



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

2/4/2010

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 017-09

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: Thursday, February 18, 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 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: Jana Fox, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> YA

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: **CPA2009-0011**

Date of Adoption: **1/25/2010**

Date Mailed: **1/29/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 10/1/2009

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".

The City of Beaverton has changed the Comprehensive Plan land use designation of 6 parcels, on the South side of Daphne Drive between Fisher Ave and Bucher Ave, from Neighborhood Residential-Standard Density to Neighborhood Residential-Medium Density. The parcels are developed as duplexes with a minimum lot size of 3,500 sq. ft. per dwelling unit. The comprehensive plan land use map amendment brings the parcel into compliance with the zoning designation, Urban Medium Density (R3.5).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **NR-SD (Standard Density)** to: **NR-MD (Medium Density)**

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

to: **N/A**

Location: **South side of Daphne Drive**

Acres Involved: **1.38**

Specify Density: Previous: **3,500 sq.ft/DU**

New: **3,500 sq.ft/DU**

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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <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"/> |

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:

Metro

Local Contact: **Jana Fox**

Phone: (503) 526-3710 Extension:

Address: **PO Box 4755**

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

City: **Beaverton**

Zip: **97076-**

E-mail Address: **jfox@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. 4526

AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP FOR PROPERTY LOCATED IN THE GENERAL VICINITY OF SW DAPHNE STREET BETWEEN BUCHER AND FISHER AVENUES; CPA 2009-0011 (DAPHNE STREET)

WHEREAS, the intent of the proposed amendment to the Comprehensive Plan Land Use Map is to correct the designation on properties for which the Comprehensive Plan designation was incorrectly applied; and

WHEREAS, on November 18, 2009, the Planning Commission held a public hearing on the request to assign a Comprehensive Plan Land Use Map designation to properties for which the Comprehensive Plan designation was incorrectly applied. A mapping error incorrectly designated the parcel Neighborhood Residential-Standard Density. The proper designation was Neighborhood Residential-Medium Density. The proposed amendment assigns the Neighborhood Residential-Medium Density (NR-MD) designation, which is consistent with existing zoning of the site (R3.5). The Planning Commission voted to approve the request as submitted; and

WHEREAS, the Council incorporated by reference the Community Development Department staff report on CPA 2009-0011 by Assistant Planner Jana Fox, dated November 10, 2009; and 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 located in the general vicinity of SW Daphne Street between Bucher and Fisher Avenues, Neighborhood Residential-Medium Density (NR-MD) on the Comprehensive Plan Land Use Map, as shown on Exhibit "A". The parcels are identified as Tax Lots 14000, 13900, 13800, 13700, 13600, and 13500 on Washington County Tax Assessor's Map 1S121BB.

First reading this 4th day of January, 2010.

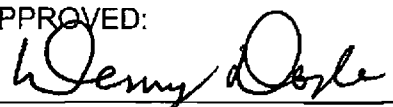
Passed by the Council this 25th day of January, 2010.

Approved by the Mayor this 26th day of January, 2010.

ATTEST:

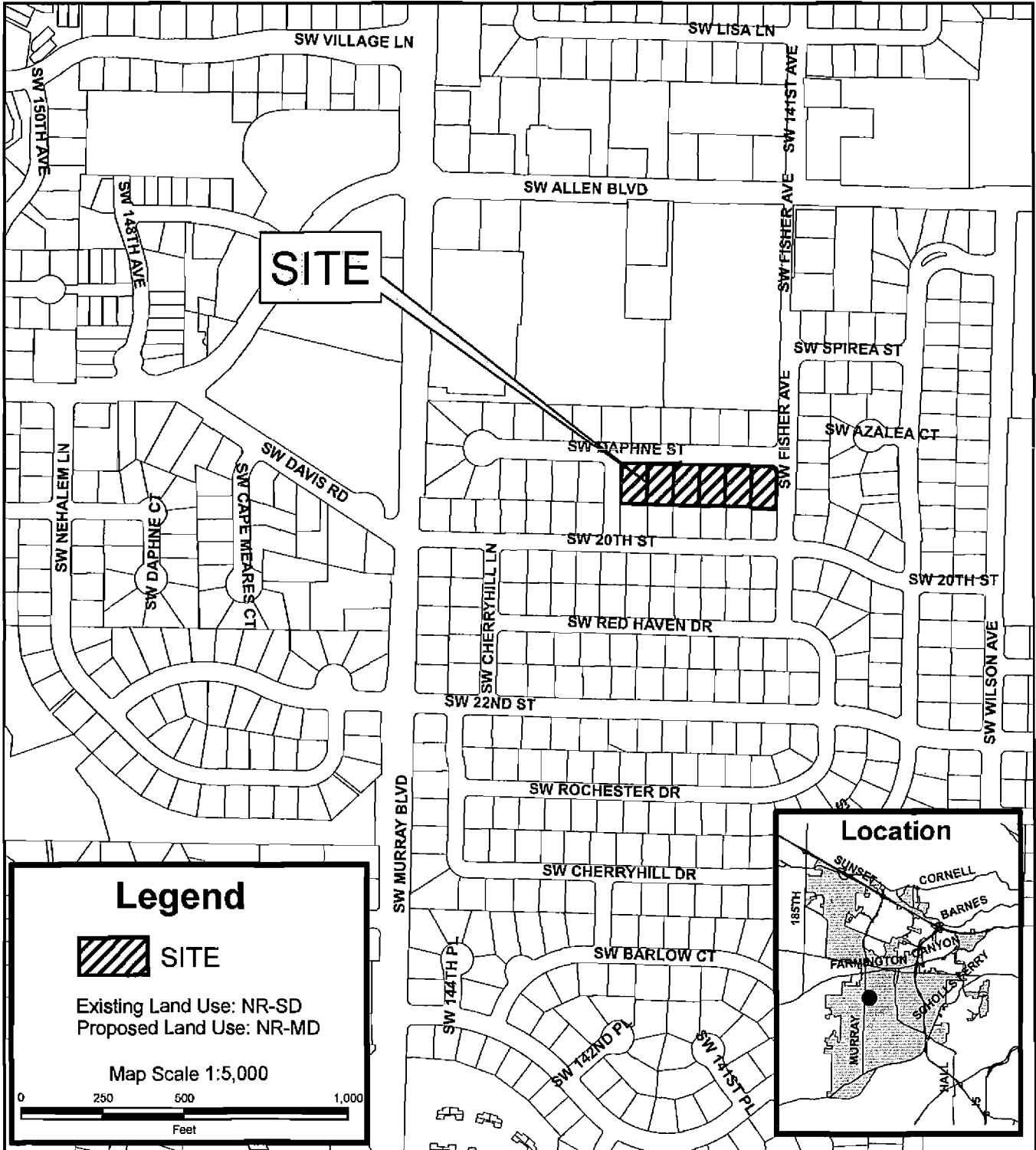

SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 90



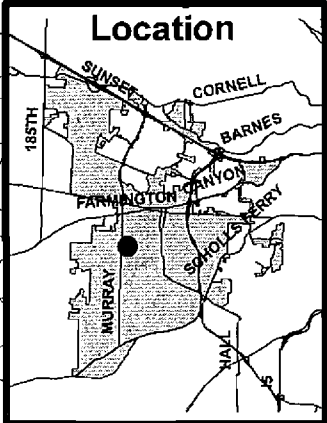
Legend

 SITE

Existing Land Use: NR-SD
Proposed Land Use: NR-MD

Map Scale 1:5,000

0 250 500 1,000
Feet



DAPHNE STREET
COMPREHENSIVE PLAN MAP AMENDMENT
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

9/24/09 N
Tax Lot #'s
6 LOTS
Application #
CPA2009-0011



CDD

CITY OF BEAVERTON

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

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DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540**

LEAVENWORTH 97301

