



# 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)

## NOTICE OF ADOPTED AMENDMENT

March 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 028-06



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 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  
Matthew Crall, DLCD Transportation Planner  
Colin Cooper, City of Beaverton

<paa> ya/

MPRF

# 2 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

DEPT OF

DATE  
STAMP

MAR 26 2007  
LAND CONSERVATION  
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Beaverton Local file number: TA 2006-0012

Date of Adoption: March 20, 2007 Date Mailed: March 23, 2007

Date original Notice of Proposed Amendment was mailed to DLCD: Nov. 29, 2006

- |   |   |
|---|---|
| <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 proposed amendment will add a Class 1 Major Pedestrian Route (MPR) designation on the east side of SW 170<sup>th</sup> between SW Merlo Drive and the MAX light rail tracks and a Class 2 both sides MPR designation on SW Merlo Drive between SW Merlo Rd and SW 170<sup>th</sup> Ave. The amendment will also add Class 1 both sides MPR designation on SW Schottky Terrance and SW 141<sup>st</sup> between SW Millikan Way and the MAX light rail tracks.**

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

**Same**

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

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

Location: See Attached Maps Acres Involved: \_\_\_\_\_

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: 1, 2, & 12

Was an Exception Adopted?  YES  NO

DLCD File No.: 028-06(15718)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (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

Affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: \_\_\_\_\_ Phone: \_\_\_\_\_ Extension: \_\_\_\_\_  
Address: PO Box 4755 City: Beaverton  
Zip Code + 4: 97076-4755 Email Address: \_\_\_\_\_

### 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 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 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 **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 4432

AN ORDINANCE AMENDING ORDINANCE NO. 2050,  
THE DEVELOPMENT CODE,  
CHAPTER 60;  
TA 2006-0012 (Merlo & Tek Major Pedestrian Route  
Text Amendment).

**WHEREAS**, the purpose of the Merlo and Tek Major Pedestrian Route Map Text Amendment is to amend Chapter 60, Design Review Standards, Sections 60.05.55, of the Beaverton Development Code currently effective through Ordinance 4414 (February 2007) by amending the Merlo and South Tektronix Station Community MPR Maps; and,

**WHEREAS**, pursuant to Section 50.50.5 of the Development Code, the Beaverton Development Services Division, on January 10, 2007, published a written staff report and recommendation a minimum of seven (7) calendar days in advance of the scheduled public hearing before the Planning Commission on February 7, 2007; and,

**WHEREAS**, on February 7, 2007, the Planning Commission conducted a public hearing for TA 2006-0012 (Merlo & Tek MPR Text Amendment) at the conclusion of which the Planning Commission voted to recommend to the Beaverton City Council to adopt the proposed amendments to the Development Code based upon the criteria, facts, and findings set forth in the staff report dated January 10, 2007, and as summarized in Planning Commission Land Use Order No. 1940; and,

**WHEREAS**, no written appeal pursuant to Section 50.75 of the Development Code was filed by persons of record for TA 2006-0012 (Merlo & Tek MPR Text Amendment) following the issuance of the Planning Commission Land Use Order No. 1940; and,

**WHEREAS**, the City Council adopts as to criteria, facts, and findings, described in Land Use Order No. 1940 dated February 12 2007, and the Planning Commission record, 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.** Ordinance No. 2050, effective through Ordinance No. 4414, the Development Code, is amended to read as set out in Exhibit "A" and "B" 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 5<sup>th</sup> day of March, 2007.


Passed by the Council this 19<sup>th</sup> day of March, 2007.

Approved by the Mayor this 20<sup>th</sup> day of March, 2007.

ATTEST:

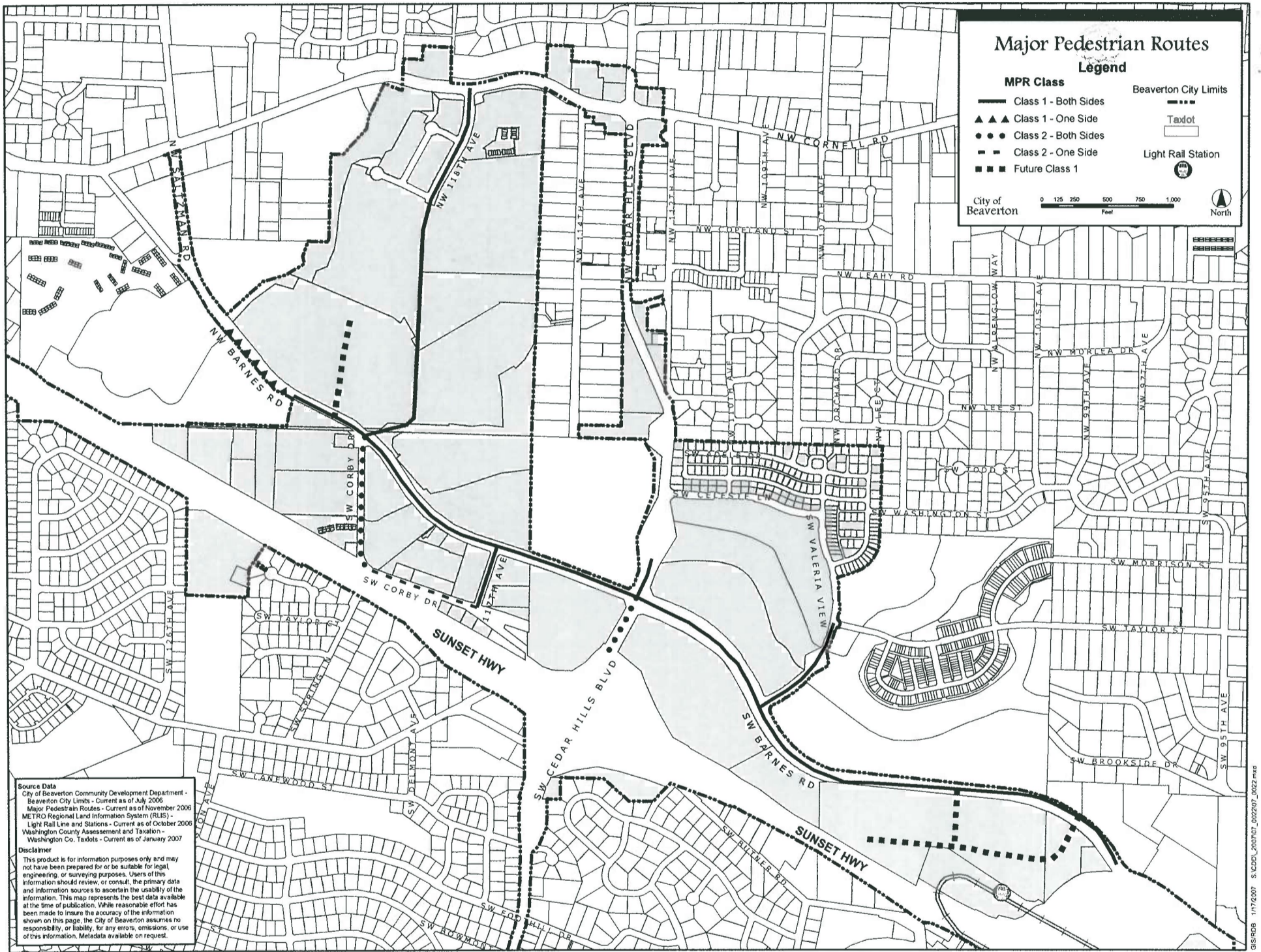
  
\_\_\_\_\_  
SUE NELSON, City Recorder

APPROVED:

  
\_\_\_\_\_  
ROB DRAKE, Mayor







### Major Pedestrian Routes

**Legend**

**MPR Class**

- Class 1 - Both Sides
- ▲▲▲ Class 1 - One Side
- Class 2 - Both Sides
- - - Class 2 - One Side
- ■ ■ Future Class 1

**Beaverton City Limits**

— Taxlot

○ Light Rail Station

City of Beaverton

0 125 250 500 750 1,000 Feet

North

**Source Data**  
 City of Beaverton Community Development Department - Beaverton City Limits - Current as of July 2006  
 Major Pedestrian Routes - Current as of November 2006  
 METRO Regional Land Information System (RLIS) - Light Rail Line and Stations - Current as of October 2006  
 Washington County Assessment and Taxation - Washington Co. Taxlots - Current as of January 2007

**Disclaimer**  
 This product is for information purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review, or consult, the primary data and information sources to ascertain the usability of the information. This map represents the best data available at the time of publication. While reasonable effort has been made to insure the accuracy of the information shown on this page, the City of Beaverton assumes no responsibility, or liability, for any errors, omissions, or use of this information. Metadata available on request.