



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

3/12/2010

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 024-09

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, March 26, 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: Tyler Ryerson, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

MAR 5 2010

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

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

Jurisdiction: **City of Beaverton**

Local file number: **TA2009-0010**

Date of Adoption: **March 2, 2010**

Date Mailed: **March 5, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 12/07/2009

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 City approved an increase to the maximum building height allowed by the Development Code within the Regional Center – Old Town (RC-OT) zoning district from 30 to 75 feet. The modification is limited to areas located within a block of SW Canyon Road, SW Farmington Road, SW Hall Boulevard, SW Watson Avenue, and SW Lombard Avenue between SW Canyon Road and SW 2nd Street.

Does the Adoption differ from proposal? Please select one

Yes. One additional street, SW Lombard Avenue, was added to the originally proposed streets.

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **Old Town of Downtown**

Acres Involved: **N/A**

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

New: **N/A**

Applicable statewide planning goals:

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

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

Local Contact: Tyler Ryerson

Phone: (503) 526-2520 Extension:

Address: PO Box 4755

Fax Number: 503-526-3720

City: Beaverton

Zip: 97076

E-mail Address: tryerson@cl.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. 4534

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE DEVELOPMENT CODE, CHAPTER 20 (LAND USES);
TA2009-0010 (REGIONAL CENTER - OLD TOWN
MAXIMUM BUILDING HEIGHT)**

WHEREAS, the Beaverton Community Development Department has proposed a text amendment to the Beaverton Development Code, Ordinance No. 2050, effective through Ordinance No. 4515, intended to modify the maximum building height allowance for specific properties located within the Regional Center – Old Town (RC-OT) zoning district as regulated by Chapter 20; and

WHEREAS, pursuant to Section 50.50.2-5 of the Development Code, the Beaverton Community Development Department provided required public notice for the Text Amendment application; and

WHEREAS, pursuant to Section 50.50.6 of the Development Code, the Beaverton Community Development Department on January 13, 2010, published a written staff report and recommendation at a minimum of seven (7) calendar days in advance of the scheduled public hearing before the Planning Commission on January 20, 2010; and,

WHEREAS, on January 20, 2010, the Planning Commission conducted a public hearing for TA2009-0010 and at the conclusion of the hearing, voted to recommend to the Beaverton City Council adoption of the proposed amendment to the Development Code as stated in Planning Commission Land Use Order No. 2185; and,

WHEREAS, no written appeal, pursuant to Section 50.75 of the Development Code, was filed for TA2009-0010 following the issuance of the Planning Commission Land Use Order No. 2185; and,

WHEREAS, the City Council adopts as to approval criteria the facts and findings described in Land Use Order No. 2185, dated January 28, 2010, and the Planning Commission record, and the Council's Agenda Bill dated February 22, 2010, 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. The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 20 – Land Uses, Section 20.20. Multiple Use Districts, Subsections 20.20.50.E.4, Regional Center – Old Town Building Height is amended to read as set out in Exhibit “1” 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.

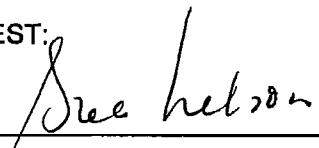
Section 3. Severance Clause. The invalidity or lack of enforceability of any terms or provisions of this Ordinance or any appendix or part thereof shall not impair or otherwise affect in any manner the validity, enforceability or effect of the remaining terms of this Ordinance and appendices and said 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 22 day of February, 2010.

Passed by the Council this 1 day of March, 2010.

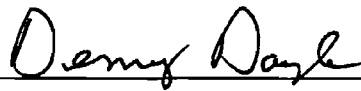
Approved by the Mayor this 2 day of March, 2010.

ATTEST:



SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

ORDINANCE NO. 4534

Section 1. The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 20 – Land Uses, Section 20.20. Multiple Use Districts, Subsections 20.20.50.E.4, is amended to read as follows:

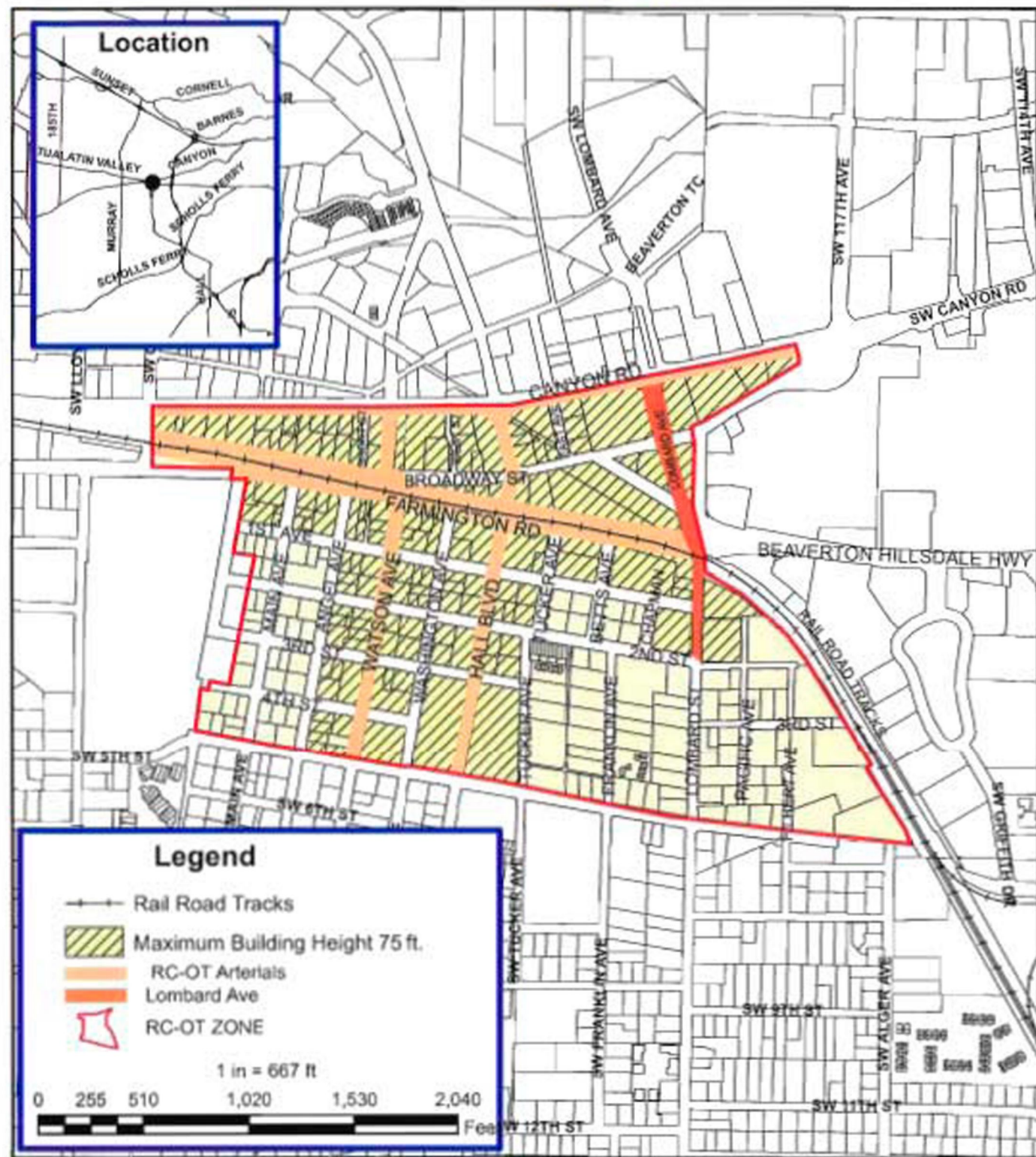
20.20 Multiple Use District

20.20.50.E.4	Building Height: (in feet)	<u>RC-TO</u>	<u>RC-OT</u>	<u>RC-E</u>
A.	Maximum height without an Adjustment or Variance, except as provided by Section 60.50.10 of this Code. [ORD 4224; August 2002]	120'	30' and 75' ¹	80'
B.	Maximum height with an Adjustment or Variance, except as provided by Section 60.50.10 of this Code. [ORD 4224; August 2002]	200'	60' N/A	200'

1. Permitted in areas within a block of SW Canyon Road, SW Farmington Road, SW Hall Boulevard, SW Watson Avenue, and SW Lombard Avenue between SW Canyon Road and SW 2nd Street.

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 78-79



City of Beaverton

TA2009-0010 RC-OT
BUILDING HEIGHT

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

1/20/2010

Tax Lot #'s
OLD TOWN
AREA

Application #
TA2009-0010

