



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

NOTICE OF ADOPTED AMENDMENT

August 22, 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 017-07

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 5, 2007

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.**

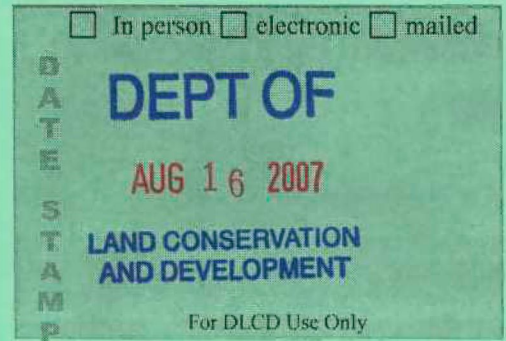
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Barbara Fryer, City Of Beaverton

<paa> ya/

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**

Local file number: **CPA2006-0006/ZMA2006-0009**

Date of Adoption: **08/14/2007**

Date Mailed: **08/15/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 04/24/07

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 Amendment is to a pply the City's Neighborhood Residential Standard Density land use designation to three properties (1S114BC tax lots 00100, 00300 and 00301) and the City's R-7 zoning district to one property (1S114BC tax lot 00100). Tax lot 00100 has a site address of 10200 SW Kennedy Street, tax lot 00300 has a site address of 10290 SW Kennedy Street, tax lot 00301 has no site address. The Land Use Map Amendment (CPA2006-0006) proposed modification of all three tax lots from Corridor to the Neighborhood Residential - Standard Density designation. The Zoning Map Amendment (ZMA2006-0009) proposed amendment of the zoning map for one tax lot (1S114BC 00100) from Community Service Commercial to R-7. The designations more closely fit the surrounding neighborhood.

Does the Adoption differ from proposal? No

Plan Map Changed from: **Corridor**

to: **Neighborhood Residential Standard Density**

Zone Map Changed from: **CS**

to: **R -7**

Location: **Laurel/Kennedy/103rd**

Acres Involved: **6.41**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
x	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	x	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<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. 017-07(16047)

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Washington County Department of Land Use and Transportation, Tualatin Hills Park and Recreation District

Local Contact: **Barbara Fryer, AICP, Senior Planner** Phone: (503) 526-3718 Extension:
Address: PO BOX 4755 Fax Number: 503-526-3720
City: **Beaverton** Zip: 97202 E-mail Address: **bfryer@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. 4446

AN ORDINANCE AMENDING ORD. 4187 FIGURE III-1 THE COMPREHENSIVE PLAN LAND USE MAP TO APPLY THE CITY'S NEIGHBORHOOD RESIDENTIAL STANDARD DENSITY (NR-SD) PLAN DESIGNATION TO THREE PROPERTIES AND ORD. 2050 THE ZONING MAP TO APPLY THE CITY'S R-7 ZONE TO ONE PROPERTY LOCATED IN NORTHEASTERN BEAVERTON CPA 2006-0006/ZMA 2006-0009

- WHEREAS,** the purpose of CPA2006-0006/ZMA2006-0007 is to amend Figure III-1, Ordinance 4187, from Corridor to Neighborhood Residential – Standard Density and the Zoning Map, Ordinance 2050, from Community Service Commercial (CS) to Residential – 7,000 square feet per dwelling unit (R-7) on Washington County Assessor's Tax Map 1S1 14BC tax lot 100 (10200 SW Kennedy Street), and to amend Figure III-1, Ordinance 4187, from Corridor to Neighborhood Residential – Standard Density on Washington County Tax Assessor's Map 1S1 14BC tax lots 00300 (10290 SW Kennedy Street) and 00301 (no site address); and
- WHEREAS,** pursuant to Ordinance 4187 Section 1.4.2 and Ordinance 2050 Section 50.45, written notice was mailed to the property owners subject to the amendment, the Neighborhood Association Chair, and owners of property within 500 feet of the proposal, notice was published in the Beaverton Valley Times, notice was posted on site, at Beaverton City Hall and Beaverton City Library and on the Beaverton City web site; and
- WHEREAS,** pursuant to Ordinance 4187 Section 1.5.1 and Ordinance 2050 Section 50.45, the Beaverton Planning Services Division, on May 30, 2007 published a written staff report and recommendation a minimum seven (7) calendar days in advance of the scheduled public hearing before the Planning Commission on June 6, 2007; and,
- WHEREAS,** pursuant to Ordinance 4187 Section 1.5.1 and Ordinance 2050 Section 40.97.15.1.C, the Planning Commission conducted a public hearing on June 6, 2007, and considered testimony and exhibits on the subject proposal, and at the conclusion of the hearing, the Planning Commission voted to recommend to the Beaverton City Council to adopt the proposed amendments to the Comprehensive Plan Map (Figure III-1) and Zoning Map based on the criteria, facts and findings set forth in the Community Development Department staff report by Senior Planner Barbara Fryer dated May 30, 2007, and attached hereto as Exhibit "B", the supplemental information found in the Community Development Department supplemental staff memo by Senior Planner Barbara Fryer dated June 6, 2007, and attached hereto as Exhibit "C", and Planning Commission Order No. 1976 attached hereto as Exhibit "D";
- WHEREAS,** no written appeal pursuant to Ordinance 4187 Section 1.7.2 and Ordinance 2050 Section 50.75 was filed by persons of record for CPA2006-0006/ZMA2006-0009, following the issuance of the Planning Commission Order No. 1976; and,

WHEREAS, the City Council adopts as to criteria, facts and findings described in Planning Commission Order No. 1976 dated June 15, 2007 and the Planning Commission record, all of which the Council incorporates by this reference and finds to constitute adequate factual basis for this ordinance; 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 Lots 1S1 14 BC 00100, 00300 and 00300 Neighborhood Residential – Standard Density, as shown on Exhibit “A”.

Section 2. Ordinance No. 2050, the Zoning Map, is amended to designate the property on Map and Tax Lot 1S1 14 BC 00100 Residential – 7,000 square feet per dwelling unit (R-7), as shown on Exhibit “A”.


First reading this 23rd day of July, 2007.

Passed by the Council this 13th day of August, 2007.

Approved by the Mayor this 14th day of August, 2007.

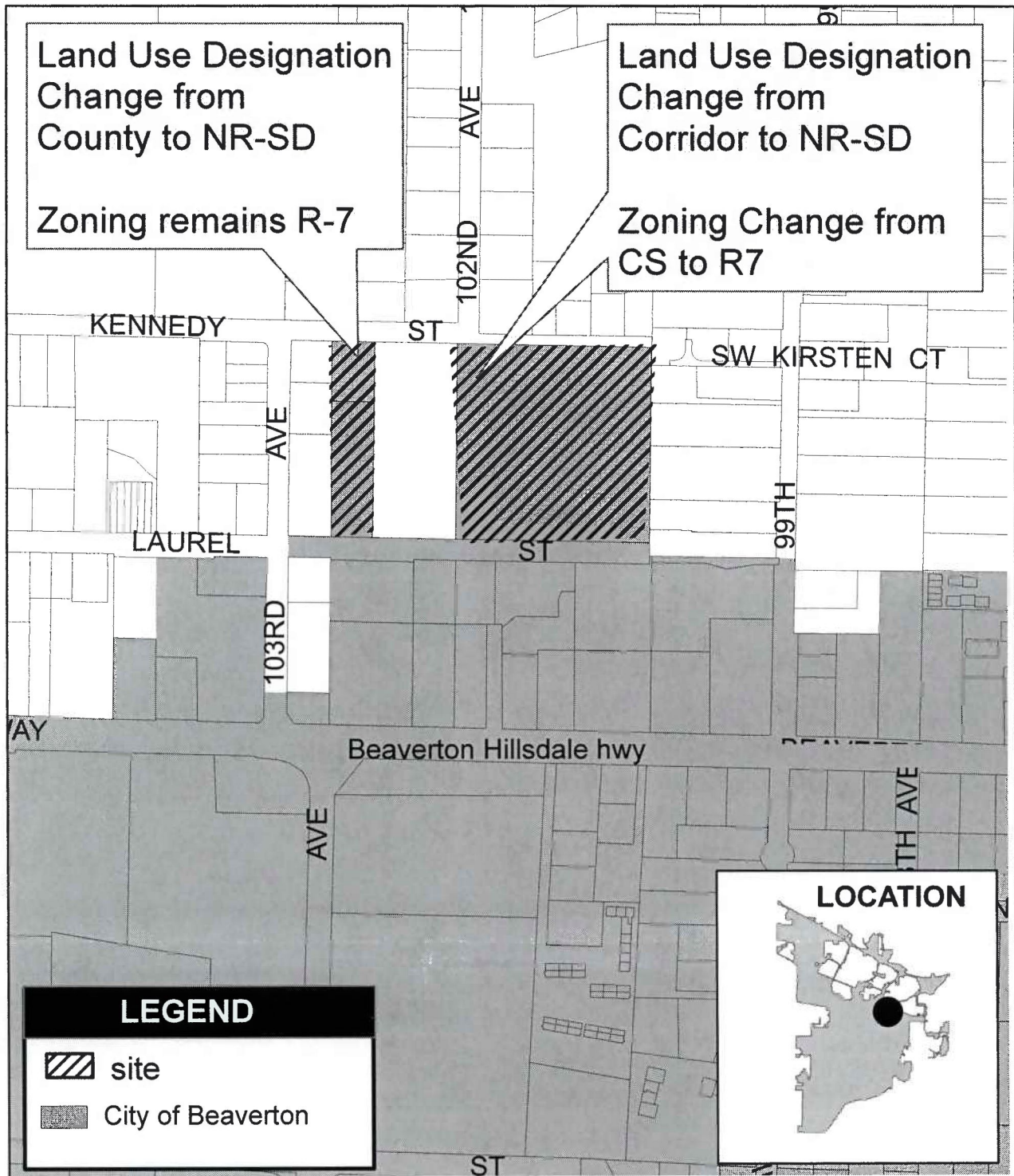
ATTEST


SUE NELSON, City Recorder

APPROVED:


ROB DRAKE, Mayor

VICINITY MAP



City of Beaverton

CPA 2006-0006 ZMA 2006-0009

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

6/23/06

1S114BC00300

1S114BC00301

1S114BC00100



Application #

Laurel St

Kennedy St