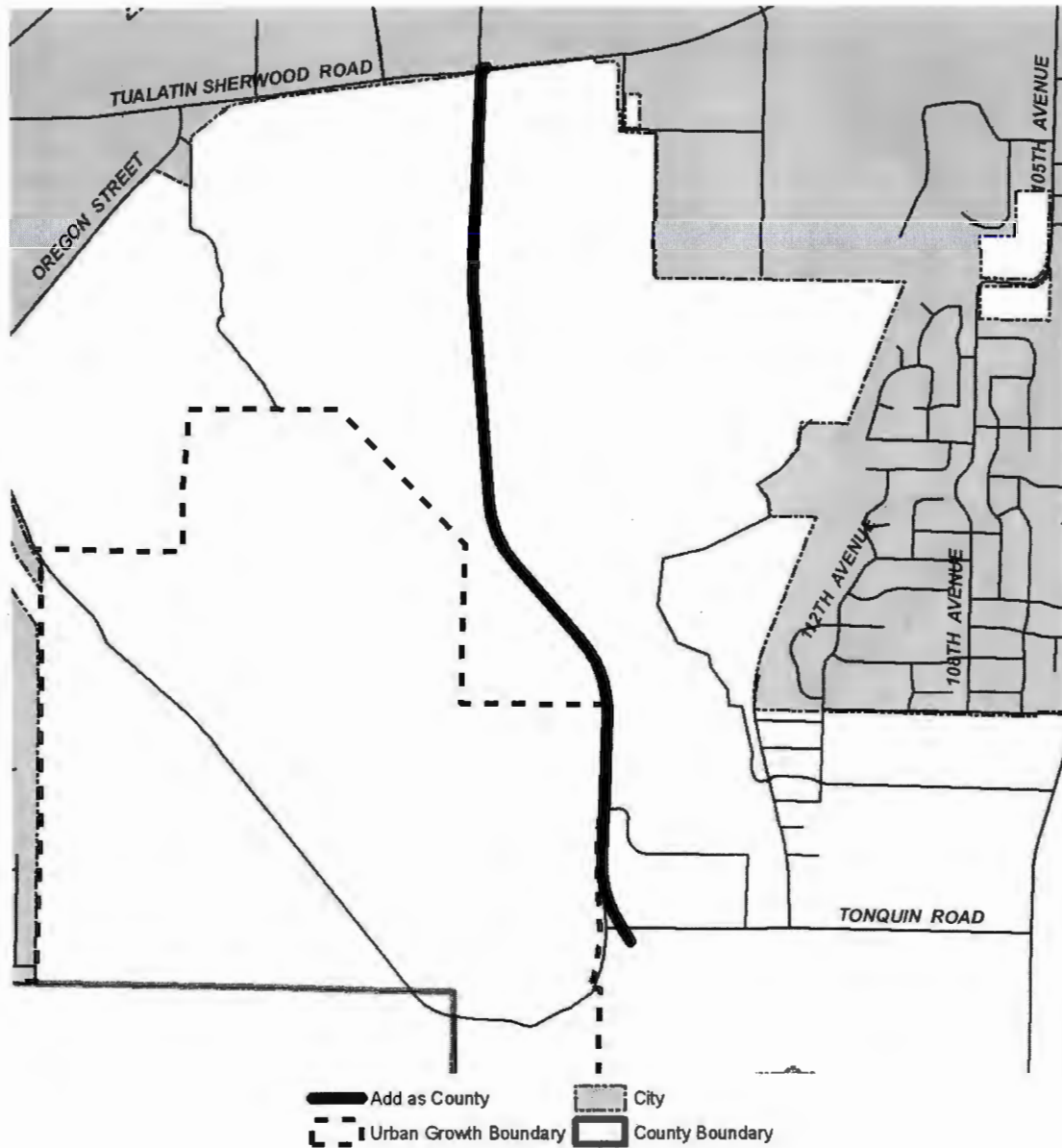


Add text describing a 124<sup>th</sup> Avenue Extension Study Area to the list of study Areas in the Functional Classification Policy section of the Washington County Transportation Plan, as follows:

**124<sup>th</sup> Avenue Extension Study Area:**

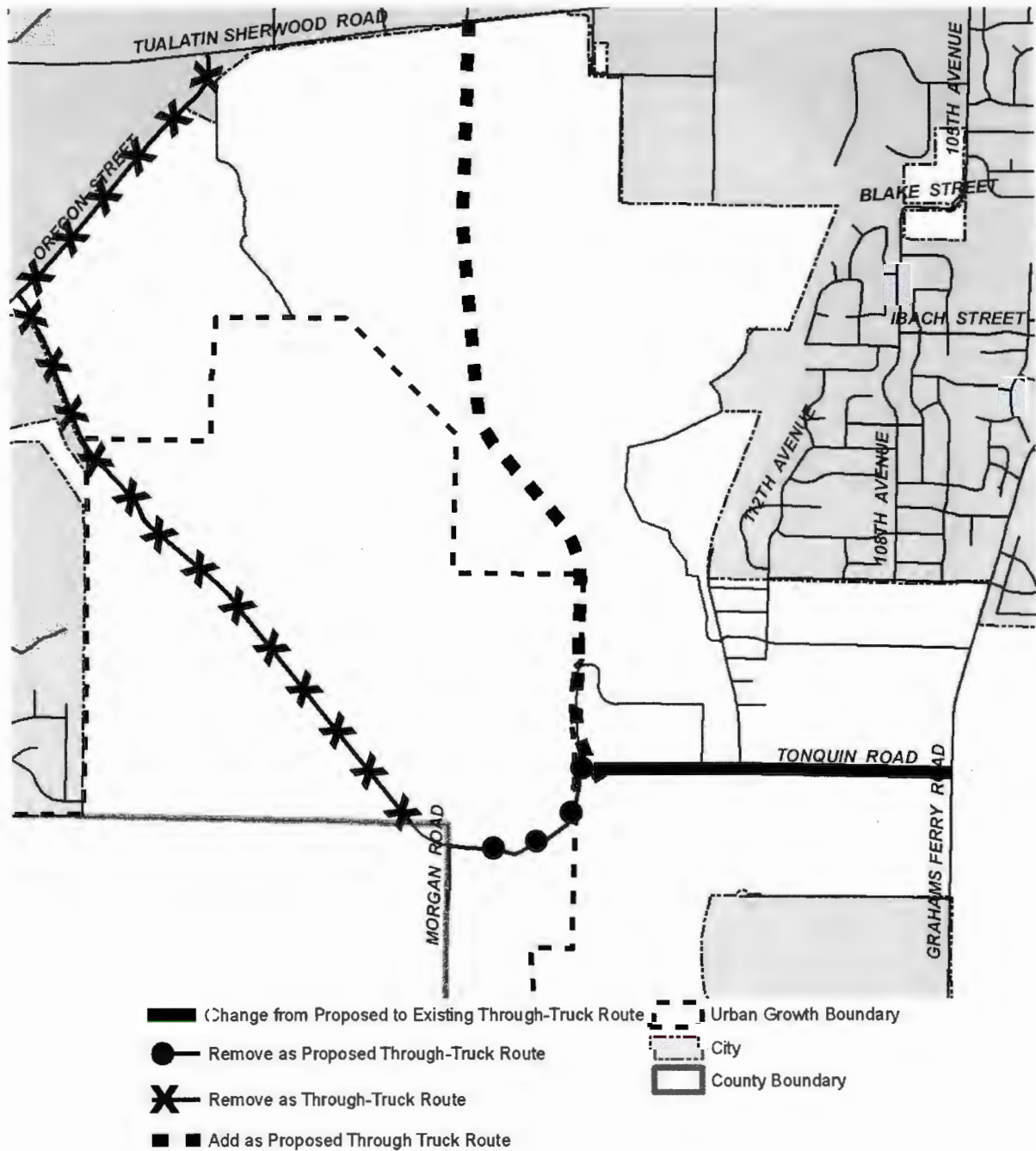
There is a need for a generally north-south arterial roadway and freight route in vicinity of the 124<sup>th</sup> Avenue extension as shown on the Washington County Study Areas Map (Figure 9). The Study Area is more specifically described on the 124<sup>th</sup> Avenue Study Area Overlay Map (Figure 9C). The County anticipates undertaking a broader planning process to address the needs in the area as part of an evaluation and concept planning of the potential future urban reserve lands within the area. A possible realignment of 124<sup>th</sup> Avenue and/or Tonquin Road may need to be considered in the future.

Figure 10 – Countywide Road System map, is amended as follows:



Abcdef Proposed additions  
Abcdef Proposed deletions

Figure 14 – Countywide Through-Truck Route map, is amended as follows:



Abcdef Proposed additions  
 A~~b~~cdef Proposed deletions



# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

**Agenda Title:** ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 750

**Presented by:** Andrew Singelakis, Director of Land Use & Transportation

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### SUMMARY:

A-Engrossed Ordinance No. 750 proposes to amend the Washington County Transportation System Plan to add the extension of SW 124<sup>th</sup> Avenue.

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 A-Engrossed Ordinance No. 750. The findings will be provided to the Board prior to the hearing and will also be available at the Clerk's desk.

Attachment: Resolution and Order

### DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for Ordinance No. 750 and authorize the Chair to sign the Resolution and Order memorializing the action.

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### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 12-75

Agenda Item No.	<u>5.b.</u>
Date:	09/18/12

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 A-Engrossed Ordinance No. 750 ) No. 12-75

5 This matter having come before the Washington County Board of Commissioners at its  
6 meeting of September 18, 2012; 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 A-Engrossed Ordinance No. 750; 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 July 11, 2012, 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 a record of the Planning Commission's proceedings, and other items submitted  
19 to the Planning Commission and Board regarding this ordinance; it is therefore,

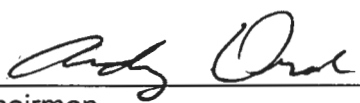
20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of  
21 A-Engrossed Ordinance No. 750 are hereby adopted.

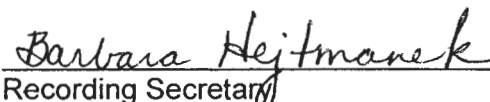
22 DATED this 18th day of September, 2012

	AYE	NAY	ABSENT
23 DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25 MALINOWSKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APPROVED AS TO FORM:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27 TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

County Counsel  
For Washington County, Oregon

BOARD OF COUNTY COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

  
Chairman

  
Recording Secretary

## EXHIBIT A

### FINDINGS FOR A-ENGROSSED ORDINANCE NO. 750 AN ORDINANCE ADDING THE EXTENSION OF SW 124<sup>TH</sup> AVENUE TO THE 2020 TRANSPORTATION PLAN

September 18, 2012

#### Part 1

#### GENERAL FINDINGS

A-Engrossed Ordinance 750 amends the 2020 Washington County Transportation Plan by adding the proposed 124<sup>th</sup> Avenue Extension. Changes to the Transportation Plan are limited to roadways within the Urban Growth Boundary (UGB) as it existed prior to Metro's decision to expand the UGB in October 2011 (Metro Ordinance 11-1264 B). A-Engrossed Ordinance No. 750 adds the proposed 124<sup>th</sup> Avenue Extension to the following Washington County Transportation Plan maps: the functional classification map, the lane numbers map, the Countywide Road System map and the Countywide Through-Truck Route map. In addition, the amendment adds the 124<sup>th</sup> Extension Study Area Overlay Map to the Transportation Plan and adds text describing the 124<sup>th</sup> Extension Study Area to the list of Study Areas in the Transportation Plan. Additional records regarding A-Engrossed Ordinance No. 750 are retained in staff files and are hereby included as part of the record. The file is available for inspection upon request.

Because the ordinance makes changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The Board of County Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual applicable Goals, and that each amendment complies with the Goals.

Goals 3 (Agricultural Lands), 4 (Forest Lands), 5 (Open Spaces, Scenic and Historic Areas and Natural Resources), 6 (Air, Water and Land Resources Quality), 7 (Areas Subject to Disasters and Hazards), 8 (Recreation Needs) and 10 (Housing) are not addressed because A-Engrossed Ordinance No. 750 does not affect these Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related state administrative rules (OAR) are not addressed because these resources are not located within Washington County.



## **Part 2**

### **STATEWIDE PLANNING GOAL FINDINGS**

The purpose of these findings is to demonstrate that A-Engrossed Ordinance No. 750 is consistent with Statewide Planning Goals, ORS and OAR requirements and applicable Metro requirements. The Washington County Comprehensive Plan was adopted to implement these planning documents, and was acknowledged by the State of Oregon. The County follows the post-acknowledgment plan amendment (PAPA) process to update the Comprehensive Plan with new state and regional regulations as necessary, and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements. No Goal compliance issues were raised in the proceeding below. In addition, none of the proposed changes to the text or maps of the Plan implicate a Goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

#### **Goal 1 - Citizen Involvement**

Washington County has an acknowledged citizen involvement program that provides opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has utilized these requirements for the adoption of A-Engrossed Ordinance No. 750.

#### **Goal 2 - Land Use Planning**

Washington County has an acknowledged land use planning process that provides for the review and update of the various elements of the Comprehensive Plan. This plan includes documents such as the Washington County 2020 Transportation Plan, which is modified by this Ordinance. Washington County utilized this process to adopt A-Engrossed Ordinance No. 750.

#### **Goal 9 Economy of the State**

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 Transportation System Plan contributes to a sound economy by providing standards and infrastructure that facilitate development in an orderly and efficient fashion.

#### **Goal 11 - Public Facilities and Services**

Policies 15, 25, 26, 27, 28, 29, 30 and 31 of Washington County's Urban Comprehensive Framework Plan 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 (CDC) requires that adequate public facilities and services be available for new development. Plan compliance with Goal 11 is maintained with the amendments made by A-Engrossed Ordinance No. 750. 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.

**Goal 12 - Transportation**

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 System Plan, describe the transportation system needed to accommodate the needs of Washington County through the year 2020. Implementing measures are contained in the Transportation System Plan (TSP) and the Community Development Code (CDC).

A-Engrossed Ordinance No. 750 maintains Plan compliance with Goal 12. 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.

**Goal 13 Energy**

Goal 13 requires developed land uses to be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Policies 36, 37, 38, 39 and 40 of the CFP, and Policy 25 of the Rural/Natural Resource Plan address energy conservation in the urban and rural areas of unincorporated Washington County. The CDC implements the energy conservation policies by establishing standards that promote energy efficient development, especially in Article IV. No changes to Energy policies are contemplated as part of A-Engrossed Ordinance No. 750.

### Part 3

#### **TRANSPORTATION PLANNING RULE (OAR 660-012) FINDINGS**

Washington County has an acknowledged Transportation System Plan (TSP) adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule (TPR) provisions. A-Engrossed Ordinance No. 750 amends sections of the TSP. A-Engrossed Ordinance No. 750 was developed in compliance with all applicable provisions of Division 12.

A-Engrossed Ordinance No. 750 makes limited amendments to the adopted TSP. These amendments do not affect compliance with certain sections of the TPR. Therefore, it is not necessary for these findings to address each section of the TPR. The Board of County Commissioners (Board) finds that the TPR applies to amendments covered by these findings only to the extent noted in specific responses to individual applicable sections.

A-Engrossed Ordinance No. 750 amends the Functional Classification map to reflect the extension of 124<sup>th</sup> Avenue between Tualatin-Sherwood Road and Tonquin Road. A-Engrossed Ordinance No. 750 does not alter any existing land use designations, or the levels of development permitted. A-Engrossed Ordinance No. 750 does not alter any existing land use designations, or the levels of development permitted. The amendments made by A-Engrossed Ordinance No. 750 are consistent with and support the adopted and acknowledged strategies in the 2020 Transportation Plan.

A-Engrossed Ordinance No. 750 will significantly affect a transportation facility, as described in OAR 660-012-0060 (1). As a result the County must put in place measures as provided in section (2) of OAR 660-012-0060.

OAR 660-012-0060 (2) states: *“If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e)”*

*“(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.”*

Response: A-Engrossed Ordinance No. 750 does not change any allowed land uses. The proposed extension of 124<sup>th</sup> Avenue would provide an arterial connection through a regionally significant industrial area designated by Metro. The new connection is necessary to be consistent with the regional land use designation. Furthermore, the 124<sup>th</sup> Avenue extension has been identified as a project in Metro’s 2035 Regional Transportation Plan (RTP) and meets the federal criteria for inclusion in the financially constrained RTP list. The 5-lane arterial extension is listed as project 10736. The connection itself will create a grid of arterials, as shown in figure 2-11 on page 2-31 of the adopted RTP. The proposed connection is already shown as a dashed line on the map on page 2-32 of the adopted RTP.

*“(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.”*

Response: A-Engrossed Ordinance No. 750 amends the TSP to identify a transportation facility necessary within the areas added to the UGB in 2004. As described above, the proposed new connection is included on the federally-approved, financially constrained regional transportation system plan. Funding via the Washington County Major Streets Transportation Improvement Program (MSTIP) for an interim improvement for the proposed 124<sup>th</sup> Avenue has been approved.

*“(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.”*

Response: A-Engrossed Ordinance No. 750 amends the TSP to provide for a new multi-modal facility which, when implemented, will create additional capacity. No modification of existing performance standards has been contemplated.

*“(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.”*

Response: A-Engrossed Ordinance No. 750 does not change any allowed land uses. When allowed land uses in the area are changed, additional measures may be contemplated at that time in the future. Article 5 of the Washington County Community Development Code contains provisions to condition land development to ensure an adequate and safe transportation system. It is anticipated that much of this area will be annexed to cities prior to development.

*“(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.”*

Response: A-Engrossed Ordinance No. 750 does not change any allowed land uses. A-Engrossed Ordinance No. 750 does provide a plan for a new multi-modal transportation facility to provide a complete balanced multi-modal system.



*Under sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the proposed land uses are consistent with the function, capacity and performance standards of the facility.*

Engrossed Ordinance No. 750 provides a planned transportation facility. The proposed land uses in the vicinity would be consistent with the arterial function of the facility.

*Under sections (1)–(3) of this rule shall be coordinated with affected transportation agencies and service providers and other affected local governments.”*

Washington County has considered the addition of 124<sup>th</sup> Avenue to the Transportation System Plan as an important element of the cooperation with other local agencies. The City of Sherwood, The City of Tualatin and Metro provided letters of support for Engrossed Ordinance No. 750. Each of these local government entities was consulted and they approved the alignment and other attributes of the proposed road extension. The proposed road extension is included on the federally-approved, financially constrained RTP, project number 10736.

*When determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall consider existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c)*

*Under subsection (c) of this rule, in interstate interchange areas, the following are considered planned transportation facilities, improvements and services:*

- transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or a local improvement plan or program of a transportation service provider;*
- transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place and approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge assessments are being collected; a local improvement district or reimbursement agreement has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the amendment have been adopted.*
- transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.”*

Response: The Washington County Major Street Transportation Improvement Program (MSTIP) has identified an interim improvement for funding in this corridor. The entire 5-lane 124<sup>th</sup> Avenue arterial connection is included in Metro's federally-approved, financially constrained RTP.

#### **Part 4**

#### **REGIONAL TRANSPORTATION PLAN (RTP) FINDINGS**

A-Engrossed Ordinance No. 750 is consistent with Metro's Regional Transportation Plan (RTP). A-Engrossed Ordinance No. 750 adds the proposed extension of 124<sup>th</sup> Avenue which would provide an arterial connection through a regionally significant industrial area, as designated by Metro. The new connection is necessary to be consistent with the regional land use designation. Furthermore, the 124<sup>th</sup> Avenue extension is included in the financially constrained RTP. The 5-lane arterial extension is listed on the RTP as project 10736, and shown as a federal financially constrained project. The connection itself will create a grid of arterials, as shown in figure 2-11 on page 2-31 of the RTP. The proposed connection is shown on the RTP as a dashed line on the map on page 2-32.

Section 6.7.1 of the RTP requires that local plans be implemented consistent with the Regional Transportation Functional Plan (RTFP). The RTP provisions are satisfied because the County's TSP is consistent with the RTFP. Findings concerning the RTFP are discussed in Part 5 below.

## **Part 5**

### **REGIONAL TRANSPORTATION FUNCTIONAL PLAN (RTFP) FINDINGS**

Washington County has an acknowledged Transportation System Plan (TSP) adopted by A-Engrossed Ordinance No. 588 in 2002. A review, update and amendment process is underway consistent with Table 3.08-4.

#### **RTFP 3.08.110**

This section relates to street system design.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the provisions of RTFP section 3.08.110.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.110C. A-Engrossed Ordinance No. 750 makes no substantive amendments that affect policies related to the system design provided. A-Engrossed Ordinance No. 588 provides for a framework of complete streets, and transit supportive design elements consistent with 3.08.110A. A-Engrossed Ordinance No. 750 makes no substantive changes to these previously adopted requirements.

#### **RTFP 3.08.120**

This section relates to transit system design.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the provisions of RTFP section 3.08.120.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002. A-Engrossed Ordinance No. 750 does not amend the transit component of the adopted TSP. No modification to the public transportation system is contemplated as part of A-Engrossed Ordinance No. 750. Transit services are provided on a county-wide basis by TriMet, the regional transit agency.

#### **RTFP 3.08.130**

This section relates to pedestrian system design.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the provisions of RTFP section 3.08.130.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.130A.
- A-Engrossed Ordinance No. 750 details and updates the system of multi-modal streets consistent with the adopted Transportation System Plan.
- A-Engrossed Ordinance No. 750 provides a potential opportunity for an interim connection of the Tonquin Trail. While this interim connection is not a

component of the long-term transportation plan in the area, it may allow the pedestrian connections as the area develops long before the Tonquin Trail is implemented.

#### **RTFP 3.08.140**

This section relates to bicycle system design.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the provisions of RTFP section 3.08.140.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.140.
- A-Engrossed Ordinance No. 750 provides a potential opportunity for an interim connection of the Tonquin Trail. While this interim connection is not a component of the long-term transportation plan in the area, it may allow the bicycle connections as the area develops long before the Tonquin Trail is implemented.

#### **RTFP 3.08.150**

This section relates to freight system design.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the provisions of RTFP section 3.08.150.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.150.
- A-Engrossed Ordinance No. 750 adds the proposed extension of 124<sup>th</sup> Avenue would provide an arterial connection through a regionally significant industrial area, as designated by Metro. The new connection is necessary to be consistent with the regional land use designation. Furthermore, A-Engrossed Ordinance No. 750 designates the 124<sup>th</sup> Avenue extension as freight route on the Transportation System Plan.

#### **RTFP 3.08.160**

This section relates to transportation system management and operations.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the provisions of RTFP section 3.08.160.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.160.



**RTFP Title 2 sections 3.08.210, 3.08.220 and 3.08.230**

Title 2 of the RTFP relates to the Development and Update of Transportation System Plans.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the Title 2 provisions of RTFP sections 3.08.210, 3.08.220 and 3.08.230.

- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with sections 3.08.210, 3.08.220 and 3.08.230.
- Section 3.08.210(A) relates to updates of the TSP. Washington County has begun a comprehensive TSP update and amendment process consistent with Table 3.08-4.
- The evaluation procedures described below used data and methodology consistent with the adopted RTP.
- An extensive planning process of considering Transportation System Management and Operations strategies, including a variety of local and regional Travel Demand Management strategies have been explored through a variety of planning studies throughout the area.
- Transit, bicycle and pedestrian system improvements were also considered and are incorporated as key elements of the plan.
- Traffic calming, land use strategies, and connectivity improvements to parallel and other roadways in the area were also considered and are incorporated as key elements of the plan were available and appropriate.
- This process of evaluating transportation solutions was followed in accordance with 3.08.220(A).

**RTFP Title 3 section 3.08.310**

Title 3 of the RTFP relates to Transportation Project Development.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the Title 3 provisions of RTFP sections 3.08.310.

- Section 3.08.310 concerns project development, CDC Article VII provides a consolidated review process for review of land use decisions for permitting transportation projects. A-Engrossed Ordinance No. 750 does not amend this process for land use review of transportation projects.

**RTFP Title 4 section 3.08.410**

Title 4 of the RTFP relates to parking management.

**FINDING:** A-Engrossed Ordinance No. 750 is consistent with the Title 4 provisions of RTFP sections 3.08.410.

- The Community Development Code Article 4 (section 413) details applicable parking standards within unincorporated Washington County. A-Engrossed

Ordinance No. 750 provides for a multi-use transportation system designed to reduce automobile reliance and to provide a connected and complete network of multi-modal streets consistent with Title 4 section 3.08.410. A-Engrossed Ordinance No. 750 does not modify these parking management strategies.

**RTFP Title 5 section 3.08.510**

Title 5 of the RTFP relates to Amendments of Comprehensive Plans and Transportation System Plans.

- FINDING:** A-Engrossed Ordinance No. 750 is consistent with the Title 5 provisions of RTFP sections 3.08.510.
- As discussed above under RTFP Title 2 strategies consistent with 3.08.220A (1) through (5) were considered and included where possible and appropriate.
  - As discussed above, A-Engrossed Ordinance No. 750 is consistent with OAR 660-012-0060.
  - Any implementation of a transportation improvement identified in the Transportation System Plan (or otherwise) is required to be developed through the adopted Article VII procedures identified in the Washington County Community Development Code. These article VII procedures are consistent with the complete street and green streets design guidelines identified in 3.08.510.

**RTFP Title 6 section 3.08.610**

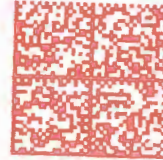
Title 6 of the RTFP relates to Compliance Procedures to the RTFP.

- FINDING:** A-Engrossed Ordinance No. 750 is consistent with the Title 6 provisions of RTFP sections 3.08.610.
- Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 588 in 2002. A TSP update and amendment process is underway consistent with Table 3.08-4

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