

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE NO. 790 AN ORDINANCE AMENDING THE COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA, THE TRANSPORTATION SYSTEM PLAN, AND THE BETHANY COMMUNITY PLAN RELATED TO THE PRIMARY STREET P2 ALIGNMENT IN THE NORTH BETHANY SUBAREA

October 28, 2014

Part 1: GENERAL FINDINGS

A-Engrossed Ordinance No. 790 amends the Comprehensive Framework Plan for the Urban Area (CFP), the Transportation System Plan (TSP), and Chapter 2: North Bethany Subarea Plan of the Bethany Community Plan, to modify the alignment of a segment of Primary Street P2 located between Primary Street P15 and NW Kaiser Road in the North Bethany Subarea of the Bethany Community Plan. The proposed modification is the elimination of the westerly Primary Street P2 / Kaiser Road intersection, and a re-routing of Primary Street P2 north to intersect with NW Brugger Road.

Key provisions of A-Engrossed Ordinance No. 790 include:

- Amends the CFP Policy 43 maps, the Functional Classification map of the TSP, and the Primary Streets Map of the North Bethany Subarea Plan to reflect realignment of a segment of Primary Street P2 (located between Primary Street P15 and NW Kaiser Road) to intersect with NW Brugger Road rather than NW Kaiser Road. The realigned P2 segment will intersect with NW Brugger Road on the west side of the parcels at 1N117CA00300 and 400.
- Modifies the Special Frontages Map of the North Bethany Subarea Plan to shift the location of the “Special Frontages Category A” on the above two parcels northward to correspond to the edge of the future local street that will abut the northern boundary of the future Neighborhood Park.
- Adds clarifying language and updates a sketch in Area of Special Concern (ASC) 7 to reflect the Primary Street P2 realignment.
- Amends the following ASC 7 requirements regarding the trail along Bethany Creek: removes the requirement for seating walls; adds language stating that where the trail encounters NW Kaiser Road, there shall be a direct trail crossing that shall align with the trail; updates Bethany Creek Trail Corridor Sketch #2 to reflect the removal of the east-west segment of Primary Street P2; and amends the location and pruning requirements for trees along the trail.

- Amends the description of ASC 9 and adds clarifying language to reflect the Primary Street P2 realignment.
- Amends the Central Neighborhood Design Elements to reflect the Primary Street P2 realignment, and to require street frontage along the north side of the Neighborhood Park near Bethany Creek.

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 Board of County 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 Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related Oregon Administrative Rules (OAR) are not addressed because these resources are not located within Washington County.

The Board also finds that applicable requirements under the Transportation Planning Rule (OAR 660-12) be addressed directly due to the subject matter of the ordinance. These findings are included in this document.

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

Part 2: STATEWIDE PLANNING GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 790 is consistent with Statewide Planning Goals, ORS and OAR requirements and Metro's Urban Growth Management Functional Plan. The Washington County Comprehensive 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 process to update the Comprehensive Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements. No goal compliance issues were raised in the proceeding below. In addition, none of the proposed changes to 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

Washington County has an acknowledged citizen involvement program that provides opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County Charter sets forth specific requirements for citizen

involvement during review and adoption of land use ordinances. Washington County has utilized these requirements for the adoption of A-Engrossed Ordinance No. 790.

Goal 2 - Land Use Planning

Statewide Planning Goal 2 addresses Land Use Planning by requiring an adequate factual base to support a decision as well as coordination with affected governmental entities. Washington County has an acknowledged land use planning process that provides for the review and update of the various elements of the Comprehensive Plan, which includes documents such as the Rural/Natural Resource Plan, Urban Planning Area Agreements and the Community Development Code (CDC). Washington County utilized this process to adopt A-Engrossed Ordinance No. 790. Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

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 by A-Engrossed Ordinance No. 790. 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.

Goal 12 - Transportation

Goal 12 requires the provision and encouragement of a safe, convenient, multimodal 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 county’s TSP, Community Plans, and the CDC.

Detailed findings for Goal 12 are provided in Part 2 in this document in the form of specific Transportation Planning Rule (TPR) findings, pursuant to OAR 660-012. Brief summaries of the applicable TPR provisions are followed by findings of compliance. Only those provisions of Division 12 that require specific findings are summarized and addressed herein.

A-Engrossed Ordinance No. 790 makes minor amendments to the Functional Classification System map of Policy 10 of the 2020 Transportation Plan, by elimination of the westerly Primary Street P2 / Kaiser Road intersection, and a re-routing of Primary Street P2 north to intersect with NW Brugger Road. Otherwise, A-Engrossed Ordinance No. 790 makes no other changes to the Transportation System Plan.

Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance No. 790. 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 TPR and the Regional Transportation Plan (RTP). Complete findings are discussed under Parts 2, 3 and 4 of the findings.

Part 3:
TRANSPORTATION PLANNING RULE (OAR 660-012) FINDINGS

Washington County has an acknowledged Transportation System Plan (TSP) adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule (TPR) provisions. A-Engrossed Ordinance No. 790 makes minor amendments to the Functional Classification System map of the TSP. A-Engrossed Ordinance No. 790 does not amend any planned regional transportation facilities. A-Engrossed Ordinance No. 790 has been developed in compliance with all applicable provisions of Division 12.

A-Engrossed Ordinance No. 790 makes limited amendments to the adopted TSP. These amendments do not affect compliance with certain sections the TPR. Therefore, it is not necessary for these findings to address each section of the TPR. The Board of County Commissioners (Board) finds that the TPR applies to amendments covered by these findings only to the extent noted in specific responses to individual applicable sections.

A-Engrossed Ordinance No. 790 amends the TSP by elimination of the westerly Primary Street P2 / Kaiser Road intersection, and a re-routing of Primary Street P2 north to intersect with NW Brugger Road. P2 is designated as a Neighborhood Route on the Functional Classification map. These changes are within the Urban Growth Boundary (UGB) as it existed prior to the “grand bargain” HB4078. A-Engrossed Ordinance No. 790 does not alter existing land use designations. The amendments made by A-Engrossed Ordinance No. 790 are consistent with and support the adopted and acknowledged strategies in the 2020 Transportation Plan.

A-Engrossed Ordinance No. 790 does not result in traffic levels that change or degrade the performance of the planned transportation system. A-Engrossed Ordinance No. 790 does make minor modifications to the planned street network, but do not change the planned Functional Classification of the transportation facilities as described in OAR 660-012-0060 (1). As a result the provisions of the OAR 660-012-0060 can be met and no additional measures required.

Part 4:
REGIONAL TRANSPORTATION PLAN (RTP) FINDINGS

A-Engrossed Ordinance No. 790 is consistent with the RTP published on July 29, 2010. RTP section 6.7.1 requires that local plans be implemented consistent with the Regional Transportation Functional Plan (RTFP). The RTP provisions are satisfied because the County’s TSP is consistent with the RTFP. Findings concerning the RTFP are discussed in Part 5 below.

A-Engrossed Ordinance No. 790 does not add or modify any planned regional transportation facilities or make changes to existing facilities that would be inconsistent with the Regional Transportation Plan (RTP).

Part 5:

REGIONAL TRANSPORTATION FUNCTIONAL PLAN (RTFP) FINDINGS

Washington County has an acknowledged Transportation System Plan (TSP) adopted by A-Engrossed Ordinance No. 588 in 2002. Updates to the TSP in A-Engrossed Ordinance Nos. 768 and 783 were adopted by the Board of County Commissioners October 1, 2013 and October 7, 2014, respectively. A-Engrossed Ordinance Nos. 768 and 783 become effective December 1, 2014.

A-Engrossed Ordinance No. 790 amends the Washington County Transportation System Plan consistent with Title 2 “Development and Update of Transportation System Plans” of the Regional Transportation Functional Plan (RTFP) Sections 210, 220 and 230. The evaluation of transportation needs utilized the Metro 2035 land use allocations and travel demand forecasts. A-Engrossed Ordinance No. 790 amends the Neighborhood Route (local facility) network of the Washington County TSP and does not add or modify any planned regional transportation facilities or make changes to existing facilities that would be inconsistent with the Regional Transportation Plan (RTP).

Staff has identified that existing motor vehicle performance standards can be maintained with a combination of existing funded transportation improvements (which are identified on the Financially Constrained RTP), and intersection improvements likely to be identified through the development review process. Therefore, A-Engrossed Ordinance No. 790 is consistent with the RTFP.

Part 6:

URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN (UGMFP) FINDINGS

Title 8 - Compliance Procedures

Title 8 sets forth Metro’s procedures for determining compliance with the Urban Growth Management Functional Plan. Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to comprehensive plans.

Title 8 requires jurisdictions to submit notice to Metro at least 45 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan. Staff sent Metro a copy of proposed Ordinance No. 790 on July 3, 2014, 48 days prior to the first evidentiary hearing. Staff received no comments from Metro on proposed Ordinance No. 790. Metro was mailed a copy of A-Engrossed Ordinance No. 790 on October 10, 2014. Metro provided no comments on A-Engrossed Ordinance No. 790.

The findings in this document demonstrate that the amendments made by this ordinance are in substantial compliance with the Urban Growth Management Functional Plan.

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