

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE NO. 792 AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE RELATING TO STANDARDS FOR MEDICAL MARIJUANA DISPENSARIES AND REPEALING ORDINANCE NO. 781, A TEMPORARY MORATORIUM ON THE BUSINESS OR SALE OF MEDICAL MARIJUANA

October 28, 2014

GENERAL FINDINGS

A-Engrossed Ordinance No. 792 amends the Washington County Community Development Code (CDC) to allow Medical Marijuana Dispensaries as a Special Use within certain land use districts within unincorporated Washington County.

A-Engrossed Ordinance No. 792 also repeals Ordinance No. 781, an ordinance that imposed a temporary moratorium on the business and sale of medical marijuana as provided by Oregon Senate Bill 1531. Ordinance No. 781 prohibits distribution of medical marijuana and its derivatives in unincorporated Washington County, including use of any building, structure, location, premises, or land for the business or sale of such products. Ordinance No. 781 is effective through May 1, 2015.

Key Ordinance Provisions

- A-Engrossed Ordinance No. 792 allows Medical Marijuana Dispensaries to be permitted as a Special Use in the land use districts identified below, subject to new Special Use criteria identified in CDC Sections 390-16.15 and 430-80:
 - Section 313 – Community Business District (CBD)
 - Section 314 – General Commercial District (GC)
 - Section 320 – Industrial District (IND)
 - Section 352 – Rural Commercial District (R-COM)
 - Section 375 – Transit Oriented Districts (TO:RC, TO:BUS, TO:EMP)
 - Section 390-14 – Neighborhood Commercial Mixed Use District North Bethany (NCMU NB)

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 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.

GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 792 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) requirements, Metro's Urban Growth Management Functional Plan (UGMFP) and Washington County's Comprehensive Plan. Washington County's 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 (PAPA) 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 hearing proceedings described below. In addition, none of the proposed changes to the maps and text of the Comprehensive Plan implicate a Goal compliance issue. The following 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. 792.

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, Comprehensive Framework Plan for the Urban Area (CFP), Community Development Code (CDC), Transportation Plan, Community Plans, and Urban Planning Area Agreements. Washington County utilized this process to adopt A-Engrossed Ordinance No. 792. Notice was coordinated with all affected governmental entities and no comments were received from these parties regarding the ordinance.

Goal 3 - Agricultural Lands

Statewide Planning 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. Counties may authorize farm uses and those nonfarm uses defined by commission rule that will not have significant adverse effects on accepted farm or forest practices. A-Engrossed Ordinance No. 792 preserves agricultural lands for farm use by limiting medical marijuana dispensaries outside the Urban Growth Boundary to Rural Commercial designated lands, and limiting the gross floor area of a dispensary to 3,000 square feet.

Goal 9 – Economic Development

Goal 9 requires the provision of adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of citizens. Policy 20 in the CFP and Policies 15, 16, 20 and 21 in the Rural/Natural Resource Plan set out the county's policies to strengthen the local economy. The CDC contributes to a sound economy by providing standards that facilitate development in an orderly and efficient fashion.

A-Engrossed Ordinance No. 792 contributes to a healthy economy in Washington County by providing reasonable regulations on the sale of Medical Marijuana within unincorporated areas of the county. The proposed regulations provide a level of certainty, at least at the local level, to those persons responsible for medical marijuana facilities within unincorporated Washington County, and provide protections for surrounding residents and businesses.

Plan compliance with Goal 9 is maintained with the amendments made by A-Engrossed Ordinance No. 792. The amendments are consistent with the county's acknowledged policies and strategies for strengthening the local economy as required by Goal 9.

Findings of Compliance with Metro's Urban Growth Management Functional Plan for A-Engrossed Ordinance No. 792

Section 3.07.810 of Title 8 of the Urban Growth Management Functional Plan (UGMFP) requires that county comprehensive plan changes be consistent with the UGMFP. The following A-Engrossed Ordinance No. 792 findings have been prepared to address Titles 4 and 8 of the UGMFP.

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 requires cities and counties to review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings. This includes retail and professional services that cater to daily

customers, including medical offices, to ensure that they serve primarily the needs of workers in areas within RSIA's. One such measure identified in Title 4 to achieve this standard is that new buildings for stores, branches, agencies or other outlets for retail uses and services shall not occupy more than 3,000 square feet of sales or service area in a single outlet.

RESPONSE

Oregon House Bill 3460 specifically permits medical marijuana dispensaries within industrial areas. Accordingly, in order to achieve consistency with Title 4 while providing for reasonable regulation in accordance with Oregon Senate Bill 1531, in those areas within unincorporated Washington County designated as Industrial lands, new medical marijuana dispensaries are limited to no more than 3,000 square feet in gross floor area.

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 45 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan.

RESPONSE

Consistent with Title 8, a copy of proposed Ordinance No. 792 was mailed to Metro on July 3, 2014, 48 days prior to the first evidentiary hearing. A copy of proposed A-Engrossed Ordinance No. 792 was mailed to Metro on September 26, 2014. Metro provided no comments on A-Engrossed Ordinance No. 792.

The findings in this document demonstrate that the amendments made by this ordinance are in compliance with the UGMFP.