



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT



March 21, 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 013-05

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: April 4, 2006

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Scott Whyte, 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)

DEPT OF

MAR 15 2006

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Beaverton Local File No.: CPA2005-0010
(If no number, use none)

Date of Adoption: 03/07/06 Date Mailed: 03/13/06
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: October 25, 2005

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other: _____
(Please Specify Type of Action)

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

Amend Table 3.14 of the City Comprehensive Plan found in Chapter 3 thereof, to add the Station Community-Employment (SC-E) zone as an implementing zone for the "Station Community" land use Plan designation.

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

The CPA modified language as contained in Section 3.2 of the Comprehensive Plan to recognize the SC-E zone. Additionally, the Office Commercial zone was not added as an implementing zone for the "Employment" land use designation.

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

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

Location: _____ Acres Involved: N/A

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 9 and 12

Was an Exception Adopted? Yes: _____ No: XX

DLCD File No.: 013-05(14767)

DEPT OF

MAR 15 2006

LAND CONSERVATION
AND DEVELOPMENT

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: XX 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: ODOT, Metro, Washington County

Local Contact: Scott Whyte, Senior Planner Area Code + Phone Number: 503.526.2652

Address: PO BOX 4755

City: Beaverton 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 ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice 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. 4383

AN ORDINANCE AMENDING ORDINANCE NO. 4187,
THE COMPREHENSIVE PLAN, CHAPTER 3 (LAND USE
ELEMENT); CPA 2005-0010 (LEGISLATIVE AMENDMENT TO
ADD THE SC-E ZONE TO SECTIONS 3.2 AND 3.14 OF THE
COMPREHENSIVE PLAN)

WHEREAS, the Beaverton Community Development Department has proposed a Legislative Amendment to the Comprehensive Plan, Ordinance No. 4187, effective through Ordinance No. 4375, intended to add the SC-E zone to the table identified in Section 3.14 of the Comprehensive Plan and to further modify language contained in Section 3.2 of the Comprehensive Plan to recognize the SC-E zone.

WHEREAS, pursuant to Section 1.3.4 of the Comprehensive Plan, the Beaverton Community Development Department provided required public notice for the Legislative Amendment application; and,

WHEREAS, pursuant to Section 1.3.4 of the Comprehensive Plan, the Beaverton Community Development Department on December 12, 2005, published a written staff report, including a recommendation, a minimum of thirty (30) calendar days in advance of the scheduled public hearing before the Planning Commission on January 11, 2006; and,

WHEREAS, on January 11, 2006, the Planning Commission conducted a public hearing for CPA 2005-0010 and, at the conclusion of the hearing, voted to recommend to the Beaverton City Council to adopt the proposed amendments to the Comprehensive Plan as stated in Planning Commission Order No. 1832; and,

WHEREAS, no written appeal, pursuant to Section 1.3.6 of the Comprehensive Plan, was filed for CPA 2005-0010 following the issuance of the Planning Commission Order No. 1832; and,

WHEREAS, the City Council adopts as to criteria, facts, and findings, described in Order No. 1832 dated January 18, 2006 and the Planning Commission record, and the Council's Agenda Bill dated February 13, 2006, all of which the Council incorporates by this reference and finds to constitute an adequate factual basis for this ordinance; and now therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The Comprehensive Plan, Ordinance No. 4375, Chapter 3 Land Use Element, is amended to read as set out in Exhibits "A" and "B" of this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. All Comprehensive Plan provisions adopted prior to this Ordinance which are not expressly amended or replaced herein shall remain in full force and effect.

Section 3. Severance Clause. The invalidity or lack of enforceability of any terms or provisions of this Ordinance or any appendix or part thereof shall not impair or otherwise affect in any manner the validity, enforceability or effect of the remaining terms of this Ordinance and appendices and said remaining terms and provisions shall be construed and enforced in such a manner as to effect the evident intent and purposes taken as a whole insofar as reasonably possible under all of the relevant circumstances and facts.

First reading this ^{13th} day of February, 2006.

Passed by the Council this 6th day of March, 2006.

Approved by the Mayor this 7th day of MARCH, 2006.

ATTEST:



SUE NELSON, City Recorder

APPROVED:



ROB DRAKE, Mayor

Section 1: The Comprehensive Plan, Ordinance No. 4187, effective through Ordinance 4375, Chapter 3 – Land Use Element, Section 3.2 Planning Context, will be amended to read as follows:

3.2 Planning Context

Within the Portland Metropolitan Area, local governments must comply with both state and regional land use laws. Consistency with the Statewide Planning Goals (referenced in Appendix A), Transportation Planning Rule and other Oregon Administrative Rules (OAR) and Oregon Revised Statutes (ORS) is required. Metro, the elected regional government serving the tri-county area, has adopted a number of planning documents for guiding the region's future growth. In 1995 Metro adopted a future vision titled "Regional Urban Growth Goals and Objectives" and a map titled "2040 Growth Concept". Compiling data from within the region and using the context of the future vision and the map, Metro formulated the Regional Framework Plan (Framework Plan). The Framework Plan highlights programs and provides the basic concepts adopted as directives in the Urban Growth Management Functional Plan (Functional Plan). The city must comply or substantially comply with the directives found within the Functional Plan or justify an exception to the directives. The 2040 Growth Concept provided a general approach to approximately where and how much the urban growth boundary should expand, the mix of uses and range of densities to accommodate projected growth within the boundary.

Specifically, section 3.07.130 of the Functional Plan requires the following:

"For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map:

Regional Centers – Nine regional centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks.

Station Communities – Nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment.

Town Centers – Local retail and services will be provided in town centers with compact development and transit service.

Main Streets – Neighborhoods will be served by main streets with retail and service developments served by transit.

Corridors – Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.

Employment Areas – Various types of employment and some residential development are encouraged in employment areas with limited commercial uses.

Inner Neighborhood – Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods.”

Beaverton's Downtown is designated a Regional Center on the 2040 Growth Concept Map. A portion of southeast Beaverton, adjacent to Highway 217, is part of the Washington Square Regional Center. Generally, the zoning districts allowed within the Beaverton Regional Center Comprehensive Plan designation include Regional Center – East, Regional Center – Old Town, and Regional Center – Transit Oriented. Other zoning districts consistent with the City's goals within the Washington Square Regional Center will be developed. The developments known as Koll Business Center, Marathon Industrial Park and Nimbus Industrial Park are located within the Washington Square Regional Center. Generally, densities in the Regional Center are intended to meet Metro's target of 60 persons per acre.

Station Communities in Beaverton include Beaverton Transit, Beaverton Central, South Tektronix, Beaverton Creek and Merlo. The Sunset and 170th/Elmonica Station Communities are located within Beaverton's urban service area, as is the eastern portion of the Willow Creek Station Community. Beaverton's zoning districts focus on the immediate station, within ½ mile, and the outer perimeter, ½ to 1 mile. These zoning district categories are labeled Station Community and Station Area, respectively. The Development Code specifies ~~two~~ *three* Station Community zoning districts: *Station Community – Employment*, *Station Community – High Density Residential* and *Station Community – Multiple Use*. Two Station Area zoning districts are identified as follows: *Station Area – Medium Density Residential* and *Station Area – Multiple Use*. Metro's target density is 45 persons per acre for the Station Community design type.

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Section 1: The Comprehensive Plan, Ordinance No. 4187, effective through Ordinance 4375, Chapter 3 – Land Use Element, Section 3.14 Comprehensive Plan and Zoning District Matrix, will be amended to read as follows:

3.14 Comprehensive Plan and Zoning District Matrix

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX	
Comprehensive Plan Designation	Zoning District
Regional Center	RC-E, RC-OT, RC-TO
Station Community	SC-HDR, SC-MU, SA-MDR, SA-MU, <i>SC-E</i>
Town Center	TC-HDR, TC-MU, TC-MDR
Main Street	Office Commercial, Neighborhood Service, Convenience Service Center, R-1, R-2
Corridor	General Commercial, Convenience Service Center, Office Commercial, Community Service, Neighborhood Service, R-1, R-2, R-3.5, R-4, Corridor-Multiple Use
Employment Areas	Campus Industrial
Industrial	Industrial Park, Light Industrial, Campus Industrial
Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R-10 ¹
Standard Density	R-7, R-5 ²
Medium Density	R-4, R-3.5, R-2
High Density	R-1
Any of the plan designations cited above	Institutional