



# 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](http://www.lcd.state.or.us)



## NOTICE OF ADOPTED AMENDMENT

12/15/2008

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

**FROM:** Mara Ulloa, Plan Amendment Program Specialist

**SUBJECT:** City of Beaverton Plan Amendment  
DLCD File Number 016-08

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:** Monday, December 29, 2008

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.

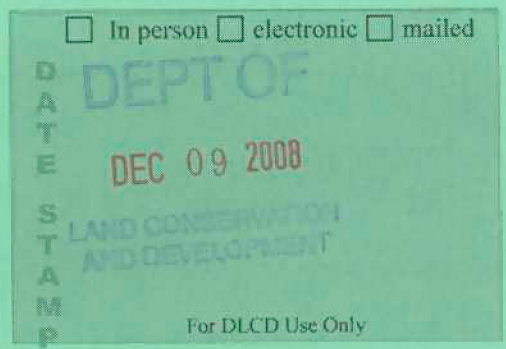
**\*NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

**Cc:** Planning Director, City of Beaverton  
Gloria Gardiner, DLCD Urban Planning Specialist

<paa>

# DLCD

## Notice of Adoption



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

Jurisdiction: **City of Beaverton**  
**0008**

Local file number: **CPA2008-0007/ZMA2008-**

Date of Adoption: **12/2/2008**

Date Mailed: **12/5/2008**

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

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

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

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 1S130DD01700. 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: **16960 SW Spellman Drive**

Acres Involved: **0.4**

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

New: **Maximum 6 units/Ac**

Applicable statewide planning goals:

- |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                 | <b>2</b>                 | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <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

*DLCD # 016-08 (NOA)*

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:

Washington County, Clean Water Services, Tualatin Valley 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.



# 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

**December 5, 2008**

**Date of Final Decision: December 2, 2008**

Ordinance 4496 attached, was first read on the November 17, 2008 City Council agenda then passed by the City Council after second reading on the December 1, 2008 Council agenda. The Mayor approved and signed Ordinance 4496 on December 2, 2008.

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 16960 SW SPELLMAN DRIVE IN WEST BEAVERTON. CPA 2008-0007/ZMA 2008-0008, CITY OF BEAVERTON APPLICANT

**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 Friday, December 5, 2008, results in an appeal deadline of **Friday, December 26, 2008**.

**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

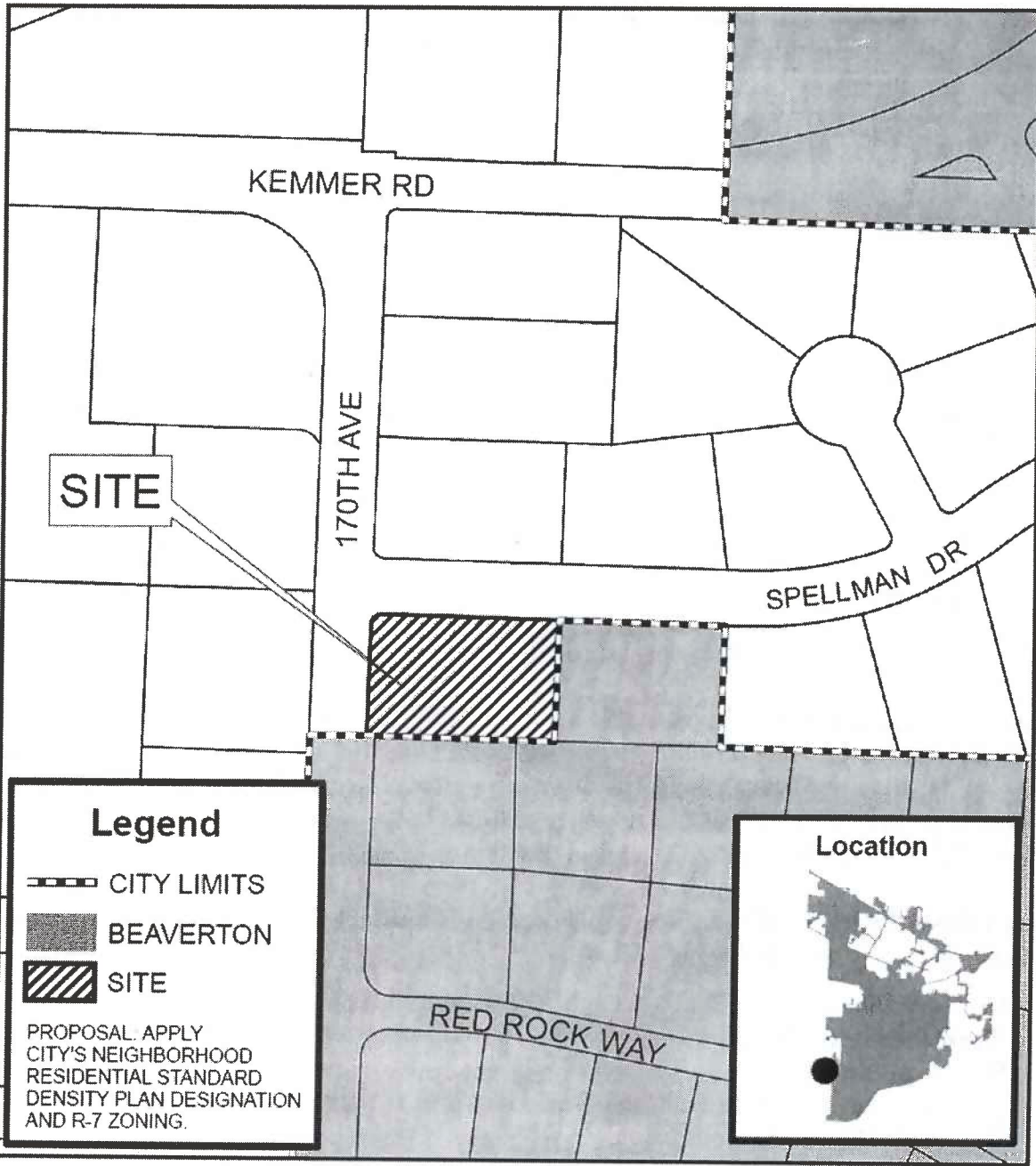
Sincerely,

Jeff Salvon  
Associate Planner

cc: Rod Johnson, Property Owner  
Eric Schmidt, CCI Chair  
Beaverton Neighborhood Office

Rhonda Coakley, Sexton Mountain NAC  
Nels Mickaelson, Washington County GIS  
Michael Jordan, COO Metro

# VICINITY MAP



## Legend

-  CITY LIMITS
-  BEAVERTON
-  SITE

PROPOSAL: APPLY CITY'S NEIGHBORHOOD RESIDENTIAL STANDARD DENSITY PLAN DESIGNATION AND R-7 ZONING.

## Location



City of Beaverton

## 16960 SW SPELLMAN DRIVE

Comprehensive Plan Amendment & Zoning Map Amendment

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division

8/12/08

Tax Lot #'s  
1S130DD01700

N



CPA 2008-0007  
ZMA 2008-0008

ORDINANCE NO. 4496

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 16960 SW SPELLMAN DRIVE IN WEST BEAVERTON. CPA 2008-0007/ZMA 2008-0008, CITY OF BEAVERTON APPLICANT

**WHEREAS,** a proposal to annex the subject property into the City of Beaverton is scheduled for City Council consideration on November 17, 2008, 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 September 29, 2008 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 November 17, 2008; and,

**WHEREAS,** the City Council adopts as to criteria, facts and findings described in Community Development Department staff report on CPA2008-0007/ZMA2008-0008 by Associate Planner Jeff Salvon, dated September 29, 2008, 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 30 DD 01700 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 30 DD 01700 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 17th day of November, 2008.


Passed by the Council this 1st day of December, 2008.

Approved by the Mayor this 2<sup>nd</sup> day of December, 2008.

ATTEST:

  
\_\_\_\_\_  
SUE NELSON, City Recorder

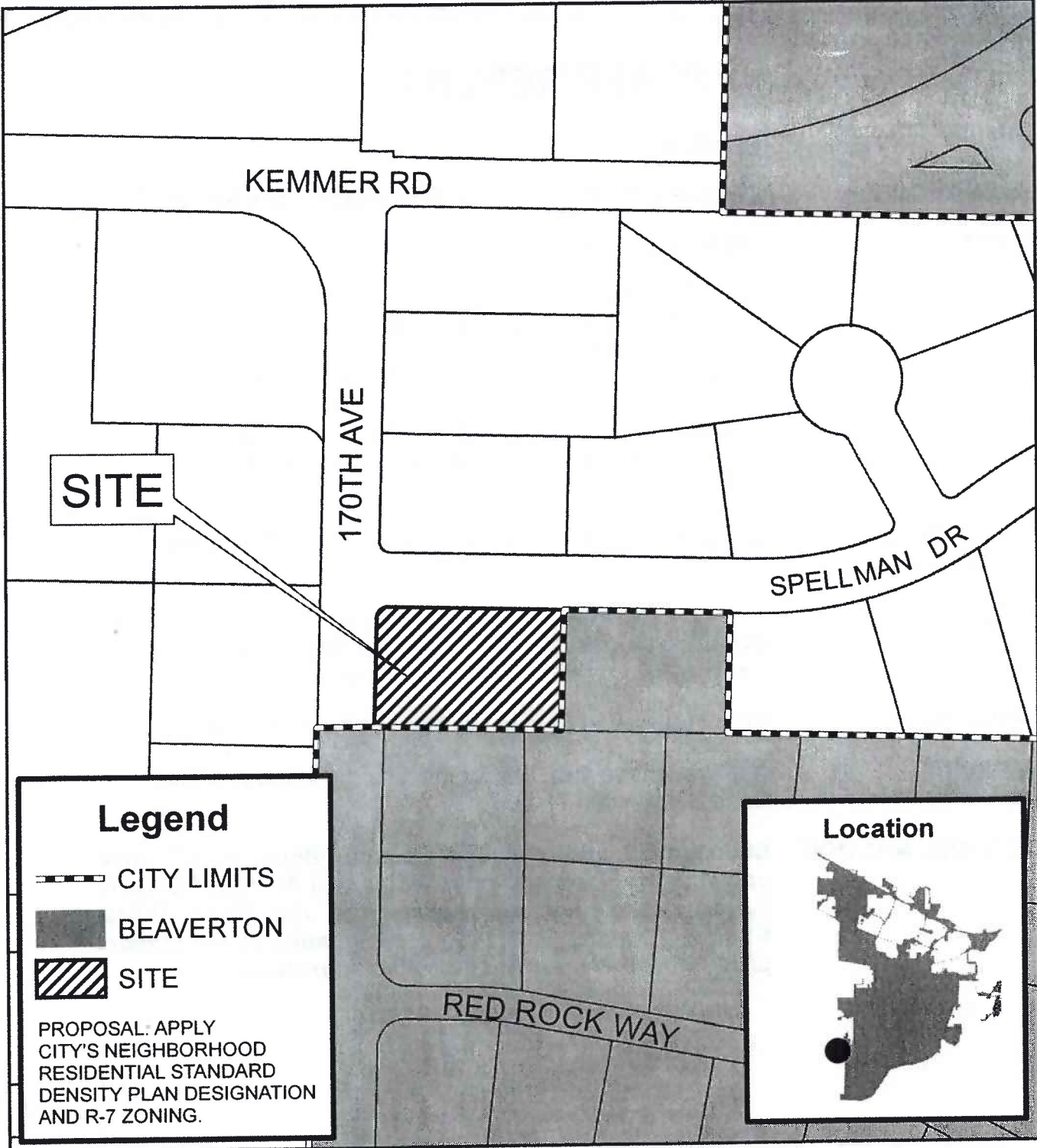
APPROVED:

  
\_\_\_\_\_  
ROB DRAKE, Mayor  
Mayor Pro Tem

# VICINITY MAP

Ordinance No.  
4496

# EXHIBIT "A"



## Legend

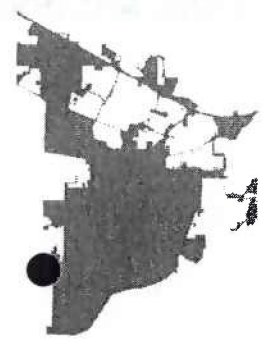
CITY LIMITS

BEAVERTON

SITE

PROPOSAL: APPLY  
CITY'S NEIGHBORHOOD  
RESIDENTIAL STANDARD  
DENSITY PLAN DESIGNATION  
AND R-7 ZONING.

## Location



City of Beaverton

## 16960 SW SPELLMAN DRIVE

Comprehensive Plan Amendment & Zoning Map Amendment

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division

8/12/08

Tax Lot #'s  
1S130DD01700

N



CPA 2008-0007  
ZMA 2008-0008

**CITY of BEAVERTON**

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

**STAFF REPORT**

**TO:** City Council

**AGENDA DATE:** October 6, 2008      **REPORT DATE:** September 29, 2008

**FROM:** Jeff Salvon, Associate Planner

**APPLICATIONS:** CPA2008-0007  
(16960 SW Spellman Dr. Land Use Map Amendment)  
ZMA2008-0008  
(16960 SW Spellman Dr. Zoning Map Amendment)

**LOCATION:** The southeast corner of SW Spellman Rd. and SW 170<sup>th</sup> Ave. in western Beaverton. The parcel is identified as tax lot 1S130DD01700.

**NEIGHBORHOOD ASSOCIATION:** Sexton Mountain Neighborhood Association Committee

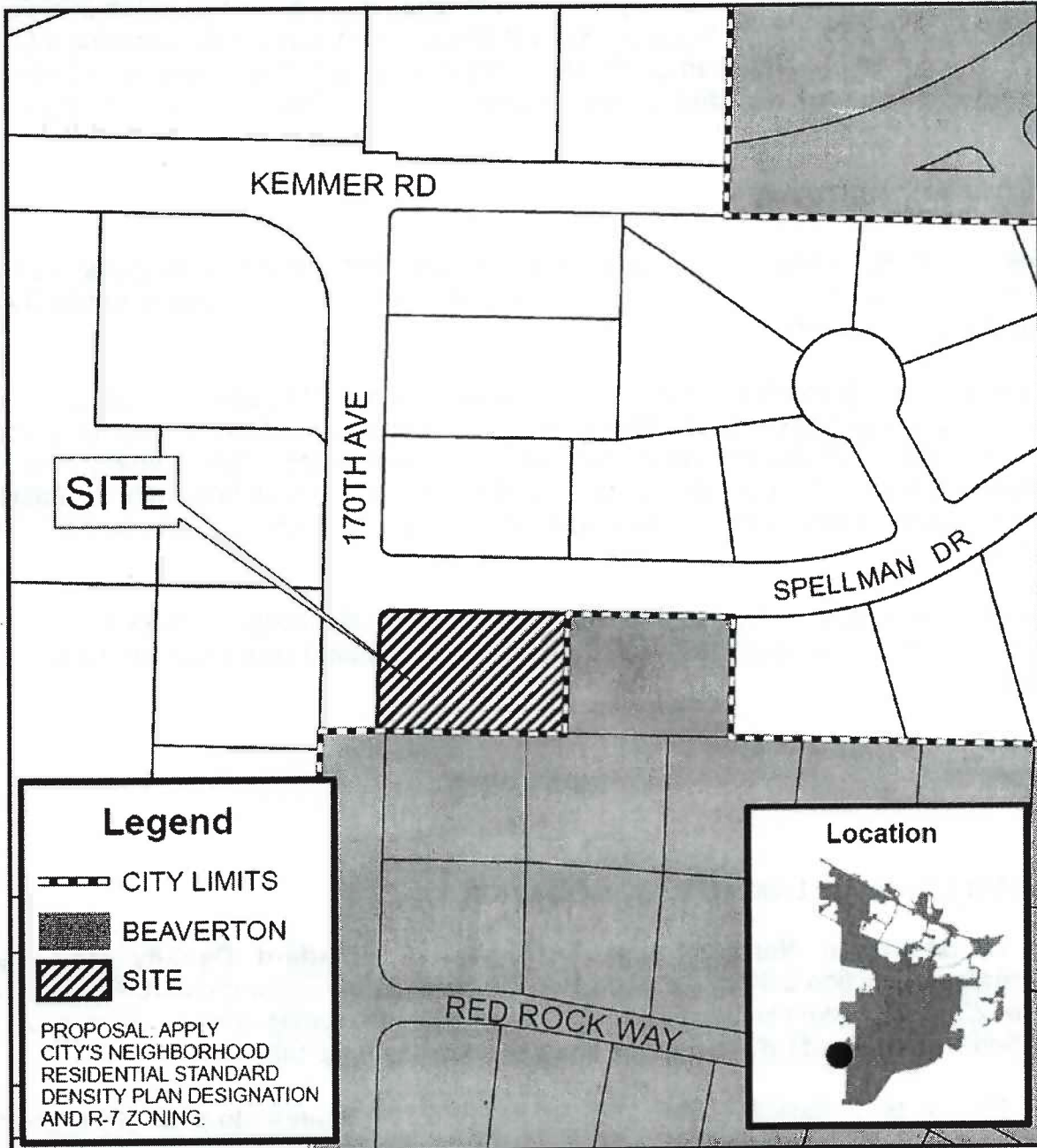
**REQUEST:** Apply the City's Neighborhood Residential Standard Density (NR-SD) land use designation and the City's Urban Standard Density (R-7) zoning designation to the subject parcel.

**APPLICANT:** City of Beaverton Community Development Director

**APPROVAL CRITERIA:** Comprehensive Plan Section 1.5.2 and the Development Code Section 40.97.15.3.C

**RECOMMENDATION:** **Staff recommends the City Council adopt an ordinance applying the Neighborhood Residential Standard Density (NR-SD) land use designation and the City's Urban Standard Density (R-7) zoning designation to the subject parcel effective upon the parcel's annexation.**

# VICINITY MAP



City of Beaverton

## 16960 SW SPELLMAN DRIVE

Comprehensive Plan Amendment & Zoning Map Amendment

**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Planning Division**

8/12/08

Tax Lot #'s  
 1S130DD01700

N



CPA 2008-0007  
 ZMA 2008-0008

## BACKGROUND

CPA2008-0007 proposes amendment of the Land Use Map and ZMA2008-0008 proposes amendment of the Zoning Map. Both amendments are requested in order to apply City land use and zoning to the subject parcel which is currently annexing into the City. The parcel currently carries the Washington County R-5 (Residential 5 Units per Acre) designation, as depicted on the County's *Aloha – Reedville - Cooper Mountain Community Plan Map*.

### EXISTING CONDITIONS

**Uses.** Staff performed a field survey and observed that the parcel supports a single family residential dwelling. The size of the dwelling amounts to approximately 3,440 square feet of livable floor area.

**Character.** The property is located at the intersection of SW Spellman Drive, a County maintained street classified on the County's Functional Classification Map as a local street and SW 170<sup>th</sup> Avenue which is classified as an collector. The property is nicely landscaped with rich vegetation and on a declining slope that falls with an eastern aspect. Storm water runoff is absorbed into the soil or directed to the to SW 170<sup>th</sup> Avenue.

**Natural Resources.** Washington County's *Aloha – Reedville - Cooper Mountain Community Plan Map* does not depict any significant natural resources on the subject parcel.

## ANALYSIS

### COMPATIBILITY OF LAND USE DESIGNATIONS

**City of Beaverton Neighborhood Residential - Standard Density land use designation.** Section 3.13 of the Land Use Element of the *Comprehensive Plan for the City of Beaverton* details the City's residential land use designations. One goal is identified for the Standard Density Residential designation, as follows:

"3.13.3 Goal: Establish Standard Density Residential areas to provide moderate sized lots for typical single family residences with private open space."

The policies of Section 3.13.3 include a directive that the City "[a]pply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix to allow a variety of housing choices." The proposal is to apply the City's Neighborhood Residential – Standard Density plan designation and to apply the appropriate zone for the property consistent with the Zoning District Matrix. The subject parcel encompasses approximately 0.4 acres, supports a single family dwelling, and conforms to Section 3.13.3 of the Comprehensive Plan.

## COMPATABILITY OF ZONING DISTRICTS

The implementing zoning districts for the City's Neighborhood Residential-Standard Density (NR-SD) Comprehensive Plan designation are R-5 and R-7. Nearly all parcels in the Madrona Terrace Subdivision of which the subject parcel is included, carry the County's R5 zoning. The Washington County- Beaverton Urban Planning Area Agreement has established the County's R5 zone to be the equivalent of the City's R7 zone. Additionally, the neighboring property to the east which was annexed into the City in January 2006 carries the City's R7 zoning. The proposal to apply the City's R-7 zoning is therefore compatible with existing zoning in the area.

**Washington County R-5 District designation.** The subject parcel is designated R-5 on the County's *Aloha-Reedville-Cooper Mountain Community Plan*. Section 302-1 of the *Washington County Community Development Code* states that;

*The R-5 District is intended to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than five (5) units per acre and no less than four (4) units per acre, except as specified otherwise by Section 300-2, Section 300-5, or Section 302-6. The primary purpose is to protect existing neighborhoods developed at five (5) units per acre or less.*

The excerpt below, from the Washington County – Beaverton Urban Planning Area Agreement (UPAA), specifies that the County's R-5 land use designation is equivalent to the City's R-7 zoning designation.

WASHINGTON COUNTY – BEAVERTON URBAN PLANNING AREA AGREEMENT		
EXHIBIT "B" CITY – COUNTY LAND USE DESIGNATION EQUIVALENTS		
COUNTY	BEAVERTON	
<u>Plan/Zoning</u> R-5	<u>Plan</u> NR-SD	<u>Zoning</u> R-7

**Summary.** The UPAA specifies an application of the City's NR-SD Plan designation and R-7 Zone for the subject parcel. The designations specified in the UPAA are consistent with the City's planning goals and policies, compatible with zoning applied to adjacent property, and conform with specifications in the Comprehensive Plan and Zoning District Matrix.

## COUNTY RESPONSIBILITY TO NOTIFY

Special Policy II.A. of the UPAA states in part, "...the COUNTY will advise the CITY of adopted policies which apply to the annexed areas and the CITY shall determine

whether CITY adoption is appropriate and act accordingly.” The County has not advised the city of adopted policies which may apply to the annexed area.

## PROCESS

### THRESHOLD

The subject property is designated on the County's *Aloha-Reedville-Cooper Mountain Community Plan Map* as R-5, which, in a non-discretionary process, requires implementation of the City's R-7 zoning designation under the *Urban Planning Area Agreement (UPAA)*.

**Comprehensive Plan Process.** Due to annexation of the subject parcel and the non-discretionary nature of the proposal, review and approval of this proposed Comprehensive Plan Map Amendment qualifies as a Non-Discretionary Amendment per *Comprehensive Plan Section 1.3*.

**Development Code Process.** Due to annexation of the subject parcel and the non-discretionary nature of the proposal, review and approval of this proposed Zoning Map Amendment qualifies as a Non-Discretionary Annexation Related Zoning Map Amendment per Development Code Section 40.97.15.3.A, which states that, “An application for Non-Discretionary Annexation Related Zoning Map Amendment shall be required when the following thresholds apply:

1. “The change of zoning to a City zoning designation as a result of annexation of land into the City.”
2. “The Urban Planning Area Agreement (UPAA) is specific as to the City zoning designation to be applied to the parcel being annexed and does not allow for discretion.”

Thresholds 1 and 2 above both apply to the proposal.

### SUBMISSION REQUIREMENTS

According to Development Code Section 40.97.15.3.D. “An application for a Non-Discretionary Annexation Related Zoning Map Amendment may be initiated by the pursuant to Section 10.40 after:

- 2.. The submittal of a valid annexation petition;

The proposal to annex the subject property was owner initiated with consent of the property owner and electors under ORS 222.125, and an annexation petition was submitted. First reading to consider annexation of the subject property is scheduled on the Council's October 6, 2008 agenda with the second reading scheduled for October 20, 2008. This proposal to assign plan and zone designations to the property will occur concurrently with the annexation proposal. Proposed plan and zone amendments will be contingent upon annexation of the subject parcel.

## **PUBLIC NOTICE**

Section 1.4.3.A of the Comprehensive Plan prescribes the notice to be provided for these types of applications.

Notice for Non-Discretionary Annexation Related Comprehensive Plan Map Amendments must be provided, as indicated below, not less than twenty (20) and not more than forty (40) calendar days prior to when the item first appears on the City Council's agenda.

1. Legal notice was published in the Beaverton Valley Times on August 28, 2008.
2. Notice was mailed to the Sexton Mountain Neighborhood Association Committee, Aloha – Reedville – Cooper Mountain Citizen Participation Organization (CPO 6), Chair of the Committee for Citizen Involvement (CCI), the Washington County Department of Land Use and Transportation (DLUT), and to the subject property owner on September 4, 2008.
3. Notice was posted on the City's website on August 29, 2008.

The City Council has not directed staff to provide additional notice for this amendment beyond the notices described above. The notice requirements for this CPA/ZMA have been met.

## **CRITERIA FOR APPROVAL**

### **COMPREHENSIVE PLAN AMENDMENT CRITERIA**

Comprehensive Plan Section 1.5.2.A specifies that non-discretionary annexation related map amendments need not comply with Plan criteria because they are not land use decisions under Oregon Statutes and are stipulated by Exhibit "B" of the Urban Planning Area Agreement. Findings to address Comprehensive Plan sections which address Statewide Planning Goals and Metro Urban Growth Regional Framework Plan criteria are therefore regarded as not applicable to this proposal.

### **ZONING MAP AMENDMENT CRITERIA**

Development Code Section 40.97.15.3.C., which contains Non-Discretionary Annexation Related Zoning Map Amendment Approval Criteria, states:

"In order to approve a Non-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 Non Discretionary***

***Annexation Related Zoning Map Amendment application.***

Section 40.97.15.3.A. Threshold, states:

“An application for Annexation Related Zoning Map Amendment shall be required when one or more of the following thresholds apply:

1. The change of zoning to a City zoning designation as a result of annexation of land into the City.
2. The Urban Planning Area Agreement (UPAA) is specific as to the City zoning designation to be applied to the parcel being annexed and does not allow for discretion.”

The zone change is requested in order to apply City land use and zoning to the subject parcel in the process of annexing into the City. The parcel carries the Washington County R-5 designation, as depicted on the County's *Aloha – Reedville – Cooper Mountain Community Plan Map*.

As noted in the Process section of this report, the UPAA specifies a City R-7 zoning designation for the County R-5 designation. Therefore, no discretion is required in determining the appropriate zoning designation.

**Finding: Staff finds that the request satisfies the threshold requirements for a Non-Discretionary Annexation Related Zoning Map Amendment application.**

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

The City is assuming the role of the applicant in this proposed zoning map amendment. Fees have not been submitted for review of the application as the City does not require collection of fees from itself.

**Finding: Staff finds that this criterion is not applicable.**

3. ***The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

Development Code Section 50.25.1 states, “Non-Discretionary Annexation Related Zoning Map Amendment and Discretionary Annexation Zoning Map Amendment applications processed by the City shall be determined to be complete upon submittal of a valid annexation petition or executed annexation agreement.” The subject annexation was petitioned with the owners’ consent under ORS 222.125. City Council will consider approval of the owner-initiated annexation on October 6, 2008 concurrent with this proposal. This approval of this proposal is contingent upon annexation approval of the subject property.

**Finding: Staff finds that the request satisfies the application submittal requirements for a Non-Discretionary Annexation Related Zoning Map Amendment application.**

- 4. *The proposed zoning designation is consistent with the Washington County - Beaverton UPAA.***

As noted in the Analysis section of this report, the UPAA is specific for the proposed amendment. Washington County R-5 goes to City R-7.

**Finding: The R-7 zoning district is specified by, and is therefore consistent with, the Washington County – Beaverton UPAA.**

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

No further applications and documents are required of this request.

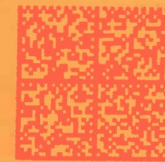
**Finding: Staff find that this criterion is not applicable.**

## **CONCLUSION**

Based on the facts and findings presented, staff concludes that amending the Comprehensive Plan Land Use Map to depict the City's Neighborhood Residential – Standard Density (NR-SD) land use designation and amending the City's Zoning Map to depict the City's Urban Standard Density R-7 zoning district is appropriate for the subject parcel and is consistent with the Washington County – Beaverton Urban Planning Area Agreement.

ADDRESS SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS



02 1A \$ 00.87<sup>4</sup>  
0004373521 DEC 08 2008  
MAILED FROM ZIP CODE 97005



**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, OREGON 97301**