



Oregon

Theodore R. Kubongoski, 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

4/26/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment
DLCD File Number 006-09

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: Friday, May 07, 2010

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Anjanette Simon, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> YA/



FORM

2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE STAMP

DEPT OF

APR 19 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Beaverton**

Local file number: **ZMA2009-0002**

Date of Adoption: **3/23/2010**

Date Mailed: **4/16/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 08/25/09

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".

This is a City initiated zoning map amendment to eliminate an existing split zone to bring the zone into uniformity with the subject property. Current development on site is a parking area that serves the adjacent property. The private property owners are in the process of consolidating the two lots. Both current and proposed zoning designations are in conformity with the Comprehensive Plan land use map; therefore, a Comprehensive Plan amendment is not required.

Does the Adoption differ from proposal? No.

Plan Map Changed from: **no change**

to: **no change**

Zone Map Changed from: **Urban Medium Density**

to: **Urban High Density**

Location: **11850 SW Allen Boulevard** Acres Involved: **2.58**

Specify Density: Previous: **2,000 sqft. per**

New: **1,000 sqft. per**

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 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. 006-09 (17329) [16094]

DLCD file No. _____

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

Local Contact: **Anjanette Simon**

Phone: (503) 526-2419 Extension: none

Address: **PO Box 4755**

Fax Number: 503-526-3720

City: **Beaverton**

Zip: **97005**

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

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this Form 2 on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 4537

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE ZONING MAP, TO REZONE 11850 SW ALLEN
BOULEVARD FROM R-2 URBAN MEDIUM DENSITY
TO R-1 URBAN HIGH DENSITY: ZMA 2009-0002**

- WHEREAS,** on February 10, 2010, the Planning Commission conducted a public hearing to consider a City-initiated application to amend Ordinance No. 2050, the Zoning Map, redesignating a parcel which is split-zoned in order for the zoning to become consistent with the Comprehensive Plan land use designation for the subject parcel; and
- WHEREAS,** the zoning map amendment will change the zoning of the subject parcel from R2 Urban Medium Density to R1 Urban High Density; and
- WHEREAS,** the Planning Commission received and considered the submitted staff report, exhibits, and staff recommended approval of this zoning map amendment; and
- WHEREAS,** no appeals were filed with the City; and
- WHEREAS,** the Council adopts as to criteria applicable to this request and findings thereon the Planning Division Staff Report dated February 10, 2010, and Planning Commission Land Use Order No. 2187. Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

- Section 1.** Ordinance No. 2050, the Zoning Map, is amended to redesignate the parcel identified in Section 2 to the zoning designation R1 Urban High Density.
- Section 2.** The property affected by this ordinance is depicted in the attached map, marked Exhibit "A" and incorporated herein. The property is more specifically described on the records of the Washington County Department of Assessment and Taxation as Tax Lot No. 1S122BA06700, Beaverton, Washington County, Oregon.

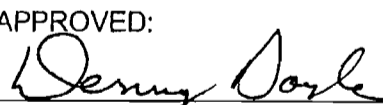
First reading this 8th day of March, 2010.

Passed by the Council this 22nd day of March, 2010.

Approved by the Mayor this 23rd day of March, 2010.

ATTEST:

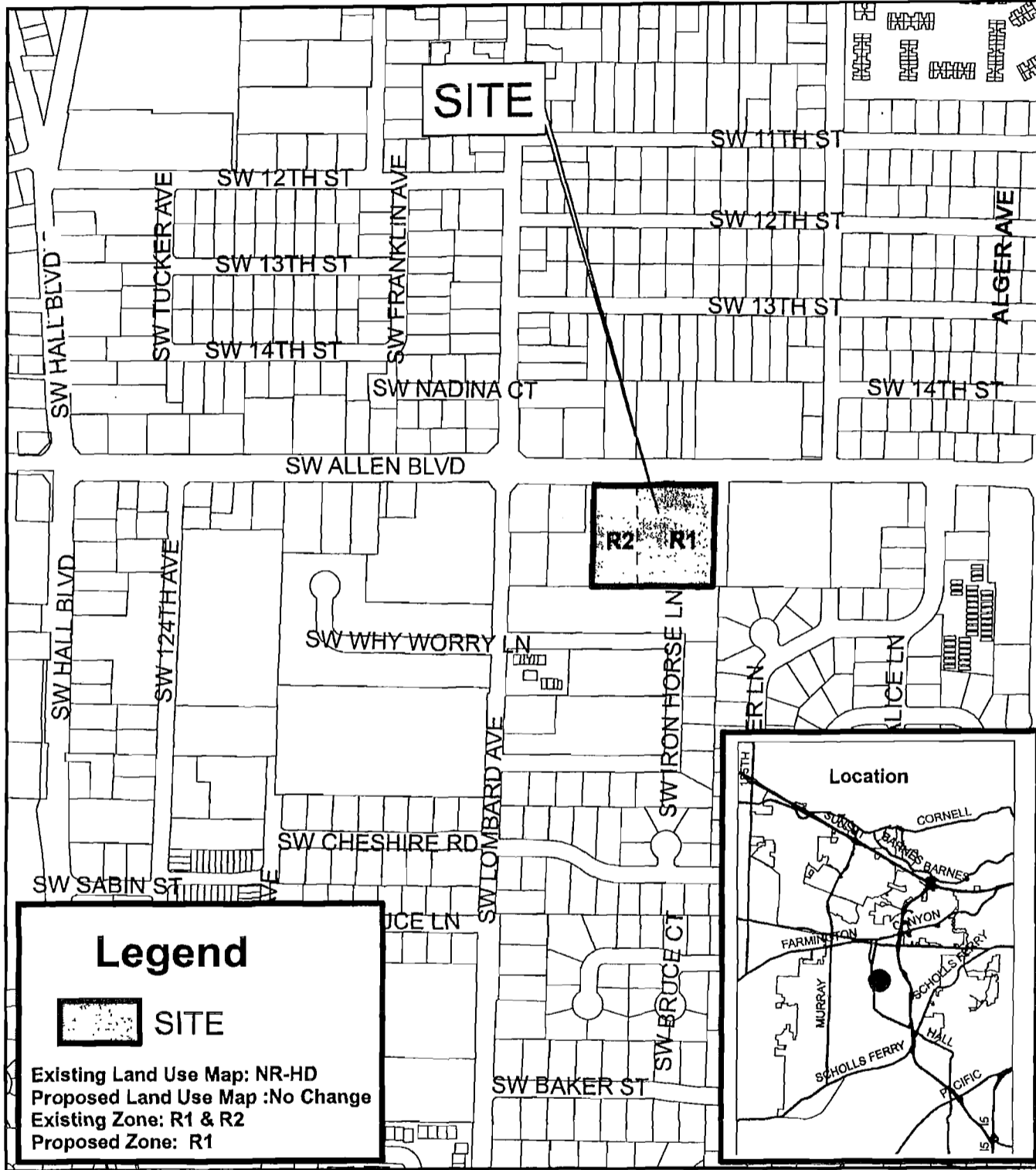
SUE NELSON, City Recorder

APPROVED:

DENNY DOYLE, Mayor

VICINITY MAP

BEAVERTON
MAP BOOK
PAGE 92

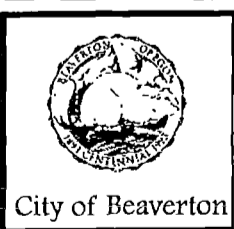
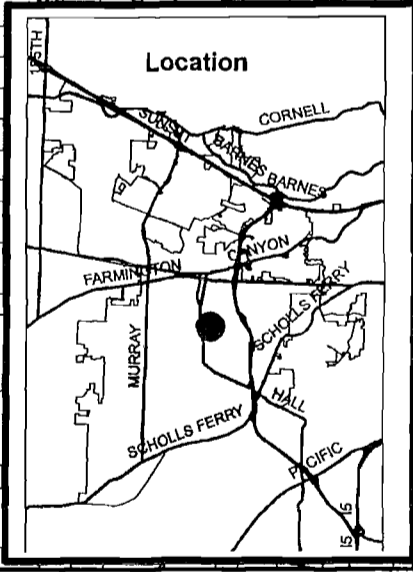
Exhibit A
Ordinance No. 4537



Legend

SITE

Existing Land Use Map: NR-HD
Proposed Land Use Map :No Change
Existing Zone: R1 & R2
Proposed Zone: R1



Allen Blvd /Lombard Zone Map Amendment
ZMA2009-0002
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

10/19/09 N
Tax Lot #
1S122BA06700
SITE ADDRESS
11850 SW
ALLEN BLVD

102

STAFF REPORT

HEARING DATE: February 10, 2010

TO: Planning Commission

STAFF: Anjanette Simon, Associate Planner

PROPOSAL: **11850 SW Allen Boulevard R-2 to R-1 Zoning Map Amendment (ZMA2009-0002)**

LOCATION: 11850 SW Allen Boulevard,
Tax Map: 1S122BA Lot: 06700

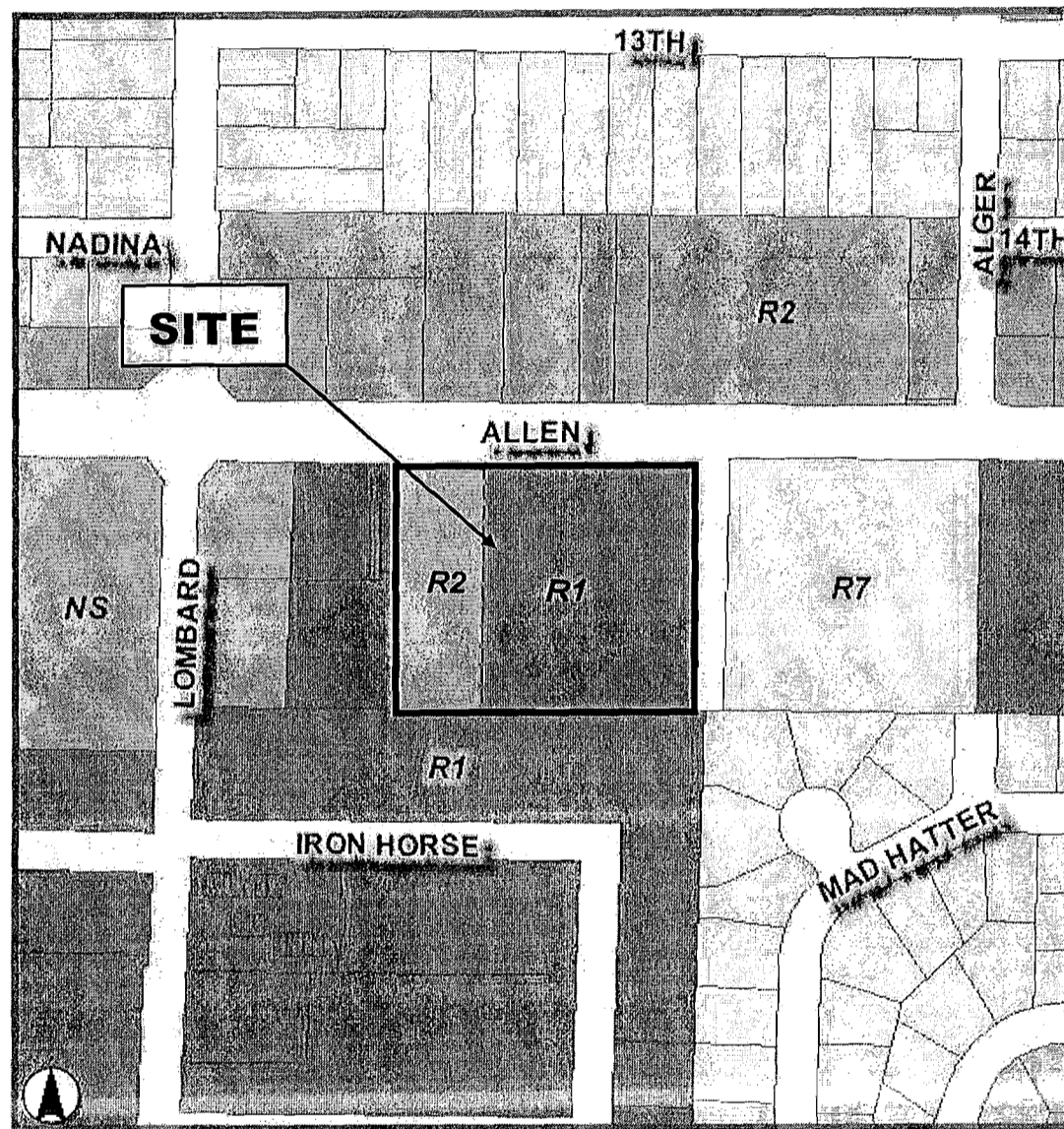
SUMMARY: This is a City initiated proposal to amend the Zoning Map to apply appropriate designations to a parcel with split zoning. The subject parcel is currently zoned Urban Medium Density (R-2) and Urban High Density (R-1) respectively and the proposal is to amend the zoning for consistency to R-1 for the entire site. Currently, this site is developed with a residential care facility on site. No new development is proposed as a part of this application.

APPLICANT: City of Beaverton
Community Development Director
PO Box 4755
Beaverton, OR 97076

DECISION CRITERIA: Development Code Section 40.97.15.1.C *Quasi-Judicial Zoning Map Amendment*, Comprehensive Plan Policy 3.10.

RECOMMENDATION: **Approval of ZMA2009-0002 (11850 SW Allen Boulevard R-2 to R-1 Zoning Map Amendment Zoning Map Amendment)**, with no associated conditions of approval.

Vicinity Map



11850 SW Allen Boulevard R2 to R1 Zoning Map Amendment
(ZMA2009-0002)

Aerial Photo



11850 SW Allen Boulevard R2 to R1 Zoning Map Amendment
(ZMA2009-0002)

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Submittal Complete	Final Written Decision Date	240-Day*
ZMA2009-0002	8/18/2009	8/18/2009	N/A	N/A

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Urban Standard Density (R2)	
Current Development	Senior and residential care convalescent center.	
Site Size	Approximately 2.58 acres	
NAC	Vose	
Comprehensive Plan	<p>Land Use: Neighborhood Residential High Density</p> <p>Street Functional Classification Plan: SW Allen Boulevard is classified as an Arterial. SW Lombard Avenue is classified as a Collector.</p> <p>Street Improvement Master Plan: The Transportation System Plan Street Improvement Master Plan identifies street widening improvements to 5 lanes along the frontage of this site. No other street improvements are identified in the area.</p> <p>Pedestrian & Bicycle Master Plan and Action Plans: The Pedestrian & Bicycle Action Plans identify proposed bicycle facilities along SW Allen Boulevard. Pedestrian facilities exist along SW Allen Boulevard.</p>	
Surrounding Uses	<p>Zoning:</p> <p>North: City of Beaverton Urban Medium Density (R2)</p> <p>South: City of Beaverton Urban High Density (R1)</p> <p>East: City of Beaverton Urban Standard Density (R7)</p> <p>West: City of Beaverton Urban High Density (R1)</p>	<p>Uses:</p> <p>North: Single and Multi-Family Residences</p> <p>South: Multi-Family Residences</p> <p>East: Multi-Family Residences</p> <p>West: Multi-Family Residences</p>

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS	PAGE
Attachment A: 11850 SW Allen Boulevard R2 to R1 Zoning Map Amendment (ZMA2009-0002)	ZMA1-ZMA11

History of Site

Development began on this site prior to 1973 with the construction of a residential care facility. The subject property in the past consisted of two separate lots and was subject to several Conditional Use applications (CUP 39-73, CUP 1992-0014) for consisted of site improvements and expansions of the residential care facility. The second smaller lot to the west, zoned R3 from 1973, was left as an unused portion of the overall development for a number of years. As part of CUP 39-73 the smaller lot was proposed to house a portion of the expanded parking proposal of 82 spaces, although only 55 spaces were eventually constructed. Through the years, conditional use applications were reviewed by staff for the two lots and it was determined that although zoned differently, the two lots were consistent with the Land Use designation and therefore both lots were reviewed as one development site. Over time, the R3 zone was eliminated as a zoning district within the Development Code and R2 took the place of the R3 designation citywide.

By 1992, (BDR92-052) the smaller lot was zoned R2 and was remained partially developed with approximately 12 of the 55 parking spaces on the small western lot. Included on the lot were cargo containers used for document storage of the residential care facility. During a Design Review application in July of 2007 (DR2007-0093) for exterior improvements, the cargo containers were conditioned to be removed as part the approval.

A Lot Consolidation application was approved on November 20, 2007, which requested the common line between the two lots to be removed, resulting in one tax lot and the split zoning of R2 and R1. The lot consolidation was recorded with Washington County and the Washington County GeoNet service illustrates one tax lot.

Exhibits

Exhibit 1. Vicinity Map (page 2 of report) and **Aerial Photo** (page 3 of report)

Exhibit 2. Site Plan includes two parcels depicting the R3 zoning in 1973.

Exhibit 3. Site Plan includes two parcels prior to the Lot Consolidation approval and recordation with Washington County.

Public Comments Received

None received at time of writing.

3. The proposal conforms with applicable policies of the City's Comprehensive Plan.

Staff finds the following Comprehensive Plan policies to be applicable to the proposal:

3.13.5.a Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix in areas with good access to arterial streets, transit service, commercial service, and public open space.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX	
Comprehensive Plan Designation	Zoning District
Regional Center	RC-E, RC-OT, RC-TO
Station Community	SC-HDR, SC-MU, SA-MDR, SA-MU
Town Center	TC-HDR, TC-MU, TC-MDR
Main Street	Office Commercial, Neighborhood Service, Convenience Service Center, R-1, R-2
Corridor	General Commercial, Convenience Service Center, Office Commercial, Community Service, Neighborhood Service, Corridor-Multiple Use, R-1, R-2, R-3.5, R-4
Employment Areas	Campus Industrial
Industrial	Industrial Park, Light Industrial, Campus Industrial
Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R-10
Standard Density	R-7, R-5
Medium Density	R-4, R-3.5, R-2
High Density	R-1
Any of the plan designations cited above	Institutional

The proposed zoning designation, Urban High Density (R1), provides for high density and multiple-residential uses on the subject site. The site is currently developed as a residential care facility with residents on site. The site is located along an arterial street with good access, with both transit and commercial services located within 300-feet, on SW Lombard Avenue. In addition, this type of facility complies with the Neighborhood Residential: High Density designation goal under Section 3.13.5 which states: *Establish High Density Residential areas to allow for a variety of housing types.*

The portion of the site under review is zoned R2 (Urban Medium Density). Approval of the Zoning Map Amendment would result in the R1 (Urban High Density) designation on the site, thus bringing cohesive zoning and conformance with the Neighborhood Residential: High Density Designation. The Comprehensive Plan and Zoning District Matrix (under Policy 3.14) list the R1 zone as the only implementing zone for the Neighborhood Residential: High Density Designation. The current zoning designation of R2 is not an implementing zone of the Neighborhood Residential: High Density Designation.

New development is not proposed at this time. However, with the zoning designation of R1, future development proposed should be compatible with the surrounding area and with the land use designation of Neighborhood Residential: High Density. Future development proposals will be reviewed for pedestrian connections, accessibility, and land use impacts through the Design Review process.

Summary Facts and Findings:

Staff finds the proposed Urban High Density (R1) zone to be in conformance with all the applicable policies of the Comprehensive Plan.

Therefore, staff finds that the proposal meets the criterion for approval.

4. All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.

Facts and Findings:

Chapter 90 of the Development Code defines “critical facilities” to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. City engineering staff has reviewed the proposal and there are no public utility service provision issues of significance. The City is the designated provider of sanitary sewer, storm drainage, and water for this site.

Public utility master plans (water, sanitary sewer, and storm) have all considered this and property in the vicinity ultimately developing or re-developing with service demands as currently exists. Additionally, the area in question for a rezone is relatively small and the potential maximum use of the affected site is insignificant in terms of master planning for public utilities. Therefore, staff find that there are adequate public facilities to support the maximum intensity of development of the R1 zoning designation. Any specific utility capacity and local service issues are addressed at the time of a development application.

This zoning map amendment will not change the level of services to the site, which staff finds to be sufficient to serve the current use and any of the listed permitted uses of the Urban High Density (R1) zone. Should expansion or new development occur, staff will evaluate the capacity of the site’s critical facilities and services with the associated development application.

Therefore, staff finds that the proposal meets the criterion for approval.

5. Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.

Facts and Findings:

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way.

The residential building on this site were constructed prior to 1973 and are served by essential facilities and services including schools, public transportation, police services, and public pedestrian and bicycle facilities. This zoning map amendment will not change the level of services to the site, which staff finds to be satisfactory to serve the current use. Should expansion or new development occur, staff will reevaluate the adequacy of the site’s essential facilities and services with the associated development application.

Therefore, staff finds that the proposal meets the criterion for approval.

6. *The proposal is or can be made to be consistent with all applicable provisions of Chapter 20 (Land Uses).*

Facts and Findings:

Staff cites Sections 20.05.40 and 20.05.50 of the Development Code, as being the relevant Code sections in the review of this zone change. Staff identifies these Code sections as being relevant for review because the sections contain the list of permitted, conditional, and prohibited land uses and the site development regulations that are specific to the Urban High Density (R1) zone.

Review of Section 20.05.40 shows that the residential care facility on site is a conditional use in the Urban High Density (R1) zone. The development on site has been previously approved under a Conditional Use permit and therefore, would remain a conditional use under the proposed zone. The site is currently developed with an approximately 30,000 square-foot residential care facility. Under the R1 zoning the minimum amount of land required per dwelling unit is 1,000 square feet. Under the previously processed conditional use application, 102 beds were approved.

Staff has evaluated the existing development’s compliance with Chapter 20 Site Development requirements and finds that the development complies with the current zone (R2) or the proposed zone (R1). Under the proposed zoning (R1) the facility, as constructed, meets the standard setbacks and the minimum land area per dwelling unit requirements of 1,000 square-feet with the previously approved conditional use application. In addition, the development complies with the minimum open space requirement of 16,000 square-foot minimum of 15% of the gross site area by providing approximately 20,000 square-feet open space. Should the property owner wish to undertake new development on the subject site, such development would be required to meet these Site Development Standards.

Therefore, staff finds that the proposal meets the criterion for approval.

7. *In addition to the criteria stated in Section 40.97.15.1.C.1 through 4, above, the following criteria shall apply to Quasi-Judicial Zoning Map Amendment which would change the zone designation to the Convenience Service (C-V) zoning district.*

a. There is a public need for the proposal and that this need will be served by changing the zoning district classification of the property in question as compared with other available property.

b. The public interest is best carried out by approving the proposal at this time.

Facts and Findings:

The City does not request a zone designation of CV.

Therefore, staff finds the criterion to be not applicable.

8. *The proposal shall include a Traffic Impact Analysis that meets the requirements of 60.55.20. The analysis shall demonstrate that development allowed under the proposed zoning can meet the requirements of 60.55.10.1, 60.55.10.2, 60.55.10.3, and 60.55.10.7. The analysis shall identify the traffic impacts from the range of uses allowed under the proposed zoning and demonstrate that these impacts can be reasonably mitigated at the time of development. [ORD 4302; May 2004]*

Facts and Findings:

Review of the rezone of this site from R1/R2 to R1 found that it meets the traffic analysis requirement in Section 40.97.15.1.C.8 of the Development Code. The City's Engineering Division, Transportation Planning staff, has reviewed the City's zone change proposal and has determined that a traffic analysis is not required because the traffic impacts from the proposed zoning change, approximately 170 new vehicle trips per day, will not exceed the traffic analysis threshold of 200 new vehicle trips per day. Staff has found that rezoning the site from Urban Medium Density (R2) to Urban High Density (R1) meets the traffic analysis requirement of the Development Code.

The site is currently developed with an approximately 30,000 square-foot residential care facility on one lot. Under the previously approved conditional use application, 102 beds were approved. The entire site is approximately 2.58 acres. The western portion of the site that is currently zoned R2 is approximately 0.77 acres. The maximum allowed residential density of the current R2 area is approximately 16 units. Under the proposed R1 zoning the maximum density is approximately 33 units, the worst case traffic generator for this site. This equates to approximately 170 additional vehicle trips per day from the R2 portion. The current nursing home generates approximately 287 daily vehicle trips.

Staff concludes that rezoning the site will have a negligible effect on the surrounding transportation system. Analysis of the proposed R1 uses found that the rezoning of the site will not have a significant effect on the surrounding transportation system as defined in Transportation Planning Rule (Oregon Administrative Rule 660-012-0060) and that the rezoning complies with the Transportation Planning Rule.

This rezoning proposal does not propose new development. Future development proposals are subject to the traffic analysis requirements of Section 60.55.20 of the Development Code. If development at the site is approved by the City, street improvements that are necessary to address the City's level of service standard (an intersection volume to capacity ratio of 0.98), will be required to mitigate traffic impacts.

Therefore, staff finds that the proposal meets the criterion for approval.

9. *As an alternative to 40.97.15.1.C.8, the applicant may provide evidence that the potential traffic impacts from development under the proposed zoning are no greater than potential impacts from development under existing zoning. [ORD 4302; May 2004]*

Facts and Findings:

The City chooses to demonstrate compliance with the alternative criterion, 40.97.15.1.C.8, above.

Therefore, staff finds the criterion to be not applicable.

10. *In cases where the Comprehensive Plan identifies more than one zone to implement the applicable Land Use Map designation, the applicant is to demonstrate how the proposal conforms with applicable District Requirements of the zone(s) subject to Quasi-Judicial Zoning Map Amendment consideration.*

Facts and Findings:

The Comprehensive Plan identifies only one zone to implement the applicable Land Use Designation of Neighborhood Residential: High Density Designation.

Therefore, staff finds that this approval criterion is not applicable.

11. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

Facts and Findings:

The City submitted the application on August 18, 2009 and was deemed complete

on August 18, 2009. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion for approval.

12. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Facts and Findings:

The City has submitted this Zoning Map Amendment application in order to change the zone of a specific site. No associated development activities are proposed and, accordingly, no additional applications are related to the request.

Therefore, staff finds that the proposal meets the criterion for approval.

Conformance with Metro Titles

Title 1: Requirements of Housing and Employment Accommodation

Section 3.07.830 of the Urban Growth Management Functional Plan (UGMFP) requires that any Comprehensive Plan change must be consistent with the requirements of the Functional Plan. Section 3.07.130 of the UGMFP states:

For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map...” The 2040 Growth Concept Plan map designates the parcel included in this proposal under the Corridor design type. Section 3.07.130 of the UGMFP describes Corridors as follows: “Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.”

This title of the UGMFP requires the City to ensure that the Comprehensive Plan and Zoning regulations accommodate certain amounts of housing and employment potential for the planning horizon year 2017. This application proposes to apply a zoning designation of R1 to replace the existing R2 zoning designation. The property is designated “Corridor” by the Urban Growth Management Functional Plan.

Any future development will include a specific review as to whether the proposal meets the Development Code's minimum and maximum density standards. The residential care facility is not subject to residential density standards; however, as a conditional use, residential care facilities are a use that provides housing opportunities. Approval of the proposed increase in density to R1 best supports the ability of the City to meet Metro's Functional Plan and specifically Title 1. Staff find that the requirements of this title have been met.

Title 2: Regional Parking Policy

The City has an established minimum and maximum parking ratio related to zones A and B. The subject property is within Parking Zone B. The current Maximum Permitted Parking Spaces per Zone B applies to the subject property with an approved number of 55-parking spaces under the Development Code Standard of 0.5 spaces per bed. The proposed ZMA if approved will not affect Title 2 or the Development Code Off-Street Parking standards.

Title 3: Water Quality and Flood Management Conservation

In concert with other local governments in Washington County, the City partnered with Clean Water Services to enact legislation acknowledged to comply with Title 3.

Title 4: Industrial and Other Employment Areas

This site is not identified as an Industrial or Employment area on the Title 4 map, therefore; this title is inapplicable to the proposed amendment.

Title 5: Neighbor Cities and Rural Reserves

Title 5 concerns Neighbor Cities and Rural Reserves. The proposal is within the City of Beaverton; therefore, this Title does not apply.

Title 6: Central City, Regional Centers, Town Centers and Station Communities

Title 6 predominantly focuses on local government strategies to improve implementation of Centers. The subject property is not within the Beaverton designations of Regional Center, Town Center or Station Community. Therefore; this Title is inapplicable to the proposed amendment.

Title 7: Affordable Housing

The Zone Change is not expected to provide for low cost housing. The site contains an existing residential care facility which provides housing. No redevelopment is proposed at this time.

Title 8: Compliance Procedures

Information about the proposal was sent to the Chief Operating Officer on August 25, 2009, 45 days prior to the first evidentiary hearing as required by Metro Code Section 3.07.820.

Title 9: Performance Measures

Title 9 directs Metro to measure the progress of the region in implementing the Urban Growth Management Functional Plan. This title is not relevant to the proposal.

Title 10: Functional Plan Definitions

Title 10 provides definitions for use in Metro's administration of the UGMFP and is, therefore, irrelevant to the compliance of this proposal to the UGMFP.

Title 11: Planning for New Urban Areas

Title 11 concerns planning for new urban areas. This proposal is within the Urban Growth Boundary and is within the corporate limits of the City of Beaverton. This Title does not apply to the amendment.

Title 12: Protection of Residential Neighborhoods

Protection of residential neighborhoods is a key to success of the 2040 Growth Concept. Existing development on the subject property is a residential care facility. Through this amendment, any future redevelopment occurring on the property, would be subject to the high density R1 development standards that would be consistent with a majority of the surrounding residential neighborhood to the north, south, east and west.

Title 13: Coordination

The City, as a member of the Tualatin Basin Coordinating Committee, complies with Title 13.

Regional Transportation Plan (RTP)

Section 6.4.4: Regional transportation system analysis is required for amendments to local plans or the addition of significant single occupancy vehicle capacity to regional facilities.

This section applies to city and county comprehensive plan amendments or to any local studies that would recommend or require an amendment to the Regional Transportation Plan to add significant single occupancy vehicle (SOV) capacity to the regional motor vehicle system, as defined by Figure 1.12. This section does not apply to projects in local TSPs that are included in the 2000 RTP. For the purpose of this section, significant SOV capacity is defined as any increase in general vehicle capacity designed to serve 700 or more additional vehicle trips in one direction in one hour over a length of more than one mile. This section does not apply to plans that incorporate the policies and projects contained in the RTP.

The City's Transportation System Plan (TSP) has been adopted for consistency with, and implementation of, the 2000 RTP. Therefore, the Regional Transportation Plan is not required to be used in the review of to the proposed zoning map amendment.

Staff cites the findings of conformance with the State Transportation Planning Rule (TPR), of this report, as applicable to conformance with the RTP.

Finding: The proposed zoning map designation is compatible with the UGMFP (by the review of Metro Titles) and the RTP.

Conformance with Statewide Planning Goals

City staff will not be addressing statewide planning goals because that review is not necessary for proposed local amendments in jurisdictions that have acknowledged Comprehensive Plans and land use plan maps. The process leading up to local adoption of the City's Plan and acknowledgement is summarized below.

The City of Beaverton adopted a Comprehensive Plan, which includes text and maps in a three-part report (Ordinance 1800) along with implementation measures, including implementation of the Development Code (Ordinance 2050) in the late 1980's. The City adopted a new Comprehensive Plan (Ordinance 4187) in January of 2002 that was prepared pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD). The proposed Plan, including a new Land Use Map, was the subject of numerous public hearings and considerable analysis before adoption. The adopted Plan and findings supporting adoption were deemed acknowledged pursuant to a series of Approval Orders from the Department of Land Conservation and Development, effective December 31, 2003, with a final set of acknowledgement findings, adoption April 27, 2004. Therefore, the land use planning processes and policy framework described in the Development Code and Comprehensive Plan form the basis for decisions and actions on amendments to the Plan and Code, including the subject zoning map amendment.

Conformance with the State Transportation Planning Rule

The Transportation Planning Rule (TPR) (OAR Sec. 660-012-0060) contains standards by which to review: *Amendments to functional plans, acknowledged comprehensive plans and to land use regulations.* The TPR states: [such amendments] *which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.*

The City's Transportation System Plan (TSP) is based on Metro's modeling of projected transportation system impacts based on growth that is assumed for Metro's Urban Growth Management Function Plan (UGMFP) (the "2040 Growth Concept"). As refined within the City's study area, the TSP's transportation modeling is based on the assumed growth projections, and implementation of, the City's Land Use Map (Figure III-1 of the Comprehensive Plan). The City's Plan Map includes all 2040 Growth Concept design types. The TSP provides adequate system-wide traffic analysis so that an additional traffic analysis is not necessary for the current zoning map amendment.

To the extent that the TSP cannot anticipate all impacts of future specific

development proposals on the area transportation system, the TSP establishes a level of service standard and the Development Code establishes standards for traffic analysis of development. To assure that transportation facilities are not significantly affected by future development, the TSP requires that development proposals are subject to meeting a level of service maximum, specifically the volume to capacity ratio of 0.98, identified in the City's Engineering Design Manual (EDM).

At the time that development is proposed, Section 60.55.20 of the City Development Code requires a traffic analysis that is consistent with the EDM. At the time of future development proposals, the City will review conformance with the level-of-service standards, and may establish conditions of approval requiring necessary transportation improvements based upon the impacts of development. Therefore, to the degree that the TSP cannot anticipate all future traffic impacts, the Development Code's requirement for traffic analysis can be relied upon to address the transportation impacts of the proposed zoning map amendment, should redevelopment be proposed.

Summary: Staff finds that through the implementation of the transportation system improvements planned in the TSP, reliance on the City's maximum level-of-service standard, and the City's ability to mitigate traffic impacts through future conditions of approval, the proposed rezoning will not significantly affect transportation facilities. Staff finds that this zoning map amendment is consistent with the land use assumptions of the TSP, and will be consistent with land use and transportation planning requirements contained in the TPR and the UGMFP, without unanticipated impacts.


SUMMARY OF ZMA FINDINGS: For the reasons identified above, staff finds that the Zoning Map Amendment satisfies the approval criteria for Zoning Map Amendment approval pursuant to Section 40.97.15.1.C.1 through 13 of the Development Code, in addition to compliance with applicable State and Metro requirements.

ZONING MAP AMENDMENT- QUASI JUDICIAL CONCLUSION

Based on the facts and findings presented, staff concludes the proposal, **ZMA2009-0002 (11850 SW Allen Boulevard R-2 to R-1 Zoning Map Amendment)** meets the criteria for approval.

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **ZMA2009-0002 (11850 SW Allen Boulevard R-2 to R-1 Zoning Map Amendment)**. There are no recommended conditions of approval.

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