

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. 814 –
AN ORDINANCE AMENDING THE RURAL/NATURAL
RESOURCE PLAN, THE COMPREHENSIVE FRAMEWORK
PLAN FOR THE URBAN AREA, THE TRANSPORTATION
SYSTEM PLAN AND THE COMMUNITY DEVELOPMENT
CODE TO ADDRESS TRANSPORTATION RELATED ISSUES**

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

SUMMARY:

A-Engrossed Ordinance No. 814 proposes to amend the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan and the Community Development Code to address Transportation-Related Issues. The proposed ordinance is posted on the County's land use ordinance web page at the following link:

www.co.washington.or.us/landuseordinances

The Board conducted a hearing for Ordinance No. 814 on September 6. On September 6, 2016, the Board directed engrossment to include changes recommended in the staff report. The Board held its first hearing for A-Engrossed Ordinance No. 814 on October 18 and continued the hearing to October 25, 2016.

The staff report for the October 25, 2016 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. 814 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 814 and associated findings.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	<u>4.c.</u>
Date:	10/25/16

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 814

An Ordinance Amending the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan, and the Community Development Code to Address Transportation-Related Issues

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

SECTION 1

A. The Board recognizes that 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, 796, 809, and 813.

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, 788-790, 796, 799, 802, 805, 809, and 813.

C. The Board recognizes that the Transportation Plan Element of the Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, and subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426,

1 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552,
2 556, 588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, 730, 739,
3 744, 749, 750, 760, 767, 768, 775, 783, 789, 790, 799, 802, and 805.

4 D. The Board recognizes that the Community Development Code Element of the
5 Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by
6 way of Ordinance No. 308, and subsequently amended by Ordinance Nos. 321, 326, 336-341,
7 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-
8 423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-
9 481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561,
10 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624,
11 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677,
12 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739,
13 742-745, 754- 758, 760, 762, 763, 765, 766, 769-776, 782-788, 791, 792, 797-800, 802, 804,
14 809, and 813.

15 E. As part of its ongoing planning efforts Washington County staff has identified
16 the need for minor updates to elements of the Comprehensive Plan to address transportation-
17 related issues. The Board recognizes that such changes are necessary from time to time for
18 the benefit and welfare of the residents of Washington County, Oregon.

19 F. Under the provisions of Washington County Charter Chapter X, the
20 Department of Land Use and Transportation has carried out its responsibilities, including
21 preparation of notices, and the County Planning Commission has conducted one or more
22 public hearings on the proposed amendments and has submitted its recommendations to the

1 Board. The Board finds that this Ordinance is based on that recommendation and any
2 modifications made by the Board, as a result of the public hearings process.

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

9 SECTION 2

10 The following exhibits, attached hereto and incorporated herein by reference, are
11 adopted as amendments to the designated documents as follows:

12 A. Exhibit 1 (1 page), amends Policy 28 (Airports) of the Rural/Natural Resource
13 Plan.

14 B. Exhibit 2 (1 page), amends Policy 42 (Airports) of the Comprehensive
15 Framework Plan for the Urban Area.

16 C. Exhibit 3 (9 pages), Amends the Transportation System Plan:

- 17 1. Goal 5: Mobility; and
- 18 2. Glossary.
- 19 3. Roadway Element:
 - 20 i. The 'Functional Classification' Map; and
 - 21 ii. The 'Lane Numbers' Map.
- 22 4. Active Transportation Element;

1 i. The 'Pedestrian System' Map; and

2 ii. The 'Transit System' Map.

3 D. Exhibit 4 (7 pages), amends the following Sections of the Community

4 Development Code:

5 1. Section 418 – Setbacks;

6 2. Section 501 – Public Facility and Service Requirements;

7 3. Section 502 – Sidewalk Standards; and

8 4. Section 702 – Exempt Projects.

9 SECTION 3

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

12 SECTION 4

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

15 SECTION 5

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

19 SECTION 6

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

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

3 SECTION 7

4 This Ordinance shall take effect on November 25, 2016.

5 ENACTED this 25th day of October, 2016, being the 3rd reading
6 and 3rd public hearing before the Board of County Commissioners of Washington
7 County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

11 *Andy Dora*
12 CHAIRMAN

13 *A. D. Noyola*
14 RECORDING SECRETARY

15 READING

16 PUBLIC HEARING

17 First September 6, 2016
18 Second October 18, 2016
19 Third October 25, 2016
20 Fourth _____
21 Fifth _____
22 Sixth _____

First September 6, 2016 (engrossment ordered)
Second October 18, 2016
Third October 25, 2016
Fourth _____
Fifth _____
Sixth _____

VOTE: Aye: Rogers, Malinowski, Terry, Schouten, Dayck Nay: none

Recording Secretary: Ana D. Noyola Date: October 25, 2016

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 814

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

SUMMARY:

A-Engrossed Ordinance No. 814 amends the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan and the Community Development Code. A-Engrossed Ordinance No. 814 is posted on the County's land use ordinance web page at the following link:

www.co.washington.or.us/landuseordinances

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. 814. Prior to the October 25, 2016 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. 814 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 16-141

Agenda Item No.	<u>5.c.</u>
Date:	10/25/16

1 IN THE BOARD OF COMMISSIONERS
2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting) RESOLUTION AND ORDER
4 Legislative Findings in Support)
of A-Engrossed Ordinance No. 814) No. 16-141

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 25, 2016; and

7 It appearing to the Board that the findings contained in "Exhibit A" summarize relevant facts
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's
10 Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 814; and

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

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
14 on August 3, 2016, made a recommendation to the Board, which is in the record and has been
15 reviewed by the Board; and

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


20 RESOLVED AND ORDERED that the attached findings in "Exhibit A" in support of
21 A-Engrossed Ordinance No. 814 are hereby adopted.

22 DATED this 25th day of October, 2016.

	AYE	NAY	ABSENT
23 DUYCK	✓	—	—
24 SCHOUTEN	✓	—	—
MALINOWSKI	✓	—	—
25 APPROVED AS TO FORM: ROGERS	✓	—	—
TERRY	✓	—	—

BOARD OF COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman

26 
27 County Counsel
28 For Washington County, Oregon


Recording Secretary