



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

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 029-06



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: 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/

FORM 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

In person electronic mailed

DATE
STAMP

DEPT OF
JUN 15 2007
LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: **City of Beaverton**

Local file number: **CPA2006-0018**

Date of Adoption: **6/12/2007**

Date Mailed: **6/14/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **12/29/2006**

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 original proposal was to amend the City's Comprehensive Plan Land Use Map and Zoning Map to apply the City's Station Community (SC) Plan designation and Station Community - Multiple Use (SC-MU) Zone to taxlots 1S102DC05300 and 1S102DC04304. Staff previously believed the properties to be undesignated by Washington County due to their previous status as right-of-way. Staff proposed applying designations that were thought to be consistent with the County's planning for the area. Washington County staff subsequently determined that the parcels were zoned OC in 1983 prior to becoming right-of-way. With this new information staff altered its proposal to remove the rezone component in order to apply zoning that complies with the Urban Planning Area Agreement. Since the City no longer has a Plan designation that conforms with County OC specified in the UPAA, staff is proceeding with the original proposal to assign the SC Plan designation to the two properties without the rezone.

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

Yes. Staff withdrew its proposal to rezone the property as part of this process. A DLCD notice of withdrawal form was submitted to reflect the change.

Plan Map Changed from:

to:

Zone Map Changed from: **SC-MU**

to: **Withdrawn**

Location: **Intersection of SW Baltic Ave. and SW Barnes Rd.**

Acres Involved: **1.15**

Specify Density: Previous: **Undetermined**

New: **Undetermined**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

DLCD # 029-06 (15750)

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. _____

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

Metro, Washington County, Tualatin Valley Water District, Clean Water Services

Local Contact: **Jeff Salvon**

Phone: (503) 526-3725 Extension:

Address: **PO Box 4755**

Fax Number: **503-526-3720**

City: **Beaverton**

Zip: **97076-**

E-mail Address: **jsalvon@yahoo.com**

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.

FORM 3 DLCD Notice of Denial/Withdrawal



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: **ZMA2006-0024**

Date of Withdrawal/Denial: **4/25/2007**

Date Mailed: **6/14/2007**

Date original Notice of Proposed Amendment (Form 1) was mailed to DLCD: **12/29/2006**

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the proposed amendment. (Write a brief description of the proposed amendment)

The original proposal was to amend the City's Comprehensive Plan Land Use Map and Zoning Map to apply the City's Station Community (SC) Plan designation and Station Community - Multiple Use (SC-MU) Zone to taxlots 1S102DC05300 and 1S102DC04304. Staff previously believed that properties to be undesignated by Washington County due to the area's previous status as right-of-way. Staff proposed applying designations that it was felt reflected the County's planning for the area. Washington County staff subsequently determined that the parcels were zoned OC in 1983 prior to becoming right-of-way.

The Proposal was: Denied Withdrawn

Briefly state reason for Denial or Withdrawal:

The City has an OC Zone to correspond to the County's OC Zone. However, the City no longer carries an OC Plan designation necessary to comply with the Washington County-City of Beaverton Urban Planning Area Agreement. Plan and Zone amendments will therefore be administered separately. Staff proceeded with the proposal to assign the City's SC Plan designation in this discretionary process (CPS2006-0018) but without the SC-MU zone amendment segment. Instead staff elected to apply the terms of the UPA and rezone the properties OC in a separate non-discretionary process. This required that staff withdraw its original proposal to assign the City SC-MU rezone proposal (ZMA2006\0024).

Local Contact: **Jeff Salvon**

Phone: **(503) 526-3725** Extension:

Address: **P.O. Box 4755**

Fax Number: **503-526-3720**

City: **City of Beaverton** Zip: **97076-**

E-mail Address: **jsalvon@ci.beaverton.or.us**

DLCD # 029-06 (15750)

Please send this form to the following address:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

DLCD file No. _____

updated 9/25/2006



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

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:

CPA2006-0018, SW Baltic Avenue / SW Barnes Road Comprehensive Plan Land Use Map amendment; An Ordinance Amending Ordinance No. 4187, Figure III-1, the Comprehensive Plan Land Use Map for Two Properties Located in North Beaverton. **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. 4439

AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP FOR TWO PROPERTIES LOCATED IN NORTHERN BEAVERTON; CPA2006-0018

- WHEREAS,** the site of the properties was annexed to the City of Beaverton through Boundary Commission Ordinance 3978, in 1998, granting the City authority to apply Beaverton's Comprehensive Land Use and Zoning Map designations and related Development Code standards to the properties after they were created from excess property by the Oregon Department of Transportation in 2002; and
- WHEREAS,** the Planning Commission held a public hearing on May 2, 2007, to consider CPA2006-0018, consider comments, and take testimony; and
- WHEREAS,** on May 2, 2007, the Planning Commission recommended approval of the application based upon the Staff Report dated February 25, 2007 and Supplemental Staff Report dated May 2, 2007, incorporated herein by reference; and
- WHEREAS,** Final Order No. 1964, was prepared memorializing the Planning Commission's decision, and no appeal therefrom was submitted; now, therefore

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

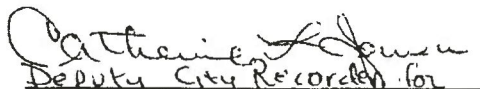
- Section 1.** Ordinance No. 4187, the Comprehensive Plan Land Use Map (Figure III-1) is amended to designate the subject properties Station Community (SC) as shown on Exhibit "A".

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:


Deputy City Recorder for
SUE NELSON, City Recorder

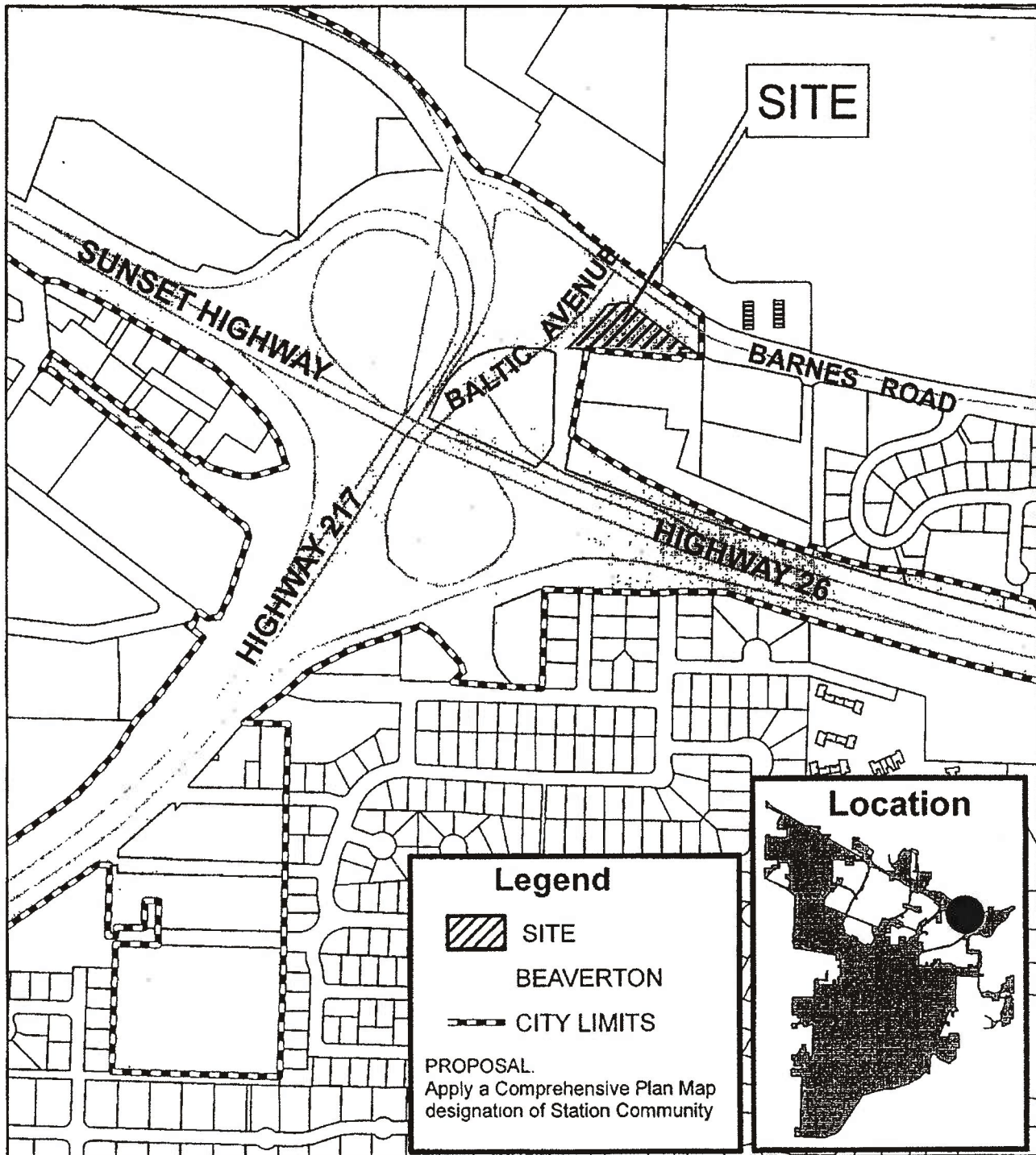
APPROVED:


ROB DRAKE, Mayor

VICINITY MAP

ORDINANCE NO.
4439

EXHIBIT A



City of Beaverton

Baltic Ave / Barnes Rd

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Services Division

12/15/06 N

1S102DC05300
1S102DC04304



CPA2006-0018