



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

AMENDED NOTICE OF ADOPTED AMENDMENT

October 30, 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 026-07

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: November 13, 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
Bob Cortright, DLCD Transportation & Growth Management Coordinator
Barbara Fryer, City of Beaverton

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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: **CPA2007-0009/ZMA2007-0008**

Date of Adoption: ~~10/15/2007~~ **10/16/07**

Date Mailed: **10/22/2007**

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

Comprehensive Plan Text Amendment

X Comprehensive Plan Map Amendment

Land Use Regulation Amendment

X Zoning Map Amendment

New Land Use Regulation

Other:

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

The proposal applied the City's Regional Center land use map designation and the City's Regional Center - Transit-Oriented zoning district to two properties. An additional property was added and public notice was reissued. The three properties are surrounded by Regional Center land uses and Regional Center zoning districts. The properties are within 1/4 mile of a transit station that includes light rail, commuter rail and bus transfer options.

Does the Adoption differ from proposal? Yes, one property was added.

Plan Map Changed from: Neighborhood Residential High Density To: Regional Center

Zone Map Changed from: Residential R-1 to: RC -TO

Location: west of 117th Avenue and South of Center Street Acres Involved: **7.81 acres**

Specify Density: Previous: **43du/acre** New: 6.0 FAR

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"/>	X	X	X	<input type="checkbox"/>	X	X	X	X	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES X NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

X 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. 026-07 (16189)

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

Washington County Department of Land Use and Transportation

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.



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

NOTICE OF DECISION

Mailing Date: October 22, 2007 **Date of Final Decision:** October 15, 2007

Ordinance 4456 attached, was first read on the October 8, 2007 City Council agenda then passed by the City Council after second reading on the October 15, 2007 Council agenda. The Mayor approved and signed Ordinance 4456 on October 16, 2007.

ORDINANCE 4456. An Ordinance Amending Ord. 4187 Figure III-1 the Comprehensive Plan Land Use Map to Apply the City's Regional Center Plan Designation and Ord. 2050 the Zoning Map to Apply the City's Regional Center – Transit Oriented (RC-TO) Zone to Three Properties in Central Beaverton (CPA2007-0009/ZMA2007-0008), City of Beaverton Applicant (3737 SW 117th Avenue and 12030 SW Center Street)

Location. The parcel is located at the southwest intersection of SW 117th Avenue and SW Center Street, 3737 SW 117th Avenue and 12030 SW Center Street.

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 Monday, October 22, 2007 results in an appeal deadline of **Monday, November 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.

Sincerely,


Barbara Fryer
Senior Planner

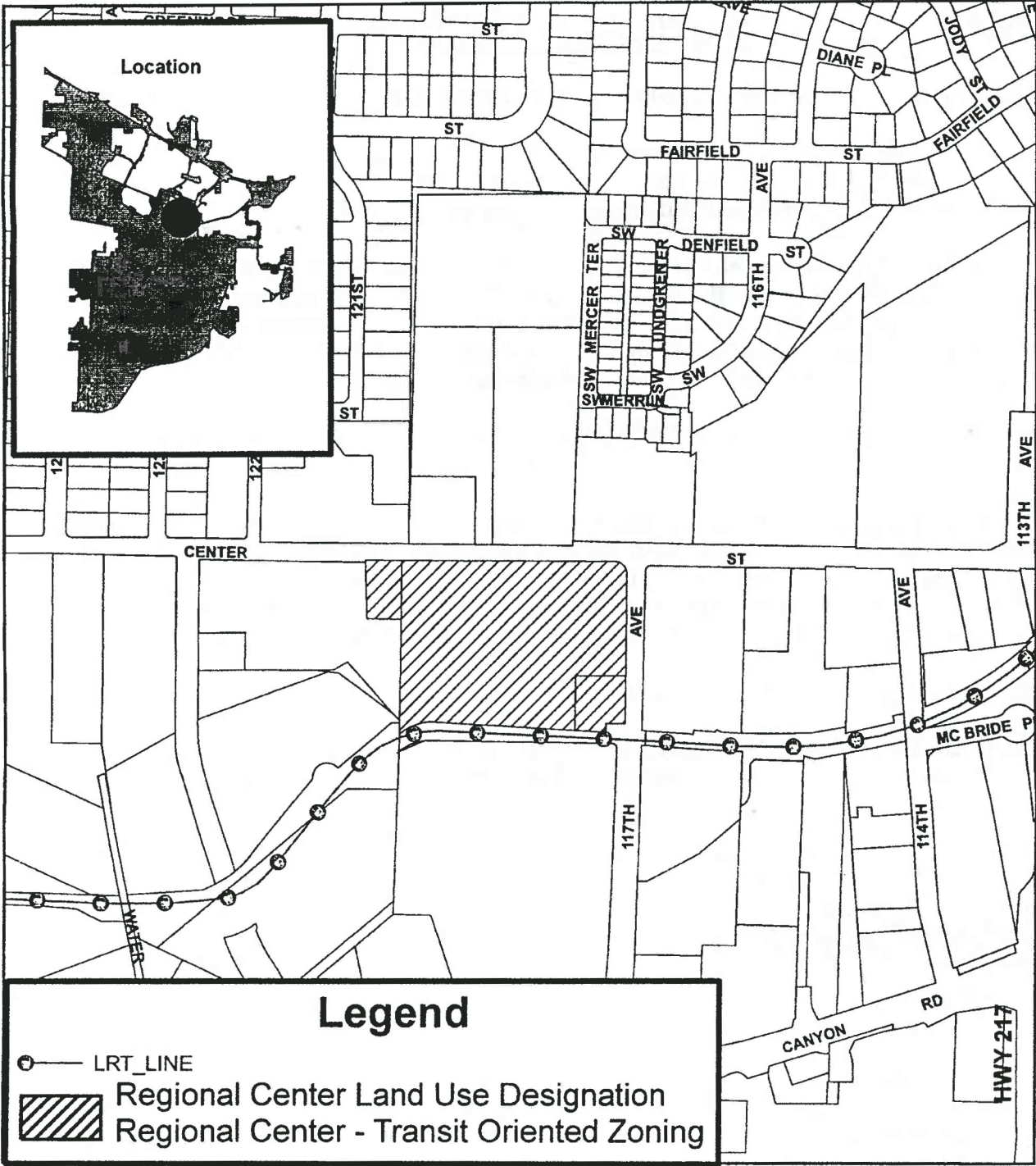
1 Enclosure

cc: Jack Meeke
Mr. John S. Bell
Mr. Richard Warner
Pat and Fred Schwoch
Darla King, Central Beaverton NAC
Holly Isaak, CCI Chair
Bruce Bartlett, CPO 1
Micheal Jordan, COO Metro
Nels Mickaelson, Washington County GIS
Andy Back, Washington County DLUT
Jennifer Garland, Beaverton School District

VICINITY MAP

Ordinance
No. 4456

EXHIBIT "A"



Legend

● — LRT_LINE

 Regional Center Land Use Designation
Regional Center - Transit Oriented Zoning



CITY OF BEAVERTON

CPA2007-0009/ZMA2007-0008

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

09/24/07

Tax Lot #'s
1S110CD00800
1S110CD00801
1S110CC00100

N



MOBILE HOME
CORRAL

ORDINANCE NO. 4456

AN ORDINANCE AMENDING ORD. 4187 FIGURE III-1 THE COMPREHENSIVE PLAN LAND USE MAP TO APPLY THE CITY'S REGIONAL CENTER PLAN DESIGNATION AND ORD. 2050 THE ZONING MAP TO APPLY THE CITY'S REGIONAL CENTER – TRANSIT ORIENTED (RC-TO) ZONE TO THREE PROPERTIES IN CENTRAL BEAVERTON (CPA2007-0009/ZMA2007-0008), CITY OF BEAVERTON APPLICANT (3737 SW 117TH AVENUE AND 12030 SW CENTER STREET)

WHEREAS, the purpose of CPA2007-0009/ZMA2007-0008 is to amend Figure III-1, Ordinance 4187, from Neighborhood Residential – High Density to Regional Center and the Zoning Map, Ordinance 2050, from Residential 1,000 square feet per dwelling unit (R-1) to Regional Center – Transit-Oriented (RC-TO) on Washington County Assessor's Tax Map 1S1 10CD Tax Lots 00800 and 00801 (3737 SW 117th Avenue) and Tax Map 1S1 10 CC Tax Lot 00100 (12030 SW Center Street); and

WHEREAS, pursuant to Ordinance 4187 Section 1.4.3, written notice of a Planning Commission public hearing on the applications was mailed to the property owners subject to the amendment, the Central Beaverton Neighborhood Association Chair and the Chair of the Beaverton Committee for Citizen Involvement, notice was published in the Beaverton Valley Times and notice was posted on the Beaverton City web site; and

WHEREAS, pursuant to Ordinance 4187 Section 1.4.3.B.7 and Ordinance 2050 Section 40.97.3, the Beaverton Planning Services Division, on August 22, 2007 published a written staff report and recommendation a minimum seven (7) calendar days in advance of the scheduled Planning Commission hearing of August 29, 2007; and,

WHEREAS, the Planning Commission conducted a public hearing on August 29, 2007, and considered testimony and exhibits on the subject proposal, and at the conclusion of the hearing, the Planning Commission voted in a six to one decision to recommend that the Beaverton City Council adopt the proposed amendments based on the facts and findings addressing relevant approval criteria set forth in the Community Development Department staff report by Senior Planner Barbara Fryer, dated August 22, 2007, and attached hereto as Exhibit "B"; and Planning Commission Order No. 2015 attached hereto as Exhibit "C"; and

WHEREAS, no written appeal pursuant to Ordinance 2050 Section 50.75 was filed by persons of record for CPA2007-0009/ZM2007-0008, following the issuance of the Planning Commission Order No. 2015; and

WHEREAS, the City Council adopts as to criteria, facts and findings described in Planning Commission Order No. 2015 dated September 6, 2007 and the Planning Commission record, all of which the Council incorporates by this reference in 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 10 CD 00800 and 00801 and 1S1 10 CC 00100 as Regional Center, as shown on Exhibit "A".
- Section 2.** Ordinance No. 2050, the Zoning Map, is amended to designate the properties on Map and Tax Lots 1S1 10 CD 00800 and 00801 and 1S1 10 CC 00100 as Regional Center – Transit Oriented (RC-TO), as shown on Exhibit "A".
- Section 3.** This ordinance shall become effective thirty (30) days after its adoption by the Council and approval by the Mayor.

First reading this 8th day of October, 2007.

Passed by the Council this 15th day of October, 2007.

Approved by the Mayor this 16th day of October, 2007.

ATTEST:



SUE NELSON, City Recorder

APPROVED:



ROB DRAKE, Mayor