



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



NOTICE OF ADOPTED AMENDMENT

08/31/2009

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 014-09

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: Friday, September 11, 2009

This amendment was not submitted to DLCD for review prior to adoption Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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.

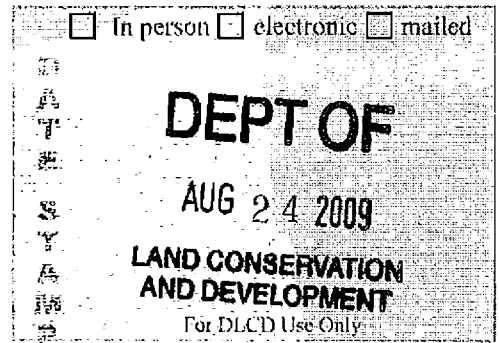
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Jeff Salvon, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist

<paa>

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**
0006

Local file number: **CPA2009-0009/ZMA2009-**

Date of Adoption: **8/18/2009**

Date Mailed: **8/21/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **No** Date:

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation

- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

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

Non-discretionary annexation related comprehensive plan map amendment and zoning map amendment for a single property identified on the Washington County Tax Assessors Map as 1S114BC00200. The adopted designations were prescribed by the Beaverton - Washington County Urban Planning Area Agreement and as such required no discretion in the adoption process.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **Washington Co. R-5**

to: **City of Beaverton NR-SD**

Zone Map Changed from: **Washington Co. R-5**

to: **City of Beaverton R-7**

Location: **10230 SW Kennedy Street**

Acres Involved: **2**

Specify Density: Previous: **Maximum 5 units/Ac**

New: **Maximum 6 units/Ac**

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 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 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. See First Page

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

Washington County, Clean Water Services, West Slope Water District, Tualatin Valley Fire District

Local Contact: **Jeff Salvon**

Phone: (503) 526-3725 Extension:

Address: **PO Box 4755**

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

City: **Beaverton**

Zip: **97076-4755**

E-mail Address: **jsalvon@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.

ORDINANCE NO. 4517

AN ORDINANCE AMENDING ORD. 4187, FIGURE III-1,
THE COMPREHENSIVE PLAN LAND USE MAP TO
APPLY THE CITY'S NEIGHBORHOOD RESIDENTIAL –
STANDARD DENSITY PLAN DESIGNATION AND ORD.
2050, THE ZONING MAP, TO APPLY THE CITY'S
URBAN STANDARD DENSITY (R-7) ZONE TO A
PARCEL LOCATED AT 10230 SW KENNEDY STREET
IN EAST BEAVERTON. CPA 2009-0009/ZMA 2009-0006,
CITY OF BEAVERTON APPLICANT

- WHEREAS,** a proposal to annex the subject property into the City of Beaverton is scheduled for City Council consideration on August 3, 2009; and
- WHEREAS,** Section 10.40.2 of the Development Code specifies that "[t]he City may consider the zoning for any area proposed for annexation at the same time as it considers annexation of the area..."; and
- WHEREAS,** the Washington County – City of Beaverton Urban Planning Area Agreement specifies that "upon annexation the City agrees to convert County plan and zoning designations to City plan and zoning designations which most closely approximate the density, use provisions and standards of the County designations"; and
- WHEREAS,** pursuant to Ordinance 4187 Section 1.4.3.B.6 and Ordinance 2050 Section 40.97.15.C, the Beaverton Planning Services Division, on July 27, 2009 published a written staff report with findings and recommendations demonstrating applicability of the UPAA to the proposed action a minimum seven (7) calendar days in advance of the scheduled City Council meeting on August 3, 2009; and,
- WHEREAS,** the City Council adopts as to criteria, facts and findings described in Community Development Department staff report on CPA2009-0009/ZMA2009-0006 by Associate Planner Jeff Salvon, dated July 27, 2009, and attached hereto as Exhibit "B"; 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 on Map and Tax Lot 1S1 14 BC 00200 Neighborhood Residential – Standard Density, as shown on Exhibit "A".
- Section 2.** Ordinance No. 2050, the Zoning Map, is amended to designate the properties on Map and Tax Lots 1S1 14 BC 00200 Urban Standard Density (R7), as shown on Exhibit "A".
- Section 3.** This ordinance shall become effective thirty (30) days after its adoption by the Council and approval by the Mayor or upon the effective date of the ordinance annexing the subject property, whichever is later.

First reading this 3rd day of August, 2009.

Passed by the Council this 17th day of August, 2009.


Approved by the Mayor this 18th day of August, 2009.

ATTEST:



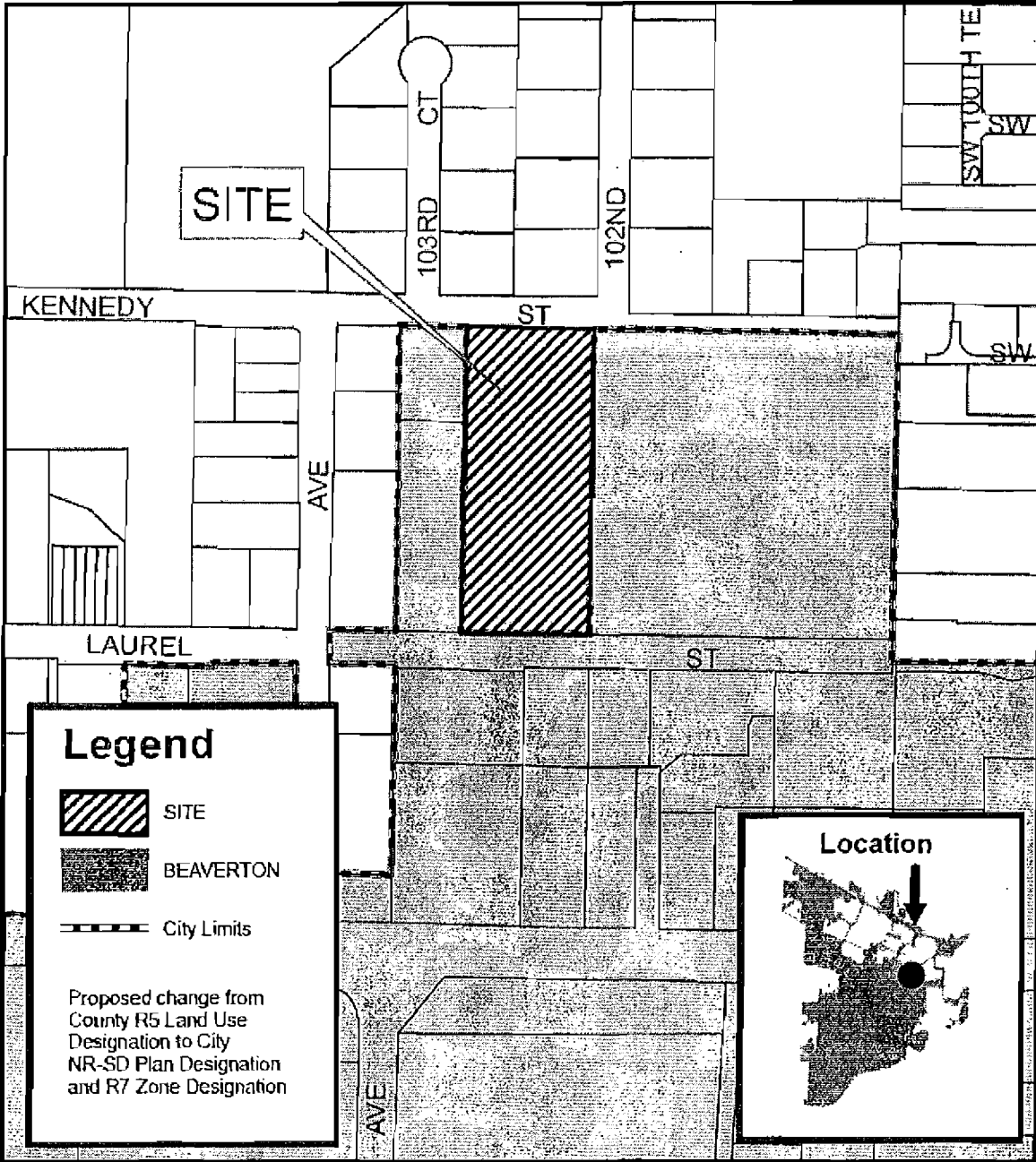
SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

VICINITY MAP



10230 SW Kennedy
Comp Plan and Zone Amendment
 COMMUNITY DEVELOPMENT DEPARTMENT
 Planning Division

6/22/09
 Tax Lot #
 1S114BC00200
 CPA2009-0009
 ZMA2009-0006





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

August 21, 2009

Date of Final Decision: August 17, 2009

Ordinance 4517 attached, was first read on the August 3, 2009 City Council agenda then passed by the City Council after second reading on the August 17, 2009 Council agenda. The Mayor approved and signed Ordinance 4517 on August 18, 2009.

AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP TO APPLY THE CITY'S NEIGHBORHOOD RESIDENTIAL STANDARD DENSITY PLAN DESIGNATION AND ORDINANCE 2050, THE ZONING MAP, TO APPLY THE CITY'S R-7 ZONE TO A PARCEL LOCATED AT 10230 SW KENNEDY STREET; CPA 2009-0009/ZMA 2009-0006

Appeal. Any appeal of this decision should be made to the State of Oregon Land Use Board of Appeals (LUBA) as provided in ORS 197.830 through ORS 197.845. 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 Tuesday, August 21, 2009, results in an appeal deadline of **Tuesday, September 13, 2009**.

How to Obtain Further Information: This decision is available for review, and a copy may be obtained at a cost, at the following address:

City of Beaverton,
Planning Services Division
Beaverton City Hall
4755 S.W. Griffith Drive
Beaverton, OR 97076
Phone: (503) 526-2548

Sincerely,

Jeff Salvon
Associate Planner

cc: Hal Bergsma, THPRD, Property Owner
Eric Schmidt, CCI Chair
Beaverton Neighborhood Office

Ray Bowman, Denney Witford/Raleigh West NAC
Nels Mickaelson, Washington County GIS
Michael Jordan, COO Metro

OPEN AT TOP OF ENVELOPE TO THE
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



CITY of BEAVERTON

4755 S.W. Griffith Drive
P.O. Box 4755
Beaverton, OR 97076-4755



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

