

## **EXHIBIT A**

### **FINDINGS FOR A-ENGROSSED ORDINANCE NO. 821**

#### **AN ORDINANCE AMENDING THE WASHINGTON COUNTY – SHERWOOD URBAN PLANNING AREA AGREEMENT, AN ELEMENT OF THE COMPREHENSIVE PLAN**

**September 26, 2017**

Part 1 – General Findings

Part 2 – Statewide Planning Goal Findings

Part 3 – Metro Urban Growth Management Functional Plan Findings

#### **Part 1:**

#### **GENERAL FINDINGS**

A-Engrossed Ordinance No. 821 amends the Washington County – Sherwood Urban Planning Area Agreement (UPAA), an element of the Comprehensive Plan. Proposed updates include adding policies and processes for coordinating concept planning in the Urban Reserves within Sherwood's area of interest and minor changes to the policies and processes for comprehensive planning in the Urban Planning Area. The planning area map is revised to reflect Sherwood's Urban Reserve Planning Area, changes to the Urban Planning Area and annexations since the last update.

#### **Key Ordinance Provisions**

- Minor changes to the processes and policies for coordinating comprehensive planning in the Urban Planning Area
- A new section III, (Concept Planning for the Urban Reserve Areas) of the UPAA that includes a process for coordinating concept planning in the Urban Reserve Area
- Exhibit A of the 2010 UPAA is deleted and replaced with a new Exhibit A, a map reflecting the addition of the Urban Reserve Planning Area, the Urban Reserve - Planning Responsibility Undefined and recent city annexations
- Minor text changes throughout the document to provide consistency and clarity

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. Among others, Title 11 (Planning for New Urban Areas) of the UGMFP is specifically relevant for the planning of Regional Urban Growth Boundary (UGB) expansion and Urban Reserve areas. Specific findings for A-Engrossed Ordinance No. 821 relating to the UGMFP are found in Part 3 of this document.

**Part 2:**  
**STATEWIDE PLANNING GOAL FINDINGS**

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 821 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 UPAA, 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. 821.

**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, Comprehensive Framework Plan for the Urban Area (CFP), Urban Planning Area Agreements, Community Plans, Community Development Code (CDC), and Transportation System Plan (TSP). Washington County utilized this process to adopt A-Engrossed Ordinance No. 821.

Notice was coordinated with all affected governmental entities. The city of Sherwood provided a letter of support for adoption of this ordinance. No other comments were received.

Goal 2 requires that governmental plans related to land use must be consistent with adopted County and city comprehensive plans and regional plans adopted under ORS Chapter 197. Urban Planning Area Agreements, as elements of the County’s Comprehensive Plan, address how cities within the County will coordinate comprehensive planning and provide for the opportunity to clearly identify and coordinate planning responsibilities and a process that will guide the concept planning. Ord. No. 821 addresses the roles, responsibilities and policies that the County and Sherwood will apply to the Urban Reserve lands that are within Sherwood’s area of interest. The County and Sherwood coordinated in agreeing to the revisions to the UPAA and Sherwood supported Ord. No. 821 through a resolution and as a signatory to the UPAA, once approved by the County. Thus, A-Engrossed Ordinance No. 821 is consistent with Goal 2.

### **Goal 3 - Agricultural Lands**

Goal 3 seeks to preserve and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products, forest and open space, and with the state's agricultural land use policies. Policy 15, Implementing Strategies (a) and (f), of the Rural/Natural Resource Plan include provisions for the preservation of agricultural lands.

With House Bill 4078-A in 2014 and House Bill in 2047 in 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing the Urban and Rural Reserves. A-Engrossed Ordinance No. 821 includes amendments to the Sherwood UPAA that add policies and processes for coordinating concept planning in the Urban Reserve lands within Sherwood’s Urban Planning Area. The concept planning required under Title 11 of the UGMFP for the designated Urban Reserve areas will not change or affect comprehensive plan designations or land regulations for lands subject to Goal 3. Thus, A-Engrossed Ordinance No. 821 is consistent with Goal 3.

### **Goal 4 – Forest Lands**

Goal 4 addresses the conservation of forest lands by maintaining the forest land base and protecting the state’s forest economy by making possible economically efficient forest practices. Policy 16, Implementing Strategies (a) and (c) of the Rural/Natural Resource Plan include provisions for the conservation and maintenance of forest lands.

With House Bill 4078-A in 2014 and House Bill in 2047 in 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing the Urban and Rural Reserves. A-Engrossed Ordinance No. 821 includes amendments to the Sherwood UPAA that add policies and processes for coordinating concept planning in the Urban Reserve lands within Sherwood’s Urban Planning Area. The concept planning required under Title 11 of the UGMFP for the designated Urban Reserve areas will not change or affect comprehensive plan designations or land regulations for lands subject to Goal 4. Thus, A-Engrossed Ordinance No. 821 is consistent with Goal 4.

### **Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces**

Goal 5 addresses the protection of natural resources and the conservation of scenic, cultural, and historic areas and open spaces by requiring local programs to protect these resources in order to

promote a healthy environment and natural landscape that contributes to Oregon’s livability for present and future generations.

In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to post-acknowledgment plan amendments (PAPAs) when the PAPA (1) creates or amends a resource list or a portion of an acknowledged plan or land use regulation that protects a significant Goal 5 resource, or (2) allows new uses that could be conflicting uses with a particular Goal 5 site.

Policies 10, 11 and 12 of the CFP, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan, and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources.

Regulatory protection of the County’s existing Goal 5 Resources will not change as a result of the amendments in this ordinance and will remain until annexation by the city occurs.

Drainage Hazard Areas and 100-year floodplains are located within the area subject to A-Engrossed Ordinance No 821; however, this ordinance does not amend any provisions of the CDC or Plan policies or strategies relating to Goal 5.

A-Engrossed Ordinance No. 821 does not allow any new uses in any affected land use district within the Sherwood Planning Area and therefore will not conflict with acknowledged Goal 5 resources.

### **Goal 10 - Housing**

Goal 10 requires the provision of housing, including adequate numbers of units within a range of prices, types and densities that provide realistic options to meet citizen needs. Policies 21, 22, 23 and 24 of the CFP, and Policies 19 and 25 of the Rural/Natural Resource Plan address the provision of housing in the urban and rural areas of the county. The CDC contributes to the provision of adequate housing by establishing standards that facilitate development in an orderly and efficient fashion.

A-Engrossed Ordinance No. 821 does not amend the applicable Plan policies related to housing, Plan designations, or housing density standards. The amendment to the UPAA includes adding policies and processes for coordinating concept planning in the Urban Reserves within Sherwood’s area of interest and minor changes to the process for comprehensive planning in the Urban Planning Area and therefore does not conflict with Goal 10.

### **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.

Plan compliance with Goal 11 is maintained with the amendments made to A-Engrossed Ordinance No. 821. The amendments are consistent with the County’s acknowledged policies and strategies for the provision of public facilities and services as required by Goal 11. The amendments identify that the city is responsible, in coordination with the County for developing concept plans in the unincorporated areas within Sherwood’s Urban Planning Area. The UPAA includes policies and processes for coordinating concept and comprehensive planning in order to preliminarily identify the likely providers of urban services, as defined in ORS 195.065(4), when the area urbanizes. A-Engrossed Ordinance No. 821 is consistent with Goal 11.

### **Goal 12 - Transportation**

Goal 12 requires the provision and encouragement of a safe, convenient, multi-modal, and economic transportation system. Policy 32 of the CFP, Policy 23 of the Rural/Natural Resource Plan, and in particular the Washington County Transportation System Plan (TSP) describe the transportation system necessary to accommodate the transportation needs of Washington County. Implementing measures are contained in the TSP, Community Plans, and the CDC.

A-Engrossed Ordinance No. 821 does not amend the TSP, nor does it include any transportation-related amendments to the Community Plans or the CDC.

The amendments are consistent with the County’s acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 (the Transportation Planning Rule or TPR, implemented via OAR Chapter 660, Division 12).

The amendments in A-Engrossed Ordinance No. 821 do not significantly affect the transportation system as described by the criteria in OAR 660-012-0060. The amendments in A-Engrossed Ordinance No. 821 do not change the functional classification of an existing or planned transportation facility; change standards implementing a functional classification system; result in types or levels of travel or access that are inconsistent with the adopted functional classification system designated by the acknowledged TSP for any existing or planned transportation facility; or degrade the performance of any existing or planned transportation facility. The amendments in A-Engrossed Ordinance No. 821 make no amendments to the Transportation System Plan and require additional transportation analysis before changes would be considered. Therefore, the amendments found in A-Engrossed Ordinance No. 821 are consistent with the TPR.

### **Goal 14 - Urbanization**

Goal 14 requires provisions for the orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. Policies 13, 14, 16, 17, 18, 19, 41 and 42 of the CFP address urbanization within the UGB. The CDC implements the urbanization policies by establishing standards to promote appropriate urban development. The Community Plans implement the urbanization policies by designating sufficient land for appropriate development.

The UGB was last expanded in 2004 to include lands surrounding Sherwood. The expansion was subsequently acknowledged by the Land Conservation and Development Commission. The County relies on the findings acknowledged by LCDC to demonstrate compliance with Goal 14.

A-Engrossed Ordinance No. 821 does not add any land to the UGB or urbanize any land. The UPAA with Sherwood provides a process, policies and requirements for coordinating concept planning in the designated Urban Reserve Area in order to provide for the orderly and efficient transition from rural to urban land uses. Goal 14 will apply to future decisions to add Urban Reserve lands to the UGB or when lands are annexed in the city's Urban Planning Area as identified in Exhibit A, the Sherwood Urban Planning Area map. A-Engrossed Ordinance No. 821 is consistent with Goal 14.

**Part 3:**  
**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. 821 findings have been prepared to address Title(s) 1, 4, 8, 11 and 14 of the UGMFP.

**Title 1 - Housing Capacity**

Title 1 requires a city or county to maintain or increase its housing capacity (except as provided in Section 3.07.120) per the Regional Framework Plan which calls for a compact urban form and a "fair share" approach to meeting housing needs.

A-Engrossed Ordinance No. 821 amends the Washington County – Sherwood Urban Planning Area Agreement (UPAA), which does not directly address housing capacity or housing need. The UPAA provides an opportunity for Sherwood, along with the County to coordinate planning efforts and develop comprehensive plans that will meet Sherwood's future housing needs and support Title 1 requirements.

**Title 4 – Industrial and Other Employment Areas**

Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities.

A-Engrossed Ordinance No. 821 does not directly provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in RSIAs, Industrial and

Employment Areas. However, a portion of the un-annexed areas identified in Sherwood’s Urban Planning Area are designated as Employment and Industrial Lands on Metro’s 2040 Growth Concept Plan. These Employment and Industrial Lands are designated as an Area of Special Concern (ASC 4) in Policy 41 of the County’s Comprehensive Framework Plan for the Urban Area. As an ASC 4, Policy 41 provides restrictions on subdividing or partitioning as well as limiting certain land uses such as day care facilities, cemeteries, religious institutions and schools. A-Engrossed Ordinance No. 821 includes minor amendments to the processes and policies for coordinating comprehensive planning in the Urban Planning Area that are compatible with Title 4 protections of these areas.

### **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. 821 was mailed to Metro on May 31, 2017, 35 days prior to the first evidentiary hearing. Metro provided no comments on this ordinance.

### **Title 11 - Planning For New Urban Areas**

Title 11 guides planning of Urban Reserves and areas added to the UGB for conversion from rural to urban use. Title 11 includes requirements that the development of areas added to the UGB implement the Regional Framework Plan and the 2040 Growth Concept.

In 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing Urban and Rural Reserve land designations for the region, including approximately 1900 acres of Urban Reserve land within the unincorporated areas surrounding Sherwood. Title 11 identifies the planning responsibilities and guiding policies and requirements for the Urban Reserve areas as they transition from rural to urban uses.

The County has an interest in assuring that the planning for the unincorporated area meets the expectations for road funding, access management, any potential jurisdictional transfer of roadways and appropriate serviceability to the area in compliance with Title 11. Thus, the 2017 UPAA amendment provides the opportunity to clearly identify and coordinate planning responsibilities and a process that will guide the concept planning expectations for the Urban Reserve Area in a timely manner including specific provisions in the UPAA that address Title 11 requirements directly.

## **Title 14 – Urban Growth Boundary**

Title 14 prescribes criteria and procedures for amendments to the urban growth boundary to provide a clear transition from rural to urban development, an adequate supply of urban land to accommodate long-term population and employment, and a compact urban form.

A-Engrossed Ordinance No. 821 does not add any land to the UGB or urbanize any land. The UPAA provides a process, policies and requirements for coordinating concept planning in the Urban Reserve Area in order to provide for the orderly and efficient transition from rural to urban land uses. Title 14 will apply to future decisions to add Urban Reserve lands to the UGB or when lands are annexed in the city's Urban Planning Area as identified in the Sherwood Urban Planning Area map. A-Engrossed Ordinance No. 821 is consistent with Title 14.