

Exhibit 'B': Findings of Fact and Conclusions of Law

Authority of the Planning Commission.

As specified in Cannon Beach Municipal Code, the Planning Commission sits as an advisory body, making recommendations to the Common Council of the City of Cannon Beach on a variety of land use and transportation policy issues. The Commission also serves as the City's official Committee for Citizen Involvement and shall have the authority to review and make recommendations on the following types of applications or procedures:

Legislative changes to, or adoption of new elements or supporting materials of, the Comprehensive Plan;

Finding: The Transportation System Plan (TSP) serves as supporting material to the Cannon Beach Comprehensive Plan. The Planning Commission conducted a public hearing and provided the City Council with a recommendation of approval with minor modifications. The City Council is the final local authority on the TSP. These criteria are satisfied.

Authority of the City Council.

Upon appeal, the City Council shall have final authority to act on all applications pursuant to Cannon Beach Municipal Code and final authority to interpret and enforce the procedures and standards and shall have final decision-making authority on applications for amendments to, or adoption of new elements or supporting materials to, the maps or text of the Comprehensive Plan, as authorized.

Finding: The Common Council of the City of Cannon Beach has received a recommendation from the Planning Commission on the TSP. The City Council is the final local authority regarding adoption of the TSP, which will be adopted via Ordinance as supporting material of the City of Cannon Beach Comprehensive Plan. These criteria are satisfied.

Public Hearings.

When a decision or approval of the Council is required, the Community Development Director shall schedule a public hearing. At the public hearing the staff shall review the report of the Planning Commission and provide other pertinent information and interested persons shall be given the opportunity to present testimony and information relevant to the proposal and make final arguments why the matter shall not be approved and, if approved, the nature of the provisions to be contained in the approving action. To the extent that a finding of fact is required, the Council shall make a finding for each of the criteria applicable and in doing so may sustain or reverse a finding of the Planning Commission. The Council may delete, add or modify and of the provisions pertaining to the proposal or attach certain development or use conditions beyond those warranted for compliance with standards in granting an approval if the Council determines the conditions are appropriate to fulfill the criteria for approval.

Finding: Following the public hearing before the Planning Commission, the Community Development Director scheduled additional public hearings before the City Council at which time the Council will

review the finding and recommendations provided by the Planning Commission. At conclusion of the public hearing process, these criteria will be satisfied.

STATEWIDE PLANNING GOALS

Statewide planning goal 1, Citizen Involvement, reads as follows:

To Develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The City's land use planning framework is well-established and includes a comprehensive plan and a set of implementing ordinances that define information requirements for all decision-making processes. The TSP has held four public Project Advisory Committee meetings, consisting of over twenty community stakeholders, from regional planning and technical partners to local business owners and non-governmental organizations, throughout the project to consider transportation needs. The City has also held four public Open Houses, provided three on-line interactive Open Houses, as well as, a number of survey opportunities, including a Spanish-language version to reach the public and gather public input throughout the planning process, prior to the public adoption process. This goal is met.

Statewide Planning goal 2, Land Use Planning, reads as follows:

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: This goal is implemented through the applicable Goals and Policies of the Cannon Beach Comprehensive Plan. Because the TSP is supporting material of the City's Comprehensive Plan, the application to adopt the TSP was processed pursuant to the prescribed legislative process. The TSP document and its reports, projections, recommended improvement and proposed funding sources are based on the series of analyses and evaluations that were prepared as part of developing the TSP, including the existing conditions report, future conditions report, and funding package. Consistent with Goal 2, all local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts' plans and actions related to land use must be consistent with the Comprehensive Plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268. In addition to the City's Comprehensive Plan, a review of other existing state, regional and local plans, policies, standards and laws that are relevant to local transportation planning was conducted at the beginning of the TSP process and is documented in the TSP. The TSP and associated amendment were developed in coordination with ODOT and Clatsop County and were developed to be consistent with those entities. The proposed TSP and amendment are consistent with the Statewide Planning Goal 2. This goal is met.

Statewide Planning goals 3 & 4 are not applicable to the adoption of the TSP.

Statewide planning goal 5, Natural Resources, Scenic and Historic Areas and Open Spaces, reads as follows:

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: This goal is implemented through the applicable Park, Recreation, Open Space Goals and Policies in the Comprehensive Plan, the City code contains specific review criteria for uses within an area containing Goal 5 resources to ensure that designated Goal 5 resources are appropriately considered when development is proposed. This goal is met.

Statewide planning goal 6, Air, Water and Land Resource Quality, reads as follows:

To maintain and improve the quality of the air, water and land resources of the state.

Finding: Air, water and land resources have been considered in the development of the planned transportation system to ensure that impacts on these resources are minimized. Appropriate measures will be taken at the time of project development on a site-specific basis to ensure that applicable state and federal regulations are met. By planning system improvements based on projected demand and land use patterns, the TSP will ensure that land planned for development will be served efficiently. In terms of air quality in particular, the improvements recommended in the TSP include projects related walking, biking and taking transit, which in turn will provide increased opportunities to travel by modes other than the automobile. The City will continue to evaluate progress towards meeting targets related to reducing vehicle miles traveled and congestion, while increasing walking, biking and transit mode share, all targets that serve to maintain and improve air quality. Street cross-section designs also allow 'context-sensitive' roadway design to ensure that land is used efficiently while at the same time ensuring that the roadway can meet its intended multi-modal function. This goal is met.

Statewide planning goal 7, Areas Subject to Natural Disasters and Hazards, reads as follows:

To protect people and property from natural hazards

Finding: Areas subject to natural disasters and hazards, such as floodplain and specifically, tsunami inundation areas, have considered in the development of the planned transportation system to ensure that impacts on these areas are minimized. The plan's stated objectives were to build resilient systems that can better cope and respond to the fluctuations of global and regional markets for emergent and impending events, while preparing the city for potential impacts. Improvements related to implementation of the system will need to conform to environmental regulations. This goal is met.

Statewide planning goal 8, Recreational Needs, reads as follows:

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: The Transportation System Plan is consistent with goal 8, providing transportation connections to recreational facilities in Cannon Beach. Recreational facilities in Cannon Beach are open to residents and visitors alike and the proposed improvements to the transportation and parking network will provide safer access to recreational opportunities, such as the beach access facilities, parks and playgrounds. The TSP was informed by the Parks and Trails Master Plan, a plan for achieving a comprehensive and interrelated system of parks, recreation and natural areas that in turn promote connectivity throughout the City. This goal is met.

Statewide planning goal 9, Economic Development, reads as follows:

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Adopting the TSP will ensure that transportation improvements will be available to support the planned uses in the City's employment centers, consistent with other local economic development goals. The increased connectivity with other trails and transportation, along with the recommended improvements to transit, multi-modal connections and freight should build a more resilient, efficient and reliable economic future. The added emphasis on the parking system, as an essential component of the transportation system, with additional traffic and parking studies, detailing the existing and future conditions, due to the increasing seasonal traffic and parking needs, provides support for TSP implementation measures. This goal is met.

Statewide Planning goals 10, Housing, reads as follows:

To provide for the housing needs of citizens of the state.

Finding: The needs and improvements identified in the TSP were developed in part by forecasting growth in residential development and trips expected to be generated by this growth over the next twenty years. Adoption of the TSP will ensure the orderly extension and improvement of transportation facilities to accommodate the projected growth envisioned in the City's Comprehensive Plan, which includes a variety of housing types. In particular, proposed transit improvements, improving crosswalks, mini-mobility hubs and bicycle facilities, will result in increased safety and access within residential areas of the City, as well as, improve connections to other uses and services in the City. Working with regional and start partners and their plans has been paramount to the process, including representatives from ODOT, Clatsop County and Sunset Empire at all stages in the planning process, with adoption, will continue through implementation of the TSP. This goal is met.

Statewide planning goal 11, Public Facilities, reads as follows:

It is the purpose of Goal 11 to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Cities are required to develop public facilities plans for their UGBs.

Finding: Transportation facilities are considered a primary public facility in the City. The TSP documents existing conditions and future needs for the transportation system in Cannon Beach and recommended improvements and implementation strategies have been developed to address those needs. This goal is met.

Statewide planning goal 12, Transportation, reads as follows:

To provide and encourage a safe, convenient and economic transportation system.

Finding: This will be the City's first Transportation System Plan, forwarding the ten policy goals taken from the current Cannon Beach Comprehensive Plan. These policies and associated implementation measures guided the development of the TSP, the development of proposed standards, and the selection of the recommended improvements. Transportation system improvement projects needed to address gaps and deficiencies in the system were identified and studied, reconsidered, integrated, and revised to address updated information and prepare for the twenty year planning horizon. The TSP is proposed to be adopted as supporting documentation to the City's Comprehensive Plan; the code

amendments that are proposed were developed in order to maintain consistency with the Comprehensive Plan and state regulations and are proposed to be amended during the City's Comprehensive Code Audit. Findings related to compliance with the TPR, which implements Goal 12, are provided. This goal is **met**.

Statewide planning goal 13, Conserve Energy, reads as follows:

land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic

Finding: The multimodal transportation system and improvements proposed in the TSP and proposed code amendments will support efficient use of land within the City limits and UGB based on existing adopted Comprehensive Plan and zoning designations. The TSP will ensure that the City can provide timely, orderly and efficient transportation improvements where it is efficient to promote higher intensity land uses and avoid leapfrog development. The City promotes the efficient use of land and conservation of energy through its land use and development regulations. Existing and proposed general development regulations promote more compact development patterns and require improvements that will encourage bicycling, walking, and transit use instead of relying solely on the automobile. This goal is met

Statewide Planning goals 14, 15, 16, 17, and 18 are not applicable to the proposal.

OAR 660 DIVISION 12 TRANSPORTATION PLANNING RULE (TPR) The Transportation Planning Rule (TPR) implements Statewide Planning Goal 12 (Transportation). The purpose of the TPR is to "direct transportation planning in coordination with land use planning" to ensure that planned land uses are supported by and consistent with planned transportation facilities and improvements. The TPR's purpose statement includes promoting the development of transportation systems that serve the mobility needs of the transportation disadvantaged, provide a variety of transportation choices, and provide safe and convenient access and circulation for vehicles, transit, pedestrians and bicycles, The TPR also directs jurisdictions to "provide for the construction and implementation of transportation facilities, improvements and services necessary to support acknowledged comprehensive plans" and that there is "coordination among affected local governments and transportation service providers and consistency between state, regional and local transportation plans."

Section 660-012-0005 through 660-012-0055

These sections of the TPR contain policies for preparing and implementing a transportation system plan.

Findings: The TSP includes elements required by the TPR Section -0020 such as modal inventories, modal plans, and financial plans, The TSP as proposed shows how it and other existing codes and proposed code amendments comply with TPR Section -0045. **The proposed TSP and associated code amendments are consistent with TPR Sections - 0005 to -0045.**

Section 660-012-0060 - Plan and Land Use Regulation Amendments

Findings: The proposed Plan and Development Codes require findings of compliance with applicable Statewide Land Use Planning Goals and related administrative rules, including TPR Section -0060. The City currently requires traffic impact analyses only as a project-by-project basis, proposing that it becomes required upon certain thresholds of development, a tool that will help determine whether or not the transportation system is "significantly affected" pursuant to the TPR (Section 4.008.02.E). The proposed procedures amendment will ensure that TPR Section -0060 is also considered as part of

proposed zone changes or code amendments if applicable. **The proposed TSP and associated code amendments are consistent with TPR Section -0060.**