



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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



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

Date: October 01, 2015  
Jurisdiction: Washington County  
Local file no.: A-Engrossed Ord 796  
DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 09/29/2015. 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

**FOR DLCD USE**  
File No.: 002-15 {23777}  
Received: 9/29/2015

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. 796**

Date of adoption: 9/22/2015                      Date sent: 9/29/2015

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): April 30, 2015

No

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes    No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Sambo Kirkman, Associate Planner

Phone: 503-846-3593

E-mail: sambo\_kirkman@co.washington.or.us

Street address: 155 N. First Avenue, Suite 350

City: Hillsboro, OR

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:

Amend the Rural/Natural Resource Plan (Policies 1, 3, 22, and Appendices A and D) and the Comprehensive Framework Plan for the Urban Area (Policies 1, 15, 30, and Appendices A and D) to be consistent with state law relating to school district facility plans. See attached notice for more information.

### 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): Countywide

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:

None

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

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List affected state or federal agencies, local governments and special districts: Banks School District, Beaverton School District, Clackamas Ed. Service District, Forest Grove School District, Gaston School District, Hillsboro School District, Lake Oswego School District, Multnomah Educational Service District, Newberg School District, NW Ed. Service District, Portland School District, Scappoose School District, Sherwood School District, Tigard- Tualatin School District, Vernonia School District, West Linn-Wilsonville School District and Willamette Ed. Service District.

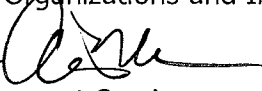
Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a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

A-Engrossed Ordinance 796 included the following minor changes: added language regarding the list of items to be incorporated into intergovernmental agreements between the school districts and the county; added clarifying language describing the components of a school facility plan; and clarified the language regarding district effort in securing future sites and the description on existing higher education institutions.



August 21, 2015

To: Citizen Participation Organizations and Interested Parties

From: Andy Back, Manager   
Planning and Development Services

Subject: **PROPOSED A-ENGROSSED ORDINANCE NO. 796**

On May 8, 2015, you were notified about initial public hearings for proposed Land Use Ordinance No. 796 before the Planning Commission on June 17 and July 1, 2015, and the Board of Commissioners (Board) on July 28, 2015. The Board ordered substantive amendments to this ordinance on July 28, 2015. These changes have been incorporated into proposed **A-Engrossed Ordinance No. 796** and are summarized below.

### **Ordinance Purpose and Summary**

Ordinance 796 proposes to amend Washington County's Rural/Natural Resource Plan (RNR) and Comprehensive Framework Plan for the Urban Area (CFP) to comply with the requirements found in ORS 195.110 relating to school facility planning.

### **Who is Affected**

Residents within Urban and Rural unincorporated Washington County

### **What Land is Affected**

Urban and Rural unincorporated areas in Washington County

### **Original Ordinance No. 796 Provisions**

As originally filed, Ordinance No. 796 proposed the following amendments to the Rural/Natural Resource Plan and the Comprehensive Framework Plan for the Urban Area:

- Correct references to "large school districts" to match state law.
- Add information on content of cooperative agreements.
- Delete outdated and unnecessary details about BSD and their planning (including school capacity criteria).
- Add current state law requirements for School District facility plans.

### **Proposed A-Engrossed Ordinance No. 796 Provisions**

Proposed **A-Engrossed Ordinance No. 796** incorporates all of the above-described amendments plus the following proposed amendments:

- Add language regarding the list of items to be incorporated into intergovernmental agreements between the school districts and the county to the RNR and CFP.
- Add clarifying language describing the components of a school facility plan to the RNR and CFP.
- Clarify language regarding district effort in securing future sites and the description on existing higher education institutions in the CFP.

<b>Public Hearings - Time and Place</b>	
<b>Board of Commissioners</b>	
<b>September 1, 2015</b>	<b>September 22, 2015</b>
<b>10:00 am</b>	<b>6:30 pm</b>

Hearings will be held in the auditorium of the Charles D. Cameron Public Services Building, 155 N First Avenue, Hillsboro, Oregon.

On September 22, 2015, the Board may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted on September 22, 2015, the ordinance would become effective on November 27, 2015.

**Rural/Natural Resource Plan Policies Amended**

- Policy 1, The Planning Process;
- Policy 3, Intergovernmental Coordination;
- Policy 22, Public Facilities and Services;
- Appendix A, Glossary; and
- Delete Appendix D, School Capacity

**Urban Comprehensive Plan Policies Amended**

- Summary Analysis of Constraints and Opportunities for Land Development;
- Policy 1, The Planning Process;
- Policy 15, Roles and Responsibilities for Serving Growth;
- Policy 30, Schools;
- Appendix A, Glossary; and
- Delete Appendix D, School Capacity

**How to Submit Comments**

- Submit oral or written testimony to the Board at one of the public hearings.
- Written testimony may be sent to the Board in advance of the public hearings in care of Long Range Planning.
- Include the author's name and address with any public testimony.

Washington County, Department of Land Use & Transportation  
 Planning and Development Services, Long Range Planning  
 155 N First Avenue, Suite 350, MS 14, Hillsboro, OR 97124-3072  
 Fax: 503-846-4412

**Staff Contact**

Sambo Kirkman, Associate Planner  
 Telephone: 503-846-3593 Fax: 503-846-4412  
 e-mail: sambo\_kirkman@co.washington.or.us

**Proposed A-Engrossed Ordinance No. 796 is available at the following locations:**

- Washington County, Department of Land Use & Transportation Planning and Development Services, Long Range Planning 155 N First Avenue, Suite 350, Hillsboro, OR 97124-3072 Telephone: 503-846-3519
- [www.co.washington.or.us/landuseordinances](http://www.co.washington.or.us/landuseordinances)
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-821-1128 for a directory of CPOs.

**AGENDA****WASHINGTON COUNTY BOARD OF COMMISSIONERS**

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

**Agenda Title:** **CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 796 – AN ORDINANCE AMENDING THE RURAL/NATURAL RESOURCE PLAN AND COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA RELATING TO SCHOOL DISTRICT FACILITY PLANNING**

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

**SUMMARY:**

A-Engrossed Ordinance No. 796 proposes to amend the Rural/Natural Resource Plan and the Comprehensive Framework Plan for the Urban Area relating to school facility planning, specifically updating the applicable policies to comply with state statutes. 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/2015-land-use-ordinances.cfm>

The Board conducted hearings for Ordinance No. 796 on July 28, 2015 and directed engrossment of the ordinance to make a number of changes. A description of those changes was included in the staff report provided for the September 1, 2015 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 796 on September 1, 2015 and continued the hearing to September 22, 2015.

The staff report for the September 22, 2015 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. 796 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 796.

**COUNTY ADMINISTRATOR'S RECOMMENDATION:**

I concur with the requested action.

**ADOPTED**

Agenda Item No. 4.a.

Date: 09/22/15

AUG 17 2015

Washington County  
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 796

An Ordinance Amending the  
Rural/Natural Resource Plan and the  
Comprehensive Framework Plan for the  
Urban Area Relating to School Facility  
Planning

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

SECTION 1

A. The Board recognizes that the Rural/Natural Resource Plan (Volume III) was readopted with amendments, by way of Ordinance No. 307, and subsequently amended by Ordinance Nos. 342, 383, 411, 412, 458, 459, 462, 480, 482, 499, 539, 547, 572, 574, 578, 588, 598, 606, 609, 615, 628, 630, 631, 637, 643, 648, 649, 653, 662, 671, 686, 733, 740, 753, 764, 772, 776, and 785.

B. The Board recognizes that the Comprehensive Framework Plan for the Urban Area element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9, 1986, and subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, 733, 739, 742, 744, 745, 753, 758, 764, 769, 771, 775, 785, 788, 789, and 790.

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1 C. Washington County has determined there is a need to update elements of the  
2 Comprehensive Plan relating to school facility planning. The Board takes note that such changes  
3 are for the health, welfare, and benefit of the residents of Washington County, Oregon.

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

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

16 SECTION 2

17 The following Exhibits, attached and incorporated herein by reference, are hereby adopted  
18 as amendments to the following documents:

- 19 1. Exhibit 1 (7 pages) – Amending the following sections of the Rural/Natural Resource  
20 Plan:
- 21 a. Policy 1, The Planning Process;
  - 22 b. Policy 3, Intergovernmental Coordination;



- c. Policy 22, Public Facilities and Services;
  - d. Appendix A, Glossary; and
  - e. Appendix D, School Capacity;
2. Exhibit 2 (8 pages) – Amending the following sections of the Comprehensive Framework Plan for the Urban Area:
- a. Summary Analysis of Constraints and Opportunities for Land Development;
  - b. Policy 1, The Planning Process;
  - c. Policy 15, Roles and Responsibilities for Serving Growth;
  - d. Policy 30, Schools;
  - e. Appendix A, Glossary; and
  - f. Appendix D, School Capacity.

SECTION 3

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

SECTION 4

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

SECTION 5

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

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1 SECTION 6

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

7 SECTION 7

8 This Ordinance shall take effect on November 27, 2015.

9 ENACTED this 22<sup>nd</sup> day of Sept., 2015, being the 3<sup>rd</sup> reading and 3<sup>rd</sup>  
10 public hearing before the Board of County Commissioners of Washington County, Oregon.

11 BOARD OF COUNTY COMMISSIONERS  
12 FOR WASHINGTON COUNTY, OREGON

13 **ADOPTED**

14 *Andy Ouel*  
CHAIRMAN

15 *Ana D. Noyola*  
RECORDING SECRETARY

16 READING

17 First July 28, 2015  
18 Second September 1, 2015  
19 Third September 22, 2015  
Fourth \_\_\_\_\_  
Fifth \_\_\_\_\_  
Sixth \_\_\_\_\_

16 PUBLIC HEARING

17 First July 28, 2015  
18 Second September 1, 2015  
19 Third September 22, 2015  
Fourth \_\_\_\_\_  
Fifth \_\_\_\_\_  
Sixth \_\_\_\_\_

20 Duyck, Rogers, Terry,

21 VOTE: Aye: Malinowski, Schouten  
22 Recording Secretary: Ana D. Noyola

Nay: \_\_\_\_\_  
Date: 09-22-15

The RURAL/NATURAL RESOURCE PLAN is amended to reflect the following:

**POLICY 1, THE PLANNING PROCESS:**

It is the policy of Washington County to establish an on-going Planning Program which is a responsive legal framework for Comprehensive Planning, Community Development and Resource Conservation which accommodates changes and growth in the physical, economic and social environment, in response to the needs of the county's citizens. It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director, or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary.

Implementing Strategies

The county will:

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- d. Adopt legislative plan and code amendments by ordinance in accordance with the procedures specified in the Washington County Charter and state law. Legislative amendments shall include amendments to the text which affect a large number of parcels or all parcels of land similarly situated and large scale map changes initiated by the county pursuant to:
1. A legislative plan update or a broad planning analysis; or
  2. Amendments to state statutes or administrative rules; or
  3. Amendments to the Comprehensive Plan text; or
  4. Relevant judicial decisions.

Map amendments that can be processed quasi-judicially shall not be considered in the legislative process unless it is pursuant to one of the four categories above.

It is recognized that certain portions of the code are not "land use planning and zoning" provisions as defined by the charter. In addition to any other requirement, the Planning Commission shall conduct at least one public hearing on any proposed legislative plan amendment and make a recommendation thereon to the Board. Notice of the hearing shall be published in a newspaper of general circulation in the county at least ten (10) days prior to the hearing.

At least ten (10) days prior to the hearing, written notice shall be provided to a large school district which has adopted a school facility plan in accordance with the provisions of ORS 195.110 for any plan or code amendment which:

~~Written notice of the hearing shall be provided at least ten (10) days prior to the hearing to a high growth school district which has adopted a School Facility Plan in accordance with the provisions of ORS 195.110, for any Plan or Code amendment which:~~

abcdef Proposed additions

abcdef Proposed deletions

1. Is inside the established boundaries of a ~~high-growth~~large school district; and
2. Impacts the residential density of land.

**POLICY 3, INTERGOVERNMENTAL COORDINATION:**

It is the policy of Washington County to effectively coordinate its planning and development efforts with federal, state and other local governments and special districts to ensure that the various programs and activities undertaken by these bodies are consistent with the county Comprehensive Plan.

Implementing Strategies

The county will:

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- e. Enter into intergovernmental agreements with ~~high-growth~~large school districts which are consistent with ORS 195.020 and ORS 195.110, and which contain at a minimum the following items:
  - ~~1. An explanation of how objective criteria for school capacity in the District's School Facility Plan will be used by the County;~~
  - ~~2. School District involvement with the County's periodic review; and~~
  31. How the county will involve the district in comprehensive planning, including coordinate comprehensive plan amendments and amendments to residential land use regulations amendments with the District, including notice of hearing.
  2. Describe the responsibilities of the district in comprehensive planning, including plan amendments and amendments to residential land use regulations regarding provision of urban services.
  3. Establish the role and responsibilities of each party to the agreement with respect to county approval of new development.
  4. Agreement between the district and the county regarding frequency of, and county participation in, updates to the school facility plan.
  5. Establish the role and responsibilities of the county with respect to district interests, including capital facilities and real property.

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**POLICY 22, PUBLIC FACILITIES AND SERVICES:**

It is the policy of Washington County to provide Public Facilities and Services in the Rural/Natural Resource Area in a coordinated manner, at levels which support rural type development, are efficient and cost effective, and help maintain public health and safety.

Implementing Strategies

The county will:

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d. Establish agreements between the county and service providers. The agreements shall provide:

1. Review of development proposals;<sub>17</sub>
2. Review of proposed service extension or facility expansion;<sub>17</sub>
3. Service district annexation;<sub>17</sub>
4. Criteria or documents to be used in planning service extensions, new facilities, or facility improvements;<sub>17</sub>
5. Standards to be used in assessing "appropriate" or "adequate" service levels;<sub>17</sub>
6. Area or clientele to be served now and in the future;<sub>17</sub>
7. Consistency of service provider activities with plan policies, strategies, and land use designations;<sub>17</sub>
8. Coordination between the county and any ~~high-growth~~large school districts in addressing capacity needs;<sub>17</sub>
9. Coordination of capital improvement programs (of the county and service providers);<sub>17</sub> and
10. Procedures for amending the agreement.

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n. Include as an element of the Resource Document of the Comprehensive Plan, the school facility plans adopted by ~~high-growth~~large school districts pursuant to ORS 195.110. The county will also provide notice to the affected ~~high-growth~~large school district when considering a plan or land use regulation amendment that affects school capacity.

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## Summary Findings and Conclusions

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5. Schools. Eleven (11) school districts provide services within the Rural/Natural Resource area. ~~Four~~ Five of these districts, which include large urban attendance areas, may be considered to be ~~high-growth~~ large school districts, and ~~are~~ may be experiencing various levels of capacity concerns as urban growth continues. These districts are - Beaverton District 48, Hillsboro School District 1J, Forest Grove School District 15, Sherwood School District 88J and Tigard-Tualatin District 23J. Under the provisions of ORS 195.110, Washington County will work closely with these school districts to develop school facility plans as necessary, which will in turn be incorporated into the county Comprehensive Plan. None of the remaining districts are facing serious overcrowding of rural area facilities at this time. Future growth in the rural area is not expected to cause capacity problems for any of the ~~non-high-growth~~ other districts. However, cooperation between the county and the districts is an important part of helping them to plan for growth and change inside their boundaries.

~~In 1994, the Beaverton School District adopted a school facility plan (plan) to comply with ORS 195.110 and in 2002 adopted an updated school facility plan. The update was in response to the periodic review requirements of ORS 195.110. The update was also necessary to address the additional elements added to ORS 195.110 by House Bill 3045 (HB 3045). HB 3045 was passed by the Oregon Legislature during the 2001 Oregon Legislative Session. The 2002 plan contains up-to-date data on existing school facilities, projected enrollment growth, projected site needs, and population projections by school age group to the year 2020. One of the conclusions made in the updated plan is that continued analysis is needed in order to refine the method of objectively determining school capacity. One reason being that demographics are constantly changing. In addition, housing types are also changing and need to be accurately reflected in the refined methodology. Therefore, the District proposes to retain the objective criteria for determining school capacity adopted by the 1994 plan, with a few exceptions. First, the District no longer calculates district-wide ceiling capacity. Second, the reference to "alternative" or "options" schools was removed from Appendix D. The District has determined that "options schools" do not provide general education capacity since enrollment in those programs is based on student and parent election to participate. The District will apply the updated and more reliable gross square footage figures resulting from the initial analysis to the modified objective criteria. As a result, school capacity calculations based on the updated gross square footages will be more accurate than those based upon the previous gross square footages.~~

ORS 195.110 requires large school districts to adopt school facility plans that cover a period of at least ten (10) years and include the following:

- Population projections;
- Identification of desirable school sites;
- Needed improvements to existing school sites;
- Financial plans to meet school needs;
- An analysis of:
  - Alternatives to new school construction; and
  - Measures to increase the use of existing school sites;
- Ten-year capital improvement plan;
- Site acquisition schedules and programs; and
- Analysis of land requirements for the next ten (10) years.

Large school districts are defined in ORS 195.110(1) as those districts with enrollment exceeding 2,500 students. School district facility plans for any large school district in which ten (10) percent or more of the student population is located in the unincorporated area are intended to serve as

supporting documents to the county's Comprehensive Plan and to be adopted by reference, pursuant to ORS 195.110(3). School facility plans shall be included in the Resource Document element of the Comprehensive Plan and may be adopted by Resolution and Order. As facility plans are updated, they will be adopted accordingly.

School districts are responsible for drafting and implementing facility plans, with the county working in close cooperation in the district's process. Districts can adopt school capacity criteria as part of the facility plan for the purpose of evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment. The county will continue to evaluate all legislative or quasi-judicial comprehensive plan amendments which will impact the planned density of residential land in the district, and all residential land use regulation amendments, to determine their impact on a district based on the using a districts adopted criteria. District-wide school capacity. This evaluation will be performed in accordance with the methodology established in Appendix "D". The county will continue to notify districts of land use regulations and development applications that may affect school capacity.

## Appendix A - Glossary

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~~HIGH GROWTH~~LARGE SCHOOL DISTRICT: A school district that has an enrollment of over ~~5,000~~2,500 students and had an increase in student enrollment of six percent or more over the three most recent school years, based on certified enrollment numbers submitted to the Department of Education during the first quarter of each new school year.

~~SCHOOL FACILITY PLAN~~: A plan prepared by a ~~high-growth~~large school district in cooperation with the county which identifies school facility needs based on population growth projections and land use designations contained in a city or county comprehensive plan and includes objective criteria for determining school capacity. ORS 195.110 (2) defines a ~~high-growth~~large school district as any school district that has an enrollment of over ~~5,000~~2,500 students and had an increase in student enrollment of six percent or more during the three most recent school years, based on certified enrollment numbers submitted to the Department of Education during the first quarter of each new school year. School facility plans shall be included in the Resource Document element of the Comprehensive Plan and may be adopted by Resolution and Order. The school facility plan shall cover a period of at least ten (10) years and include but not be limited to the following elements:

- a. Population projections by school age group;
- b. Identification by both the city and county and the school district of desirable school sites;
- c. Description of Pphysical improvements needed to bring in existing schools up to the school district's to meet the minimum standards of the large school district;
- d. Financial plans to meet school facility needs;
- e. An analysis of:
  1. The alternatives to new school construction and major renovation, and
  2. Measures to increase the efficient use of school sites including, but not limited to, multiple-story buildings and multi-purpose use of sites;
- f. ~~Five~~Ten-year capital improvement plans;

abcdef Proposed additions

~~abcdef~~ Proposed deletions

- g. Site acquisition schedules and programs; and
- h. Based on the elements included in the school facility plan under this subsection and applicable laws and rules, an analysis of the land required for the fiveten-year period covered by the plan that is suitable as a permitted use for school facilities inside the Urban Growth Boundary (UGB).

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**Appendix D-School Capacity**

APPENDIX-D

~~BEAVERTON SCHOOL DISTRICT OBJECTIVE CRITERIA FOR SCHOOL CAPACITY~~

~~1. Existing district-wide school capacity is a measure of student capacity of the permanent school buildings plus the adjusted portable classroom capacity for the existing number of portables used by the district. Changes in the number of portables placed at each school as well as area devoted to Special Education programs changes the district's overall school capacity. The district has agreed to provide Washington County with an annual official school capacity table. Existing capacity is measured by utilizing the following methodology:~~

~~a) Determine the existing capacity for each individual school facility by school type using the following formula:~~

~~**INDIVIDUAL SCHOOL CAPACITY = [(GSFB - SE) /SFS] + [(EP \* STR) \* CFF]**~~

~~where:~~

<del>GSFB =</del>	<del>Gross square footage of building</del>
<del>SE =</del>	<del>Special Education square footage</del>
<del>SFS =</del>	<del>Square footage per student factor</del>
	<del>_____ 100 sq. ft. elementary</del>
	<del>_____ 128 sq. ft. middle school</del>
	<del>_____ 141 sq. ft. high school</del>

<del>EP* =</del>	<del>Existing number of portables per school site</del>
<del>STR =</del>	<del>Students per portable classroom</del>
	<del>_____ 24 elementary</del>
	<del>_____ 26 middle and high school</del>

<del>CFF =</del>	<del>Core facility factor</del>
	<del>_____ 0.80 elementary, middle</del>
	<del>_____ 0.88 high</del>

~~b) Determine the existing district-wide capacity for each school type by using the following formula:~~



**EXISTING CAPACITY BY SCHOOL TYPE = SUM OF ISC BY SCHOOL TYPE**

where:

ISC \_\_\_\_\_ = Individual School Capacity

SCHOOL TYPE = Elementary (K-5)  
Middle School (6-8)  
High (9-12)

APPENDIX D-3

- c) Determine the planned school facility needs for the planning horizons by using the following formula:

**PLANNED SCHOOL FACILITY NEEDS = ECST + ADDITIONAL NEEDED SCHOOL CAPACITY BY SCHOOL TYPE FOR THE PLANNING HORIZON BASED ON SCHOOL AGE POPULATION PROJECTIONS**

where: \_\_\_\_\_ ECST = \_\_\_\_\_ Existing Capacity by School Type

2. When considering the impact on existing district-wide school capacity by school type for any legislative or quasi-judicial comprehensive plan amendment which will impact planned density of residential land or a residential land use regulation amendment, the following methodology shall be used:

- a) Determine the increase or decrease in residential units using the maximum density allowed by both the existing and proposed land use district and/or land use regulation.
- b) Convert the difference between the number of units allowed to students per school age group using the following tables:

i.) Single-family Dwellings  
0.4 elementary students per dwelling (K-5)  
0.17 middle school students per dwelling (6-8)  
0.14 high school students per dwelling (9-12)

ii.) Multi-family Dwellings  
0.08 elementary students per dwelling (K-5)  
0.03 middle school students per dwelling (6-8)  
0.03 high school students per dwelling (9-12)

These student conversion factors may be modified based on more current or specific information provided by the school district.

- e) Convert the difference in student impact to additional or less square footage per school type by using the Square Foot per Student Factor (SFS) found in 1.a. above.

The COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA is amended to reflect the following:

**SUMMARY ANALYSIS OF CONSTRAINTS AND OPPORTUNITIES FOR LAND DEVELOPMENT**

Functional constraints and opportunities, together with city and county expectations for future growth, have great impact on influencing urban form and defining the planning and land development options available to the county. Constraints and opportunities are examined within the context of: A) current policy commitments; B) urban service availability; C) transportation system capacity; and D) natural features.

\*\*\*

**B. URBAN SERVICE AVAILABILITY**

Provision of adequate urban services is an effective growth management mechanism, which is available to the county in terms of controlling the intensity, location and the timing of land development. The county classifies urban services as critical, essential or desirable. Land use actions must be based on findings that adequate urban services are available or will be provided within a specified time period.

\*\*\*

**5. Schools**

In 1993 the Oregon legislature, through Senate Bill 908 (SB 908), required Washington County to include as an element of its Comprehensive Plan, a school facility plan which addresses school capacity and a plan for school facilities to accommodate growth for ~~high-growth~~large school districts. The requirements of SB 908 are set forth in ORS 195.110. During the 2001 and 2007 legislative sessions, the legislature passed House Bill 3045 (HB 3045) and Senate Bill 336 (SB 336), which amended ~~ORS 195.110~~ and added additional elements to ORS 195.110. In Washington County, Beaverton District 48 has been certified as a ~~high-growth~~large school district; Hillsboro District 1J, ~~and Tigard-Tualatin District 23J,~~ Forest Grove School District 15, and Sherwood School District 88J ~~may be~~ are also considered to be ~~high-growth~~large school districts. Washington County will continue to work closely with these school districts to develop school facility plans as necessary to ensure that urban growth does not outpace the ability of public schools to serve the additional demand.

**GENERAL**

**POLICY 1, THE PLANNING PROCESS:**

**It is the policy of Washington County to establish an ongoing planning program which is a responsive legal framework for comprehensive planning and community development and accommodates changes and growth in the physical, economic and social environment, in response to the needs of the county's citizens.**

**It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary and a landowner or his/her agent may initiate a quasi-judicial map amendment in a new urban area at any time during the year.**

Implementing Strategies

The county will:

\*\*\*

- c. Adopt legislative plan and code amendments by ordinance in accordance with the procedures specified in the Washington County Charter and state law. Legislative amendments shall include amendments to the text which affect a large number of parcels or all parcels of land similarly situated and large scale map changes initiated by the county pursuant to:
  1. A legislative plan update or a broad planning analysis, or
  2. Amendments to state statutes or administrative rules; or
  3. Amendments to the Comprehensive Plan text; or
  4. Relevant judicial decisions.

Map amendments that can be processed quasi-judicially shall not be considered in the legislative process unless it is pursuant to one of the four categories above or when authorized by another provision of the Comprehensive Framework Plan or another element of the Comprehensive Plan (e.g. the Transportation System Plan).

It is recognized that certain portions of the code are not "land use planning and zoning" provisions as defined by the charter.

In addition to any other requirement, the Planning Commission shall conduct at least one public hearing on any proposed legislative plan or code amendment and make a recommendation thereon to the Board. Notice of the hearing shall be published in a newspaper of general circulation in the county at least ten (10) days prior to the hearing;

At least ten (10) days prior to the hearing, written notice shall be provided to a large growth school district which has adopted a school facility plan in accordance with the provisions of ORS 195. 110 for any plan or code amendment which:

~~Written notice of the hearing shall be provided at least ten (10) days prior to the hearing to a high growth school district which has adopted a School Facility Plan in accordance with the provisions of ORS 195.110, for any Plan or Code amendment which:~~

- 1) Is located inside the established boundaries of a ~~high-growth~~large school district; and
- 2) Impacts the residential density of the land.

\*\*\*

**POLICY 15, ROLES AND RESPONSIBILITIES FOR SERVING GROWTH:**

**It is the policy of Washington County to work with service providers, including cities and special service districts, and Metro, to ensure that facilities and services required for growth will be provided when needed by the agency or agencies best able to do so in a cost effective and efficient manner.**

Implementing Strategies

The county will:

\*\*\*

- o. Enter into intergovernmental agreements with ~~high-growth~~large school districts that are consistent with state law, and that contain at a minimum the following items:
  - 1. ~~An explanation of how objective criteria for school capacity in the District's school facility plan will be used by the County;~~
  - 2. ~~School District involvement with the County's periodic review; and~~
  - 3. How the county will coordinate involve the district in comprehensive planning, including plan amendments and amendments to residential land use regulation-amendments with the District, including notice of hearing.
  - 2. Describe the responsibilities of the district in comprehensive planning, including plan amendments and amendments to residential land use regulations regarding provision of urban services.
  - 3. Establish the role and responsibilities of each party to the agreement with respect to county approval of new development.
  - 4. Agreement between the district and the county regarding frequency of, and county participation in, updates to the school facility plan.

5. Establish the role and responsibilities of the county with respect to district interests, including capital facilities and real property.

These intergovernmental agreements may be adopted by the Board of ~~County~~ Commissioners through Resolution and Order.

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**POLICY 30, SCHOOLS:**

**It is the policy of Washington County to coordinate with school districts and other educational institutions in planning future school facilities to ensure proper location and safe access for students.**

Implementing Strategies

The county will:

- a. Include as an element of the Resource Document of the Comprehensive Plan, the school facility plans adopted by ~~high-growth~~large school districts pursuant to ORS 195.110. The county will also provide notice to the affected ~~high-growth~~large school district when considering a plan or land use regulation amendment that affects school capacity.
- b. Include in the Community Development Code the opportunity for school districts to review and comment on all development proposals subject to the growth management standards.
- c. Include in the Community Development Code clear and objective criteria regarding the location and design of educational facilities. Such criteria will address pedestrian, bicycle and vehicle access, the means to ensure compatibility of the facility with surrounding uses and consistency with the applicable Community Plan.
- d. Encourage the re-use of school buildings when such facilities are removed from use by the school district.

Summary Findings and Conclusions

The public elementary and secondary school system in the county is operated by ~~seven-thirteen (13)~~ school districts, which are ~~coordinated by the Washington County~~collaborate with several different Educational Service Districts in the area. Five of these school districts are identified as large school districts, and may be experiencing various levels of capacity concerns as urban growth continues. These districts are: Beaverton District 48, Hillsboro School District 1J, Forest Grove School District 15, Sherwood School District 88J and Tigard-Tualatin District 23J. While a number of individual school facilities in some districts are now at or near capacity, other districts are expecting stabilization or decline in enrollment. All districts have made efforts to estimate the need for new facilities and are working to secure sites for future development.

~~Higher education and vocational training is offered in the county through a significant number of public and private institutions, including Portland Community College, Pacific University, the Oregon Graduate Center, the Oregon National Regional Primate Research Center, and the St. Vincent Hospital Medical~~

Center nursing program. Advanced education and training programs are key contributors to the quality of life in Washington County.

Provision of adequate public school facilities, where and when they are needed, depends in part on the kind and quality of information school districts and the county use in their planning activities. School districts need to be aware of the county's plan for future land uses and any other land development or other matters which affects the operation of school facilities. In turn, the county needs to keep abreast of the plans of each of the ~~seven school~~ districts and educational institutions operating in the county in order to assure that these facilities are properly located and have safe transportation and pedestrian access.

~~In 1994, the Beaverton School District adopted a school facility plan (plan) to comply with ORS 195.110 and in 2002 adopted an updated school facility plan. The update was in response to the periodic review requirements of ORS 195.110. The update was also necessary to address the additional elements added to ORS 195.110 by House Bill 3045 (HB 3045). HB 3045 was passed by the Oregon Legislature during the 2001 Oregon Legislative Session. The 2002 plan contains up-to-date data on existing school facilities, projected enrollment growth, projected site needs, and population projections by school age group to the year 2020. One of the conclusions made in the updated plan is that continued analysis is needed in order to refine the method of objectively determining school capacity. One reason being is that demographics are constantly changing. In addition, housing types are also changing and need to be accurately reflected in the refined methodology. Therefore, the District proposes to retain the objective criteria for determining school capacity adopted by the 1994 plan, with a few exceptions. First, the District no longer calculates district wide ceiling capacity. Second, the reference to "alternative" or "options" schools was removed from Appendix D. The District has determined that "options schools" do not provide general education capacity since enrollment in those programs is based on student and parent election to participate. The District will apply the updated and more reliable gross square footage figures resulting from the initial analysis to the modified objective criteria. As a result, school capacity calculations based upon the updated gross square footages will be more accurate than those based upon the previous gross square footages.~~

ORS 195.110 requires large school districts to adopt school facility plans that cover a period of at least ten (10) years and include the following:

- Population projections;
- Identification of desirable school sites;
- Needed improvements to existing school sites;
- Financial plans to meet school needs;
- An analysis of:
  - Alternatives to new school construction; and
  - Measures to increase the use of existing school sites;
- 10-year capital improvement plan;
- Site acquisition schedules and programs; and
- Analysis of land requirements for the next ten (10) years.

Large school districts are defined in ORS 195.110(1) as those districts with enrollment exceeding 2,500 students. School district facility plans for any large school district in which ten (10) percent or more of the student population is located in the unincorporated area are intended to serve as supporting documents to the county's Comprehensive Plan and to be adopted by reference, pursuant to ORS 195.110(3). School facility plans shall be included in the Resource Document element of the Comprehensive Plan and may be adopted by Resolution and Order. As facility plans are updated, they will be adopted accordingly.

~~School districts are responsible for drafting and implementing facility plans, with the county working in close cooperation with the districts in their process. Districts can adopt school capacity criteria as part of the facility plan for the purpose of evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment. A District is responsible for drafting and implementing their Facility Plan, with the County participating in the District's process. Districts can adopt school capacity criteria as part of the Facility Plan for the purpose of evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment. District-wide school capacity. This evaluation will be performed in accordance with the methodology established in Appendix "D". The county will continue to evaluate all legislative or quasi-judicial comprehensive plan amendments which will impact the planned density of residential land in the district, and all residential land use regulation amendments, to determine their impact on a district based on the district's adopted criteria. District-wide school capacity. This evaluation will be performed in accordance with the methodology established in Appendix "D". The county will continue to notify districts of land use regulations and development applications that may affect school capacity.~~

## Appendix A

### GLOSSARY

\*\*\*

~~HIGH GROWTH~~LARGE SCHOOL DISTRICT: A school district that has an enrollment of over ~~5,000~~2,500 students and had an increase in student enrollment of six percent or more over the three most recent school years, based on certified enrollment numbers submitted to the Department of Education during the first quarter of each new school year.

\*\*\*

~~SCHOOL FACILITY PLAN~~: A plan prepared by a ~~high growth~~large school district in cooperation with the county which identifies school facility needs based on population growth projections and land use designations contained in a city or county comprehensive plan and includes objective criteria for determining school capacity. ORS 195.110 (2) defines a ~~high growth~~large school district as any school district that has an enrollment of over ~~5,000~~2,500 students and had an increase in student enrollment of six percent or more during the three most recent school years, based on certified enrollment numbers submitted to the Department of Education during the first quarter of each new school year. School facility plans shall be included in the Resource Document element of the Comprehensive Plan and may be adopted by Resolution and Order. The school facility plan shall cover a period of at least (ten) 10 years and include but not be limited to the following elements:

- a. Population projections by school age group;
- b. Identification by both the city and county and the school district of desirable school sites;
- c. Physical Description of physical improvements needed to bring in existing schools up to the school district's to meet the minimum standards of the large school district;
- d. Financial plans to meet school facility needs;
- e. An analysis of:

1. The alternatives to new school construction and major renovation, and
  2. Measures to increase the efficient use of school sites including, but not limited to, multiple-story buildings and multi-purpose use of sites;
- f. ~~Five~~Ten-year capital improvement plans;
- g. Site acquisition schedules and programs; and
- h. Based on the elements included in the school facility plan under this subsection and applicable laws and rules, an analysis of the land required for the ~~five~~ten-year period covered by the plan that is suitable as a permitted use for school facilities inside the Urban Growth Boundary (UGB).

**Appendix D – Criteria for School Capacity**

**BEAVERTON SCHOOL DISTRICT OBJECTIVE CRITERIA FOR SCHOOL CAPACITY**

~~1. Existing district-wide school capacity is a measure of student capacity of the permanent school buildings plus the adjusted portable classroom capacity for the existing number of portables used by the district. Changes in the number of portables placed at each school as well as area devoted to Special Education programs changes the district's overall school capacity. The district has agreed to provide Washington County with an annual official school capacity table. Existing capacity is measured by utilizing the following methodology:~~

~~a) Determine the existing capacity for each individual school facility by school type using the following formula:~~

$$\text{INDIVIDUAL SCHOOL CAPACITY} = \frac{GSFB - SE}{SFS} + [(EP * STR) * CFF]$$

where:

GSFB =	Gross square footage of building
SE =	Special Education square footage
SFS =	Square footage per student factor
	_____ 100 sq. ft. elementary
	_____ 128 sq. ft. middle school
	_____ 141 sq. ft. high school
	_____
EP* =	Existing number of portables per school site
STR =	Students per portable classroom
	_____ 24 elementary
	_____ 26 middle and high school
CFF =	Core facility factor
	_____ 0.80 elementary, middle
	_____ 0.88 high

~~b) Determine the existing district-wide capacity for each school type by using the following formula:~~



**EXISTING CAPACITY BY SCHOOL TYPE = SUM OF ISC BY SCHOOL TYPE**

where:

ISC \_\_\_\_\_ = Individual School Capacity

SCHOOL TYPE = Elementary (K-5)  
Middle School (6-8)  
High (9-12)

APPENDIX D-3

c) Determine the planned school facility needs for the planning horizons by using the following formula:

**PLANNED SCHOOL FACILITY NEEDS = ECST + ADDITIONAL NEEDED SCHOOL CAPACITY BY SCHOOL TYPE FOR THE PLANNING HORIZON BASED ON SCHOOL AGE POPULATION PROJECTIONS**

where: \_\_\_\_\_ ECST = \_\_\_\_\_ Existing Capacity by School Type

2. When considering the impact on existing district-wide school capacity by school type for any legislative or quasi-judicial comprehensive plan amendment which will impact planned density of residential land or a residential land use regulation amendment, the following methodology shall be used:

a) Determine the increase or decrease in residential units using the maximum density allowed by both the existing and proposed land use district and/or land use regulation.

b) Convert the difference between the number of units allowed to students per school age group using the following tables:

- i.) Single-family Dwellings
  - 0.4 elementary students per dwelling (K-5)
  - 0.17 middle school students per dwelling (6-8)
  - 0.14 high school students per dwelling (9-12)
- ii.) Multi-family Dwellings
  - 0.08 elementary students per dwelling (K-5)
  - 0.03 middle school students per dwelling (6-8)
  - 0.03 high school students per dwelling (9-12)

These student conversion factors may be modified based on more current or specific information provided by the school district.

Convert the difference in student impact to additional or less square footage per school type by using the Square Foot per Student Factor (SFS) found in 1.a. above.

abcdef Proposed additions  
abedef Proposed deletions

# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

**Agenda Title:** ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 796

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

---

### SUMMARY:

Ordinance No. 796 proposes to amend the Rural/Natural Resource Plan and the Comprehensive Framework Plan for the Urban Area relating to school facility planning, specifically updating the applicable policies to comply with state statutes. A-Engrossed Ordinance No. 796 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2015-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. 796. Prior to the September 22, 2015 meeting, the proposed findings, Exhibit A, 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

RO Exhibit A (Ordinance Findings) is linked online

### DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 796 and authorize the Chair to sign the Resolution and Order memorializing the action.

---

### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 15-103

Agenda Item No. 5.a.

Date: 09/22/15

IN THE BOARD OF COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting ) RESOLUTION AND ORDER  
Legislative Findings in Support )  
of A-Engrossed Ordinance No. 796 ) No. **15-103**

This matter having come before the Washington County Board of Commissioners at its meeting of September 22, 2015; 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. 796; and


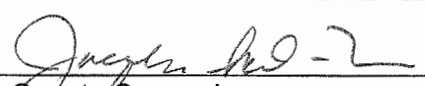
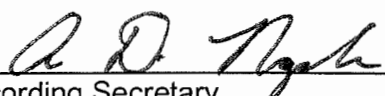
It appearing to the Board that the findings attached and herein incorporated as "Exhibit A" constitute appropriate legislative findings with respect to the adopted ordinance; and

It appearing to the Board that the Planning Commission, at the conclusion of its June 17 and July 1, 2015 public hearings, 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 identified as "Exhibit A" in support of A-Engrossed Ordinance No. 796 are hereby adopted.

DATED this 22nd day of September, 2015.

	AYE	NAY	ABSENT	
DUYCK	✓	—	—	BOARD OF COMMISSIONERS FOR WASHINGTON COUNTY, OREGON   _____ Chairman
SCHOUTEN	✓	—	—	
MALINOWSKI	✓	—	—	
ROGERS	✓	—	—	
TERRY	✓	—	—	
APPROVED AS TO FORM:   _____ Sr. County Counsel For Washington County, Oregon				 _____ Recording Secretary

## EXHIBIT A

### FINDINGS FOR A-ENGROSSED ORDINANCE NO. 796

#### AN ORDINANCE AMENDING THE WASHINGTON COUNTY RURAL/NATURAL RESOURCE PLAN AND COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA TO BE CONSISTENT WITH STATE LAW RELATING TO SCHOOL DISTRICT FACILITY PLANNING

September 22, 2015

#### GENERAL FINDINGS

A-Engrossed Ordinance No. 796 amends the Rural/Natural Resource Plan (RNR) and Comprehensive Framework Plan for the Urban Area (CFP) to address changes to state requirements on school district facility planning. These changes are needed to update school policies in the county's Comprehensive Plan to meet the 2007 changes in state statutes.

#### Key Ordinance Provisions

- Amendments to policies of the Rural/Natural Resource Plan include:
  - *Policy 1 - The Planning Process*: Clarification on written notice requirements for school facility plans.
  - *Policy 3 - Intergovernmental Coordination*: Update the requirements for an intergovernmental agreement between a large school district and the county.
  - *Policy 22 - Public Facilities and Services*: Remove information specific to the Beaverton School District Facility Plan, update information on other school districts in the county, and include the components of a school district facility plan as required by state statute.
  - *Appendix A - Glossary*: Update the terminology for large school district in the glossary (and throughout the RNR) and update the thresholds for school facility plans.
  - *Appendix D -, School Capacity*: Remove this appendix as it is outdated and applies only to the Beaverton School District.
  
- Amendments to policies of the Comprehensive Framework Plan for the Urban Area include:
  - *Summary Analysis of Constraints and Opportunities for Land Development*: Update school information.
  - *Policy 1 - The Planning Process*: Clarification of written notice requirements for school facility plans.
  - *Policy 15 - Roles and Responsibilities for Serving Growth*: Update the requirements for an intergovernmental agreement between a large school district and the county.
  - *Policy 30 - Schools*: Remove information specific to the Beaverton School District Facility Plan, add clarifying language regarding district efforts in securing future sites and update the description on existing higher education institutions, update information

on other school districts in the county, and include the components of a school district facility plan as required by state statute.

- *Appendix A - Glossary:* Update the terminology for large school district in the glossary (and throughout the CFP) and update the thresholds for school facility plans.
- *Appendix D - School Capacity:* Remove this appendix as it is outdated and applies only to the Beaverton School District.

Because the ordinance would make changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The county 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 applicable Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Shorelands), 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.

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

## **STATEWIDE PLANNING GOAL FINDINGS**

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 796 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS), Oregon Administrative Rule (OAR) requirements, Metro's Urban Growth Management Functional Plan (UGMFP) and Washington County's Comprehensive Plan (Plan). The county's 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 (PAPA) process to update the 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 hearing proceedings described below. In addition, none of the proposed changes to the map and text of the Plan implicate a goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

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

Goal 1 addresses Citizen Involvement by requiring the implementation of a comprehensive program to stimulate citizen participation in the planning process. Washington County has an acknowledged citizen involvement program that provides a range of opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the county's Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has followed these requirements for the adoption of A-Engrossed Ordinance No. 796 and is therefore compliant with Statewide Planning Goal 1.

### **Goal 2 - Land Use 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 Plan, which includes documents such as the Rural/Natural Resource Plan (RNR), Comprehensive Framework Plan for the Urban Area (CFP), Community Plans, Community Development Code (CDC), and Transportation System Plan (TSP). Washington County utilized this process to adopt A-Engrossed Ordinance No. 796. Notice was coordinated with all affected governmental entities on the proposed changes and no comments were received regarding the ordinance. Staff finds A-Engrossed Ordinance 796 is compliant with Statewide Planning Goal 2.

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

Goal 11 requires a plan for the orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Policies 15, 25, 26, 27, 28, 29, 30 and 31 of the CFP, 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 CDC requires that adequate public facilities and services be available for new development.

A-Engrossed Ordinance No. 796 proposes updates to Policy 30 of the CFP and Policy 22 of the RNR to comply with state statutes on school facility planning that were modified in 2007. The proposed changes in A-Engrossed Ordinance No. 796 are to incorporate updates in state statutes into the CFP and RNR, including when school district facility planning is required, the content of the school district facility plans and clarifying the requirements of intergovernmental agreements between large school district and the county. Large school district facility plans are proposed to be adopted into the county's Comprehensive Plan through a separate Resolution and Order process.

These changes will improve coordination and communication between the county and the affected large school districts as well as clarify school districts that warrant additional coordination to aid in the efficient arrangement of public facilities and services. Staff finds the proposed changes in A-Engrossed Ordinance 796 comply with Statewide Planning Goal 11.

## **URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FINDINGS**

Section 3.07.810 of Title 8 of Metro's Urban Growth Management Functional Plan (UGMFP) requires that county comprehensive plan changes be consistent with the UGMFP. The following A-Engrossed Ordinance No. 796 findings have been prepared to address Title 8 Compliance Procedures of the UGMFP.

### **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 35 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan.

Consistent with Title 8, a copy of proposed Ordinance No.796 was mailed to Metro on April 30, 2015, more than 35 days prior to the first evidentiary hearing. A copy of A-Engrossed Ordinance No. 796 was mailed to Metro on August 21, 2015. Metro provided no comments on A-Engrossed Ordinance No. 796. Staff finds A-Engrossed Ordinance 796 is compliant to the requirements of Title 8 of the UGMFP.