NOTICE OF ADOPTED AMENDMENT

August 23, 2006

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 007-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 7, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.

Cc:    Gloria Gardiner, DLCD Urban Planning Specialist
       Meg Fernekees, DLCD Regional Representative
       Laura Kelly, City Of Beaverton

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FORM 2

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 (See reverse side for submittal requirements)

Jurisdiction: City of Beaverton Local File No.: ZMA2006-0005

Date of Adoption: 8/14/2006 Date Mailed: 8/17/2006

Date the Notice of Proposed Amendment was mailed to DLCD: 4/28/2006

Comprehensive Plan Text Amendment

Land Use Regulation Amendment

New Land Use Regulation

Zoning Map Amendment

Other:

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

Applicant proposes a Zoning Map Amendment to a parcel zoned Urban Standard Density Residential (R-7) (Residential, 7000 square feet per lot). The proposal would change the approximately 22,464 square foot lot to Urban Standard Density Residential (R-5) (Residential, 5000 square feet per lot).

A Comprehensive Plan Amendment is not necessary as both zoning districts are allowed zones in the Neighborhood Residential-Standard Density (NR-SD) Plan designation.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write Same. If you did not give notice for the proposed amendment, write N/A.

Same

Plan Map Changed from: Not Applicable to Not Applicable
Zone Map Changed from: R-7 to R-5

Location: Washington County Assessor Map IS1 10DD Tax Lot 2900 Acres Involved: 0.51

Specified Change in Density: Previous: 7000 square feet min. lot size New: 5000 square feet min. lot size

Applicable Statewide Planning Goals: Goal 2, 10, 11, 12

Was an Exception Adopted? Yes: No: X

DLCD File No.:

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment

FORTY FIVE (45) days prior to the first evidentiary hearing: Yes: No: If no, do the Statewide Planning Goals apply.

Yes: No:
If no, did the Emergency Circumstances Require immediate adoption. Yes: __ No: __

Affected State or Federal Agencies, Local Governments or Special Districts: none

Local Contact: Laura Kelly, Associate Planner  Area Code + Phone Number: 503-526-2548

Address: City of Beaverton, PO Box 4755

City: Beaverton  OR  Zip Code + 4: 97076-4755

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 (2) Copies 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. Submit TWO (2) copies the adopted material, if copies are bounded please submit TWO (2) complete copies of documents and maps.

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 copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to (503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.
ORDINANCE NO. 4400

AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE ZONING MAP, AS TO A SPECIFIC PARCEL, FROM URBAN STANDARD DENSITY RESIDENTIAL (R-7) TO URBAN STANDARD DENSITY RESIDENTIAL (R-5)
ZMA2006-0005

WHEREAS, on June 14, 2006, the Planning Commission conducted a public hearing to consider an application to amend Ordinance No. 2050, the Zoning Map, redesignating the site located at 3600 SW 110th Avenue from Urban Standard Density Residential (R-7) to Urban Standard Density Residential (R-5); and

WHEREAS, the Planning Commission received testimony and exhibits and recommended approval of this zone change; and

WHEREAS, no appeals were filed with the City; and

WHEREAS, the Council adopts as to criteria applicable to this request and findings thereon Development Services Division Staff Report dated June 6, 2006 and Planning Commission Land Use Order No. 1874. Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 2050, the Zoning Map, is amended to redesignate approximately 0.51 acres, located at 3600 SW 110th Avenue from Urban Standard Density Residential (R-7) to Urban Standard Density Residential (R-5).

Section 2. The property affected by this ordinance is depicted in the attached map marked Exhibit "A" and incorporated herein. The property is more specifically described on the records of the Washington County Department of Assessment and Taxation as Tax Lot 2900 of Washington County Assessor's Map 1S1-10DD, Beaverton, Washington County, Oregon.

First reading this 7th day of August, 2006.

Passed by the Council this 14th day of August, 2006.

Approved by the Mayor this 13th day of August, 2006.

ATTEST:

SUE NELSON, City Recorder

APPROVED:

ROB DRAKE, Mayor
EXHIBIT A

Subject Site

Vicinity Map

LEGEND
R-5 Urban Standard Density (5000)
R-7 Urban Standard Density (7000)
CS Community Service
GC General Commercial

BUTLER REZONE ZMA2006-0005

Ordinance No. 4400