



# 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)

### AMENDED NOTICE OF ADOPTED AMENDMENT

September 27, 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 025-07



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: October 11, 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  
Bob Cortright, DLCD Transportation & Growth Management Coordinator  
Barbara Fryer, City of Beaverton

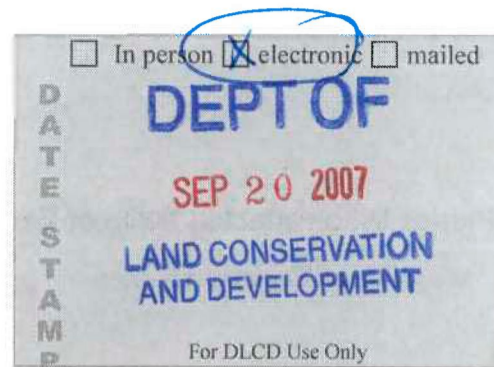
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PROP 2

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



Jurisdiction: **City of Beaverton**

Local file number: ~~TA2006-0001~~ **TA 2007-0001**

Date of Adoption: **09/17/2007**

Date Mailed: **09/21/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 06/22/07

- |   |   |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment        | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input 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".

The Amendment applies the City's Class 2 Major Pedestrian Route designation to existing and proposed collectors in the area generally east of the Beaverton Transit Center to 114<sup>th</sup> Avenue from Center Street south to Canyon Road. This area consists of the northeast quadrant of the Beaverton Downtown Regional Center and designation requires pedestrian friendly design standards to development along the routes to support the light rail infrastructure.

Does the Adoption differ from proposal? No

Plan Map Changed from: **NA** to: **NA**

Zone Map Changed from: **NA** to: **NA**

Location: S of Center, E of LRT Station, N of Canyon, W of 114<sup>th</sup> Acres Involved: 0

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

Applicable statewide planning goals:

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

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 025-07 (16188)

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

Washington County, Tri-Met

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**

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### **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. 4453**

AN ORDINANCE AMENDING ORD. 2050 BEAVERTON  
DEVELOPMENT CODE CHAPTER 60, SPECIAL  
REGULATIONS, SECTION 60.05 DESIGN REVIEW,  
60.05.55.1 REGIONAL CENTER MAJOR PEDESTRIAN  
ROUTE MAP TA2007-0001

- WHEREAS,** the purpose of TA2007-0001 is to amend Chapter 60, Special Regulations, Section 60.05 Design Review, 60.05.55.1 Regional Center Major Pedestrian Route Map; and
- WHEREAS,** pursuant to Ordinance 2050 Section 50.50, written notice was mailed to the property owners subject to the amendment and the Neighborhood Association Chair, and was published in the Beaverton Valley Times; and
- WHEREAS,** pursuant to Ordinance 2050 Section 50.50.5, the Beaverton Planning Services Division, on August 1, 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 August 8, 2007; and
- WHEREAS,** the Planning Commission conducted a public hearing on August 8, 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 Development Code based on the criteria, facts and findings set forth in the Community Development Department staff report by Senior Planner Barbara Fryer dated August 1, 2007, and attached hereto as Exhibit "B"; and Planning Commission Order No. 1997 attached hereto as Exhibit "C"; and
- WHEREAS,** no written appeal pursuant to Ordinance 2050 Section 50.75 was filed by persons of record for TA2007-0001, following the issuance of the Planning Commission Order No. 1997; and
- WHEREAS,** the City Council adopts as to criteria, facts and findings described in Planning Commission Order No. 1997 dated August 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. 2050, the Development Code, is amended to read as set out in Exhibit "A" of this Ordinance attached hereto and incorporated herein by this reference.
- Section 2.** All Development Code 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 10th day of September, 2007.

Passed by the Council this 17th day of September, 2007.

Approved by the Mayor this 18th day of September, 2007.

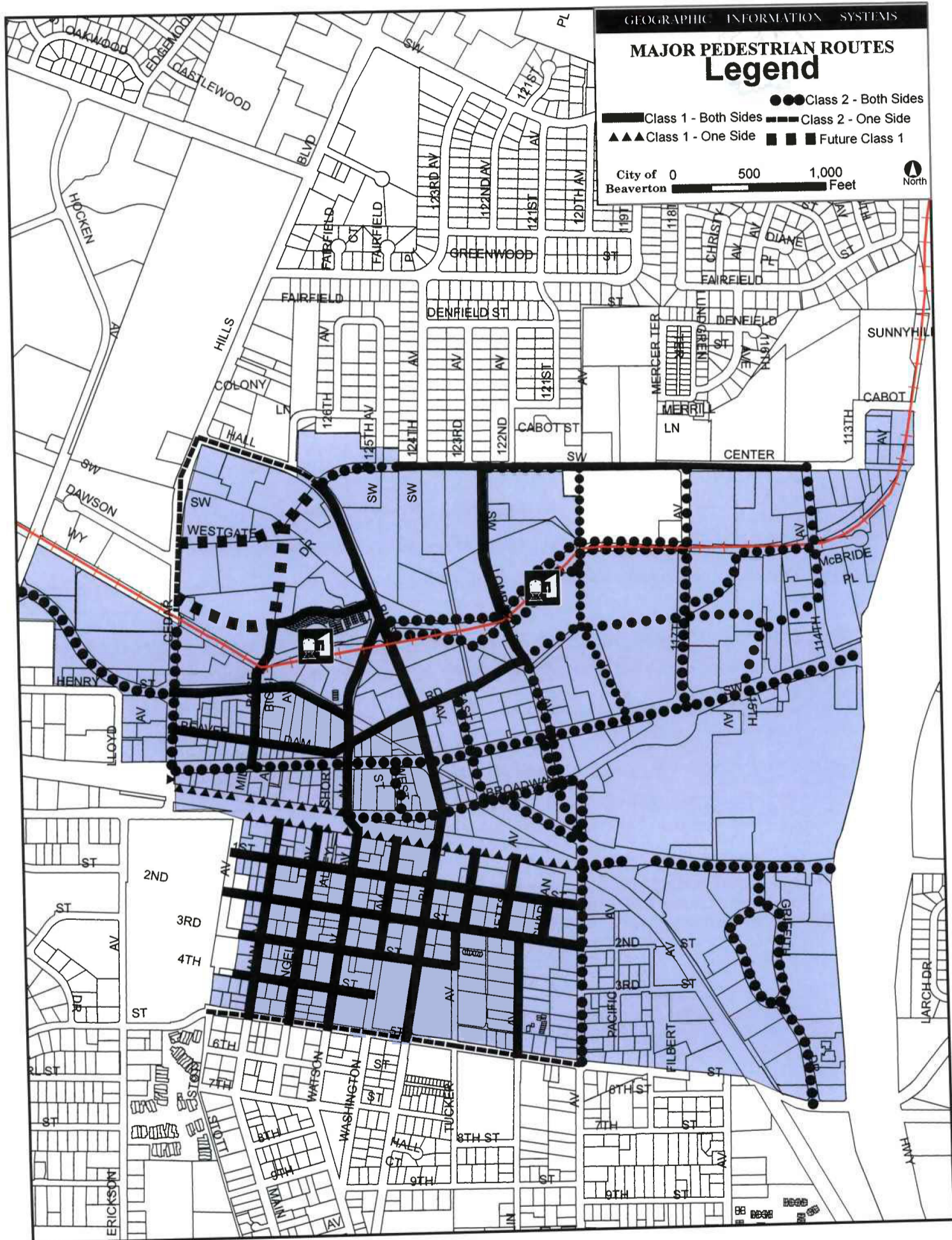
ATTEST:

  
SUE NELSON, City Recorder

APPROVED:

  
ROB DRAKE, Mayor

EXHIBIT "A"



## **NOTICE OF DECISION**

**Mailing Date:** September 21, 2007 **Date of Final Decision:** September 17, 2007

Ordinance 4453 attached, was first read on the September 10, 2007 City Council agenda then passed by the City Council after second reading on the September 17, 2007 Council agenda. The Mayor approved and signed Ordinance 4453 on September 18, 2007.

**ORDINANCE 4453. An Ordinance Amending Ord. 2050 Beaverton Development Code Chapter 60, Special Regulations, Section 60.05 Design Review, 60.05.55.1 Regional Center Major Pedestrian Route Map TA2007-0001**

**Location.** The area is generally located south of Center Street, north of Canyon Road, east of the Beaverton Central light rail station and west of 114<sup>th</sup> Avenue in Beaverton.

**Appeal.** Any appeal of this decision should be made to the State of Oregon Land Use Board of Appeals (LUBA) as provided in ORS 197.805 through ORS 197.860. 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, September 21, 2007 results in an appeal deadline of **Friday, October 12, 2007**.

**Applicant.** City of Beaverton, contact information below.

**How to Obtain Further Information:** This decision is available for review, and a copy may be obtained at a cost, at the City of Beaverton, Planning Services Division, Beaverton City Hall, 4755 S.W. Griffith Drive, Beaverton, OR 97076. Barbara Fryer may be contacted at (503) 526-3718 or [bfryer@ci.beaverton.or.us](mailto:bfryer@ci.beaverton.or.us).

Sincerely,

Barbara Fryer  
Senior Planner

1 Enclosure  
cc: Mr. Gene Sandquist

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