



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

11/05/2012

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 014-12

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, November 16, 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: Joy Chang, Washington County
Jon Jinings, DLCD Community Services Specialist
Anne Debbaut, DLCD Regional Representative
Katherine Daniels, DLCD Farm/Forest Specialist

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

OCT 29 2012

LAND CONSERVATION
AND DEVELOPMENT

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: **Ordinance No. 757**

Date of Adoption: **10/23/2012**

Date Mailed: **10/26/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8/10/2012

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".

A-Engrossed Ordinance No. 757 amends several sections of the Community Development Code (CDC) to extend the initial preliminary approval period for certain Type II and Type III land use decisions from two years to four years. It also extends the time period for demonstrating that development has occurred (commencement of development) from three years to five years.

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

The engrossed ordinance incorporates all amendments originally proposed in Ordinance No. 757 and includes the following additional changes:

- Changes the Type II review process for extension request to a Type I review
- Limits extensions to a single two-year period

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

to: **N/A**

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

to: **N/A**

Location: **N/A**

Acres Involved: **N/A**

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
<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 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 type="checkbox"/>

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. 014-12 (19458) [17226]

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

DLCD and Metro

Local Contact: **Joy L. Chang**

Phone: (503) 846-3873 Extension:

Address: **155 N First Ave., Suite 350 MS 14**

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

City: **Hillsboro**

Zip: **97124**

E-mail Address: **joy_chang@co.washington.or.us**

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.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

AGENDA

Continued from October 16, 2012

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: PROPOSED A-ENGROSSED ORDINANCE NO. 757 – AN
ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT
CODE REGARDING EXTENSION OF APPROVAL PERIODS
FOR CERTAIN DEVELOPMENT APPLICATIONS

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

SUMMARY:

A-Engrossed Ordinance No. 757 proposes to amend the Community Development Code Element of the Comprehensive Plan regarding extension of approval periods for certain development applications, to change the Type II review process for extension to a Type I review, and to limit the number of extensions available to a single two-year period. A-Engrossed Ordinance No. 757 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>

This is the second required public hearing for A-Engrossed Ordinance No. 757. The first hearing for the engrossed ordinance was held on October 16, 2012.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and ten minutes for a representative of a group. A staff report will be provided to the Board prior to the October 23, 2012 hearing, posted to the webpage listed above, and copies of the report will also be available at the Clerk's desk prior to the hearing.

DEPARTMENT'S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 757 by title only and conduct the third public hearing. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 757.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	<u>3.c.</u>
Date:	10/23/12

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE No. 757

An Ordinance Amending the Community Development Code (CDC) Element of the Comprehensive Plan Regarding Extension of Approval Periods for Certain Development Applications

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 Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, 742-745, and 755.

B. Subsequent planning efforts of Washington County indicate a need for changes to the Community Development Code to extend the expiration period for preliminary approvals or final approval permits for land divisions and property line adjustments. On October 2, 2012, at its first public hearing for Ordinance 757, the Board ordered engrossment to implement staff's recommendation to (1) change the review process for certain extensions from a Type II to a Type I

1 process and (2) limit the extensions to a single, two-year period. These changes to Ordinance 757
2 are as depicted in this section and on the attached Exhibit 1 of this ordinance. The Board takes note
3 that such changes are for the health, welfare, and benefit of the residents of Washington County,
4 Oregon.

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

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

17 SECTION 2

18 Exhibit 1 (5 pages), attached hereto and incorporated herein by reference, is hereby adopted
19 as amendments to the Community Development Code as follows:

- 20 a. Page 1: Amending CDC Section 201, DEVELOPMENT PERMIT, 201-4 Expiration;
21 b. Pages 1-2: Amending CDC Section 201, DEVELOPMENT PERMIT, 201-5 Extension;
22

- 1 c. Page 2: Amending CDC Section 401, INTRODUCTION, 401-5 General Provisions –
2 Development Review;
- 3 d. Pages 2-3: Amending CDC Section 605, LAND DIVISIONS AND PROPERTY LINE
4 ADJUSTMENTS INSIDE A UGB, 605-2 Urban Land Divisions (Partitions and
5 Subdivisions); and
- 6 e. Pages 4-5: Amending CDC Section 610, LAND DIVISIONS AND PROPERTY LINE
7 ADJUSTMENTS OUTSIDE A UGB, 610-2 Rural Land Divisions (Partitions and
8 Subdivisions).

9 SECTION 3

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

12 SECTION 4

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

15 SECTION 5

16 If any portion of this Ordinance, including the exhibit, shall for any reason be held invalid
17 or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected
18 thereby and shall remain in full force and effect.

19 SECTION 6

20 The Office of County Counsel and Department of Land Use and Transportation are
21 authorized to prepare planning documents to reflect the changes adopted under Section 2 of this
22 Ordinance, including deleting and adding textual material and maps, renumbering pages or sections,

1 and making any technical changes not affecting the substance of these amendments as necessary to
2 conform to the Washington County Comprehensive Plan format.

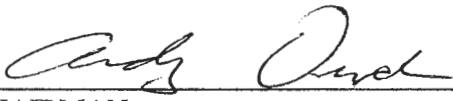
3 SECTION 7

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

5 ENACTED this 23 day of October, 2012, being the 3rd reading and
6 3rd public hearing before the Board of County Commissioners of Washington County,
7 Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

11 
12 CHAIRMAN

13 
14 RECORDING SECRETARY

15 READING

15 PUBLIC HEARING

16 First October 2, 2012
17 Second October 16, 2012
18 Third October 23, 2012
19 Fourth _____
20 Fifth _____

16 First October 2, 2012
17 Second October 16, 2012
18 Third October 23, 2012
19 Fourth _____
20 Fifth _____

21 VOTE: Aye: Duyck, Schouten, Rogers, Terry Noy

22 Recording Secretary: Ana Noyola Date: October 23, 2012

1. Community Development Code Section 201 DEVELOPMENT PERMIT is amended to reflect the following:

201-4 Expiration

201-4.1 Except as outlined below under Section 201-4.2 or as otherwise specifically provided in this Code, a Development Permit shall expire automatically ~~two (2)~~ four (4) years from the date of issuance unless one of the following occurs first:

- A. The Development Permit is revoked as provided for in Section 201-7 or as otherwise invalidated by a body of competent jurisdiction; or
- B. An application for an extension is filed pursuant to Section 201-5; or
- C. The development has commenced as provided in Section 201-6.
- D. Upon final approval by the County of a permit, if the permit is appealed to a body of competent jurisdiction, the ~~two~~ four-year permit period shall be tolled until a final, unappealed decision by a competent jurisdiction is made.

In addition to A., B., C. and D., land divisions and property line adjustments shall expire automatically ~~two (2)~~ four (4) years from the date of preliminary or final approval, whichever is applicable, as specified in Article VI.

201-5 Extension

201-5.1 Extension in all Districts Except the EFU and AF-20 Districts

If an extension is desired, the holder of the Development Permit must file an application for an extension prior to expiration of the Development Permit. Unless approved, an extension request does not extend the expiration date. Extension requests shall be processed as a ~~Type II~~ Type I action. An extension may be granted for a maximum of two (2) years from the original date of expiration except as provided in Section 427-5.8. Subsequent ~~two-year~~ extensions may not be granted, ~~except as provided in Section 427-5.8. Extensions shall be granted only upon findings that:~~

- ~~A. Commencement could not practically occur for reasons beyond reasonable control of the Permit holder;~~
- ~~B. The request for extension is not sought for purposes of avoiding any responsibility imposed by this Code or the Permit;~~

- ~~C. There has been no change in circumstances or the law likely to necessitate significant modification of the development approval or conditions of approval; and~~
- ~~D. For residential development applications, the density is consistent with the density requirements of the primary district.~~

2. Community Development Code Section 401 INTRODUCTION is amended to reflect the following:

401-5 General Provisions – Development Review

401-5.1 Procedures

The review of applications through the provisions of Sections 403 and 404 may be processed through a two step process consisting of a preliminary review and a final review. Preliminary review shall be through the procedure type listed in the applicable land use district. Final review shall be through a Type I procedure, unless otherwise specified by the Review Authority in the preliminary approval.

401-5.2 Expiration

Preliminary approval shall expire automatically ~~two (2)~~ four (4) years from the date of approval unless final approval has been granted or development has commenced pursuant to Section 201-6 or an extension, according to the provisions of Section 201-5, has been requested and approved.

3. Community Development Code Section 605 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS INSIDE A UGB is amended to reflect the following:

605-2 Urban Land Divisions (Partitions and Subdivisions)

605-2.1 Procedures

Partitions and subdivisions shall be processed through a two-step process consisting of a preliminary review and a final review.

A. Preliminary Review:

abcdef Proposed additions
~~abedef~~ Proposed deletions

The preliminary review of a partition or subdivision shall:

- (1) Be through a Type I procedure when in an approved SID and in conformance with the approved SID.
- (2) Be through a Type II procedure when no variance from the standards of this Code is required; or
- (3) Be through a Type III procedure when a variance from the applicable standards of this Code is required or when required by the applicable Community Plan or when in conjunction with a Type III development.
- (4) Expire automatically ~~two (2)~~ four (4) years from the date of approval unless prior to expiration:
 - (a) A request for final review, which includes all required information, is filed with the County; or
 - (b) A request for an extension is filed with the County pursuant to Article II; or
 - (c) Development is commenced pursuant to Section 201-6. If the Director determines that development has commenced prior to final approval, the preliminary review shall expire ~~three (3)~~ five (5) years from the date of approval unless final approval is granted.

605-2.4 Submission Requirements for Final Review of all Land Divisions

Requests for final review of a subdivision or partition shall be submitted within ~~two (2)~~ four (4) years of preliminary approval and shall include the following information:

A. Necessary copies of the final plat which shall include the following information:

- (1) The location, right-of-way, width and centerline of all streets within the boundary of the site;
- (2) All existing and proposed easements shall be shown and shall be clearly identified as to intended purpose. The width of the easement, its length and bearing and sufficient ties to locate the easement with respect to the plat shall be shown;
- (3) The name of new streets as approved by the County Surveyor;
- (4) Identification of land (e.g., lots or tracts), to be dedicated or reserved for any purpose, public or private, to distinguish it from lots or parcels intended for sale. Land not intended to be buildable shall be so identified;

4. Community Development Code Section 610 LAND DIVISIONS AND PROPERTY ADJUSTMENTS OUTSIDE A UGB is amended to reflect the following:

610-2 Rural Land Divisions (Partitions and Subdivisions)

610-2.1 Procedures

Partitions and subdivisions shall be processed through a two-step process consisting of a preliminary review and a final review.

A. Preliminary Review:

The preliminary review of a partition or subdivision shall:

- (1) Be through a Type II procedure when no variance from the standards of this Code is required; or
- (2) Be through a Type III procedure when a variance from the applicable standards of this Code is required or when in conjunction with a Type III development.
- (3) Subsequent phases of a Rural Planned Development which has an approved phasing schedule may be processed through a Type I procedure when the following criteria are met:
 - (a) All the conditions of approval apply to the subsequent phase; and
 - (b) The lot configurations remain as approved.
- (4) Expire automatically ~~two (2)~~ four (4) years from the date of approval unless prior to expiration:
 - (a) A request for final review, which includes all required information, is filed with the County; or
 - (b) A request for an extension is filed with the County pursuant to Article II; or
 - (c) Development is commenced pursuant to Section 201-6. If the Director determines that development has commenced prior to final approval, the preliminary review shall expire ~~three (3)~~ five (5) years from the date of approval unless final approval is granted

610-2.4 Submission Requirements for Final Review of all Land Divisions

Requests for final review of a subdivision or partition shall be submitted within ~~two (2)~~ four (4) years of preliminary approval and shall include the following information:

A. Necessary copies of the final plat, which shall include the following information:

- (1) The right-of-way location, width and centerline of all streets within the boundary of the site;
- (2) All existing and proposed easements shall be shown and shall be clearly identified as to intended purpose. The width of the easement, its length and bearing and sufficient ties to locate the easement with respect to the plat shall be shown;
- (3) The name of new streets approved by the County Surveyor;
- (4) Identification of land (e.g., lots or tracts) to be dedicated or reserved for any purpose, public or private, to distinguish it from lots or parcels intended for sale. Land not intended to be buildable shall be so identified;
- (5) A declaration as required by ORS Ch. 92.075;
- (6) A non-graphic notation on the plat of any flood plain or drainage hazard area, including the flood plain or drainage hazard area elevation and the affected lots or parcels;
- (7) Plat restrictions required in the preliminary approval; and
- (8) Unless a subsurface sewerage permit or site evaluation approval has been issued from the appropriate agency for all the preliminary approved lots or parcels, a notation shall be placed on the plat stating that the allowance of the partition or subdivision does not warrant that sewer or septic tank approval is or will be available to the affected lots or parcels. However, lots or parcels created in the RR-5 District pursuant to Section 350-6.1 C. are required to obtain a subsurface sewerage permit or site evaluation approval as required by Section 350-6.1 C. (2).

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 757

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

SUMMARY:

A-Engrossed Ordinance No. 757 proposes to amend the Community Development Code Element of the Comprehensive Plan regarding extension of approval periods for certain development applications, change the Type II extension request to a Type I process, and limit the number of extensions available to a single two-year period.

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. 757. The proposed 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 A-Engrossed Ordinance No. 757 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 12-87

Agenda Item No. 4.c.

Date: 10/23/12

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. 757) No. 12-87

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 23, 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. 757; 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 September 19, 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,

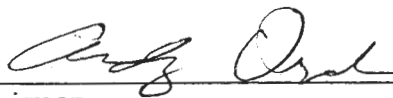
20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of
21 A-Engrossed Ordinance No. 757 are hereby adopted.

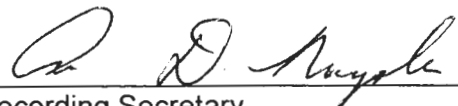
22 DATED this 23rd day of October, 2012.

	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26 TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED AS TO FORM:

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman


Recording Secretary

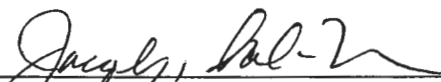
27 
Assistant County Counsel
28 For Washington County, Oregon

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE NO. 757 - AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE REGARDING EXTENSION OF APPROVAL PERIODS FOR CERTAIN DEVELOPMENT APPLICATIONS

October 23, 2012

GENERAL FINDINGS

A-Engrossed Ordinance No. 757 amends the Community Development Code (CDC) relating to the extension of approval periods for certain development applications and extension requests for certain types of development as shown below:

- Amended several sections of the CDC to extend the initial preliminary approval period for Type II and Type III land use decisions from two years to four years
- Extended the time period for demonstrating that development has occurred (commencement of development) from three years to five years
- Changed the Type II review process for extension request to a Type I process
- Limited extensions to a single two-year period

GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 757 is consistent with Statewide Planning Goals, Oregon Revised Statutes and Oregon Administrative Rule requirements and Metro's Urban Growth Management Functional Plan (UGMFP). The Washington County Comprehensive Plan was adopted to implement the aforementioned planning documents and was acknowledged by the State of Oregon. The county follows the post-acknowledgement plan amendment 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 or UGMFP compliance issues were raised in the proceedings for A-Engrossed Ordinance No. 757. 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. 757. Oral testimony in favor of the ordinance was provided to the Planning Commission and Board of County Commissioners and no letters of comment were received.

Goal 2 - Land Use Planning

Statewide Planning Goal 2 addresses land use planning by requiring an adequate factual base to support a decision as well as coordination with affected governmental entities. Washington County has an acknowledged land use planning process that provides for review and update of the various elements of the Comprehensive Plan, which includes documents such as the Rural/Natural Resource Plan, Urban Planning Area Agreements and the Community Development Code (CDC). Washington County utilized this process to adopt A-Engrossed Ordinance No. 757. Notice was coordinated with all affected governmental entities and no comments were received from these agencies regarding the ordinance.

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 CDC contributes to a sound economy by providing standards that facilitate development in an orderly and efficient fashion.

In 2009¹ and 2010², the county approved automatic one-year extensions of all preliminary land use approvals and all final approvals of land divisions and property line adjustments. These extensions were authorized in response to a HBA request and in acknowledgement of the credit crisis and the downturn in the real estate market. A total of 135 land use approvals were subject to these automatic one-year extensions.

The extensions of 2009 and 2010 were temporary fixes to address the struggles of the building industry. Amendments under A-Engrossed Ordinance No. 757 will further assist the building industry by increasing the length of certain land use approval periods and making the extension request process easier.

Plan compliance with Goal 9 is maintained by A-Engrossed Ordinance No. 757. The proposed ordinance is consistent with the county's acknowledged policies and strategies for strengthening the local economy as required by Goal 9.

Goal 10 - Housing

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 CDC 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 A-Engrossed Ordinance No. 757. The ordinance is consistent with the county's acknowledged policies and standards for regulating housing in the urban and rural areas as required by Goal 10.

¹ Ordinance No. 716

² Ordinance No. 734

A-Engrossed Ordinance No. 757 would extend the initial preliminary approval period for certain Type II and Type III land use decisions from two years to four years. It also extends the time period for demonstrating that development has occurred (commencement of development) from three years to five years. Additionally, it changes the Type II review process for extension requests to a Type I review and limit extensions to a single two-year period. With these amendments, the county is facilitating housing development in an orderly and efficient fashion.

Urban Growth Management Functional Plan Findings

Title 8 - Compliance Procedures

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

Title 8 requires jurisdictions to submit notice to Metro at least 45 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan. Staff sent Metro a copy of Proposed Ordinance No. 757 on August 10, 2012, forty days prior to the first evidentiary hearing. Staff contacted Metro and received no comments on the Proposed Ordinance No. 757.

The findings in this document demonstrate that the amendments made by this ordinance are in substantial compliance with the UGMFP.

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Attention: Plan Amendment Specialist
Department of Land Conservation &
Development
635 Capitol St. NE, Suite 150
Salem, OR. 97301-2540