

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 829

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

October 10, 2017

Part 1 – General Findings

Part 2 – Statewide Planning Goal Findings

Part 3 – Metro Urban Growth Management Functional Plan Findings

Part 1:

GENERAL FINDINGS

Ordinance No. 829 amends the 2004 Washington County - Hillsboro Urban Planning Area Agreement (UPAA), an element of the County Comprehensive Plan. Proposed updates include adding policies and processes for coordinating concept planning in the Urban Reserves within Hillsboro's area of interest, updated policies for coordinating development review within unincorporated areas in Hillsboro's Urban Planning Area and minor changes to the process for comprehensive planning in the Urban Planning Area. The planning area map is revised to reflect Hillsboro's Urban Reserve Area, a new Urban Planning Area C, changes to the Urban Planning Area and annexations since the last update.

Key Ordinance Provisions

- Changes to the processes and policies for coordinating comprehensive planning in the Urban Planning Area and improved notification policies for development review
- 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 2004 UPAA, is deleted and replaced with a new Exhibit A, a map reflecting the addition of the Urban Planning Area C, Urban Reserve Planning Area, Urban Reserve - Planning Responsibility Undefined and recent city annexations

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 Ordinance No. 829 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 Ordinance No. 829 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 Ordinance No. 829.

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 Ordinance No. 829.

Notice was coordinated with all affected governmental entities and comments received regarding Ordinance No. 829 were addressed either as part of the proceedings or with subsequent staff coordination.

Mayor Steve Callaway, City of Hillsboro testified in support of the UPAA and acknowledged the coordination involved between County and city staff in proposing the amendments to the 2004 County - Hillsboro Urban Planning Area Agreement. He supported the UPAA provisions that identify the responsibilities for coordinating concept planning in the Urban Reserve areas and as the city conducts comprehensive planning within Hillsboro's designated Urban Planning Area.

Fire Chief Michael Duyck of Tualatin Valley Fire & Rescue (TVF&R) provided testimony concerning Ordinance No. 829. He recognized that the UPAA was a bilateral agreement between the County and the city, but was concerned that the UPAA amendments may not adequately include the special districts in the city's comprehensive and concept planning process.

The purpose of the 2004 UPAA was to make the provisions and urban planning area map consistent with the 2003 HUSA and boundary. The HUSA designated the ultimate service providers of the various services within the HUSA boundary in order to comply with the provisions of Oregon Revised Statutes, (ORS) 195, generally referred to as Senate Bill 122. The current HUSA also addresses the roles and responsibilities of the city and various service districts ensuring a continuation of adequate levels of urban services as the UGB lands are annexed to the city.

The parties agreed that nothing in the UPAA will have any effect upon, or cause modification to any existing urban service agreements to which the County or the city are parties to.

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 Areas 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. Ordinance No. 829 addresses the roles, responsibilities and policies that the County and Hillsboro will apply to the unincorporated land within Hillsboro's planning area as well as the newly designated Urban Reserve lands that are within Hillsboro's area of interest. The County and Hillsboro coordinated in agreeing to the amendments to the UPAA, and as a signatory to the UPAA once approved by the County. Thus, Ordinance No. 829 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. Ordinance No. 829 includes amendments to the Hillsboro UPAA that add policies and processes for coordinating concept planning in the Urban Reserve lands within Hillsboro'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, Ordinance No. 829 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. Ordinance No. 829 includes amendments to the Hillsboro UPAA that add policies and processes for coordinating concept planning in the Urban Reserve lands within Hillsboro’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, Ordinance No. 829 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 Ordinance No 829; however, this ordinance does not amend any provisions of the CDC or Plan policies or strategies relating to Goal 5.

Ordinance No. 829 does not allow any new uses in any affected land use district within the Hillsboro 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.

Ordinance No. 829 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 Hillsboro'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 in Ordinance No. 829. 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 for the preparation, adoption and amendment of the public facility plan required by OAR 660, Division 11 for the Urban Planning Areas, including the newly identified Urban Planning Area C.

Urban Planning Area C includes the unincorporated areas contiguous to the city and included within the UGB since 2004 and all future areas brought into the UGB for which the city conducts comprehensive planning. The UPAA provisions for Urban Planning Area C focus on the County's interest in assuring that the planning addresses road funding, access management, potential jurisdictional transfer of roadways and how the area will receive services, in compliance with Title 11.

The 2004 Washington County - Hillsboro UPAA did not identify the concept planning responsibilities or likely urban service providers for coordinating concept planning in the Urban Reserves. The 2017 UPAA proposes a new Section III (Concept Planning for Urban Reserve Areas) that describes and defines the Urban Reserve lands, outlines the planning responsibility for concept planning and includes a description of the general expectations of the concept plan to fully comply with UGMFP, Title 11. The concept planning provisions of the UPAA provide that the city will be responsible for developing a concept plan in consultation with the County and coordination with Metro and appropriate service districts. The concept plan will include an agreement between the County and the city that preliminarily identifies that the city will likely be the provider of urban services, as defined at ORS 195.065(4), when the area is urbanized.

The UPAA includes policies and processes for the city to develop and coordinate concept and comprehensive plans in order to identify the likely providers of urban services, as defined in ORS 195.065(4), when the area urbanizes. Ordinance No. 829 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.

Ordinance No. 829 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 Ordinance No. 829 do not significantly affect the transportation system as described by the criteria in Section 660-012-0060. The amendments in Ordinance No. 829 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 Ordinance No. 829 make no changes to the Transportation System Plan and require additional transportation analysis before changes would be considered. Therefore, the amendments found in Ordinance No. 829 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.

With the passage of HB 4078 - A in 2014, certain unincorporated areas near Hillsboro's area of interest were added directly into the UGB making it necessary to update the 2004 UPAA and map in order to clarify the planning and coordination responsibility for those unincorporated areas. Metro, with Ordinance No. 14 - 1336, officially amended the UGB and adopted amendments to the urban and rural reserves consistent with the provisions of HB 4078 - A. These are reflected on Metro's Functional Plan title 14 Map.

The amendments in Ordinance No. 829 are consistent with the County's acknowledged policies and strategies for urbanization as required by Goal 14.

Ordinance No. 829 does not add any land to the UGB or urbanize any land. The UPAA with Hillsboro provides a process, policies and requirements for coordinating comprehensive planning in the designated unincorporated lands within the UGB 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 Hillsboro Urban Planning Area map. Ordinance No. 829 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 Ordinance No. 829 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.

Ordinance No. 829 amends the Washington County – Hillsboro Urban Planning Area Agreement (UPAA) which does not directly address housing capacity or housing need. The UPAA provides an opportunity for Hillsboro, along with the County to coordinate planning efforts and develop comprehensive plans that will meet Hillsboro'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.

Ordinance No. 829 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, portions of the northern area identified as Urban Planning Area C are designated as a

RSIA and an Industrial and Employment Area on Metro's 2040 Growth Concept Plan. These RSIA and Employment and Industrial lands are designated as an Area of Special Concern (ASC) 9 in Policy 41 of the County's Comprehensive Framework Plan for the Urban Area. As an ASC 9, 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. Ordinance No. 829 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. 829 was mailed to Metro on August 18, 2017, 38 days prior to the first evidentiary hearing. Metro provided no comments on Ordinance No. 829.

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 2014 and 2015, the Oregon legislature validated and acknowledged the Metro-led process for developing Urban and Rural Reserve land designations for the region, including approximately 1418 acres of Urban Reserve land within the unincorporated areas surrounding Hillsboro. 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 directly address Title 11 requirements.

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.

Ordinance No. 829 does not add any land to the UGB or urbanize any land. The UPAA provides a process, policies and requirements for coordinating comprehensive planning in the lands added to the UGB through HB 4078 - A and 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 Exhibit A, the Hillsboro Urban Planning Area map. Ordinance No. 829 is consistent with Title 14.