



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: 10/20/2014  
Jurisdiction: Washington County  
Local file no.: ORDINANCE 786  
DLCD file no.: 007-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/13/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 48 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

<b>FOR DLCD USE</b>
File No.: 007-14 {22326}
Received: 10/13/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: **Washington County**

Local file no.: **A-Engrossed Ordinance No. 786**

Date of adoption: 10/7/2014                      Date sent: 10/13/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?  
Yes: Date (use the date of last revision if a revised Form 1 was submitted): 6/19/2014

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes  
If yes, describe how the adoption differs from the proposal:

Minor clarifying language was added to Community Development Code Section 313-3.40(2) that did not alter either the intent or purpose of the originally-filed ordinance.

Local contact (name and title): Stephen Shane, Senior Planner	
Phone: 503-846-3717	E-mail: Stephen_Shane@co.washington.or.us
Street address: 155 N First Ave., Suite 350, MS 14	City: Hillsboro                      Zip: 97124

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Ordinance No. 786 adds a new section to the Community Development Code - Section 313-3.40(2) – to allow for mixed use development in the Community Business District as a Type II review procedure. Findings are provided with this submittal for State Land Use Goals 1, 2, 9, and 10.

**For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- |             |    |        |  |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

Community Development Code Sections amended:	Section 313 – Community Business District
	Section 404 – Planned Development

Ordinance No. 786 adds a new section to the Community Development Code - Section 313-3.40(2) – to allow for mixed use development in the Community Business District as a Type II review procedure. Prior to the adoption of Ordinance No. 786, this use was processed as a Type III review procedure.

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
---------------------------	--------------	----------------

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Washington County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

**AGENDA**

**WASHINGTON COUNTY BOARD OF COMMISSIONERS**

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

**Agenda Title:** CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 786 –  
AN ORDINANCE TO AMEND RESIDENTIAL STANDARDS OF  
THE COMMUNITY BUSINESS DISTRICT (CBD) AND THE  
OFFICE COMMERCIAL (OC) DISTRICT

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

**SUMMARY:**

A-Engrossed Ordinance No. 786 proposes to amend the Community Development Code (CDC) to reduce the cost and expected processing time of residential development applications in the Community Business District (CBD). The ordinance also expands available options to meet open space and recreational requirements for residential development in the CBD and the Office Commercial (OC) District. The intent is to provide incentives targeted at mixed-use development.

The proposed 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/2014-land-use-ordinances.cfm>

The Board conducted hearings for Ordinance No. 786 on September 2, 2014. On September 2, the Board directed engrossment of the ordinance to make several changes. A description of those changes was included in the staff report for the September 23 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 786 on September 23 and continued the hearing to October 7, 2014.

The staff report for the October 7, 2014 hearing will be provided to the Board prior to the hearing and posted on the above land use ordinance web page. Copies of the report will also be available electronically and at the Clerk's desk prior to the hearing.

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

Clerk's Desk Item: Staff Report *(click to access electronic copy)*

**DEPARTMENT'S REQUESTED ACTION:**

Read A-Engrossed Ordinance No. 786 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 786 and associated findings.

**COUNTY ADMINISTRATOR'S RECOMMENDATION:**

I concur with the requested action.

**ADOPTED**

Agenda Item No. 4.b.  
Date: 10/07/14

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 786

An Ordinance Amending the Community  
Development Code Relating to Residential  
Standards in the Community Business District

The Board of County Commissioners of Washington County, Oregon ("Board")  
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, and 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, 754-  
758, 760, 762, 763, 765, 766, and 769-776.

1           B.     As part of its ongoing planning efforts Washington County staff has identified  
2 amendments to the Code to allow for changes to Community Business District development  
3 procedures and standards for certain uses. The Board recognizes that such changes are  
4 necessary from time to time for the benefit and welfare of the residents of Washington  
5 County, Oregon.

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

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

18     SECTION 2

19           The following exhibit, attached hereto and incorporated herein by reference, is adopted  
20 as amendments to the designated documents as follows:

- 21           1.     Exhibit 1 (3 pages), amending the following sections of the Community  
22                 Development Code:

- 1 a. Section 313 – Community Business District (CBD)
- 2 i. 313-3 Uses Permitted Through Type II Procedures
- 3 ii. 313-4 Uses Permitted Through Type III Procedures
- 4 iii. 313-5 Prohibited Uses
- 5 b. Section 404 – Master Planning, Planned Development, Modification of
- 6 Standards through the Planned Development.

7 SECTION 3

8 All other Comprehensive Plan provisions that have been adopted by prior ordinance,

9 which are not expressly amended or repealed herein, shall remain in full force and effect.

10 SECTION 4

11 All applications received prior to the effective date shall be processed in accordance

12 with ORS 215.427.

13 SECTION 5

14 If any portion of this Ordinance, including the exhibits, shall for any reason be held

15 invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be

16 affected thereby and shall remain in full force and effect.

17 SECTION 6

18 The Office of County Counsel and Department of Land Use and Transportation are

19 authorized to prepare planning documents to reflect the changes adopted under Section 2 of

20 this Ordinance, including deleting and adding textual material and maps, renumbering pages

21 or sections, and making any technical changes not affecting the substance of these

22 amendments as necessary to conform to the Washington County Comprehensive Plan format.

1 SECTION 7

2 This Ordinance shall take effect on November 28, 2014.

3 ENACTED this 7th day of October, 2014, being the 3rd reading  
4 and 3rd public hearing before the Board of County Commissioners of Washington  
5 County, Oregon.

6 BOARD OF COUNTY COMMISSIONERS  
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 *Andy Dard*  
CHAIRMAN

10 *Barbara Hejtmanek*  
RECORDING SECRETARY

11 READING

PUBLIC HEARING

12 First September 2, 2014  
13 Second September 23, 2014  
14 Third October 7, 2014  
Fourth \_\_\_\_\_  
Fifth \_\_\_\_\_

12 First September 2, 2014 (engrossment ordered)  
13 Second September 23, 2014  
14 Third October 7, 2014  
Fourth \_\_\_\_\_  
Fifth \_\_\_\_\_

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

16 Recording Secretary: *Barbara Hejtmanek* Date: *October 7, 2014*



Sections of the Community Development Code are amended to reflect the following:

**1. Section 313 – COMMUNITY BUSINESS DISTRICT (CBD)**

\*\*\*

**313-3 Uses Permitted Through a Type II Procedure**

\*\*\*

313-3.40 Residential Dwelling Units through a Type II Planned Development Procedure, subject to the following:

- (1) The standards of the R-25+ District shall apply when not in conjunction with a commercial use; or
- (2) The standards of the Community Business District shall apply when attached dwelling units are developed in conjunction with another Community Business District use. The attached dwelling units and the other Community Business District use shall be located within the same building.

**313-4 Uses Which May be Permitted Through a Type III Procedure**

\*\*\*

313-4.3 Uses Which May be Permitted Through a Type III Planned Development Procedure:

In addition to the requirements of Section 313-4, the following uses may be permitted when processed through a Type III Planned Development. The review of the proposed use shall consider whether the use will unduly duplicate an existing use if the proposed location will best serve the public interest and not detrimentally impact existing uses in the County.

- A. Lodging Places - Hotel, Motel over fifty (50) units.
- B. Regional Scale Facilities - such as arena, auditorium, convention center, exhibition hall, stadium, zoo, hospitals, amusement parks.
- C. Regional Shopping Center.
- ~~D. Residential Dwelling Units, subject to the following:~~

- ~~(1) Twenty five (25) units per acre when not in conjunction with a commercial use. The standards of the R-25+ District shall apply; and~~

~~(2) When in conjunction with a commercial use and included within the same structure there shall be no minimum density required. The standards of the Community Business District shall apply.~~

\*\*\*

**313-5 Prohibited Uses**

\*\*\*

313-5.3 New dwelling units, except pursuant to Section 313-4.3 ~~D3.40~~.

\*\*\*

**2. Section 404 – MASTER PLANNING**

\*\*\*

**404-4 Planned Development**

\*\*\*

404-4.4 Modification of Standards through the Planned Development

Upon submission of an on- and off-site Site Analysis as described in Section 404-1, when the request conforms to the standards of this Code, the following modifications may be allowed:

- A. Standards regarding interior private streets, parking requirements, building lot coverage, yard requirements, building height (except the building height standards of Section 427-3), and landscaping may be modified if the applicant submits written evidence and site and building plans to support the requested modifications and there is a finding by the Review Authority that all of the following can be achieved by the submitted plans:

\*\*\*

- (3) The site design complies with the following standards for recreational facilities:
  - (a) Provision of one (1) or more of the following active recreational facilities: playgrounds, bike and pedestrian trails, swimming pools, tennis courts, exercise rooms, and similar facilities.
  - (b) For development sites that are less than one (1) acre in size, provision of at least two (2) of the following passive recreation improvements may be substituted for the active recreational facilities: a bench or benches for seating; public art, such as a statue; a water

feature such as a fountain; usable rooftop open space for residents; a gazebo; or picnic table(s) with a barbecue.

- (c) A facility or amenity that is required by another Code standard (including accessways, internal sidewalks and walkways) shall not count as a Planned Development recreational facility.
  - (d) A recreational facility may be placed within the Planned Development open space or within a building (e.g. fitness center), but shall not be located within an area utilized for another Code-required use or activity (including accessways required by Section 408, private and public street rights-of-way) except for required yard areas.
- (4) The gross acreage of the development site, excluding existing public road rights-of-way, shall be used to calculate the minimum required ground-level open space based on the following area requirements.
- (a) Twenty (20) percent on sites between zero (0) and ten (10) acres;
  - (b) Fifteen (15) percent on sites between ten (10) and fifty (50) acres; and
  - (c) Ten (10) percent on sites greater than fifty (50) acres.
  - (d) When an indoor recreational facility is provided, such as a fitness center or swimming pool, the floor area of the facility may be used to satisfy the open space requirements of (4)(a) through (c) above.
  - (e) Each required open space area shall maintain a minimum dimension of 10 feet and a minimum area of 1,000 square feet.
  - (f) Open space required by the provisions of the standards of Section 404-4 shall be located within a one-quarter (1/4) mile of ninety (90) percent of the dwelling units affected by any reduction in standards.
  - (g) For security purposes, the open space shall be adequately illuminated during hours of darkness.
  - (h) Open space required by the standards of Section 404-4 shall not be located within public or private rights-of-way.
  - (i) Open space tracts shall be free from all structural encroachments (i.e., roof overhangs, awnings and other architectural features) of structures on abutting properties.
- (5) In the Community Business District and Office Commercial District, dwelling unit balconies, decks or patios and rooftop open space accessible to residents may be used to meet the minimum open space requirement in Section 404-4.4 A. (4)(a-c).

(56) The open space shall be improved and landscaped to reflect the intended character of the development, and as approved by the Review Authority and shall be in addition to that required by Section 405-1 (Open Space) and other Code standards, including the landscaping and screening and buffering requirements of Sections 407 and 411. However, Industrial and Commercial Planned Development proposals shall be allowed to use flood plain, drainage hazard, or riparian open space on the subject property to offset up to fifty (50) percent of this open space, provided that the area counted for offset is not used for parking (see Section 421-12);

# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

**Agenda Title:** ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 786

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

---

### SUMMARY:

A-Engrossed Ordinance No. 786 amends the Community Development Code (CDC) to reduce the cost and expected processing time of residential development applications in the Community Business District (CBD). The ordinance also expands available options to meet open space and recreational requirements for residential development in the CBD and the Office Commercial (OC) District. A-Engrossed Ordinance No. 786 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm>

Post acknowledgment comprehensive plan amendments are 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. ORS 197.615 requires that such amendments 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 (UGMFP), any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the UGMFP.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 786. Prior to the October 7, 2014 Board meeting, the proposed findings will be provided to the Board, posted on the above land use ordinance web page, and available at the Clerk's desk.

Attachment: Resolution and Order

Clerk's Desk Item: Ordinance Findings (*click to access electronic copy*)

### DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 786 and authorize the Chair to sign the Resolution and Order memorializing the action.

---

### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 14-110

Agenda Item No.	<u>6.b.</u>
Date:	10/07/14

IN THE BOARD OF COUNTY COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting ) RESOLUTION AND ORDER  
 Legislative Findings in Support )  
 of A-Engrossed Ordinance No. 786 ) No. 14-110

This matter having come before the Washington County Board of Commissioners at its meeting of October 7, 2014; and

It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 786; and

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


It appearing to the Board that the Planning Commission, at the conclusion of its public hearing on August 6, 2014, made a recommendation to the Board, which is in the record and has been reviewed by the Board; and

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


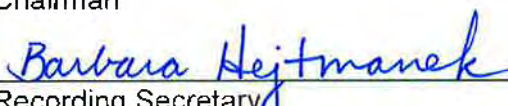
RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of A-Engrossed Ordinance No. 786 are hereby adopted.

DATED this 7th day of October, 2014.

	AYE	NAY	ABSENT
DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHOUTEN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MALINOWSKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED AS TO FORM:  
  
 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. 786 AN ORDINANCE AMENDING RESIDENTIAL STANDARDS OF THE COMMUNITY BUSINESS DISTRICT (CBD) AND THE OFFICE COMMERCIAL (OC) DISTRICT WITHIN THE WASHINGTON COUNTY COMMUNITY DEVELOPMENT CODE**

**October 7, 2014**

Part 1 - General Findings

Part 2 - Statewide Planning Goal Findings

Part 3 - Metro's Urban Growth Management Functional Plan Findings

#### **Part 1**

#### **GENERAL FINDINGS**

A-Engrossed Ordinance No. 786 amends sections of the Community Development Code (CDC) relating to residential standards in the Community Business and Office Commercial Districts with the intent to provide incentives for mixed-use development in these districts.

#### **KEY ORDINANCE PROVISIONS**

- To lower the application costs and processing time for new residential development requirements in the Community Business District from a Type III land use application to a Type II land use application.
- To provide new planned development options that meet open space and active recreation requirements for new residential development in the Community Business District and Office Commercial District.

Because A-Engrossed Ordinance No. 786 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 Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related Oregon Administrative Rules (OAR) are not addressed because these resources are not located within Washington County.

#### **Part 2**

#### **GOAL FINDINGS**

The purpose of these findings is to demonstrate that A-Engrossed Ordinance No. 786 is consistent with Statewide Planning Goals, Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). The Washington County Comprehensive Plan was adopted to

implement the aforementioned planning requirements and was acknowledged by the State of Oregon to be in compliance with these requirements. The county follows the post-acknowledgement 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 text implicate a Goal compliance issue. The following 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 county's 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 utilized these requirements for the review and adoption of A-Engrossed Ordinance No. 786.

### **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 the review and update of the various elements of the Comprehensive Plan, which includes documents such as the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, the Community Development Code and Urban Planning Area Agreements. Washington County utilized this process to adopt A-Engrossed Ordinance No. 786. Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

### **Goal 9 – Economic Development**

Statewide Planning Goal 9 addresses economic development by requiring adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Policy 20 in the Comprehensive Framework Plan for the Urban Area and Policies 20 and 21 in the Rural/Natural Resource Plan set out the county's policies to strengthen the local economy.

The proposed ordinance enhances economic development opportunities in the county through the lowering of application fees for mixed-use development in the Community Business District and in creating additional development options that may facilitate this type of development in areas where it is currently uncommon. Mixed-use development has proven a catalyst both regionally and nationally for increased economic activity and diversity at the local level, as exemplified in the changing urban environment in the Orenco area of the county and SE Division Street in Portland. Mixed-use development provides additional commercial options that can lead to a more diversified local economy.

The amendments within A-Engrossed Ordinance No. 786 are 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 Policy 19 in the Rural/Natural Resource Plan address the provision of housing in Washington County. The CDC contributes to the provision of adequate housing by establishing standards that facilitate development in an orderly and efficient fashion.

A-Engrossed Ordinance No. 786 proposes to lower the cost of mixed-use development applications in the Community Business District with the intent of spurring construction of this development type. In so doing, additional housing options are provided close to urban services and amenities as noted in Implementation Strategy 4 of this Goal.

Plan compliance with Goal 10 is therefore maintained with the amendments made by A-Engrossed Ordinance No. 773.

### **Part 3**

#### **Findings of Compliance with Metro’s Urban Growth Management Functional Plan**

Because A-Engrossed Ordinance No. 786 makes changes that do not affect compliance with all sections of the Urban Growth Management Functional Plan (UGMFP), it is not necessary for these findings to address each title in the UGMFP. The Board of Commissioners finds that the Metro Functional Plan requirements apply to amendments covered by these findings to the extent noted in specific responses below.

#### **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. 786 on June 19, 2014, 47 days prior to the first evidentiary hearing. Staff contacted Metro and received no comments on the proposed ordinance.

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