



# Oregon

Theodore R. Kubongoski, 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



## NOTICE OF ADOPTED AMENDMENT

7/27/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment  
DLCD File Number 003-10

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: Wednesday, August 11, 2010

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Ken Reacher, City of Beaverton  
Gloria Gardiner, DLCD Urban Planning Specialist  
Anne Debbaut, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner

<paa> YA/ph





FORM 2

DLCD

# Notice of Adoption

In person  electronic  mailed

DATE  
STAMP

DEPT OF

JUL 22 2010

LAND CONSERVATION  
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Beaverton**

Local file number: **CPA2010-0001/  
ZMA2010-0001**

Date of Adoption: **7/19/2010**

Date Mailed: **7/21/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 4/02/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
Apply City land use and zoning to TLID 1S109BB01500 and TLID 1S109BB01800

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

The initial proposal included three properties (Tax Lots 01400, 01500, and 01800 of Map 1S1W09BB). The property owner requested that the proposal be split into two segments. The first segment applied only to Lot 01400, which is the southernmost parcel. This second segment applies to Lots 01500 and 01800. Both lots received the Station Community Land Use designation and the Station Community—High Density Residential zoning designation, which is slightly different from the designations shown in the original DLCD notice.

Plan Map Changed from: **Washington County Transit Oriented** to: **Station Community**

Zone Map Changed from: **County TO:R18-24 and R-9** to: **SC-HDR**

Location: **NE corner of SW Murray Blvd. and SW Jenkins Rd.** Acres Involved: **18.46**

Specify Density: Previous: **variable** New: **variable**

Applicable statewide planning goals:

**1**  **2**  **3**  **4**  **5**  **6**  **7**  **8**  **9**  **10**  **11**  **12**  **13**  **14**  **15**  **16**  **17**  **18**  **19**

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 file No. \_\_\_\_\_

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

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Local Contact: **Ken Rencher**

Phone: (503) 526-2427 Extension:

Address: **PO Box 4755**

Fax Number: 503-526-3720

City: **Beaverton**

Zip: **97075**

E-mail Address: **krencher@ci.beaverton.or.us**

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## ADOPTION SUBMITTAL REQUIREMENTS

**This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD** 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615 ).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845 ).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615 ).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.



**ORDINANCE NO. 4545**

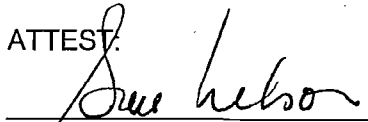
AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP AND ORDINANCE NO. 2050, THE ZONING MAP FOR PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF SW MURRAY BOULEVARD AND SW JENKINS ROAD AND SPECIFICALLY IDENTIFIED AS LOT 1400 ON WASHINGTON COUNTY TAX ASSESSOR'S MAP 1S109-BB; CPA 2010-0001/ ZMA 2010-0001


- WHEREAS,** The intent of the proposed amendments to the Comprehensive Plan Land Use Map and Zoning Map is to assign appropriate City land use designations to parcels that have been annexed into the City through a different process; and
- WHEREAS,** On May 19, 2010, the Planning Commission held a public hearing on the request to assign a Comprehensive Plan Land Use Map designation and Zoning Map designation to property that was annexed to the City in March, 2010; and
- WHEREAS,** No appeals were filed with the City; and
- WHEREAS,** The request is to designate this property Station Community (SC) on the City's Comprehensive Plan Land Use Map and to designate them Station Community – Multiple Use on the Zoning Map; and
- WHEREAS,** The Council incorporates by reference the Community Development Department staff report on CPA 2010-0001/ ZMA 2010-0001 by Associate Planner Kenneth Rencher, dated May 12, 2010; 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 property generally located on the northeast corner of the intersection of SW Murray Boulevard and SW Jenkins Road as Station Community (SC) on the Comprehensive Plan Land Use Map, as shown on Exhibit "1", in accordance with the Washington County - Beaverton Urban Planning Area Agreement (UPAA). The property is identified as Tax Lot 1400 on the Washington County Tax Assessor's Map 1S109-BB.
- Section 2.** Ordinance No. 2050, the Zoning Map, is amended to designate the zoning of the same property specified in Section 1 as Station Community – Multiple Use (SC-MU), as shown on Exhibit "1", in accordance with the UPAA.

First reading this 7th day of June, 2010.  
Passed by the Council this 21st day of June, 2010.  
Approved by the Mayor this 22nd day of June, 2010.

ATTEST:  
  
\_\_\_\_\_  
SUE NELSON, City Recorder

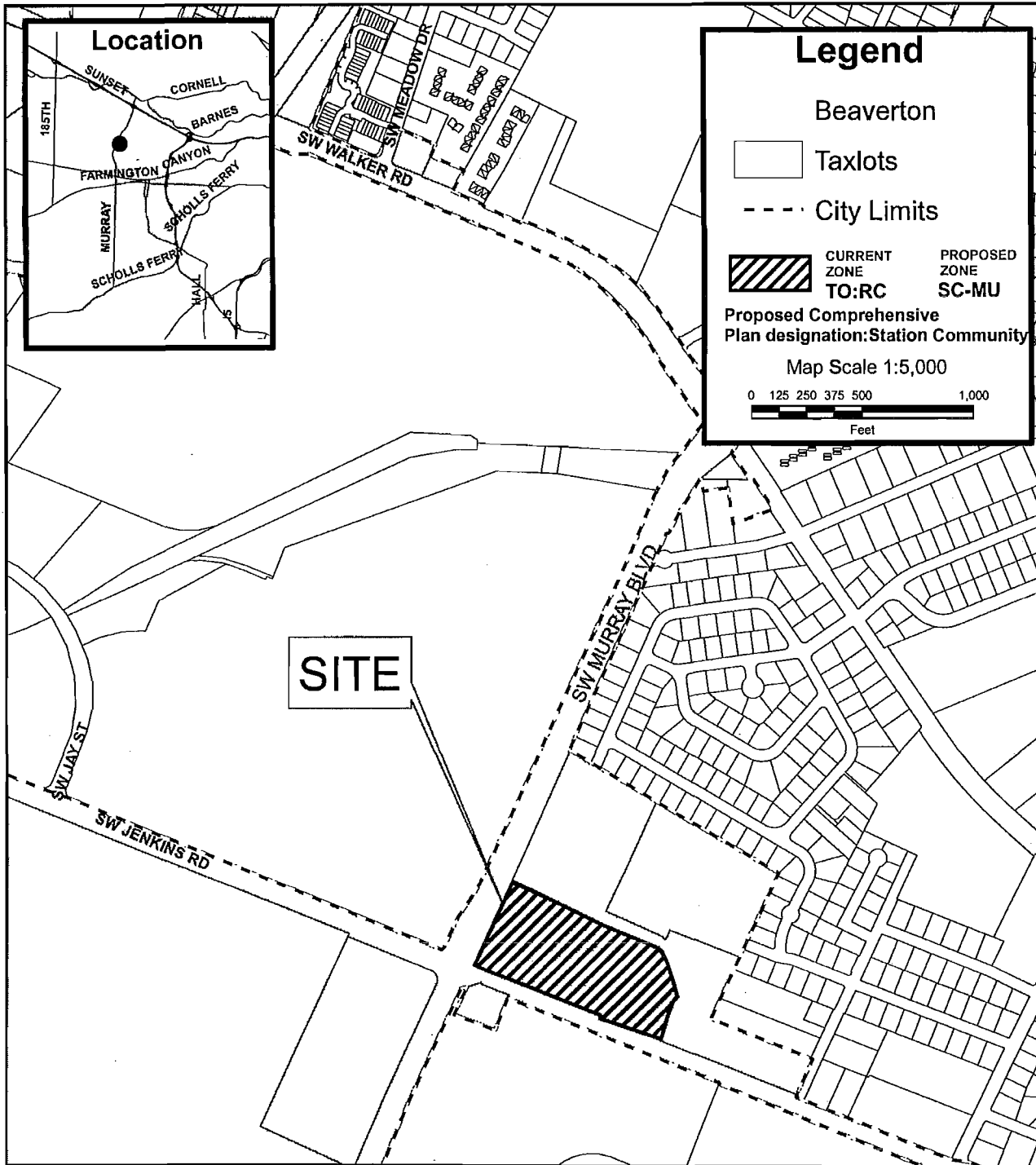
APPROVED:  
  
\_\_\_\_\_  
DENNY DOYLE, Mayor

# VICINITY MAP

BEAVERTON  
MAPBOOK  
PAGE 52

# EXHIBIT "1"

Ord. No. 4545



City of Beaverton

## Murray Village Comprehensive Plan and Zoning Map Amendment

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division

3/29/10  
Tax Lot #  
1S109BB01400



Application #  
ZMA2010-0001  
CPA2010-0001



# CITY of BEAVERTON

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

## STAFF REPORT

**HEARING DATE:** May 19, 2010

**TO:** Planning Commission

**STAFF:** Kenneth Rencher, Associate Planner *GR*

**PROPOSAL:** Murray Village Quasi-Judicial Comprehensive Plan Map Amendment and Annexation-Related Discretionary Zoning Map Amendment

**CASE FILE #s:** CPA2010-0001 and ZMA2010-0001

**LOCATION:** Tax Map: 1S109BB Lot: 01400  
Northeast corner of SW Murray Blvd. and SW Jenkins Rd.

**SUMMARY:** This is a City initiated proposal to amend the City's Comprehensive Plan Map and Zoning Map to apply city designations to property recently annexed into the City. The City is proposing to apply the land use and zoning that most closely match the interim Washington County designations currently in place. No new development is proposed as a part of this application. Future development of the site will be reviewed as a separate proposal.

The property is approximately 7.67 acres in size. The proposed Comprehensive Plan designation is Station Community. The proposed zoning is Station Community – Multiple Use (SC-MU). The interim land use and zoning designations currently in place are Washington County Transit Oriented and Washington County Transit Oriented: Retail Commercial (TO:RC).

Note: The original notice included three taxlots. The other two will be addressed with a separate CPA/ZMA application to be processed later.

**APPLICANT:** City of Beaverton  
PO Box 4755  
Beaverton, OR 97076

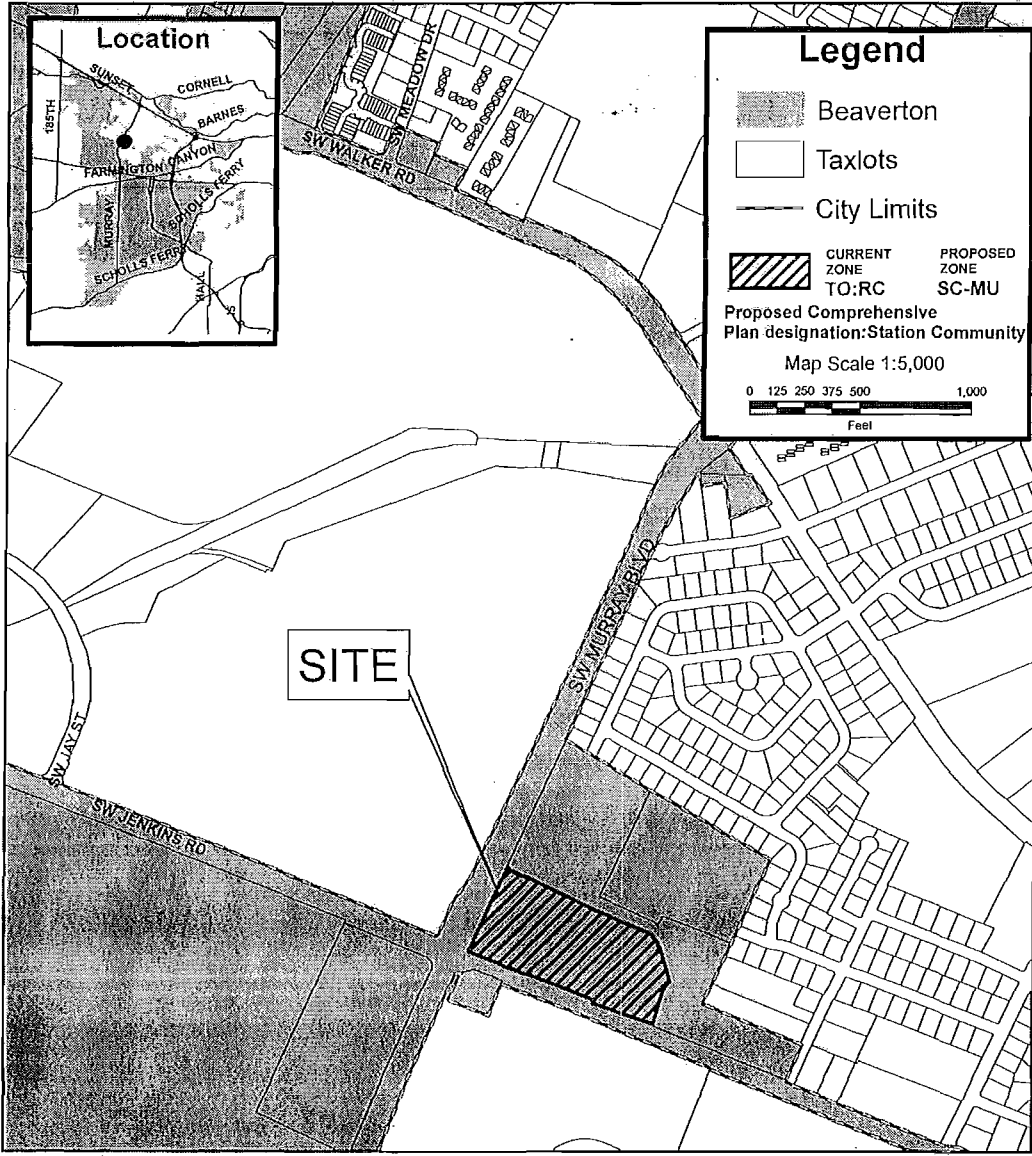
**DECISION CRITERIA:** CPA2010-0001: Section 1.5.1 of the Comprehensive Plan (Quasi-Judicial Amendments)  
ZMA2010-0001: Section 40.97.15.3.C of the Development Code  
(Non-Discretionary Annexation Related Zoning Map Amendments)

**RECOMMENDATION:** Approval of CPA2010-0001 and ZMA2010-0001 (Murray Village Annexation-Related CPA/ZMA), with no associated conditions of approval.

# VICINITY MAP

BEAVERTON  
MAPBOOK  
PAGE 52

# EXHIBIT "1"



Murray Village Comprehensive Plan  
and Zoning Map Amendment

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division

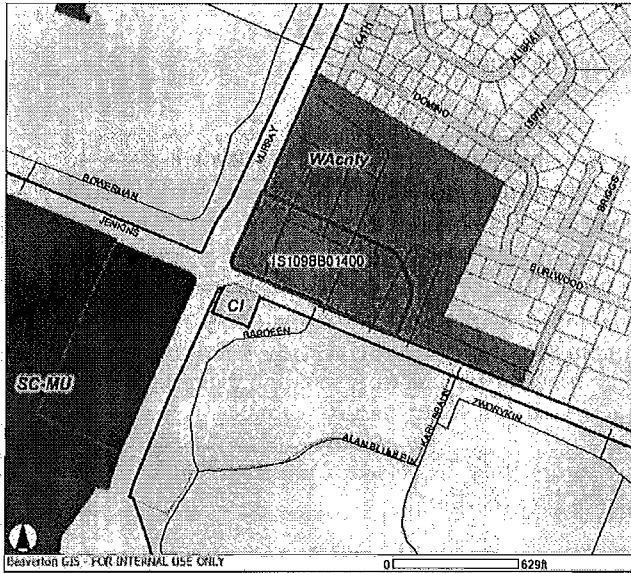
3/29/10  
Tax Lot #  
1S109BB01400

Application #  
ZMA2010-0001  
CPA2010-0001

N

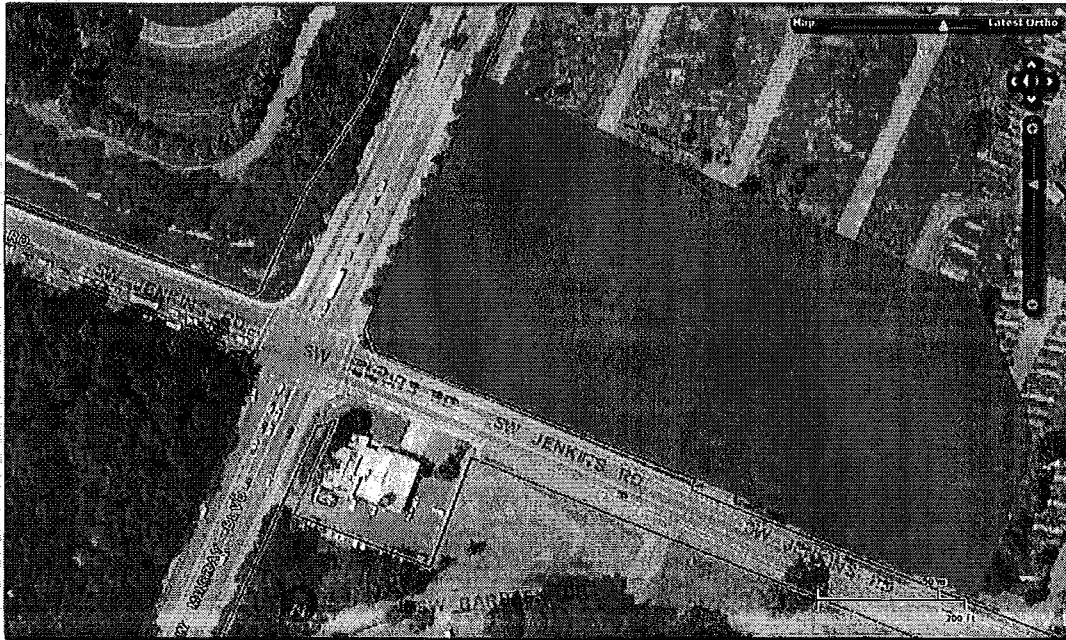
## Zoning Map Detail

## Exhibit 2



## Aerial Photo

## Exhibit 3





**Existing Conditions Table**

<b>Zoning</b>	Interim Washington County TO:RC	
<b>Current Development</b>	Vacant with no development currently proposed (Site was formerly a mobile home park)	
<b>Site Size</b>	Approximately 7.67 acres	
<b>NAC</b>	Five Oaks/Triple Creek NAC	
<b>Comprehensive Plan</b>	<p><b>Land Use:</b> Interim Washington County Transit Oriented</p> <p><b>Street Functional Classification Plan:</b> SW Murray Blvd. and SW Jenkins Rd. are each classified as an Arterial.</p> <p><b>Street Improvement Master Plan:</b> The Transportation System Plan Street Improvement Master Plan identifies SW Jenkins Rd. for future expansion to 5 lanes. (SW Murray Blvd. is already at 5 lanes.)</p> <p><b>Pedestrian &amp; Bicycle Master Plan and Action Plans:</b> The Pedestrian &amp; Bicycle Master Plans identify existing and proposed pedestrian and bicycle facilities along both streets</p>	
<b>Surrounding Uses</b>	<p><b>Zoning:</b></p> <p>North: <i>Washington County R-5</i> <i>(italics indicate outside City limits)</i></p> <p>South: Campus Industrial CI and <i>Wash. Co. Industrial IND</i></p> <p>East: Interim Washington County TO:R18-24</p> <p>West: <i>Washington County TO:EMP</i></p>	<p><b>Uses:</b></p> <p>North: Detached Housing</p> <p>South: TVF&amp;R Fire Station and Maxim Integrated Products</p> <p>East: Vacant</p> <p>West: Nike</p>

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
Attachment A: CPA2010-0001 Murray Village CPA	CPA1-CPA14
Attachment B: ZMA2010-0001 Murray Village ZMA	ZMA1-ZMA3

EXHIBITS

- Exhibit 1. Vicinity Map (page 2 of report)
- Exhibit 2. Zoning Map Detail (page 3 of report)
- Exhibit 3. Aerial Photo (page 3 of report)
- Exhibit 4. Except from the Urban Planning Area Agreement (UPAA)
- Exhibit 5. Public Comments Received  
None Received

**ANALYSIS AND FINDINGS FOR  
COMPREHENSIVE PLAN MAP AMENDMENT –QUASI-JUDICIAL**

**Section 1.5.1. Approval Criteria:**

*In order to approve a Comprehensive Plan Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- A. *The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules;***

Of the nineteen Statewide Planning Goals, staff find Goals One, Two, Five, Six, Seven, Nine, Ten, Eleven, Twelve, and Thirteen are applicable to the proposed map amendment.

***Goal 1: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. (Public Involvement)***

The proposed amendment is subject to the public notice requirements of the Comprehensive Plan Section as follows:

Sections 1.4.2.A and .B of the Comprehensive Plan prescribe the notice requirements to be provided for Quasi-Judicial Amendments. Notice must be mailed to the State Department of Land Conservation and Development (DLCD), Metro, Washington County, the Chair of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Committee for Citizen Involvement (CCI) at least 45 days prior to the initial hearing. Between 20 and 40 days from the hearing, notice must be mailed to the subject property owners and surrounding property owners within 500 feet, posted in City Hall, posted in the City Library, posted on the City's Web site, and published in a local newspaper.

**In response to these requirements:**

1. The required inter-agency DLCD notice was initially mailed to DLCD, Metro, and Washington County on April 2, 2010, which was at least 45 days prior to the first evidentiary hearing.



2. The required inter-agency DLCDC notice was also mailed to the chair(s) of the Five Oaks/Triple Creek Neighborhood Association Committee (NAC) whose boundaries include the property for which the change is contemplated, and the Chair of the Committee for Citizen Involvement on April 2, 2010, at least 45 calendar days prior to the initial hearing;
3. Legal notice was published in the Beaverton Valley Times on April 14, 2010.
4. Notice was mailed to properties owners included in the proposed change area, and to the owners of properties within 500 feet of the subject properties for which the change is proposed on April 8, 2010.
5. Notice was posted in City Hall, in the City Library, and on the City's website on approximately April 8, 2010.

There are no requirements to provide additional notice for this amendment beyond the notices described above. Therefore, staff find the notice requirements for this CPA have been met.

At the hearing, the Planning Commission considers written comments and oral testimony before they make a decision. The procedures outlined in Comprehensive Plan Section 1.4.2 allow for proper notice and public comment opportunities on the proposed Comprehensive Plan amendment as required by this Statewide Planning Goal. As noted above, these procedures have been followed.

*Goal 2: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.  
(Land Use Planning)*

The City of Beaverton adopted its Comprehensive Plan which includes text and maps in a three-part report (Ordinance 1800) in 1972. The City adopted a new Comprehensive Plan (Ordinance 4187) in January of 2002 that was prepared pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD). The proposed Plan, including a new Land Use Map, was the subject of numerous public hearings and considerable analysis before adoption. The adopted Plan and findings supporting adoption were deemed acknowledged pursuant to a series of Approval Orders from the Department of Land Conservation and Development, the last of which was issued on December 31, 2003.

The subject property was annexed into the City in March, 2010. At that time, the parcel was not assigned City Comprehensive Plan Land Use Designations or City Zoning Designations. It has, on an interim basis, retained its County designations.

In applying the Station Community Land Use Designation and the Station Community-Multiple Use (SC-MU) Zoning Designation, the City is following the correct process and procedures for selecting the most similar City equivalents to the

County designations for situations that are not expressly provided for in the Urban Planning Area Agreement between the City of Beaverton and Washington County.

***Goal 5: To protect natural resources and conserve scenic and historic areas and open spaces. (Open Spaces, Scenic and Historic Areas, and Natural Resources)***

Goal 5 specifies that “[l]ocal governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations”. The City of Beaverton depicts its significant natural resources related to Goal 5 on its Significant Tree Inventory Map, Local Wetland Inventory Map, and Habitat Benefit Area Map. These inventories are not altered by this proposed change in the Comprehensive Plan Land Use designation.

Staff find that the proposal does not impact resources subject to the protection of Goal 5 compliance. Therefore, staff find that the amendment complies with Goal 5 of the Statewide Planning Goals.

***Goal 6: To maintain and improve the quality of the air, water, and land resources of the state. (Air, Water and Land Resources Quality)***

The applicable portion of Goal 6 specifies that “[p]lans which provide for the maintenance and improvement of air, land and water resources of the planning area should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources”. Because the proposed City designations are substantially identical to the existing County designations, no change in the carrying capacity of the planning area is expected.

Staff find that the proposal does not impact resources subject to the protection of Goal 6 compliance. Therefore, staff find that the amendment complies with Goal 6 of the Statewide Planning Goals.

***Goal 7: To protect people and property from natural hazards. (Areas Subject to Natural Hazards)***

Goal 7 specifies that “[l]ocal governments shall adopt comprehensive plans ... to reduce risk to people and property from natural hazards”. No portion of the property is within the floodplain. This proposed change in land use designation will not alter the protections already in place to protect people and property from natural hazards.

Staff find that the proposal does not alter the Goal 7 protections. Therefore, staff find that the amendment complies with Goal 7 of the Statewide Planning Goals.



***Goal 9: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. (Economic Development)***

Goal 9 specifies that comprehensive plans for urban areas shall “[l]imit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.”

Since the proposed mixed use land use and zoning designations are substantially similar to the existing designations, staff find that there will be no increase in incompatible uses as a result of this application. Therefore, staff find that this amendment complies with Goal 9 of the Statewide Planning Goals.

***Goal 10: To provide for housing needs of citizens of the state. (Housing)***

Goal 10 requires that local jurisdictions inventory the supply of buildable lands and develop plans “...in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels”.

The subject property was annexed into the City in March, 2010. At that time, the parcel retained, on an interim basis, the County land use and zoning designations. In selecting City land use and zoning designations that closely approximate those of the County, the City is not significantly altering the supply of buildable land or potential housing units that can be constructed within the urban growth boundary.

Staff find that the proposed amendment allows for a variety of housing types and densities commensurate with a variety of income levels as prescribed in Goal 10. This amendment complies with Goal 10 of the Statewide Goals.

***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. (Public Facilities and Services)***

The City of Beaverton is located within the Urban Growth Boundary (UGB) for the Portland metropolitan region. Metro is the regional governing body that determines the regional need for UGB expansions and in doing so, works with local governments to determine the highest and best use of lands within the UGB in order to reduce the need for UGB expansion into rural lands. The subject property is currently undeveloped. Availability of public facilities and services to serve the parcel will be addressed at the time it is proposed for development. When development for this parcel is proposed, site specific issues related to public facilities and services will be addressed in the development review process.

Staff find that applying the City's Corridor Designation to the subject parcel satisfies the provisions expressed in Oregon's Goal 11.

***Goal 12: To provide and encourage a safe, convenient and economic transportation system. (Transportation)***

Oregon Administrative Rules (OAR) 660-012-000 through 660-012-0070, referred to as the Transportation Planning Rule (TPR), provide guidance on compliance with Statewide Planning Goal 12. A Transportation System Plan (TSP), adopted pursuant to OAR Division 12, fulfills the requirements for public facilities planning required under Oregon Revised Statutes (ORS 197.712(2)(e)), Goal 11 and OAR Chapter 660, Division 12 as they relate to transportation facilities. Volume 4 of the Comprehensive Plan contains the City's adopted TSP, effective June 6, 2003. OAR 660-012-0060 requires local governments to review Comprehensive Plan and land use regulation amendments with regard to the effect of the amendment on existing or planned transportation facilities. This section is cited as follows:

"A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
  - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
  - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan."

The City's Comprehensive Plan designations are descriptive tools assigned to individual parcels. These designations are in turn implemented through the specific zones. While the role of the plan designation is perceived as qualitative, zoning provisions apply specific criteria applicable to new development. As specified in CP Section 3.14 (the City's Comprehensive Plan and Zoning District Matrix), specific zones correlate with specific plan designations. However, zoning ultimately controls the use and residential density allowance for a development. This density in turn influences the scale of traffic generation that will affect local transportation facilities.

The intent of the proposed amendment is to replace the interim County designations with the City designations that are most similar. The Station



Community land use designation is most similar to the interim County Transit Oriented land use designation. Because the property's zoning and the development-specific conditions of approval are the principle instruments used to control the level of traffic generation derived from a development, and because no development is currently proposed on the property, traffic volumes will not be affected by the proposed amendment. The City Transportation System Plan (TSP) includes the forecast trip generation for traffic based on the County's existing plan designation. The proposal to change the Plan designation from Transit Oriented to Station Community is a minor change and will have negligible effects on the City's Transportation Plan. When future development is proposed, a traffic analysis will be required to analyze impacts of trip generation and assess the ability of the impacted street system to adequately accommodate the proposed development. Therefore, staff find that the proposed amendment will not significantly affect the local transportation facilities as defined by OAR 660-012-0060 and cited above.

Staff find that applying the City's Station Community Designation to the subject parcel satisfies the provisions expressed in Oregon's Goal 12 and OAR 660-012-000 through 660-012-0070 (the Transportation Planning Rule).

***Goal 13: To conserve energy. (Energy Conservation)***

The proposal involves the conversion of the interim County Transit Oriented land use designation to the City Station Community land use designation. Because these two designations are substantially similar in the type and density of development that they allow, the City finds that there will be no significant change in the Goal 13 analysis that Washington County conducted as a part of the review prior to implementing the Cedar Hills-Cedar Mill Community Plan.

The proposed land use designation continues to encourage high density, mixed use development that allows for energy-efficient means of transportation and energy conservation opportunities.

Staff find that applying the City's Station Community Designation to the subject parcel satisfies the provisions expressed in Oregon's Goal 13.

Remaining Goals

***Goal 3: Agricultural Lands***

***Goal 4: Forest Lands***

These goals apply to rural unincorporated areas. The City of Beaverton is urban and incorporated, therefore, the goals are not applicable.

***Goal 8: Recreational Needs***

The proposal does not involve the siting of necessary recreational facilities which include destination resorts or opportunities to satisfy the recreational needs to visitors and the citizens of the state. Therefore, this goal is not applicable.

*Goal 14: Urbanization*

The proposal does not include a request to establish or change the Urban Growth Boundary. Therefore, this goal is not applicable.

*Goal 15: Willamette Greenway*

This goal applies to lands along the Willamette River. The Willamette River is not within, or adjacent to, the City of Beaverton, thus this goal is not applicable to the proposal.

- Goal 16: Estuarine Resources,*
- Goal 17: Coastal Shorelands,*
- Goal 18: Beaches And Dunes,*
- Goal 19: Ocean Resources*

Apply to oceanic or coastal resources. The City of Beaverton is over 80 miles from coastal resources; therefore, these goals do not apply in the City of Beaverton.

**Summary Finding:** Staff find that for the reasons identified above, the proposed amendment complies with Goals 1, 2, 5, 6, 7, 9, 10, 11, 12, and 13 and find that Goals 3, 4, 8, and 14 - 19 are not applicable. Criterion 1.5.1.A is met.

*B. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan;*

Facts and Findings:

Title 1: Requirements of Housing and Employment Accommodation  
*Section 3.07.830 of the UGMFP requires that any Comprehensive Plan change must be consistent with the requirements of the Functional Plan.*

*Section 3.07.130 of the UGMFP states:*  
"For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map..." While the *2040 Growth Concept Plan* map designates the parcel included in this proposal as a combination of Station Community, Corridor, and Inner Neighborhoods residential design type, the existing Washington County designation is Transit Oriented, due to the proximity to the Beaverton Creek light rail station and the 62 and 67 Tri-Met bus routes, as shown in the Cedar Hills-Cedar Mill Community Plan. The *2040 Growth Concept Plan* is intended to be a general framework for the entire region. The specific planning for the local area of the site was conducted by Washington County in 1997. As the more specific document, the Cedar Hills-Cedar Mill Community plan, which was

approved by Metro, is the governing document. Because the City Station Community and the County Transit Oriented land use designations are substantially similar, staff find that the proposal meets the requirement for compliance with Title 1 of the UGMFP.

Title 2: Regional Parking Policy

The City has an established minimum and maximum parking ratio related to zones A and B. The subject property is within Parking Zone A. Consequently, the Maximum Permitted Parking Spaces per Zone A applies to the subject property.

Title 3: Water Quality and Flood Management Conservation

In concert with other local governments in Washington County, the City partnered with Clean Water Services to enact legislation acknowledged to comply with Title 3.

Title 4: Industrial and Other Employment Areas

The City and Metro established long-term Industrial and Employment Areas on the Title 4 map. This area is not shown as Industrial Area on the Metro Title 4 Industrial and Employment Areas Map.

Title 5: Neighbor Cities and Rural Reserves

Title 5 concerns Neighbor Cities and Rural Reserves. The proposal is within the City of Beaverton; therefore, this Title does not apply.

Title 6: Central City, Regional Centers, Town Centers and Station Communities

The subject property is located at an intersection where all of the property on the other three corners is already part of an approved Station Community. Both the southeast corner and the northwest corner of the intersection of SW Murray Blvd. and SW Jenkins Rd. are within the Beaverton Creek Station Community. Staff recommend that the subject parcel also be included within the Beaverton Creek Station Community boundaries. The proposed Station Community land use designation is compatible with the Title 6 requirements to enhance the region's Centers, which include the Station Communities.

Title 7: Affordable Housing

The intent of Title 7 is to enact a "fair share" housing strategy for each jurisdiction which includes a diverse range of housing types, specific goals for low- and moderate-income housing, housing densities consistent with the regional transportation system, and a balance of jobs and housing. The City adopted Comprehensive Plan Chapter Four to comply with this Metro Title. The sections of the Comprehensive Plan that are applicable to the Comprehensive Plan map amendment are addressed below to show consistency with Title 7.

Comprehensive Plan Goal 4.2.1.1 states "Maximize use of buildable residential land in the City." Action items applied to implement this goal have been implemented. Goal 4.2.2.1 states "Provide an adequate variety of quality housing types to serve Beaverton's citizenry." The City is working in partnership with the Washington

County Housing Authority to preserve the Housing Authority's portfolio of federally assisted housing at rent levels affordable to extremely and very low-income households. Comprehensive Goal 4.2.3.1 states "Promote the retention of existing affordable housing stock in the City." The proposed zoning of the property (Station Community-Multiple Use) allows for a variety of housing types and could include various forms of affordable housing.

Additionally, the City continues to support affordable housing programs through the Community Development Block Grant and HOME programs, the Citywide Housing Rehabilitation Loan Program, and partnership with local non-profit service providers. Goal 4.2.3.2 states "Promote the production of new affordable housing units in the City." Participation in local non-profit efforts to develop affordable housing, providing an ombudsman to assist in the development review process, developing revolving loan funding, exploring land banking and employer sponsored affordable housing, supporting alternative funding for affordable housing, and continuing to explore tools and strategies to encourage affordable housing development are actions to implement Goal 4.2.3.2. These goals and actions comply with Title 7.

Title 8: Compliance Procedures

Information about the proposal was sent to the Chief Operating Officer on April 2, 2010, more than 45 days prior to the first evidentiary hearing as required by Metro Code Section 3.07.820.

Title 9: Performance Measures

Title 9 directs Metro to measure the progress of the region in implementing the Urban Growth Management Functional Plan. This title is not relevant to the proposal.

Title 10: Functional Plan Definitions

Title 10 provides definitions for use in Metro's administration of the UGMFP and is, therefore, irrelevant to the compliance of this proposal to the UGMFP.

Title 11: Planning for New Urban Areas

Title 11 concerns planning for new urban areas. This proposal is within the Urban Growth Boundary and is within the corporate limits of the City of Beaverton. This Title does not apply to the amendment.

Title 12: Protection of Residential Neighborhoods

Protection of residential neighborhoods is a key to success of the 2040 Growth Concept. The property is within a mixed use Station Community area. By allowing for areas of high density, mixed use development, the City relieves some of the pressure on existing residential neighborhoods to increase density. Therefore, this proposal will have a beneficial effect on the residential neighborhoods.



Title 13: Coordination

The City, as a member of the Tualatin Basin Coordinating Committee, complies with Title 13.

Regional Transportation Plan (RTP)

Section 6.4.4: Regional transportation system analysis is required for amendments to local plans or the addition of significant single occupancy vehicle capacity to regional facilities.

*“This section applies to city and county comprehensive plan amendments or to any local studies that would recommend or require an amendment to the Regional Transportation Plan to add significant single occupancy vehicle (SOV) capacity to the regional motor vehicle system, as defined by Figure 1.12. This section does not apply to projects in local TSPs that are included in the 2000 RTP. For the purpose of this section, significant SOV capacity is defined as any increase in general vehicle capacity designed to serve 700 or more additional vehicle trips in one direction in one hour over a length of more than one mile. This section does not apply to plans that incorporate the policies and projects contained in the RTP.”*

The City's Transportation System Plan (TSP) has been adopted for consistency with, and implementation of, the 2000 RTP. Therefore; the Regional Transportation Plan does not apply to the proposed zoning map amendment.

**Summary Finding:** Staff find that for the reasons identified above, the proposed amendment complies with applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan.

*C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans;*

Facts and Findings:

All nine Comprehensive Plan chapters are addressed below. The Cedar Hills-Cedar Mill Community plan adopted by Washington County is also applicable to this proposal and is addressed following the Comprehensive Plan findings.

*Chapters 1 and 2, Procedures and Public Involvement Elements, respectively*

The procedures for amending the Comprehensive Plan found within Chapter 1 have been complied with, including appropriate noticing. The Planning Commission will hold an initial hearing where public testimony and evidence will be entered into the record and used for the Planning Commission's deliberations. The Planning Commission will make a recommendation to City Council, who will follow appropriate procedures for adopting an ordinance implementing the Planning

Commission's recommendation and incorporating their findings, unless an appeal of the Planning Commission decision is filed, in which case the Council will conduct a hearing on the appeal.

Staff find that the proposal is a quasi-judicial amendment. Staff find that the appropriate procedures in Chapter 1 and summarized in Chapter 2 of the Comprehensive Plan have been met. Thus, this proposal is in compliance with Chapters 1 and 2.

*Chapter 3 Land Use Element.*

Section 3.2 provides for the development of Station Communities with nodes of development centered around light rail or high capacity transit service and featuring a high quality pedestrian environment. The implementation of the Station Community land use designation is appropriate for this property and meets the requirements of this section.

Section 3.4.2 stipulates that the City shall apply appropriate City land use designations to annexed areas. Given the proximity to the Beaverton Creek light rail station and the adjacent areas already designated Station Community, Station Community is the appropriate land use designation for the subject property.

Section 3.5 deals specifically with mixed use areas. The proposed land use designation is generally consistent with the 2040 Regional Growth Concept Plan and is appropriate for land within a mile of the light rail station. The subject property is generally within one half-mile of the station. The proposal is consistent with the Community Plan for the area that was adopted by Washington County prior to the annexation of this property.

Staff find that for the reasons specified above, the policies found in Chapter 3 are met.

*Chapter 4 Housing Element.*

Discussion under Goal 10 assists in the understanding of the applicability of the Housing Element to this amendment.

The City adopted a Housing Element into its Comprehensive Plan (Ordinance 4187) in January of 2002 pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD). Part of that process involved development of a buildable lands inventory, a housing type needs analysis, and a housing density assessment. Based upon the findings of those studies, the City adopted policies to encourage a broad mix of housing types at density levels designed to maximize development potential. Policies that are particularly relevant to this proposal include the following:

*Section 4.2.1.1.a) Allow development of a wide variety of housing types in the City.*

***Section 4.2.2.1.a) Increase residential capacity in the City to substantially comply with requirements of Title 1 of the Metro Urban Growth Management Functional Plan.***

Staff addressed the relevance of these policies in the section of this report that addressed Goal 10 compliance. Pursuant to the reasoning contained in that section as it relates to the policies above, staff believes that the proposal fulfills these policies.

Staff find that relevant policies found in Chapter 4 are met.

***Chapter 5 Public Facilities and Services Element.***

As noted in the Goal 11 discussion, the proposal does not physically affect the landscape, or affect service boundaries, or the City's public facility plans. The permitted uses on the subject property will be governed by the specific zoning applied to the property. The Station Community land use designation and the interim Transit Oriented land use designation are substantially similar, so the proposal would not affect the City's ability to implement the Public Facilities Plans, Capital Improvement Plan, Urban Planning Area Agreement (UPAA), Urban Service Area, Storm Water and Drainage System, Potable Water System, Sanitary Sewer System, Parks and Recreation, or Police and Fire and Emergency Medical Services plans already in place. Additionally, because the range of permitted residential densities allowed under the implementing zones of the two land use designations is very similar, school facilities should not be significantly affected by the proposal.

Staff find that the relevant policies of Chapter 5 are met.

***Chapter 6 Transportation Element.***

Comprehensive Plan Section 6.2.4.c is relevant to the proposed amendment. It states as follows:

*"Maintain levels of service consistent with Metro's Regional Transportation Plan and the Oregon Transportation Plan. Applications for Comprehensive Plan Amendments shall comply with the requirements of OAR 660-012-0060 and as appropriate include a transportation Impact Analysis that shows that the proposal will not degrade system performance below the acceptable two-hour peak demand-to-capacity ratio of 0.98..."*

Findings addressing the amendment's compliance with *OAR 660-012-0060* are provided under the section addressing Goal 12 compliance above. As pointed out in that section, the proposal seeks to replace the County designation of Transit Oriented with the City's Station Community designation. Staff find that the two plan designations are substantially similar and that, therefore, the traffic impacts from the potential range of development options will not change. Additional

analysis of the potential traffic impacts is provided by the findings for the Zoning Map Amendment (Attachment B of this staff report).

It should also be noted that any future development proposed for the subject property will require that a traffic impact assessment be prepared by the applicant to demonstrate that traffic generation from the development will not adversely impact the transportation system. If such impacts were found to degrade the system beyond the 0.98 measure indicated above, then mitigation measures to alleviate the impact would be required. The analysis of traffic impact and identification of potential mitigation would be triggered by development of the property rather than by the amendment being proposed here.

Staff find that for the reasons specified above, the proposal is consistent with the policies found in Chapter 6 of the City's Comprehensive Plan.

***Chapter 7 Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element.***

Staff reviewed the provisions contained in the Chapter 7 of the City's Comprehensive Plan and concluded that because the proposal will not alter the protections in place for the Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources present on the property, the proposed amendment does not affect the City's ability to implement the provisions in this chapter.

Staff find that the proposed amendment does not affect the City's ability to implement this Chapter.

***Chapter 8 Environmental Quality and Safety Element.***

Staff reviewed the provisions contained in the Chapter 8 of the City's Comprehensive Plan and concluded that this proposed amendment does not affect the City's ability to comply with Sections 8.2 Water Quality, 8.3 Air Quality, 8.4 Noise, 8.5 Seismic Hazards, 8.6 Geologic Hazards, 8.7 Flood Hazards, or 8.8 Solid and Hazardous Wastes.

Staff find that the proposed amendment does not affect the City's ability to implement this Chapter.

***Chapter 9 Economy Element.***

Staff reviewed the provisions contained in the Chapter 9 of the City's Comprehensive Plan and concluded that economic development, proposed industrial facilities, and employment centers would not be negatively affected by the proposed amendment.

Staff find that the policies found in Chapter 9 do not apply to the proposed amendment.



**Summary Finding:** Staff find that the proposed Comprehensive Plan Amendment is generally consistent and compatible with the Comprehensive Plan. Thus, the requirements of Criterion 1.5.1.C are met.

*D. If the proposed amendment is to the Land Use Map, there is a demonstrated public need, which cannot be satisfied by other properties that now have the same designation as proposed by the amendment;*

The proposed amendment implements the City land use designation that most closely matches the interim Washington County land use designation. This change allows the City to implement a City zoning designation, which meets the demonstrated public need for orderly development by eliminating any potential confusion for developers or residents that may arise from having a mixture of City and County zoning regulations in effect. This is consistent with the approved procedure for handling land that is annexed into the City of Beaverton.

Staff find that criterion 1.5.1.D is met for the proposed amendment.

**SUMMARY OF CPA FINDINGS:** For the reasons identified above, staff find that the Comprehensive Plan Map Amendment satisfies the approval criteria for Comprehensive Plan Amendment approval pursuant to Section 1.5.1 of the Comprehensive Plan, in addition to compliance with applicable State and Metro requirements.

**COMPREHENSIVE PLAN MAP AMENDMENT- QUASI JUDICIAL CONCLUSION**

Based on the facts and findings presented, staff concludes the proposal, CPA2010-0001 (Murray Village Comprehensive Plan Map Amendment) meets the criteria for approval.

**Recommendation**

Based on the facts and findings presented, staff recommend APPROVAL of CPA2010-0001 (Murray Village Comprehensive Plan Map Amendment) with no recommended conditions of approval

**ANALYSIS AND FINDINGS FOR  
ZONING MAP AMENDMENT – DISCRETIONARY  
ANNEXATION-RELATED APPROVAL**

**Section 40.97.05. Zoning Map Amendment; Purpose**

*The purpose of a Zoning Map Amendment application is to provide for the consideration of legislative and quasi-judicial amendments to the zoning map. Legislative amendments to the zoning map are amendments of generally large size, diversity of ownership or of interest to a large geographic area. Quasi-judicial amendments to the zoning map are amendments that are generally small in size, single ownership or affect only a relatively small geographic area. Annexation related amendments to the zoning map are those amendments, whether legislative or quasi-judicial, which are associated with land being annexed into the City. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires. This Section is carried out by the approval criteria listed herein.*

**Section 40.97.15.4.C. Approval Criteria:**

*In order to approve a Discretionary Annexation Related Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- 1. The proposal satisfies the threshold requirements for a Discretionary Annexation Related Zoning Map Amendment application.*

**Facts and Findings:**

*Section 40.97.15.4.A Threshold: An application for a Discretionary Annexation Related Zoning Map Amendment shall be required when the following threshold applies:*

*“The change of zoning to a City zoning designation as a result of annexation of land into the City and the Urban Planning Area Agreement (UPAA) does not specify a particular corresponding City zoning designation and discretion is required to determine the most similar City zoning designation.”*

The City, as the applicant, is requesting a change in the zoning designation for a property that still has the interim Washington County zoning that has been in place since the property was annexed into the City. The property currently has the interim zoning designation of Transit Oriented Retail Commercial (TO:RC). The UPAA between the City of Beaverton and Washington County was signed prior to the creation of the mixed use, transit oriented zones. As a result, the UPAA does not specify a corresponding city zoning designation for the TO:RC zoning currently in place. Although no discretion was needed for the corresponding Comprehensive Plan Map Amendment, there are several City zoning designations that would

implement the Station Community land use designation and some discretion is required to identify the one that most closely matches the existing County zoning

**Therefore, staff find that the proposal meets the criterion for approval.**

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.*

Facts and Findings:

There is no fee associated with an Annexation Related Zoning Map Amendment application.

**Therefore, staff find that the proposal meets the criterion for approval.**

- 3. The proposed zoning most closely approximates the density use provisions and development standards of the Washington County designation which applied to the subject property prior to annexation.*

Facts and Findings:

Because the current zoning is a mixed use zone, the most similar City zoning designation would be one of the City's mixed use zones. According to the Beaverton Comprehensive Plan, the Station Community Land Use Designation should be generally applied to properties within one mile of light rail station platforms. The majority of the subject property is located within ½ mile from the Beaverton Creek Station light rail platform. There are five zoning districts that implement the Station Community Comprehensive Plan Designation: Station Area-Medium Density Residential (SA-MDR), Station Area-Mixed Use (SA-MU), Station Community-High Density Residential (SC-HDR), Station Community-Mixed Use (SC-MU), and Station Community-Employment (SC-E).

The interim county zoning of TO:RC has no maximum number of units. The two Station Area zones have a maximum density of 30 units per acre. Of the three Station Community zones, SC-HDR and SC-MU allow new dwellings and do not set a maximum residential density. The SC-E zone does not allow new dwellings to be constructed. Therefore, only the SC-HDR and the SC-MU zones are possible choices for the conversion of the TO:RC zoning.

Staff examined the range of uses allowed by the TO:RC zone and the SC-HDR and SC-MU zones and concluded that the SC-MU zone more closely matches the range of uses allowed in the TO:RC zone. The SC-HDR zone only allows a portion of the commercial uses allowed under the interim zoning. Therefore staff find that the proposed City zoning designation of SC-MU is the best match for the existing zoning and adequately satisfies the criterion to closely approximate the County's zoning standards.

**Therefore, staff find that the proposal meets the criterion for approval.**

*4. The proposed zoning designation is consistent with any guidance contained within the UPAA concerning the application of non-specified zoning district designations.*

Facts and Findings:

By implementing a City zoning district that most closely matches the zoning designation established by the County prior to annexation, the proposed zoning designation is consistent with the guidance contained within the UPAA.

Therefore, staff find that the proposal meets the criterion for approval.

*5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence .*

Facts and Findings:

The application for a Zoning Map Amendment is accompanied by an application to amend the Comprehensive Plan Map. The Development Code allows the two applications to be heard concurrently. Therefore this is the proper sequence.

Therefore, staff find that the proposal meets the criterion for approval.

**SUMMARY OF ZMA FINDINGS:** For the reasons identified above, staff find that the Zoning Map Amendment satisfies the approval criteria for Zoning Map Amendment approval pursuant to Section 40.97.15.4.C of the Development Code, in addition to compliance with applicable State and Metro requirements.

**ZONING MAP AMENDMENT CONCLUSION**

Based on the facts and findings presented, staff concludes the proposal, ZMA2010-0001 (Murray Village ZMA) meets the criteria for approval.

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of ZMA2010-0001 (Murray Village ZMA). There are no recommended conditions of approval.



EXHIBIT "B"

CITY-COUNTY LAND USE DESIGNATION EQUIVALENTS

County		Beaverton*	
Plan/Zoning		Plan	Zoning**
Residential	5 u/ac	Urban Standard Residential	R-7
Residential	6 u/ac	Urban Standard Residential	R-5
Residential	9 u/ac	Urban Standard Residential	R-5
Residential	15 u/ac	Urban Medium Residential	R-2
Residential	24 u/ac	Urban Medium Residential	R-2
Residential	25+ u/ac	Urban High Residential	R-1
Office Commercial		Office Commercial	O.C.
Neighborhood Commercial		Neighborhood Commercial	N.S.
Community Business District		Community Service Town Center (for property west of Hwy. 217 and south of Center only)	C.S.
General Commercial		General Commercial	G.C.
Industrial		Industrial Park Campus Industrial Light Industrial	I.P. C.I. *** L.I.
Institutional		Shown on Plan	Zoned to the most restric- tive abutting zone.
Significant Natural Resource		Significant Natural Resource	Not designated on zoning map

\* When partially completed developments such as residential subdivisions, apartment complexes, industrial parks, retail or office centers, etc. are annexed to the CITY after receiving development approval from the COUNTY, the CITY may, at its discretion, continue to apply the COUNTY's development standards relating to setbacks, lot sizes, lot coverage and heights for buildings and accessory structures for any new construction taking place after annexation.

\*\* Beaverton's residential densities identified in Exhibit "B" reflect current standards. Amendments to the City's standards shall revise this exhibit upon final approval by the City.

\*\*\* Planning Director shall determine the appropriate industrial designation based upon prevailing industrial land uses and the characteristics of individual activities, i.e., extensive outside storage, non-conforming characteristics, etc.

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**City of Beaverton**

Community Development Department  
4755 S.W. Griffith Drive  
P.O. Box 4755  
Beaverton, OR 97076

**TO:**

**ATTENTION: PLAN AMENDMENT  
SPECIALIST  
DEPARTMENT OF LAND  
CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OR 97301-2540**