



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

9/30/2010

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 011-10

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: Thursday, October 14, 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: Scott Whyte, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA/I



FORM 2

DLCD

Notice of Adoption

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

In person electronic mailed

DEPT OF

SEP 24 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

DATE STAMP

Jurisdiction: **City of Beaverton**

Local file number: **ZMA 2010-007, 008 & 013**

Date of Adoption: **September 21, 2010**

Date Mailed: **September 22, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: May 17, 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".

Legislative Zoning Map Amendment – changing the zoning of most properties zoned R-3.5 to R-4, throughout the City. Eight single-family lots zoned R-3.5 become R-7. Earlier adopted City Council Ordinance (No. 4542, through Adoption Notice sent to DLCD) amended the City Development Code to remove the R-3.5 zone. Through these Zoning Map Amendment proposals, all properties zoned R-3.5 now change to the City R-4 except for eight single-family residential properties, which become R-7 consistent with the Comprehensive Plan designation applied to these eight properties.

Does the Adoption differ from proposal? Yes, some

For the most part, adoption does not differ from the proposal. DLCD Notice of Proposed Amendment identified two possible replacement zones for R-3.5 (R-2 and R-4). Both replacement zones implement corresponding Comprehensive Plan designations to respective properties. However, staff found eight properties zoned R-3.5 that did not have a corresponding Plan designation to implement either R-4 or R-2. Accordingly, property owners of these eight properties were re-noticed of the proposed R-7 zone (a zone that implements the Plan designation to these properties). These eight properties were identified as part of the Notice of Proposed Amendment submitted to DLCD for review. Staff believes Map Error to have occurred as old Zoning Map shows R-7 to have once applied to these eight properties.

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **R-3.5**

to: **R-4 (and R-7 to eight properties)**

Location: **All properties currently zoned R-3.5** Acres Involved: **Approx. 50**

Specify Density: Previous: **3,500 sq. ft./unit (R-3.5)** New: **4,000 sq. ft./unit (R-4)**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input 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"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 Notice of Proposed Amendment 45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply?

Yes No

DLCD File No. 011-10 (18317) [16341]

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:

ODOT, Washington County, Metro

Local Contact: **Scott Whyte, Senior Planner**

Phone: (503) 526-2652 Extension:

Address: **4755 SW Griffith Dr.**

Fax Number: **503-526-3720**

City: **Beaverton OR**

Zip: **97076**

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

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. 4552

AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE ZONING MAP, ZMA 2010-0007, R-3.5 LEGISLATIVE ZONING
MAP AMENDMENT – WEST

WHEREAS, on July 21, 2010, the Planning Commission conducted a public hearing to consider a City-initiated application to amend Ordinance No. 2050, the Zoning Map, designating certain properties in the west part of the City, the zone of Urban Medium Density R-4; and,

WHEREAS, the Council by prior action has eliminated the Urban Medium Density R-3.5 zoning designation within the City and has directed staff to process map amendments to rezone properties once having that R-3.5 zoning designation; and,

WHEREAS, the Planning Commission received and considered the staff report, exhibits and public testimony; and by land use order it recommended approval of this amendment; and,

WHEREAS, no written appeals were filed in response to the order; and

WHEREAS, the City Council adopts as applicable approval criteria, the facts and findings described in the Planning Division Staff Report dated July 14, 2010, and Planning Commission Land Use Order No. 2213, dated July 28, 2010, which are incorporated herein by reference. Now therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Ordinance No. 2050, the Zoning Map, is amended to designate certain properties in the west part of the city the zoning of Urban Medium Density R-4, as identified on the attached map that is Exhibit "A" of this Ordinance, attached hereto and incorporated herein.

First reading this 13 day of September, 2010.

Passed by the Council this 20th day of September, 2010.

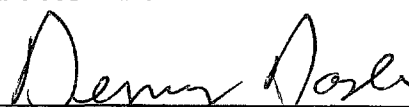
Approved by the Mayor this 21st day of September, 2010.

ATTEST:



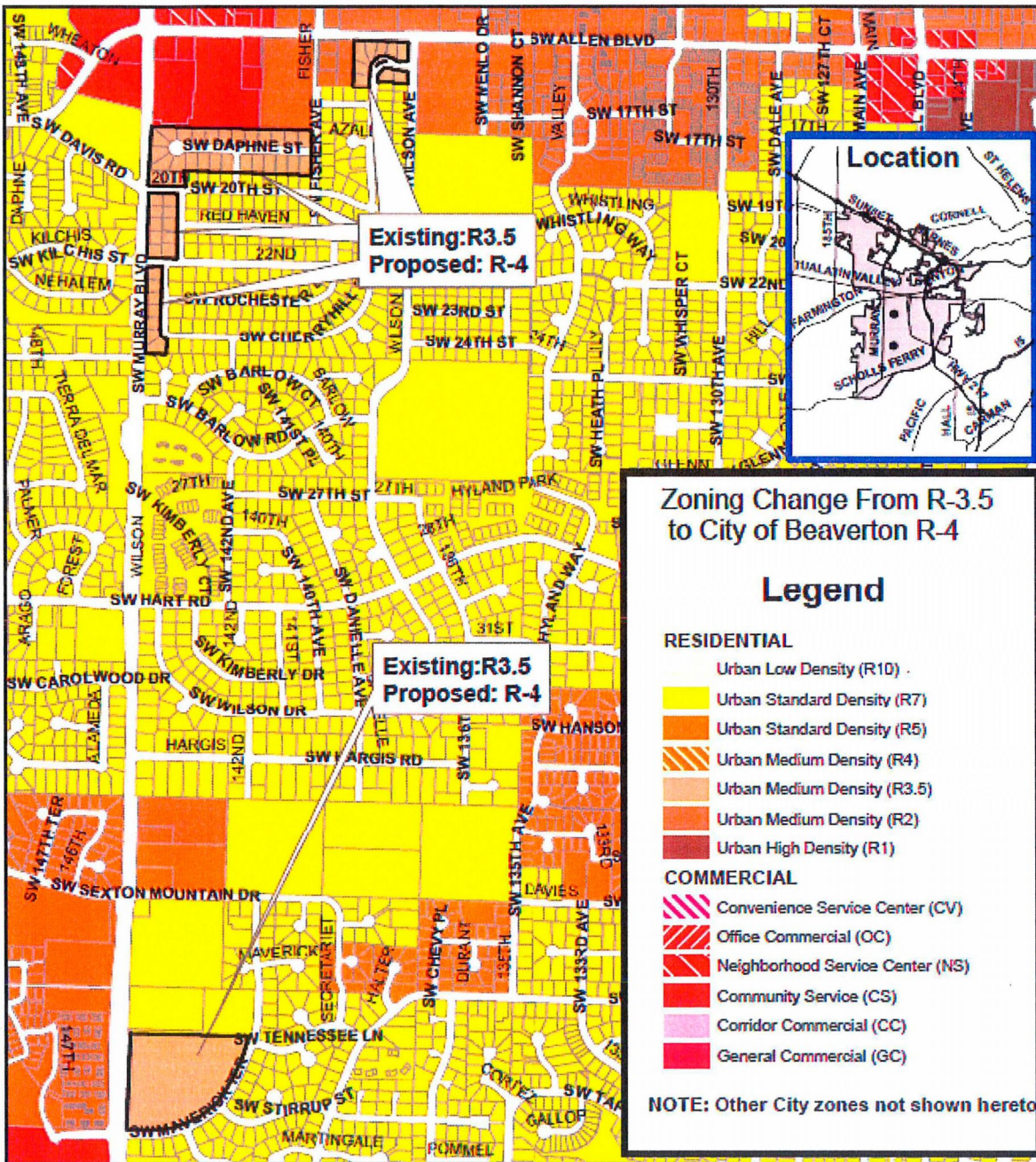
SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

VICINITY MAP R 3.5 ZMA-WEST



**R 3.5 RESIDENTIAL WEST
ZONE MAP AMENDMENT**

**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

07/09/10 N
Tax Lot # VARIOUS
Application # ZMA2010-0007

ORDINANCE NO. 4553

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE ZONING MAP, ZMA 2010-0008, R-3.5 LEGISLATIVE ZONING
MAP AMENDMENT – SOUTH**

WHEREAS, on July 28, 2010, and August 4, 2010, the Planning Commission conducted a public hearing to consider a City-initiated application to amend Ordinance No. 2050, the Zoning Map, designating certain properties in the south part of the City, the zone of Urban Medium Density R-4; and,

WHEREAS, the Council by prior action has eliminated the Urban Medium Density R-3.5 zoning designation within the City and has directed staff to process map amendments to rezone properties once having that R-3.5 zoning designation; and,

WHEREAS, the Planning Commission received and considered the staff report, exhibits and public testimony; and by land use order it recommended approval of this amendment; and,

WHEREAS, no written appeals were filed in response to the order; and

WHEREAS, the City Council adopts as applicable approval criteria, the facts and findings described in the Planning Division Staff Report dated July 21, 2010, and Planning Commission Land Use Order No. 2220, dated August 13, 2010, which are incorporated herein by reference. Now therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Ordinance No. 2050, the Zoning Map, is amended to designate certain properties in the south part of the city the zoning of Urban Medium Density R-4, as identified on the attached map that is Exhibit "A" of this Ordinance, attached hereto and incorporated herein.

First reading this 13 day of September, 2010.

Passed by the Council this 20th day of September, 2010.

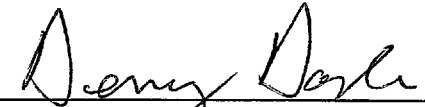
Approved by the Mayor this 21st day of September, 2010.

ATTEST:



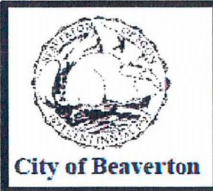
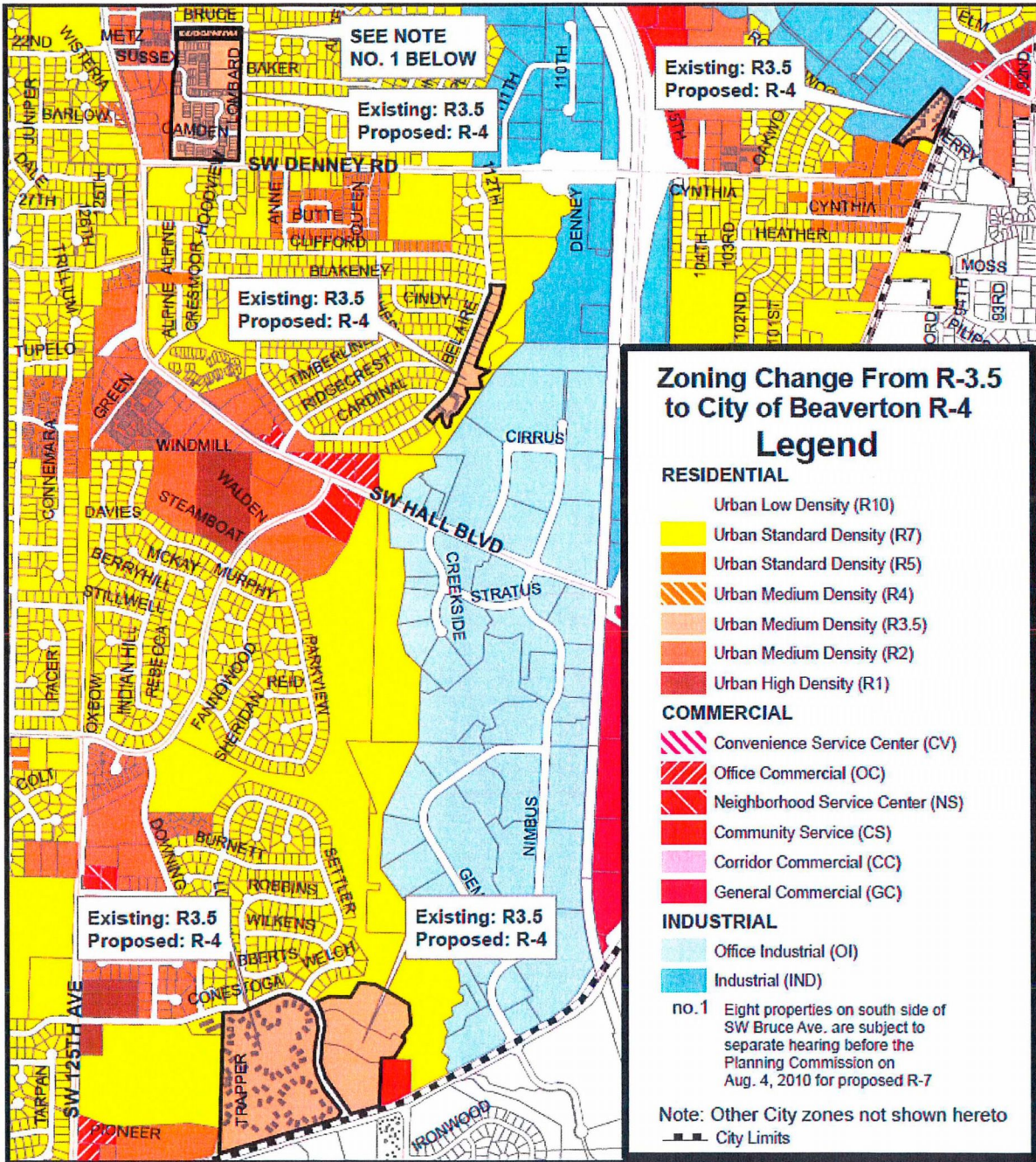
SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

VICINITY MAP R 3.5 ZMA - SOUTH



**Residential R3.5 South
Zone Map Amendment**

**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

07/09/10 N
 Tax Lot #
 VARIOUS

Application #
ZMA2010-0008

ORDINANCE NO. 4555

AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE ZONING MAP, ZMA 2010-0013, R-3.5 LEGISLATIVE ZONING
MAP AMENDMENT – SOUTH SIDE OF SW BRUCE LANE

WHEREAS, on August 4, 2010, the Planning Commission conducted a public hearing to consider a City-initiated application to amend Ordinance No. 2050, the Zoning Map, designating certain properties on the south side of SW Bruce Lane, the zone of Urban Standard Density R-7; and,

WHEREAS, the Council by prior action has eliminated the Urban Medium Density R-3.5 zoning designation within the City and has directed staff to process map amendments to rezone properties once having that R-3.5 zoning designation; and,

WHEREAS, the Planning Commission received and considered the staff report and exhibits; and by land use order it recommended approval of this amendment; and,

WHEREAS, no written appeals were filed in response to the order; and

WHEREAS, the City Council adopts as applicable approval criteria, the facts and findings described in the Planning Division Staff Report dated July 28, 2010, and Planning Commission Land Use Order No. 2221, dated August 13, 2010, which are incorporated herein by reference. Now therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

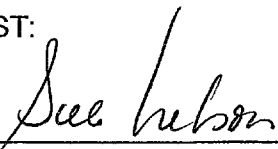
Ordinance No. 2050, the Zoning Map, is amended to designate certain properties on the south side of SW Bruce Lane the zoning of Urban Standard Density R-7, as identified on the attached map that is Exhibit "A" of this Ordinance, attached hereto and incorporated herein.

First reading this 13 day of September, 2010.

Passed by the Council this 20th day of September, 2010.

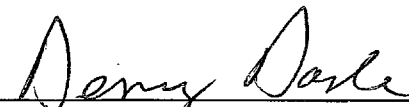
Approved by the Mayor this 21st day of September, 2010.

ATTEST:



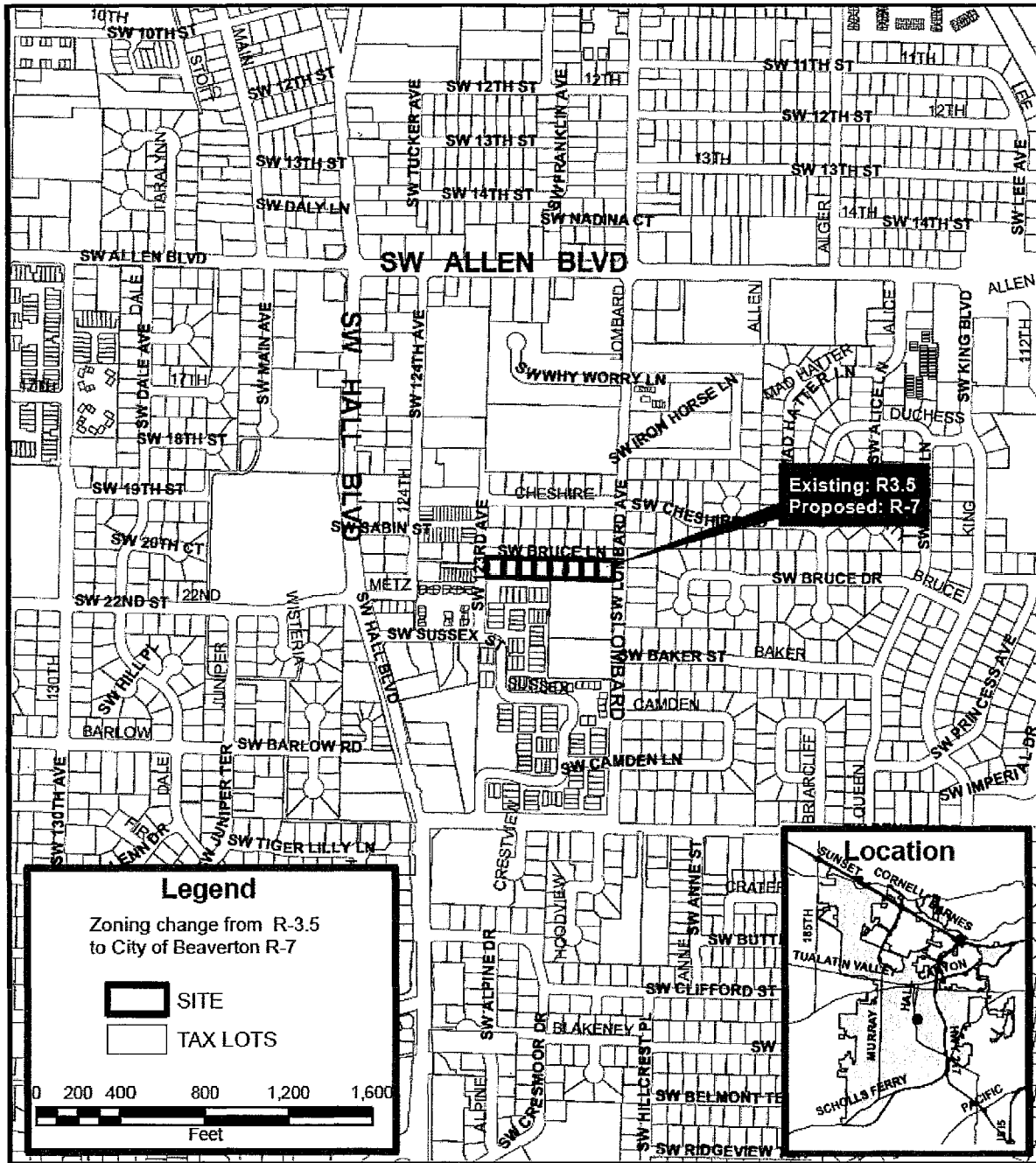
SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

VICINITY MAP R 3.5 ZMA - SOUTH



City of Beaverton

Residential R3.5 SW Bruce Lane - South
 Zone Map Amendment

COMMUNITY DEVELOPMENT DEPARTMENT
 Planning Division

07/14/10

Tax Lot #
 VARIOUS



Application #
 ZMA2010-0013

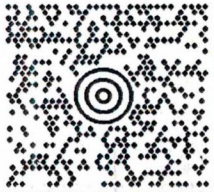
AUXILIARY SERVICES/MAIL ROOM
503-350-4019
CITY OF BEAVERTON/CITY HALL
4755 SW GRIFFITH DRIVE
BEAVERTON OR 97005

9 LBS

1 OF 1

SHIP TO:

PLAN AMENDMENT SPECIALIST
DLCD
STE 150
635 CAPITOL STREET, NE
SALEM OR 97301-2564

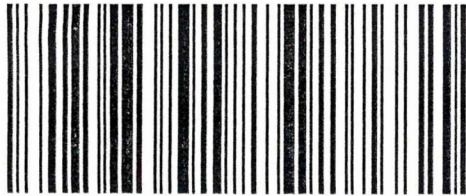


OR 973 0-02



UPS GROUND

TRACKING #: 1Z 788 422 03 9424 4071



BILLING: P/P

Reference#1: 001-70-0676
Reference#2: CDD/PLANNING

UIS 12.8.05. WNTIE80 06.0A 07/2010



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

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

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