NOTICE OF ADOPTED AMENDMENT

June 19, 2007

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 003-07

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: July 5, 2007

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
Matt Crall, DLCD Regional Representative
Jeff Salvon, City of Beaverton

<paa> ya/
Jurisdiction: City of Beaverton
Date of Adoption: 6/12/2007
Date Mailed: 6/14/2007

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes
Date: 2/20/2007

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”.

Staff proposed that the City's amend its Comprehensive Plan Land Use Map and Zoning Map to assign various City land use and zone designations to 315 properties annexed into the City in 2005. As part of this effort staff proposed that the City amend several of its Comprehensive Plan transportation maps to reflect the Counties planning for future street alignments. Finally, staff proposed that the City designate various segments of street in the area as Major Pedestrian Routes in order to promote pedestrian friendly development adjacent to the street. Washington County’s transit oriented (TO) designations currently applied to the properties, were established after the City/County Urban Planning Area Agreement was signed. Therefore, the agreement did not adequately specify which City land use and zone designations are most appropriate to the County’s TO designations. The proposed amendments were therefore discretionary and subject to a public hearings process.

Does the Adoption differ from proposal? Yes, Please explain below:

In keeping with staff’s recommendation, the Planning Commission denied assigning City SC-MU zoning to thirteen of the 315 parcels. This decision was made after it was found that the proposal could not adequately satisfy the Transportation Planning Rule and related City policies without a transportation impact study to assess possible impacts on local street traffic. The County’s zoning will therefore remain in place until the City can assess the certain policy implications within the land use section of the Development Code. This work is currently under way.

Plan Map Changed from: TO:18-24, TO:24-40, TO:RC, & TO:BUS to: City Station Community (SC)
Zone Map Changed from: TO:18-24, TO:24-40, TO:RC, & TO:BUS to: City SA-MDR, SC-HDR, & No Change
Location: Northern Beaverton in the Merlo and Elmonica Light Rail Station Areas
Acres Involved: Approximately 50

Specify Density:
Previous: Res: 18-24 units/ac, & Res 24-40 units/ac
New: Res:24 -30 units/ac & Res:24 units/ac-1.0 FAR

Applicable statewide planning goals:

Was an Exception Adopted? □ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

DLCD # 003-07 (158884)
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:

Local Contact: Jeff Salvon                         Phone: (503) 526-3725    Extension:
Address: PO Box 4755                               Fax Number: 503-526-3720
City: Beaverton, OR                                 Zip: 97076
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 maraulloa@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/](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.

http://www.lcd.state.or.us/LCD/forms.shtml

Updated November 27, 2006
NOTICE OF DECISION

MAIL DATE: June 14, 2007

Date of Final Decision: June 12, 2007

The following Comprehensive Plan Land Use Map Amendment was approved on the June 11, 2007, City Council Agenda. The decision on the amendment is final.

By Ordinance:

CPA2007-0007/ZMA2007-0006. An Ordinance Amending Ordinance No. 4187, Figure III-1, the Comprehensive Plan Land Use Map for 315 properties, amending Chapter Six of the Comprehensive Plan to adopt County planned street alignments, and amending Ordinance No. 2050 the Zoning Map for 302 properties located in the Elmonica / Merlo light rail station community area. Approved

TA2007-0003. An Ordinance amending Ordinance No. 2050, Section 60.05.55.4, Merlo Station Community – Major Pedestrian Route Map to replace the existing map with a revised map, and rename the section from "Merlo Station Community" to "Elmonica / Merlo Station Community". Approved

A copy of the subject ordinance, including exhibits, is available for review and may be obtained at cost, at the Beaverton City Hall, Community Development Department, located at 4755 SW Griffith Drive in Beaverton. Jeff Salvon, AICP, Associate Planner, can be reached at (503) 526-3725 or jsalvon@ci.beaverton.or.us for further information.

Sincerely,

Jeff Salvon, Associate Planner
Planning Services Division
ORDINANCE NO. 4440


WHEREAS, the properties were annexed to the City of Beaverton through Ordinance No. 4338, in 2005, granting the City authority to apply Beaverton's Comprehensive Land Use and Zoning Map designations and related Development Code standards to the properties; and

WHEREAS, the Planning Commission held a public hearing on April 25, 2007 to take testimony and deliberate, on CPA2007-0007/ZMA2007-0006; and

WHEREAS, on April 25, 2007, the Planning Commission recommended approval of CPA2007-0007 and partial approval and partial denial of ZMA2007-0006 based upon the Staff Report dated April 16, 2007 and Supplemental Staff Report dated April 25 2007, incorporated herein by reference; and

WHEREAS, Final Order #1954, was prepared memorializing the Planning Commission's decision, and no appeal therefrom was submitted; now, therefore

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 4187, the Comprehensive Plan Land Use Map (Figure III-1) is amended to designate the subject properties Station Community (SC) as shown on Exhibit "A".

Section 2. Ordinance No. 2050, the Zoning Map, is amended to designate the subject properties Station Area - Medium Density Residential (SA-MDR) and Station Community – High Density Residential (SC-HDR) as shown on Exhibit "A"

Section 3. Ordinance No. 4187, the Comprehensive Plan is amended to replace Figures 6.4, 6.5, 6.7, 6.12, and Table 6.6 with revisions as shown on Exhibits "B, C, D, E, and F."

First reading this 4th day of June, 2007.

Passed by the Council this 11th day of June, 2007.

Approved by the Mayor this 12th day of June, 2007.

ATTEST:

SUE NELSON, City Recorder

APPROVED:

ROB DRAKE, Mayor
LEGEND
PROPOSED AMENDMENTS TO BEAVERTON'S COMPREHENSIVE LAND USE MAP AND ZONING MAP

- - - CITY LIMITS
- - - - From WASHINGTON COUNTY TO:R18-24
To CITY STATION COMMUNITY (SC) LAND USE DESIGNATION and SA-MDR ZONING
- - - - From WASHINGTON COUNTY TO:RC
To CITY STATION COMMUNITY (SC) LAND USE DESIGNATION. NO ZONE CHANGE
- - - - From WASHINGTON COUNTY TO:R24-40
To CITY STATION COMMUNITY (SC) LAND USE DESIGNATION and SC-HDR ZONING
- - - - From WASHINGTON COUNTY TO BUS
To CITY STATION COMMUNITY (SC) LAND USE DESIGNATION NO ZONE CHANGE
NOTICE OF DECISION

MAIL DATE: June 14, 2007

Date of Final Decision: June 12, 2007

The following Comprehensive Plan Land Use Map Amendment was approved on the June 11, 2007, City Council Agenda. The decision on the amendment is final.

By Ordinance:

CPA2007-0007/ZMA2007-0006. An Ordinance Amending Ordinance No. 4187, Figure III-1, the Comprehensive Plan Land Use Map for 315 properties, amending Chapter Six of the Comprehensive Plan to adopt County planned street alignments, and amending Ordinance No. 2050 the Zoning Map for 302 properties located in the Elmonica / Merlo light rail station community area. 

Approved

TA2007-0003, An Ordinance amending Ordinance No. 2050, Section 60.05.55.4, Merlo Station Community – Major Pedestrian Route Map to replace the existing map with a revised map, and rename the section from “Merlo Station Community” to “Elmonica / Merlo Station Community”. 

Approved

A copy of the subject ordinance, including exhibits, is available for review and may be obtained at cost, at the Beaverton City Hall, Community Development Department, located at 4755 SW Griffith Drive in Beaverton. Jeff Salvon, AICP, Associate Planner, can be reached at (503) 526-3725 or jsalvon@ci.beaverton.or.us for further information.

Sincerely,

Jeff Salvon, Associate Planner
Planning Services Division
ORDINANCE NO. 4440


WHEREAS, the properties were annexed to the City of Beaverton through Ordinance No. 4338, in 2005, granting the City authority to apply Beaverton’s Comprehensive Land Use and Zoning Map designations and related Development Code standards to the properties; and

WHEREAS, the Planning Commission held a public hearing on April 25, 2007 to take testimony and deliberate on CPA2007-0007/ZMA2007-0006; and

WHEREAS, on April 25, 2007, the Planning Commission recommended approval of CPA2007-0007 and partial approval and partial denial of ZMA2007-0006 based upon the Staff Report dated April 16, 2007 and Supplemental Staff Report dated April 25 2007, incorporated herein by reference; and

WHEREAS, Final Order #1954, was prepared memorializing the Planning Commission’s decision, and no appeal therefrom was submitted; now, therefore

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 4187, the Comprehensive Plan Land Use Map (Figure III-1) is amended to designate the subject properties Station Community (SC) as shown on Exhibit “A”.

Section 2. Ordinance No. 2050, the Zoning Map, is amended to designate the subject properties Station Area – Medium Density Residential (SA-MDR) and Station Community – High Density Residential (SC-HDR) as shown on Exhibit “A”.

Section 3. Ordinance No. 4187, the Comprehensive Plan is amended to replace Figures 6.4, 6.5, 6.7, 6.12, and Table 6.6 with revisions as shown on Exhibits “B, C, D, E, and F.”

First reading this 4th day of June, 2007.

Passed by the Council this 11th day of June, 2007.

Approved by the Mayor this 12th day of June, 2007.

ATTEST: 

SUE NELSON, City Recorder

APPROVED:

ROB DRAKE, Mayor

Ordinance No. 4440 - Page 1

Agenda Bill No. 07116