



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

September 4, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment
DLCD File Number 019-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 13, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Tyler T. Ryerson, City of Beaverton

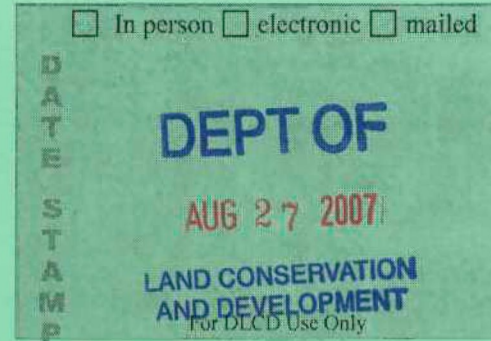
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FORM **2**

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Beaverton**

Local file number: **CPA2007-0012**

Date of Adoption: **8/21/2007**

Date Mailed: **8/23/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 6/13/2007

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The adoption establishes Comprehensive Plan Designation of Station Community on seven (7) properties annexed into the City of Beaverton in March 2005. The previous Land Use Designation on the properties were Washington County Station Community.

Does the Adoption differ from proposal? **Yes**, Please explain below:

The original DLCD notice for this proposal had the incorrect file number on it. The correct file number is CPA2007-0012 not CPA2007-0010.

Plan Map Changed from: **WA County Station Community** to: **Beaverton Station Community**

Zone Map Changed from: _____ to: _____

Location: **North side of SW Merlo Dr between SW 170 Av and SW** Acres Involved: **19**

Specify Density: Previous: **N/A** New: **N/A**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD # D19-07 (16060)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Tyler Ryerson

Phone: (503) 526-2520 Extension:

Address: PO Box 4755

Fax Number: 503-526-3720

City: Beaverton

Zip: 97076-

E-mail Address: tryerson@ci.beaverton.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:
ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

NOTICE OF DECISION

Mailing Date: August 23, 2007

Date of Final Decision: August 20, 2007

Ordinance 4450 attached, was first read on the August 13, 2007 City Council agenda then passed by the City Council after second reading on the August 20, 2007 Council agenda. The Mayor approved and signed Ordinance 4450 on August 21, 2007.

ORDINANCE 4450. An Ordinance amending Ordinance 4187 Figure III-1 the Comprehensive Plan Land Use Map and the Zoning Map for seven (7) parcels from Washington County Station Community and Transit Oriented Employment District to City of Beaverton Station Community Comprehensive Plan designation and Station Community – Employment Sub Area 1 zoning. CPA2007-0012 / ZMA2007-0011.

Location. Subject parcels are located on the north and east side of SW Merlo Drive between SW 170th Avenue and SW Merlo Road. Westside Light Rail Transit Line abuts subject properties on the northeastern property lines. The parcels are specifically identified as Washington County Assessor's Map 1S1 05CC Tax Lots 100 and 300, and 1S1 06DD Tax Lots 100, 300, 400, 500, and 600.

Appeal. Any appeal of this decision should be made to the State of Oregon Land Use Board of Appeals (LUBA) as provided in ORS 197.805 through ORS 197.860. A notice of intent to appeal shall be filed not later than **21 calendar days** after notice of the decision is mailed or otherwise submitted to parties entitled to notice under ORS 197.615. Mailing of the notice on Thursday, August 23, 2007 results in an appeal deadline of **Thursday, September 13, 2007**.

Applicant. City of Beaverton, contact information below.

How to Obtain Further Information: This decision is available for review, and a copy may be obtained at a cost, at the City of Beaverton, Planning Services Division, Beaverton City Hall, 4755 S.W. Griffith Drive, Beaverton, OR 97076. Tyler Ryerson may be contacted at (503) 526-2520 or tryerson@ci.beaverton.or.us.

Sincerely,

Tyler T. Ryerson
Associate Planner

cc: Standard Multiwall Bag Mfg.
Triax Metal Products
Portland General Electric
Merlo Station Partners
Dave James, Five Oaks/Triple Creek NAC
Jennifer Garland, Beaverton School District
Andy Back, Washington County DLUT

Rita Fung
Paul Lin
Jim Staub
Gary Sears
Holly Isaak, CCI Chair
Michael Jordan, COO Metro
Nels Mickaelson, Washington County

ORDINANCE NO. 4450

AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP, AND ORDINANCE NO. 2050, THE ZONING MAP, FOR PROPERTIES LOCATED ON THE NORTH AND EAST SIDE OF SW MERLO DRIVE BETWEEN SW 170TH AVENUE AND SW MERLO ROAD, SOUTH OF THE WESTSIDE LIGHT RAIL LINE; CPA2007-0012 / ZMA2007-0011

WHEREAS, the subject properties were annexed under Ordinance 4338 in March 2005 and are being changed in this ordinance from a Washington County land use designation to City land use and zoning designations; and

WHEREAS, the Washington County – City of Beaverton Urban Planning Agreement (UPAA) requires application of City land use and zoning designations to annexed properties that are most similar to the land use designation(s) applied by the County, but does not specify which City designations to apply in this situation requiring discretion in their application; and

WHEREAS, on June 13, 2007, the Planning Commission conducted a public hearing to consider the application on the subject properties to amend Ordinance No. 4187, the Comprehensive Plan Figure III-1 to a Station Community designation and Ordinance No. 2050, the Zoning Map, to the Station Community – Employment Sub Area 1, 2 or 3 zoning designations; and

WHEREAS, the Planning Commission received testimony and considered exhibits at the June 13, 2007 hearing and then recommended approval of the proposed comprehensive plan amendment and a change to the Station Community – Employment Sub Area 1 zoning designation; and

WHEREAS, no appeals were filed with the City; and

WHEREAS, the Council incorporates by reference the Community Development Department staff report of CPA2007-0012 / ZMA2007-0011 by Associate Planner Tyler Ryerson, dated June 6, 2007, attached hereto as Exhibit D” and Planning Commission Order Nos. 1983 and 1984, attached hereto as Exhibits “B” and “C” as to facts and findings supporting the adoption of this ordinance; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 4187, the Comprehensive Plan Land Use Map, is amended to designate the subject properties located on the north and east side of SW Merlo Drive between SW 170th Avenue and SW Merlo Road, south of the Westside Light Rail Line, as depicted on Exhibit “A”, Station Community on the Comprehensive Plan Land Use Map.

Section 2. Ordinance No. 2050, the Zoning Map, is amended to designate the subject properties located as described in Section 1 and as depicted on Exhibit “A”, Station Community – Employment Sub Area 1 on the Zoning Map.

First reading this 13th day of August, 2007.

Passed by the Council this 20th day of August, 2007.

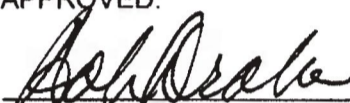
Approved by the Mayor this 21st day of August, 2007.

ATTEST:



SUE NELSON, City Recorder

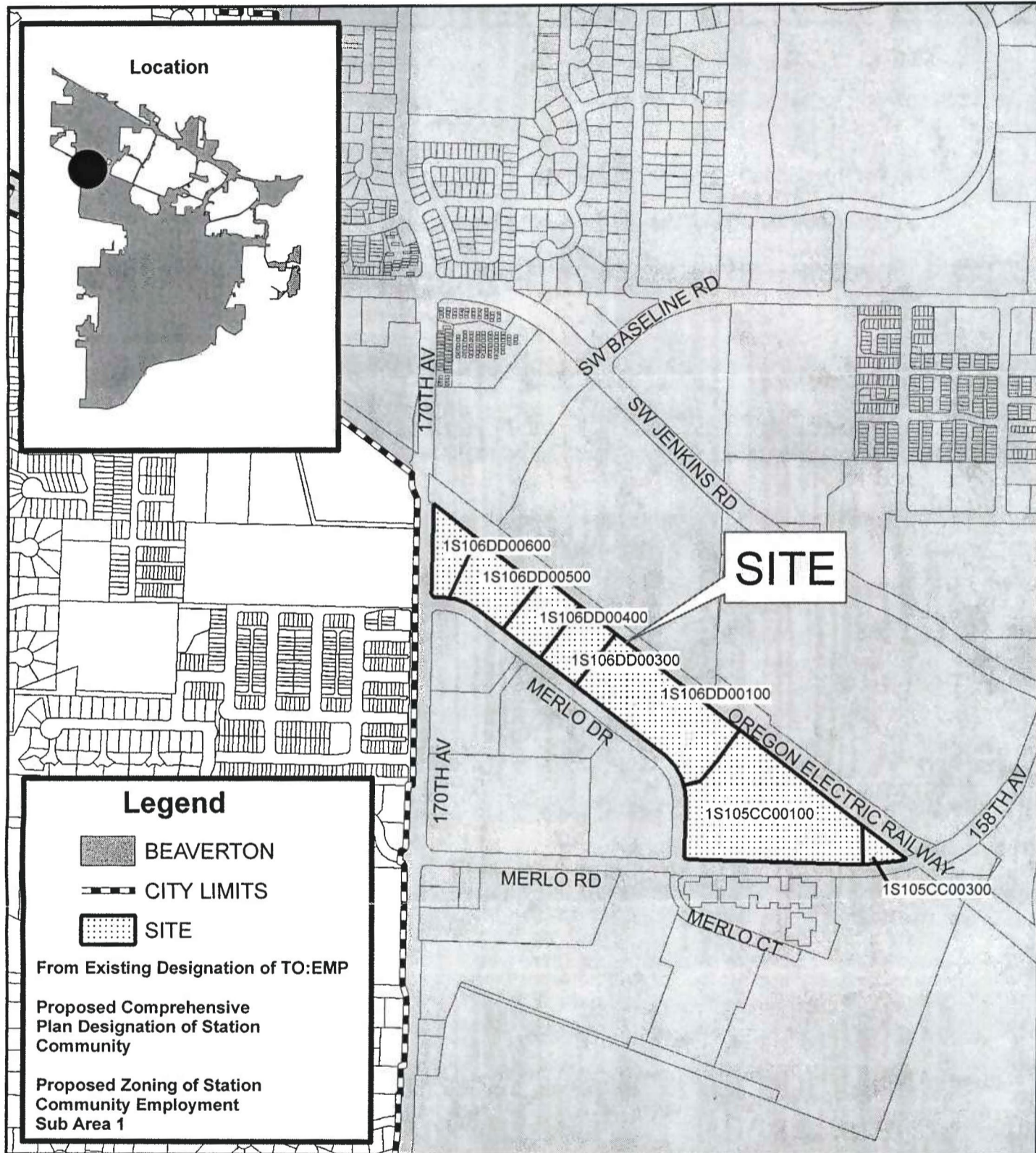
APPROVED:



ROB DRAKE, Mayor

VICINITY MAP

EXHIBIT "A"



CITY OF BEAVERTON

CPA2007-0012 / ZMA2007-0011

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

4/16/07

Tax Lot #'s
SHOWN
ON SITE

N



MERLO DR &
170TH AVE