



**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**

10/10/2011

**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 012-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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, October 21, 2011

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:** Cassera Phipps, City of Beaverton  
Angela Lazarean, DLCD Urban Planning Specialist  
Anne Debbaut, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner

<paa> YA/l



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**

**OCT 03 2011**

**LAND CONSERVATION AND DEVELOPMENT**

For Office Use Only

Jurisdiction: **City of Beaverton**

Local file number: **ZMA2010-0003**

Date of Adoption:

Date Mailed:

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 7/1/2011

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 initiated a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map designations. For this specific ZMA, the City amended the zoning map to delete the obsolete Office Commercial (OC) zone near the intersection of SW 158<sup>th</sup> Avenue and SW Walker Road and replace it with the Community Service (CS) zone.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **OC**

to: **CS**

Location: **SW 158<sup>th</sup> Ave and SW Walker Rd**

Acres Involved: **15.7**

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

New: **N/A**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input 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. 012-10 (18318) [16787]



**DLCD file No.** \_\_\_\_\_

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

Washington County DLUT & Metro

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Local Contact: Cassera Phipps

Phone: (503) 526-2247 Extension:

Address: PO Box 4755

Fax Number: 503-526-3720

City: Beaverton

Zip: 97076-

E-mail Address: [cphipps@beavertonoregon.gov](mailto:cphipps@beavertonoregon.gov)

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### **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working 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 the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

<http://www.oregon.gov/LCD/forms.shtml>

Updated April 22, 2011

ORDINANCE NO. 4569

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,  
THE ZONING MAP, ZMA 2010-0003, 158<sup>th</sup> / WALKER  
OFFICE COMMERCIAL ZONING MAP AMENDMENT**

- WHEREAS,** on August 24, 2011, the Planning Commission conducted a public hearing to consider a City-initiated application to amend Ordinance No. 2050, the Zoning Map, designating eight parcels in the vicinity of SW 158<sup>th</sup> Ave and SW Walker Rd from the obsolete Office Commercial (OC) zoning designation to the Community Service (CS) zoning designations; and
- WHEREAS,** the legislative zoning map amendment will change the zoning of the subject parcels from OC to CS; and
- WHEREAS,** the Planning Commission received and considered the submitted staff report, exhibits, public testimony 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 August 17, 2011, and Planning Commission Land Use Order No. 2256; Now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**


- Section 1.** Ordinance No. 2050, the Zoning Map, is amended to designate the parcels identified in Section 2 to the zoning designation Community Service (CS).
- Section 2.** The properties affected by this ordinance are depicted in the attached map, marked Exhibit "A" and listed in Exhibit "B" and incorporated herein.

First reading this 20th day of September, 2011.

Passed by the Council this 27th day of September, 2011.

Approved by the Mayor this 28th day of September, 2011.

ATTEST:

  
CATHY JANSEN, City Recorder

APPROVED:

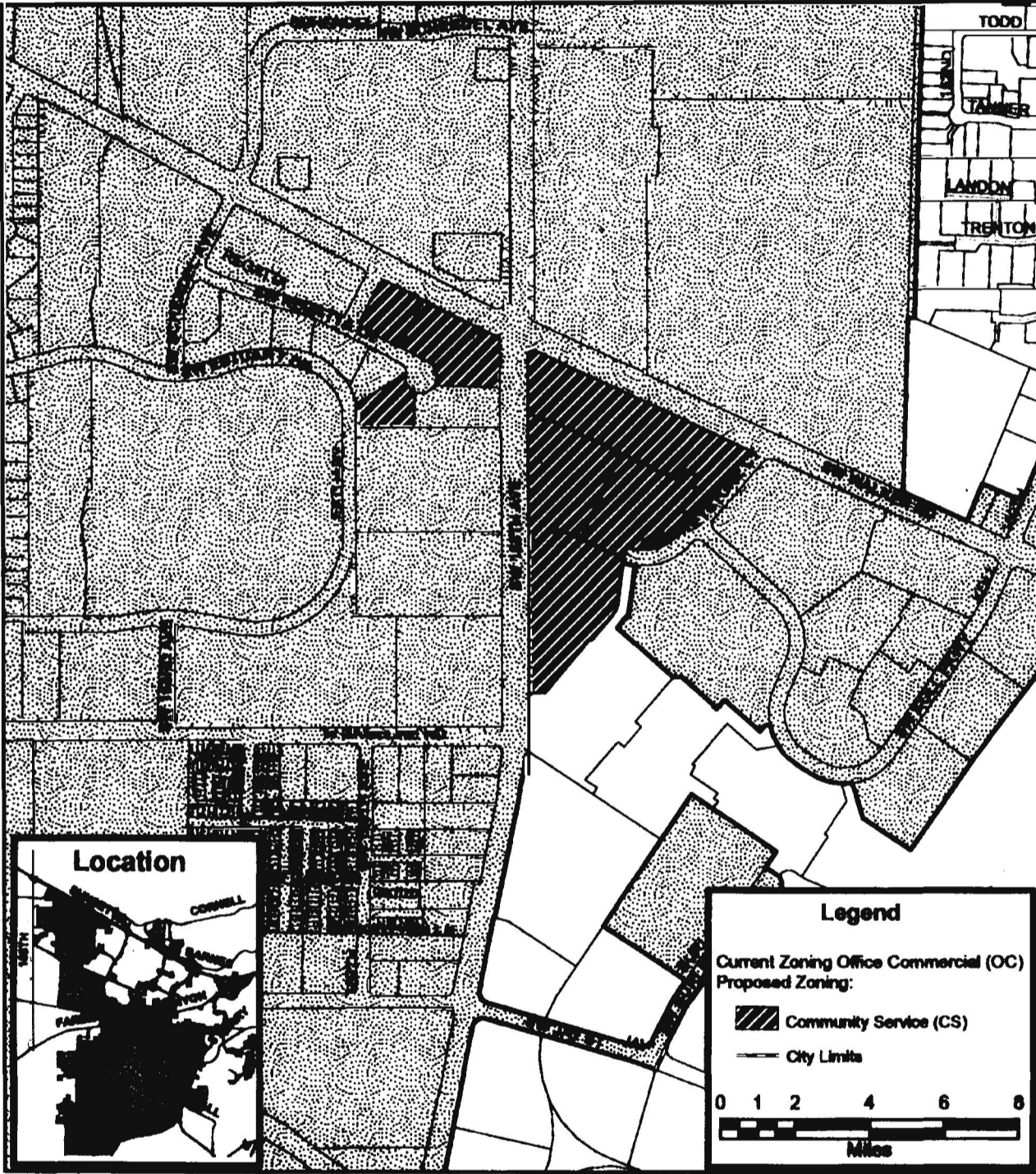
  
DENNY DOYLE, Mayor



# VICINITY MAP

Ord. No. 4569

## EXHIBIT A



158TH & WALKER OFFICE COMMERCIAL  
ZONE MAP AMENDMENT

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division

05/14/10

Tax Lot #  
VARIOUS

Application #

ZMA2010-0003



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Ord. No. 4569  
**EXHIBIT B**

**ZMA2010-0003 - 158<sup>th</sup> / Walker Office Commercial ZMA**

<b>Tax Lot</b>	<b>Zoning Designation</b>
1S105BA01600	CS
1S105BA01401	CS
1S105BA01300	CS
1S105BA01200	CS
1S105BD00900	CS
1S105BD01100	CS
1S105BD01000	CS
1S105BD00101	CS



**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** An Ordinance Amending Ordinance No. 2050, the Zoning Map, ZMA 2010-0003, 158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment.

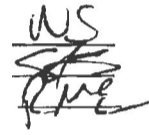
09-27-11

**FOR AGENDA OF:** ~~09-20-2011~~ **BILL NO:** 11166

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CDD 

**DATE SUBMITTED:** 8-31-2011

**CLEARANCES:** City Attorney   
Planning  
CAO

**PROCEEDING:** ORDINANCE (First Reading)  
Second Reading and Passage

- EXHIBITS:**
1. Ordinance
  2. Land Use Order 2256
  3. Planning Commission Staff Report & Exhibits
  4. Draft Planning Commission Minutes 8-24-2011

**BUDGET IMPACT**

EXPENDITURE REQUIRED \$0	AMOUNT BUDGETED \$0	APPROPRIATION REQUIRED \$0
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**RECOMMENDED ACTION:**

First reading of ordinance.  
Second Reading and Passage

**HISTORICAL PERSPECTIVE:**

On August 24, 2011, the Planning Commission conducted a public hearing to consider Zoning Map Amendment 2010-0003, 158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment. The City of Beaverton initiated the Zoning Map Amendment from the Office Commercial (OC) zone to Community Service (CS) in order to apply a zoning designation to the properties with the obsolete OC zoning designation which was removed as part of the Chapter 20 Development Code update. The Planning Commission recommends approval of ZMA 2010-0003 to the Beaverton City Council.

**INFORMATION FOR CONSIDERATION:**

The Planning Commission record is attached to this agenda bill for Council consideration.

**Agenda Bill No:** 11166

ORDINANCE NO. 4569

AN ORDINANCE AMENDING ORDINANCE NO. 2050,  
THE ZONING MAP, ZMA 2010-0003, 158<sup>th</sup> / WALKER  
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**WHEREAS,** the Council adopts as to criteria applicable to this request and findings thereon the Planning Division Staff Report dated August 17, 2011, and Planning Commission Land Use Order No. 2256; Now, therefore,

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**Section 2.** The properties affected by this ordinance are depicted in the attached map, marked Exhibit "A" and listed in Exhibit "B" and incorporated herein.

First reading this 20th day of September, 2011.

Passed by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

APPROVED:

\_\_\_\_\_  
CATHY JANSEN, City Recorder

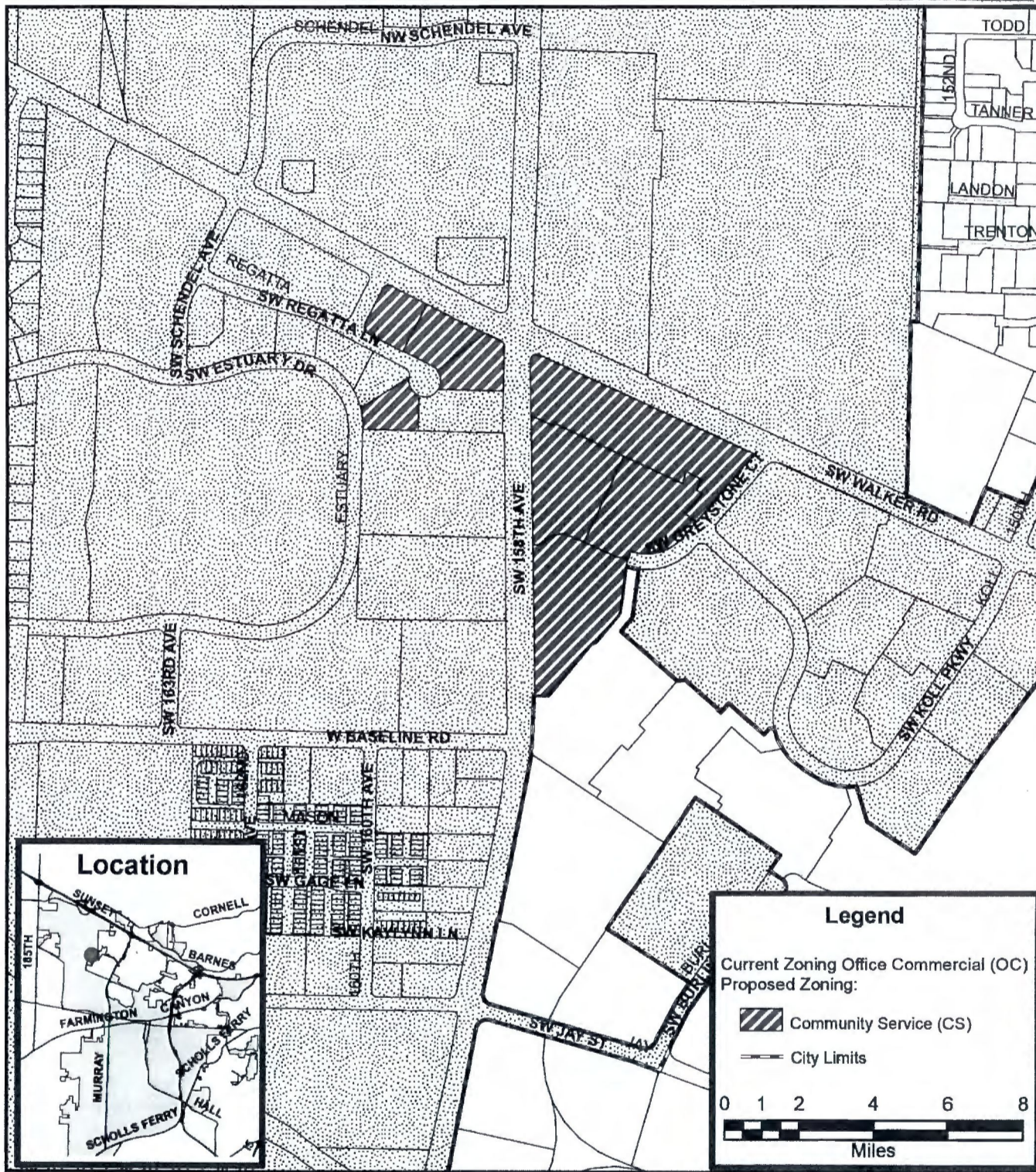
\_\_\_\_\_  
DENNY DOYLE, Mayor



# VICINITY MAP

Ord. No. 4569

## EXHIBIT A



158TH & WALKER OFFICE COMMERCIAL  
 ZONE MAP AMENDMENT

COMMUNITY DEVELOPMENT DEPARTMENT  
 Planning Division

05/14/10  
 Tax Lot #  
 VARIOUS

Application #  
 ZMA2010-0003





**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

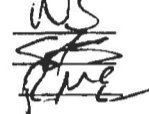
**SUBJECT:** An Ordinance Amending Ordinance No. 2050, the Zoning Map, ZMA 2010-0003, 158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment.

**FOR AGENDA OF:** 09-20-2011 **BILL NO:** 11166

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CDD 

**DATE SUBMITTED:** 8-31-2011

**CLEARANCES:** City Attorney   
Planning  
CAO

**PROCEEDING:** ORDINANCE (First Reading)

- EXHIBITS:**
1. Ordinance
  2. Land Use Order 2256
  3. Planning Commission Staff Report & Exhibits
  4. Draft Planning Commission Minutes 8-24-2011

**BUDGET IMPACT**

EXPENDITURE REQUIRED \$0	AMOUNT BUDGETED \$0	APPROPRIATION REQUIRED \$0
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**RECOMMENDED ACTION:**

First reading of ordinance.

**HISTORICAL PERSPECTIVE:**

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ORDINANCE NO. 4569

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**WHEREAS,** the legislative zoning map amendment will change the zoning of the subject parcels from OC to CS; and

**WHEREAS,** the Planning Commission received and considered the submitted staff report, exhibits, public testimony 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 August 17, 2011, and Planning Commission Land Use Order No. 2256; Now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

**Section 1.** Ordinance No. 2050, the Zoning Map, is amended to designate the parcels identified in Section 2 to the zoning designation Community Service (CS).

**Section 2.** The properties affected by this ordinance are depicted in the attached map, marked Exhibit "A" and listed in Exhibit "B" and incorporated herein.

First reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Passed by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

APPROVED:

\_\_\_\_\_  
CATHY JANSEN, City Recorder

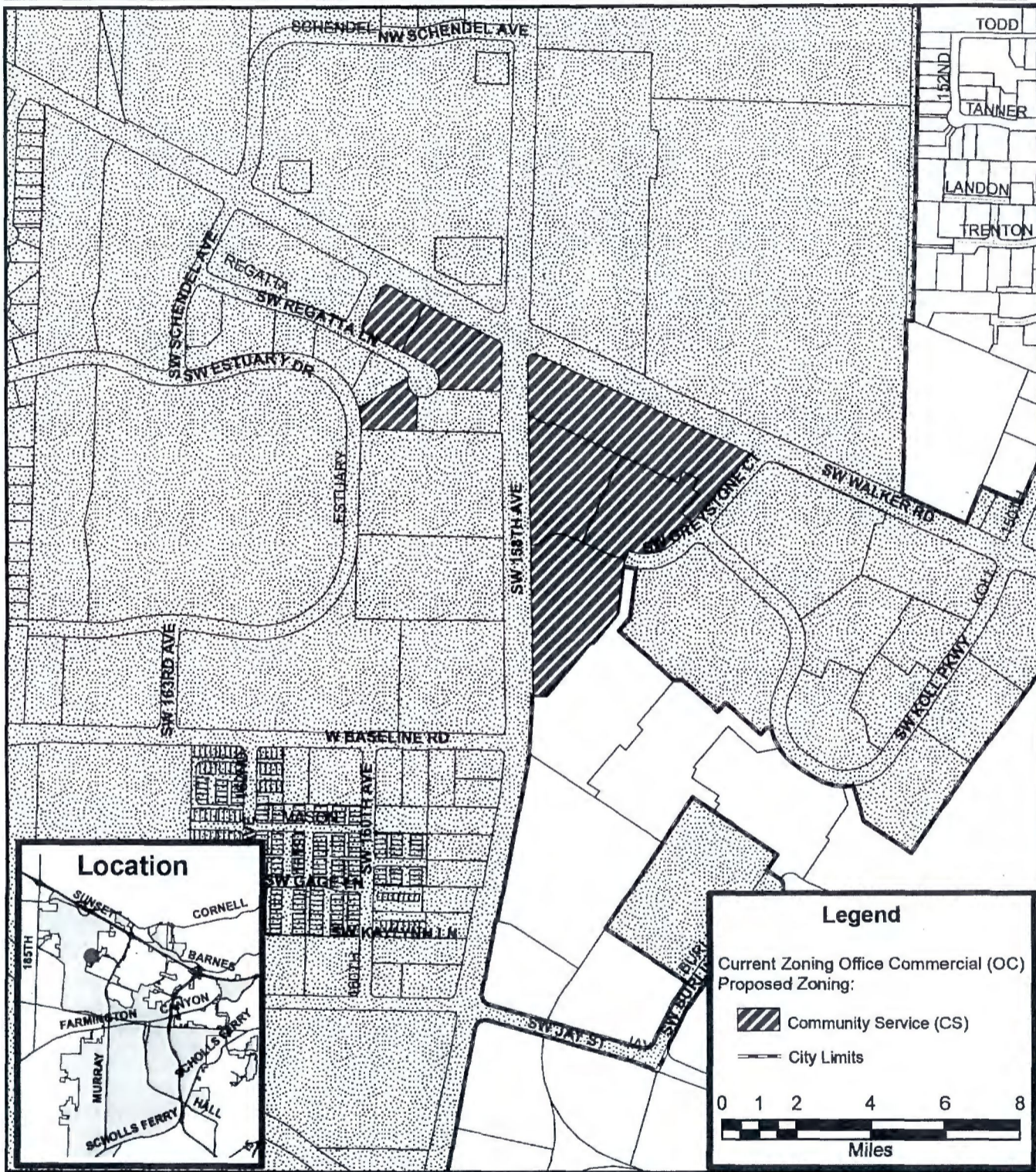
\_\_\_\_\_  
DENNY DOYLE, Mayor



# VICINITY MAP

Ord. No. 4569

## EXHIBIT A



158TH & WALKER OFFICE COMMERCIAL  
 ZONE MAP AMENDMENT

COMMUNITY DEVELOPMENT DEPARTMENT  
 Planning Division

05/14/10  
 Tax Lot #  
 VARIOUS

Application #  
 ZMA2010-0003





**ZMA2010-0003 - 158<sup>th</sup> / Walker Office Commercial ZMA**

<b>Tax Lot</b>	<b>Zoning Designation</b>
1S105BA01600	CS
1S105BA01401	CS
1S105BA01300	CS
1S105BA01200	CS
1S105BD00900	CS
1S105BD01100	CS
1S105BD01000	CS
1S105BD00101	CS

**BEFORE THE PLANNING COMMISSION FOR  
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF A REQUEST FOR AN )  
AMENDMENT TO THE CITY ZONING MAP TO ) ORDER NO. 2256  
DELETE THE OBSOLETE OFFICE COMMERCIAL ) ZMA2010-0003 ORDER  
(OC) ZONE AND APPLY THE COMMUNITY )  
SERVICE (CS) ZONE. (158<sup>TH</sup> / WALKER OFFICE )  
COMMERCIAL ZONING MAP AMENDMENT). )  
CITY OF BEAVERTON, APPLICANT. )

The matter came before the Planning Commission on August 24, 2011, on a request for a legislative zoning map amendment to the City's Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) zone. The parcels are located on the southwest and southeast corners of SW 158<sup>th</sup> Avenue and SW Walker Road. No new development is proposed as a part of this application.

Pursuant to Ordinance 2050 (Development Code), and Ordinance 4187 (Comprehensive Plan), Sections 3.10, 3.14, and 6.2.4.d and Sections 40.97.15.2.C. the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal. The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated August 17, 2011.

Therefore, **IT IS HEREBY ORDERED** that **ZMA2010-0003** is **RECOMMENDED FOR APPROVAL** to the City Council for adoption, based on the testimony, reports and exhibits, and evidence presented during the public hearings on the matter and based on the facts, findings, and conclusions found in the Staff Report dated August 17, 2011.



Motion **CARRIED**, by the following vote:

**AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** None.

Dated this 1<sup>st</sup> day of September, 2011.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2256, an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 5:00 p.m. on Monday, September 12, 2011.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

  
CASSERA PHIPPS  
Assistant Planner

  
STEVEN SPARKS, AICP  
Planning Division Manager

APPROVED:

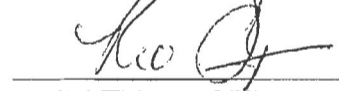
  
RIC STEPHENS  
Chairman



EXHIBIT 3

## CITY of BEAVERTON

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

### STAFF REPORT

HEARING DATE: August 24, 2011

TO: Planning Commission

STAFF: Cassera Phipps, Assistant Planner *CP SW*

PROPOSAL: **158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment (ZMA2010-0003)**

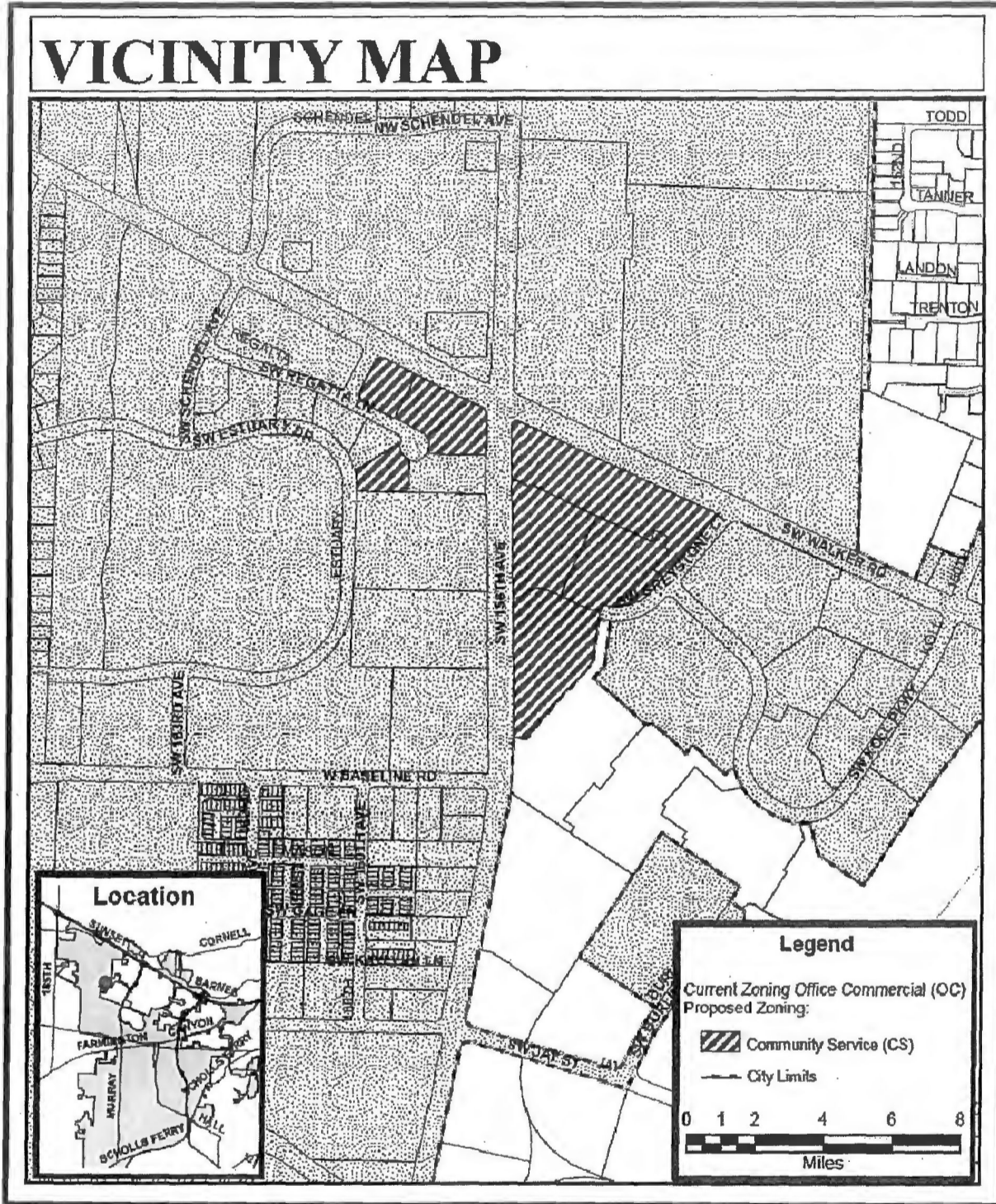
LOCATION: The subject parcels are located on the southwest and southeast corners of 158<sup>th</sup> Ave and Walker Rd – Multiple tax lots

SUMMARY: The City is initiating a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zones. For this specific ZMA, the proposal is to amend the Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) zone. The subject site is a developed area, consisting of eight (8) parcels. The parcels are located on the southwest and southeast corners of SW 158<sup>th</sup> Ave and SW Walker Rd. 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 40.97.15.2.C *Legislative Zoning Map Amendment*,  
Comprehensive Plan Policies: 3.10, 3.14, and 6.2.4.d

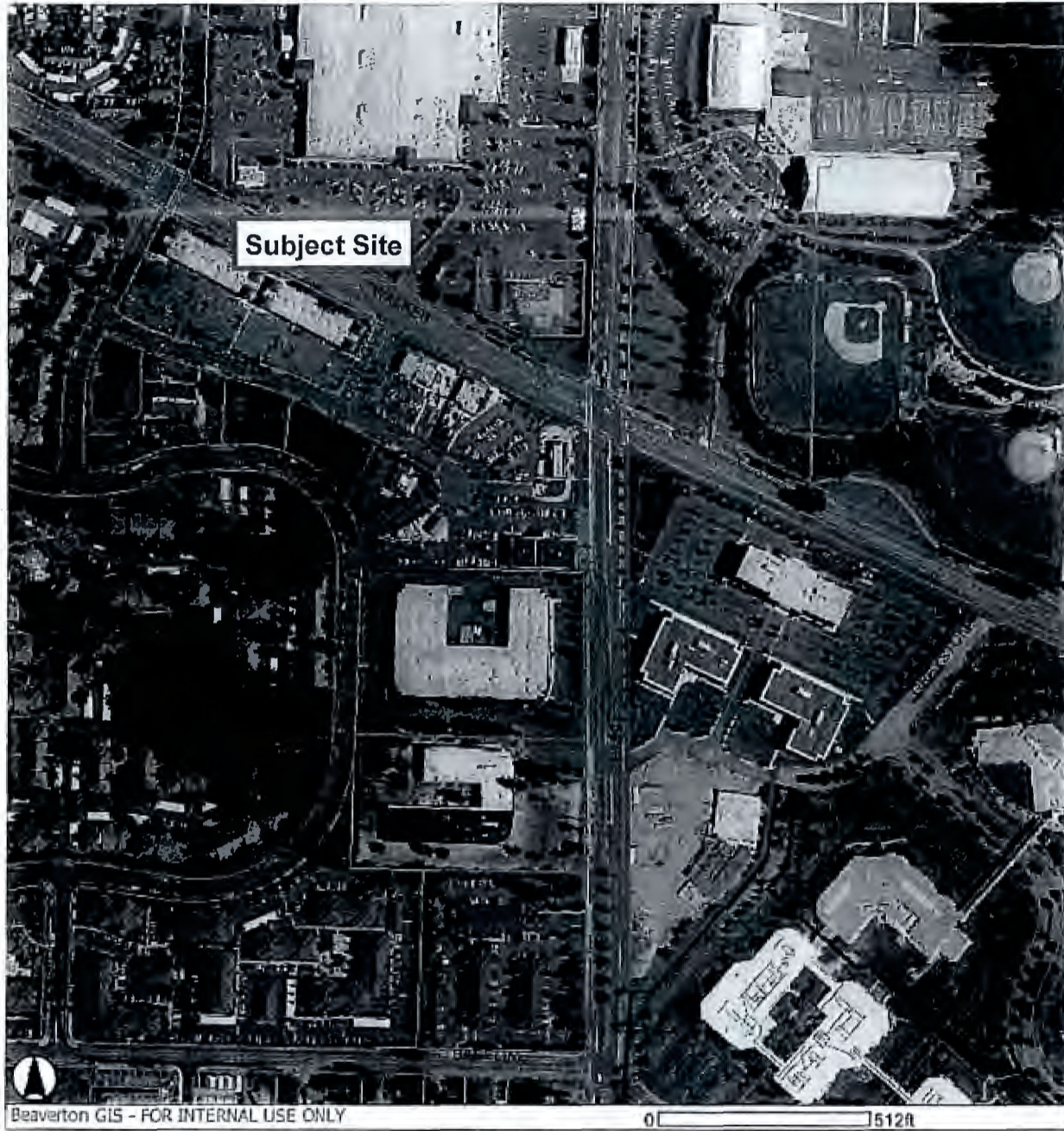
RECOMMENDATION: **Approval of ZMA2010-0003 (158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment)**, with no conditions of approval.



 City of Beaverton	<b>158TH &amp; WALKER OFFICE COMMERCIAL                  ZONE MAP AMENDMENT</b>	05/14/10 Tax Lot # VARIOUS	
	<b>COMMUNITY DEVELOPMENT DEPARTMENT                  Planning Division</b>	Application # <b>ZMA2010-0003</b>	



AERIAL PHOTO



## BACKGROUND FACTS

### Key Application Dates

Application	Submittal Date	Submittal Complete	Final Written Decision Date	240-Day*
ZMA2010-0003	5/14/2010	5/14/2010	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

<b>Zoning</b>	<b>Office Commercial</b>	
<b>Current Development</b>	Primarily eating & drinking establishments, office and medical office buildings ranging in size from 3,000 SF to 67,000 SF.	
<b>Site Size</b>	15.7 acres	
<b>NAC</b>	Five Oaks / Triple Creek	
<b>Comprehensive Plan designations</b>	<p><b>Land Use:</b> Corridor</p> <p><b>Street Functional Classification Plan:</b> SW 158<sup>th</sup> Avenue and SW Walker Road are both designated as Arterials.</p> <p><b>Street Improvement Master Plan:</b> The Transportation System Plan Street Improvement Master Plan identifies street widening improvements to both SW 158<sup>th</sup> Avenue and SW Walker Road.</p> <p><b>Pedestrian &amp; Bicycle Master Plan and Action Plans:</b> The Pedestrian &amp; Bicycle Action Plans identify existing pedestrian and bicycle facilities along SW 158<sup>th</sup> Avenue and SW Walker Road.</p>	
<b>Surrounding Uses</b>	<p><b>Zoning:</b></p> <p><u>North:</u> Community Service (CS) Standard Density Residential R-7</p> <p><u>South:</u> Campus Industrial (CI) Medium Density Residential R-3.5 Washington County</p> <p><u>East:</u> Station Community East (SC-E)</p> <p><u>West:</u> Campus Industrial (CI) Community Service (CS) Medium Density Residential R-3.5</p>	<p><b>Uses:</b></p> <p><u>North:</u> Retail/Restaurant Recreational Facility</p> <p><u>South:</u> Office Residential Office</p> <p><u>East:</u> Office</p> <p><u>West:</u> Office Retail/Restaurant Residential</p>

<p><b>History:</b></p>	<p>The 158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment (ZMA2010-0003) came before the Planning Commission for original consideration on July 14, 2010. This ZMA is one of many Zoning Map Amendments to remove the Office Commercial zoning designation from all properties within the City of Beaverton. The Planning Commission held a public hearing in which no public testimony on the proposed amendment was given and voted to support the proposed ZMA, thereby recommending approval of ZMA2010-0003 to the City Council. Prior to City Council review and action, staff received additional correspondence from the Department of Land Conservation and Development (DLCD) and the Department of Transportation (ODOT) that raised concerns with the staff analysis prepared in response to the Transportation Planning Rule as contained in OAR 660.012.0060. In short, staff withdrew ZMA2010-0003 from consideration until the issues raised by DLCD and ODOT in regards to the transportation analysis could be addressed.</p> <p>Subsequently, staff has worked with ODOT and DLCD to reach a mutually acceptable agreement on which properties, subject to this ZMA, have the potential to cause significant traffic impacts. Staff has not made changes the original proposal, based on the correspondence in Exhibits 2.6 through 2.10. ODOT and DLCD have agreed that the properties involved in ZMA2010-0003 are not likely to cause significant traffic impacts and that the City may proceed with the proposed Zoning Map Amendment.</p>
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DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS	PAGE
Attachment A: ZMA2010-0003 (158 <sup>th</sup> / Walker Office Commercial Zoning Map Amendment) Staff Report	ZMA1–ZMA14

## EXHIBITS

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

**Exhibit 2. Comments Received**

- 2.1 DLCD Letter, Dated June 16, 2010
- 2.2 DLCD Email, Dated July 6, 2010
- 2.3 Supplemental Transportation Comments, Dated July 14, 2010
- 2.4 State Planning Goals Memo, Dated July 14, 2010
- 2.5 Letter from Marc San Soucie, Dated July 14, 2010
- 2.6 Letter from Jana Fox, COB, to ODOT Dated May 26, 2011
- 2.7 Letter from Jana Fox, COB, to ODOT, Dated June 10, 2011
- 2.8 OC Zoning Map Amendments Meeting Summary, Dated July 19, 2011
- 2.9 ODOT Email, Dated August 9, 2011
- 2.10 ZMA2010-0003 Information Packet for ODOT/DLCD Review

**Exhibit 3. Applicable Use Section of the Development Code**

- 3.1 Office Commercial
- 3.2 Community Service

**ANALYSIS AND FINDINGS FOR  
LEGISLATIVE ZONING MAP AMENDMENT APPROVAL**

**Section 40.97.05. Zoning Map Amendment; Purpose**

*The purpose of a Zoning Map Amendment application is to provide for the consideration of legislative and quasi-judicial amendments to the zoning map. Legislative amendments to the zoning map are amendments of generally large size, diversity of ownership or of interest to a large geographic area. Quasi-judicial amendments to the zoning map are amendments that are generally small in size, single ownership or affect only a relatively small geographic area. Annexation related amendments to the zoning map are those amendments, whether legislative or quasi-judicial, which are associated with land being annexed into the City. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires. This Section is carried out by the approval criteria listed herein.*

**Section 40.97.15.2.C. Approval Criteria:**

*In order to approve a Legislative Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- 1. The proposal satisfies the threshold requirements for a Legislative Zoning Map Amendment application.***

**Facts and Findings:**

*Section 40.97.15.2.A Threshold: An application for Legislative Zoning Map Amendment shall be required when the following threshold applies:*

*“The change of zoning designation for a large number of properties.”*

**Background:** The Beaverton City Council, under Ordinances 4541 and 4542, has recently adopted legislative amendments (the Chapter 20 Update) to the Comprehensive Plan and the Development Code, respectively. Ord. 4542 amended the list of implementing zones for land use plan designations, deleted eleven zoning districts and established five new zoning districts at multiple locations throughout the City. Some of the non-discretionary Development Code amendments became effective immediately and thereby amended the Zoning Map on June 17, 2010.

**Current Proposal:** The City is has initiated a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map designations, at multiple locations throughout the City. The first group of legislative ZMA's are scheduled before the Planning Commission during the month of August 2011.



For ZMA2010-0003, the City proposes to amend the Zoning Map to delete the obsolete OC zone and replace it with the CS zone. Staff's recommendation of the CS zone for the subject site will occur within this staff report as part of the analysis of appropriate implementing zones that is necessary for this discretionary decision.

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

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

Facts and Findings:

The City, as the applicant, is not required to submit any fees associated with an application for Zoning Map Amendments.

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

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

**Land Use Element**

**3.10 Corridor Development**

*3.10.1 Goal: An attractive mix of commercial and higher density residential uses along major roads through the City that invites pedestrian activity where appropriate.*

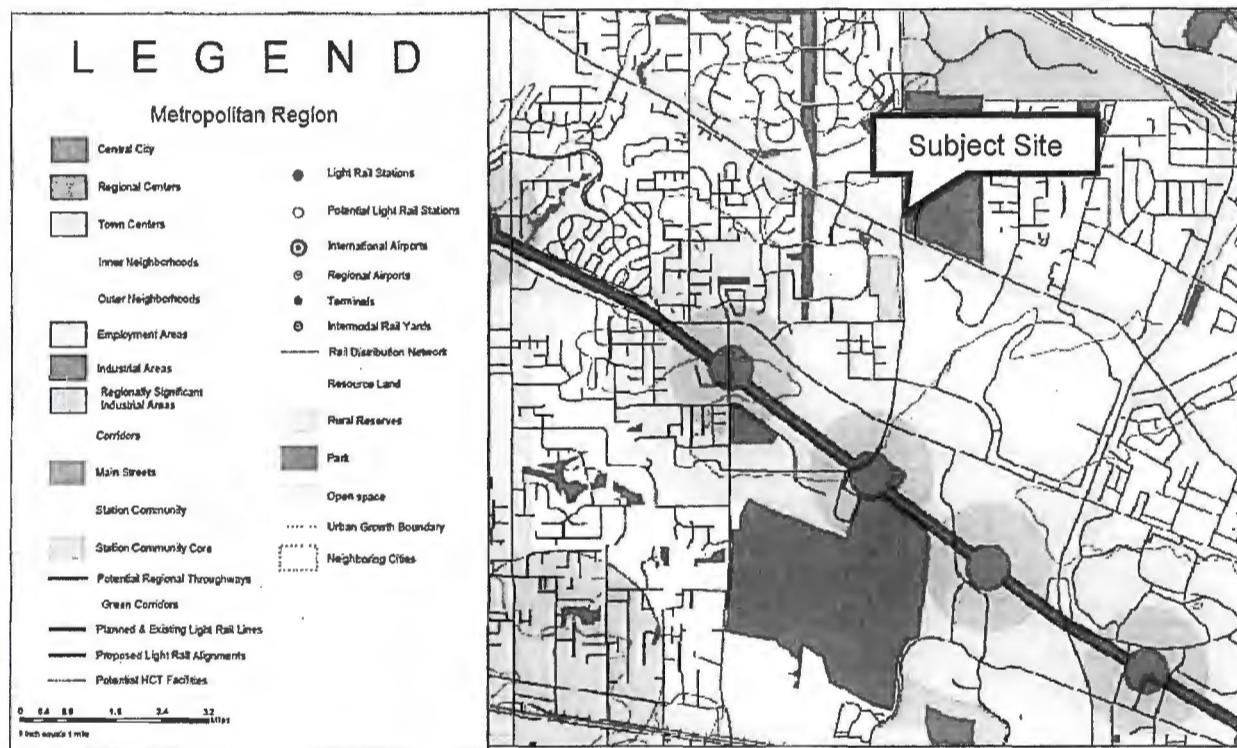
**Policies:**

- a) Regulate new development in Corridors to provide a mix of commercial and residential uses with pedestrian amenities.
- b) Apply the Corridor land use designation consistent with the Metro 2040 Regional Urban Growth Concept Map.
- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.
- d) The community shall endeavor to improve the appearance of commercial areas.
- e) Commercial facilities shall be allocated in a reasonable amount and in a planned relationship to the people they will serve.

Facts and Findings:

The subject site meets the applicable policies for Corridor Development. The Metro 2040 Growth Concept Plan map designates the parcels included in this proposal under Corridor and Inner Neighborhood design types, subject to local interpretation of the Growth Concept Map. The Corridor land use designation allows for a mix of both residential and commercial uses, as shown by the Comprehensive Plan and Zoning District Matrix. The subject parcels are fully developed with commercial buildings. The appearance of commercial areas is regulated by the Development Code. The proposed CS zone, which is an implementing zone of the Corridor land use designation, will permit redevelopment to be designed in a way that is compatible in scale and setbacks to the existing nearby structures.

**Metro 2040 Growth Concept Map**





**3.14 Comprehensive Plan And Zoning District Matrix**

<b>COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX</b>	
<i>Comprehensive Plan Designation</i>	<i>Zoning District</i>
Regional Center	RC-E, RC-OT, RC-TO, C-WS, OI-WS
Station Community	SC-HDR, SC-MU, SC-E1, SC-E3, SC-S
Town Center	TC-HDR, TC-MU
Main Street	Neighborhood Service, R1, R2
Corridor	General Commercial, Community Service, Neighborhood Service, R1, R2, R4, Corridor Commercial
Employment Areas	Office Industrial
Industrial	Industrial
Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R10
Standard Density	R7, R5
Medium Density	R4, R2
High Density	R1
Any of the plan designations cited above	Institutional

**Facts and Findings:**

The site is currently zoned OC. The City Council's adoption of Ord. 4542, effective on June 17, 2010, amended Policy 3.14 (the Matrix) and thereby deleted the OC zone. Therefore, a new replacement zone that implements the Corridor land use designation must be chosen to amend the zoning map. ZMA approval, as recommended by staff, would result in the change of the zoning map designation on the subject parcels to CS (see Exhibit 1). The new Matrix lists the CS zone as one of seven implementing zones of the Corridor land use plan designation.

Existing development, land use, and surrounding zoning, were evaluated by staff in considering the recommendation of the most appropriate zone that best implements the land use plan designation under Policy 3.14. The following zoning districts are identified in Chapter 3 of the Comprehensive Plan as implementing zones of the Corridor Land Use designation: General Commercial (GC), Community Service (CS), Neighborhood Service (NS), R-1, R-2, R-4 and Corridor Commercial (CC).

The historic and continuing use of the subject site is commercial, rather than residential, in nature. Accordingly, staff finds that the Residential implementing zones of the Corridor designation (R-1, R-2, and R-4) are not intended and would not be suitable for the subject site.

Of the Commercial designations, staff finds that the GC, NS, and CC zones are not the best suited zones for the subject properties. The GC zone is intended for uses which are land intensive and often involve outdoor storage and display of merchandise, equipment, or inventory. In contrast, the OC zone required that uses be conducted within a wholly enclosed structure. The CC zone is intended to provide for multiple use employment and service centers, whereas the OC zone was a commercial zone oriented towards office uses, although permitting medical offices and banks, and eating and drinking establishments as a conditional use. The NS zone is not ideally suited for the subject site because of the following use restriction: "No freestanding office structure or group of office structures shall exceed a combined total of 15,000 square feet" (Section 20.10.25.2). Four parcels within the site are currently developed with office structures exceeding 15,000 square feet.

The CS zone is intended to provide a variety of business types and commercial activities found principally along the City's major streets. A number of properties near or adjacent to the subject parcels are zoned CS; zoning this property CS would be consistent with existing zoning in the area. CS zoning reflects the existing character of development and will serve as an appropriate zone located at the intersection of two arterial streets.

Therefore, staff finds that the CS zone is the zone best suited to the subject site. Staff concludes that given the purpose of this zone, to provide for "a variety of business types compatible with and of similar scale to commercial activities found principally along the City's major streets" (Section 20.10.10.2), compatibility with abutting zones and conformity with the existing development, the CS zone is the most appropriate implementing zone for this site.

Because of the factors considered, staff recommends the CS zone as the most appropriate zone to implement the Corridor land use designation.

#### **Transportation Element**

##### **Policy 6.2.4.d:**

Maintain levels of service consistent with Metro's *Regional Transportation Plan* and the *Oregon Transportation Plan*. Applications for Comprehensive Plan Amendments shall comply with the requirements of OAR 660-012-0060 and as appropriate include a Transportation Impact Analysis that shows that the proposal will not degrade system performance below the acceptable two-hour peak demand-to-capacity ratio of 0.98. If the Adopted *Comprehensive Plan* forecasts a two-hour peak demand-to-capacity ratio greater than 0.98 for a facility, then the proposed amendment shall not degrade performance beyond the forecasted ratio. (*Ord. 4301*)

*Reduce traffic congestion and enhance traffic flow through such system management measures as intersection improvements, intelligent transportation systems, incident management, signal priority, optimization, and synchronization, and other similar measures.*



*Action: Maintain performance standards that meet the needs of the City and are consistent with regional and State standards. (Ordinance 4301)*

Facts and Findings:

In response to Comprehensive Plan section 1.5.1 Criteria for Legislative Comprehensive Plan Amendments, Transportation Planning staff have prepared the following analysis for this legislative Zoning Map Amendment application. The existing zoning designation is OC, however the OC zone has been deleted from the Comprehensive Plan and Development Code. The proposed zoning is CS. Comprehensive Plan section 1.5.1 requires the finding that:

- A. The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules;*
- B. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan; and*
- C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans.*

The Oregon Administrative Rules (OAR) Chapter 660-012-0060 (1) (State Transportation Planning Rule (TPR)) contains standards by which to review “amendments to functional plans, acknowledged comprehensive plans and to land use regulations.” This application does not have a “significant affect” on an existing or planned transportation facility based on ODOT and city staff analysis of the following OAR (Oregon Administrative Rule) 660-012-0060 criteria:

The TPR states that an amendment significantly affects a transportation facility if it would:

- A. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- B. Change standards implementing a functional classification system; or*
- C. As measured by the end of the planning period identified in the adopted transportation system plan [TSP]:*
  - (a) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (b) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
  - (c) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

This rezoning does not change functional classifications or change standards implementing a functional classification system. It does allow land use that is not

allowed under the OC zone, this being retail and minor automotive services. However, City staff and ODOT staff have prepared a “significant affect” analysis, found in Exhibit 2.10, and determined that the eight parcels proposed to be zoned CS have no real potential for redevelopment due to recent development on the site and that their land/improvement value ratio indicates that redevelopment is not financially likely. These parcels are outside of the half mile area of influence distance from an ODOT facility.

Staff find that the proposed Zoning Map Amendment does not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility, reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan. Therefore, the proposal to rezone the eight parcels from OC to CS will not have a “significant affect” on a transportation facility.

Summary: Staff finds that through the implementation of the transportation system improvements planned in the TSP, that this site is subject to the Washington County Transportation Development Tax and that the TPR Guidelines (ODOT, April 2006) 3.2.02 allows for transportation system development charge revenues to be considered as “in-place and available” by the end of the applicable planning period, 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 Comprehensive Plan Facts and Findings:

Staff finds the proposed CS 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) conducted by the City have previously considered this and others properties in the vicinity as ultimately developing or re-developing in the future according to the densities or intensities anticipated under the existing Comprehensive Plan designation. Additionally, the area in question for rezoning is relatively small and the potential for maximum use of the affected site under the proposed zoning designation 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 CS zoning designation. 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 public services to the site, which staff finds to be sufficient to serve the current use and any of the listed permitted uses of the CS zone. Should expansion or new development occur, staff will evaluate the adequacy 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 buildings on the properties subject to this ZMA are served by essential facilities and services including schools, police services, emergency services and public transportation. To the extent that previous development has provided public transportation facilities that met City standards at the time, these properties are adequately served by streets and pedestrian and bicycle facilities. 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. While the properties subject to this ZMA are developed, if intensification of land uses or new development occurs, staff will evaluate the adequacy of essential facilities and services with the associated development applications.

**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 20.10.15 and 20.10.20 of the Development Code as being the applicable Chapter 20 Code sections in the review of this proposal. These code sections contain the list of permitted, conditional, and prohibited land uses and the site development regulations that are specific to the CS zone.

The subject properties are fully developed under the current zoning. Staff has reviewed Chapter 20 Site Development Standards (Section 20.10.15) and found that the site development standards for the OC and CS zones are closely matched with the exception of the height limitation which is 30 ft. in the OC zone, and 60 ft in the CS zone (if the building is not within 100 ft of residentially zoned property). Therefore buildings in the current OC zone would be required to meet the same site development standards as those in the CS zones.

Rezoning the properties would not create nonconformance with site development standards where they did not already exist. If the existing structures were removed, they could rebuild under the CS zone. Review of Section 20.10.20 shows that the primary existing uses of land, as restaurants and offices, are permitted in the CS zone. Per Section 30.45 of the Development Code, permitted uses existing before the requirement for Conditional Use approval shall be considered conforming uses.

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

**7. *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 May 14, 2010 and was deemed complete on the same day. In the review of 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.**

**8. *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 rezone properties that are currently zoned Office Commercial, an obsolete zone that has been removed from the Development Code. 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.**

***9. In addition to the criteria stated in Section 40.97.15.2.C.1 through 8 above, the following criteria shall apply to Legislative Zoning Map Amendments which would change the zone designation to the Convenience Commercial (CV) zoning district ...***

Facts and Findings:

The City has submitted this Zoning Map Amendment application proposing that the obsolete OC zone be replaced with the CS zone for the properties noted. In addition, the City's adoption of Ord. 4542 has deleted the Convenience Commercial (CV) zoning district from the zoning map and Development Code. Criterion 9, above, is not applicable to the proposal.

**Therefore, staff finds that the approval criterion is not applicable.**

**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 or land use regulation 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 area included in this proposal under the Corridor and Inner Neighborhood design types. 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.” Inner Neighborhoods are described as: “Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes.”*



This title of the Functional Plan requires the City to ensure that its Comprehensive Plan and zoning regulations accommodate certain amounts of housing and employment potential for the horizon year 2017. This application proposes to apply a zoning designation of CS to replace the existing OC zoning designation. The properties are designated "Corridor" and "Inner Neighborhood" by the Functional Plan. The Zone Change proposal will increase the allowed density of the subject parcels which are being rezoned to the CS designation which allows attached and detached residential outright without limiting the area which can be developed residentially within the zone, complying with Title 1's intent. Future development will include a specific review as to whether the proposal meets the Development Code's adopted Title 1 minimum density standards. Approval of the proposed increase in density to CS 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 3: Water Quality and Flood Management

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 not applicable 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: Centers, Corridors, Station Communities and Main Streets

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: Housing Choice

The proposed amendment for CS zoning does not include a residential or multiple use zone where the City has planned for the substantial majority of residential development to occur. However, the proposed CS zone does permit residential dwellings at a minimum density of 1,000 sq. ft per attached dwelling unit and 4,000 sq. ft. per detached dwelling unit. This ZMA is not expected to provide for low cost housing.

Title 8: Compliance Procedures

Notice of the CPA and TA applications for the Chapter 20 Update, approved by City Council in Ordinances 4541 and 4542, was previously provided to the Chief Operating Officer of Metro. The City's decision on the Chapter 20 amendments form the basis for the current ZMA application.

Notice of this particular Zoning Map Amendment (ZMA 2010-0003) was sent to the Chief Operating Officer of Metro on 7/1/2011, 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, unrelated 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. The proposed amendment for CS zoning does not include a residential or multiple use zone where the City has planned for the substantial majority of residential development to occur. The subject parcels are predominately surrounded by commercial and higher density residential zones.

Title 13: Nature in Neighborhoods

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

Title 14: Urban Growth Boundary

The subject properties are inside the Urban Growth Boundary.

Metro 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 does not apply to the proposed zoning map amendment. Staff cites the findings of conformance with the State Transportation Planning Rule (TPR), found on page ZMA5 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 for adoption dated 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 that 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

Staff Report (8/17/2011)

ZMA-13

ZMA2010-0003 (158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment)



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.

Staff cite the TPR and transportation findings found in this report on pages ZMA5-ZMA7, as applicable to conformance with the state Transportation Planning Rule.

**SUMMARY OF ZMA FINDINGS:** For the reasons identified above, staff finds that the proposal satisfies the applicable approval criteria for a Legislative Zoning Map Amendment approval pursuant to Section 40.97.15.2.C.1 through 9 of the Development Code, in addition to compliance with applicable State and Metro requirements.

#### **LEGISLATIVE ZONING MAP AMENDMENT CONCLUSION**

Based on the facts and findings presented, staff concludes the proposal, **ZMA2010-0003 (158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment)** meets the applicable criteria for approval.

#### **Recommendation**

Based on the facts and findings presented, staff recommends **APPROVAL** of **ZMA2010-0003 (158<sup>th</sup> / Walker Office Commercial Zoning Map Amendment)**. There are no recommended conditions of approval.

EXHIBIT 2.1



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development  
Community Services Division

800 NE Oregon Street, Suite 1145

Portland, Oregon 97232

Phone: (971) 673-0965

Fax: (971) 673-0911

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June 16, 2010

Scott Whyte, Senior Planner  
John Osterberg, Senior Planner  
City of Beaverton  
4755 SW Griffith Drive  
Beaverton, OR 97076

Re: City of Beaverton Proposed Comprehensive Plan and Development Code Amendments  
(Local File Nos. ZMA2010-0003 to 0011; DLCD File Nos. 006-10 to 012-10)

Dear Scott and John,

Thank you very much for the proposed Comprehensive Plan and Development Code Amendments including zoning map amendments to replace the Office Commercial (OC) zone with either the Community Service (CS) zone or the Neighborhood Service (NS) zone and to replace the Residential R-3.5 zone with either the higher density R-2 zone or the lower density R-4 zone. After reviewing the proposed amendments, it appears that the current OC zone prohibits retail uses and that the proposed CS and NS zones both allow such uses, creating a potential for more trip generation and the need to make a determination if there will be a "significant effect" under the Transportation Planning Rule (OAR 660-012). In addition, it is not clear what impacts may be expected from the proposed density changes in the Residential zone without more specific information.

As you have indicated that City staff is currently working on a report and findings for the proposed amendments that will be available prior to the first hearing date of July 7, 2010, we would like the opportunity to review the report and findings at that time and to provide additional comments, if necessary.

Please feel free to contact me if you have any further questions or concerns.

Regards,

A handwritten signature in cursive script that reads "Anne Debbaut".

Anne Debbaut | Metro Regional Representative

cc: Don Mazziotti, City of Beaverton, Community Development Director (*email*)  
Cassera Phipps, City of Beaverton (*email*)  
Jana Fox, City of Beaverton (*email*)

Jason T., City of Beaverton (*email*)  
Marah Danielson, ODOT, Region 1 (*email*)  
Darren Nichols, Tom Hogue, Bill Holmstrom, Gloria Gardiner, DLCD (*email*)



**John Osterberg**

---

**From:** Debbaut, Anne [anne.debbaut@state.or.us]  
**Sent:** Tuesday, July 06, 2010 8:24 AM  
**To:** John Osterberg  
**Subject:** RE: Draft report findings from Beaverton

Good Morning John,

Thanks very much for the draft report. Our transportation specialist has reviewed the document and provided the following comments:

I believe that the staff report's findings in regards to the TPR are a bit fuzzy. As the overall impacts of the zone change are not yet known, the finding that there is a possible "significant effect" under 0060(1) is reasonable. The city should identify the specific facilities that may be significantly affected for each zone change.

However, later in the findings the staff report states that because the city will identify and implement any necessary mitigation down the road, there is no longer a potential significant effect. This is misleading and unclear.

Under 0060(1), the city must determine if there is a significant effect. They have done this in very broad terms, and this is sufficient for this stage of the process.

Once a significant effect has been identified, the city must mitigate it through 0060(2) or (3). The city can postpone this until a later time as long as it is clear that it will be addressed.

From my reading of the staff report, I think the city's approach is valid, but the language in the staff report should be clarified to clearly state:

- There is a significant effect
- Which facilities are affected
- How & when specific impacts will be determined -Potential methods of mitigating impacts

Let me know what you think.

Is there a date set for the Planning Commission hearing?

Thanks,  
Anne

**Anne Debbaut** | Metro Regional Representative  
Community Services Division  
Oregon Department of Land Conservation and Development  
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Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911  
[anne.debbaut@state.or.us](mailto:anne.debbaut@state.or.us) | [www.oregon.gov/LCD/](http://www.oregon.gov/LCD/)

## EXHIBIT 2.3

City of Beaverton

TRANSPORTATION COMMENTS – by Don Gustafson (350-4057) 07-14-2010

### Rezoning Case file ZMA2010-0003 SW 158<sup>th</sup> & Walker Road Office Commercial

This memo is the Transportation Division's response to the Oregon Department of Land Conservation and Development (DLCD) draft e-mail comments dated July 6, 2010 from Anne Debbaut on the city staff report findings for City initiated zoning map amendments. The comments relate to Transportation Planning Rule (TPR) requirements for the rezoning. The DLCD memo concluded that they believed the City's approach was valid but recommended the following clarifications.

Planning staff had previously recommended to DLCD that the staff report for ZMA2010-0004 (Beaverton-Hillsdale Hwy Office Commercial) be reviewed as a template for all subsequent reports regarding replacement zoning for Office Commercial. On that basis therefore, staff submit the same DLCD comments and in response, provide the supplemental TPR findings below:

- **Is a determination made with regard to “significant affect” ?**

This is summarized below to restate the finding, but the staff reports do state that *there could possibly be a significant impact from the rezoning change*. This finding is found on the bottom of page ZMA-6. For the purpose of clarity in addressing the TPR, staff concludes there is the potential for a 'significant affect' to a transportation facility.

- **Which facilities are affected ?**

ZMA2010-0003: SW Walker Rd (Arterial) and SW 158<sup>th</sup> Ave (Arterial)

- **How & when specific impacts will be determined, and what are the potential methods of mitigating impacts ?**

Staff have stated in the staff reports that other measures or improvements will be identified by a traffic analysis and will be conditions of development approval (if required for mitigation) and will be conditioned to be provided as recommended by the traffic analysis at the time of development. This is more fully addressed in the summary below.

**TPR FINDINGS SUMMARY:**

Rezoning from OC to NS or CS allows a different use that is a higher trip generator than what was previously allowed. We were not able to forecast the impact of all the parcels or determine the level of service of all of the impacted intersections. Therefore, we concluded that there could potentially be a significant impact from the zoning change, because the zoning change will now potentially meet **Section 660-012-0060 1(c).(C)** of the TPR: *“Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.”*

To address a significant impact, the TPR states that compliance with Section (1) can be accomplished by **660-012-0060 (2).(e)** *“Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided”*. We have stated in the staff reports that other measures or improvements will be identified by a traffic analysis and will be conditions of development approval (if required for mitigation) and will be conditioned to be provided as recommended by a traffic analysis at the time of development.

At the time that development or redevelopment is proposed on these parcels, a traffic analysis will be required if the proposed development meets the impact thresholds of Section 60.55.20 of the City Development Code. The City staff will review the analysis for conformance with the level-of-service standards, and may establish conditions of approval requiring necessary transportation improvements and mitigation based upon the impacts of development in accordance with the Comprehensive Plan. Therefore, to the degree that the City’s Transportation System Plan (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, when redevelopment is proposed.





**MEMORANDUM**  
**City of Beaverton**  
**Community Development Department**

**To:** Chair Winter and Planning Commission  
**From:** John Osterberg, Senior Planner  
**Date:** July 14, 2010  
**Subject:** *ZMA2010-0003 Applicability of State Planning Goals*

---

Staff note that the City has an acknowledged Comprehensive Plan 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 for adoption dated 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 ZMA.

City staff has received comment by phone from Department of Land Conservation & Development (DLCD) staff that indicates DLCD believes that Statewide Planning Goals can be applicable to zoning map amendments (ZMA's). It is City staff's understanding that Statewide Goals are not required to be addressed as criteria in ZMA's, primarily because the City has an acknowledged Comprehensive Plan. City staff believe that only Comprehensive Plan Amendments (CPA's) require findings for conformance with State Goals. However, without adequate time to research the applicability of Statewide Goals for the public hearing on ZMA 2010-0003 'SW 158<sup>th</sup> & Walker Road Office Commercial', staff will go forward at this time by addressing the State Goals that are potentially applicable, and providing findings below.

### Conformance with Statewide Planning Goals

City staff has reviewed all Statewide Planning Goals and finds only two (2) goals to be applicable in the subject case: Goal 1 (Citizen Involvement), and Goal 12 (Transportation). Additional statewide planning goals would be identified if a Comprehensive Plan Amendment (CPA) was to accompany this application, but CPA designations to these properties will remain unchanged by this ZMA.

#### **Goal 1 Citizen Involvement:**

The City has provided the opportunity for citizens to be involved with the proposed legislative zoning map amendment by the City posting notice in the Valley Times newspaper and mailing notice to all owners of the properties subject to this ZMA. Also, notice has been mailed to the chair of the neighborhood association committees (NAC's) where these properties are located. All notice requirements of the Development Code have been met.

#### **Goal 12 Transportation: *To provide and encourage a safe, convenient and economic transportation system.***

City staff has prepared findings within the staff report dated July 7, 2010, and within the supplemental findings dated July 14, 2010, addressing the State Transportation Planning Rule (TPR) found in Oregon Administrative Rules (OAR) Section 660-012-0060. In addition, the staff report addresses Comprehensive Plan Policy 6.2.4.d: which states, in part:

*Maintain levels of service consistent with Metro's Regional Transportation Plan and the Oregon Transportation Plan. Applications for Comprehensive Plan Amendments shall comply with the requirements of OAR 660-012-0060.*

Although, the Plan policy states that CPA's shall comply with the TPR, the City has routinely addressed the TPR with ZMA's. Staff conclude that the TPR findings contained in the staff report and supplemental findings are adequate to satisfactorily address Goal 12.

EXHIBIT 25

**Comments on ZMA2010-0003 - 158TH & WALKER ROAD AREA OC ZONE**

**Marc San Soucie**

**July 14, 2010**

I have a concern about changing the area on the SE corner of 158<sup>th</sup> and Walker to the CS District. While I appreciate that the Land Use designation is currently Corridor, the active uses are all Office, making this chunk of land effectively an Employment area.

Since our overall supply of Employment land in Beaverton is constrained, and since the areas immediately adjoining the properties are occupied by office/employment uses, it seems to me a better choice would be to re-designate the Land Use as Employment (or perhaps Station Community like the properties to the east), and the Zoning as Office Industrial (or perhaps SC-E3 like the properties to the east).

In my opinion changing to the CS district would allow retail uses on these properties, and could, over time, result in a reduction of our supply of Employment-focused land.

I have no such concern about the area on the SW corner of 158<sup>th</sup> and Walker, and concur with the recommended CS district there.

Thank you,

Marc San Soucie  
City Councilor  
17970 NW Rapid St.  
Beaverton OR 97006





## CITY of BEAVERTON

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

Marah Danielson  
Senior Planner  
ODOT Region 1 Planning

May 26, 2011

**RE: City of Beaverton's Office Commercial/Convenience Service Zoning Map Amendments**

Dear Ms. Danielson,

The City of Beaverton has prepared the following information for your consideration regarding the proposed zone changes to remove the obsolete Office Commercial and Convenience Service zoning designations from properties within the City of Beaverton. Staff has provided an analysis of each property proposed for rezoning in this package.

The original vicinity map with proposed zoning is provided for each of the six Zoning Map Amendments. The vicinity map is followed by aerial maps, which identify specific properties proposed for rezoning and how staff has classified potential traffic impacts for each property as a result of the zone change (the classifications are discussed below). The third section presents basic information for each property including size, location, proposed zoning, constraints, and land to improvement value ratios. The final section is a written analysis that presents staff's reasoning behind each traffic impact classification and subsequent traffic impacts to ODOT facilities.

In analyzing the individual properties, staff identified six different classifications based on existing site conditions. The traffic impact classifications are; Outside ODOT Vicinity, Office Commercial to Neighborhood Service, Convenience Service to Neighborhood Service, Not Redevelopable, Unlikely to Cause Significant Traffic Impacts, and Potential Traffic Impacts.

- **Outside ODOT Vicinity:** Properties with this classification are located more than half a mile from the nearest ODOT facility.
- **Office Commercial to Neighborhood Service:** The highest trip generating uses within the OC and NS zones are the same; drive-thru fast food, drive-thru bank, and medical/dental office. Therefore, a change in zone would not increase the potential for higher trip generating uses.
- **Convenience Service to Neighborhood Service:** The highest trip generating uses within the CV and NS zones are the same; drive-thru fast food, drive-thru bank, and medical/dental office. Therefore, a change in zone would not increase the potential for higher trip generating uses.
- **Not Redevelopable:** Properties with this designation have land to improvement value ratios of less than 1.5, which is the standard the City of Beaverton has applied to other projects in order to assess the redevelopment potential of a given parcel. Properties with this designation have buildings and improvements of such value that it wouldn't be economically viable to remove them and build new structures.
- **Unlikely to Cause Significant Traffic Impacts:** Properties with this designation have a land to improvement value ratio of 1.5 or higher. However, site characteristics or other limiting factors

decrease the potential for these properties to redevelop in a way that would cause significant impacts to ODOT facilities.

- **Potential Traffic Impacts:** Properties with this designation are the most likely to redevelop and have the highest potential to impact ODOT facilities. However, in many cases there are still mitigating factors that decrease the potential for significant impacts.

We appreciate your consideration of the enclosed staff analysis and we forward to discussing this project with you upon your review. If you have any questions, please do not hesitate to contact me.

Thank you,



Jana Fox  
Associate Planner  
City of Beaverton  
(503) 526-3710

EXHIBIT 2.7



## CITY of BEAVERTON

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

Marah Danielson  
Senior Planner  
ODOT Region 1 Planning

June 10, 2011

**RE: City of Beaverton's Office Commercial/Convenience Service Zoning Map Amendments Revisions**

Dear Ms. Danielson,

Thank you for your review of our initial submittal materials. We have made the changes discussed to address the incorrect assumption that the trip generation potential in the OC and NS zones are the same. We have analyzed all of the properties which are proposed to be rezoned NS in the same format as the original analysis. That analysis has been included in the updated packet, attached hereto. We appreciate your consideration, if you have any questions, please do not hesitate to contact me.

Thank you,

  
Jana Fox  
Associate Planner  
City of Beaverton  
(503) 526-3710



**Office Commercial Zoning Map Amendments Meeting Summary  
July 19, 2011**

**Attendees:**

City of Beaverton-Steven Sparks, Jana Fox, Don Gustafson, Jabra Kasho  
 ODOT-Marah Danielson, Seth Brumley, Avi Tayar  
 DLCD-Anne Debbaut, Bill Holmstrom

The tables below highlights the properties that the City of Beaverton, DLCD, and ODOT agree need further analysis and the uses that have been agreed upon as reasonable worst case under the proposed zoning. Properties that do not need further analysis have been excluded.

<b>ZMA2010-0004 Beaverton-Hillsdale Highway OC ZMA</b>		
<i>Property</i>	<i>Existing Zoning-Reasonable Use</i>	<i>Proposed Zoning-Reasonable Use</i>
9&10	Medical Office	Convenience Store
16-18	Medical Office	Convenience Store*
22 & 23	Medical Office	Fast Food w/ drive-thru*

\*Consider pass-by trips along Beaverton-Hillsdale Highway for these uses.

<b>ZMA2010-0006 Southeast Beaverton OC ZMA</b>		
<i>Property</i>	<i>Existing Zoning-Reasonable Use</i>	<i>Proposed Zoning-Reasonable Use</i>
5	Medical Office	Fast Food w/ drive-thru

**ZMA2010-0005 Greater Cornell Area OC ZMA** (selected properties 19-23) does not require any further analysis and the City of Beaverton can proceed with the zoning map amendment as proposed.

**ZMA2010-0010 West Slope OC ZMA** does not require any further analysis and the City of Beaverton can proceed with the zoning map amendment as proposed.

The City of Beaverton will proceed with ZMA2010-0005 and ZMA2010-0010. City of Beaverton Transportation staff will do preliminary analysis on the selected properties discussed above. Preliminary findings and analysis will be shared with ODOT and DLCD and the group will decide if further analysis is needed or if the impact to transpiration facilities is not significant.

**Jana Fox**

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**From:** BRUMLEY Seth A [Seth.A.BRUMLEY@odot.state.or.us]  
**Sent:** Tuesday, August 09, 2011 3:05 PM  
**To:** Donald Gustafson  
**Cc:** Jana Fox; Jabra Khasho; TAYAR Abraham \* Avi; DANIELSON Marah B; DEBBAUT Anne  
**Subject:** RE: July 19 meeting summary

Hi Don,

ODOT has reviewed the City's TPR findings in a letter from Jana Fox dated June 10, 2011 as well as additional Transportation Comments from Don Gustafson dated July 28, 2011 and agrees that the following Zoning Map Amendments will not have a significant affect on the transportation system:

ZMA2010-0003  
ZMA2010-0005  
ZMA2010-0006  
ZMA2010-0010  
ZMA2010-0011

Please contact me if you need additional clarification.

Thank you,

Seth Brumley  
Associate Planner  
ODOT Region 1  
(503) 731-8234

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**From:** Donald Gustafson [mailto:[dgustafson@beavertonoregon.gov](mailto:dgustafson@beavertonoregon.gov)]  
**Sent:** Monday, August 08, 2011 3:44 PM  
**To:** BRUMLEY Seth A  
**Cc:** Jana Fox; Jabra Khasho  
**Subject:** FW: July 19 meeting summary

Seth,

Attached is the meeting summary for July 19, 2011. We have had further discussions with you and your staff on ZMA2010-0006 and have made findings that ODOT staff is in agreed with.

Can you send me an e-mail stating that ODOT is in agreement with the city's findings that re-zoning cases ZMA2010-0003, ZMA2010-0005, ZMA2010-0006, ZMA2010-0010 and ZMA2010-0011 do not have a "significant affect" on and existing or planned transportation facility based on ODOT and city staff analysis of the following OAR (Oregon Administrative Rule) 660-012-0060 criteria?:

The TPR states that an amendment significantly affects a transportation facility if it would:

- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) *Change standards implementing a functional classification system; or*

(c) As measured by the end of the planning period identified in the adopted transportation system plan [TSP]:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Thanks.

*Don*

*Don Gustafson AICP*

*Senior Transportation Planner*

*Economic & Capitol Development Department*

*City of Beaverton, OR*

<mailto:dgustafson@beavertonoregon.gov>

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**From:** Jana Fox

**Sent:** Wednesday, July 20, 2011 3:30 PM

**To:** Donald Gustafson; Jabra Khasho; Steven Sparks; TAYAR Abraham \* Avi; BRUMLEY Seth A; 'DANIELSON Marah B'; 'Debbaut, Anne'; Holmstrom, Bill

**Subject:** July 19 meeting summary

Thank you for attending our meeting yesterday. It was really helpful to sit down and work through the proposed amendments. Please let me know if you have any questions or amendments to the meeting summary.

Thanks,

Jana Fox

Associate Planner

City of Beaverton

t: 503.526.3710

f: 503.526.3720

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**PUBLIC RECORDS LAW DISCLOSURE**

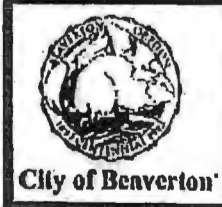
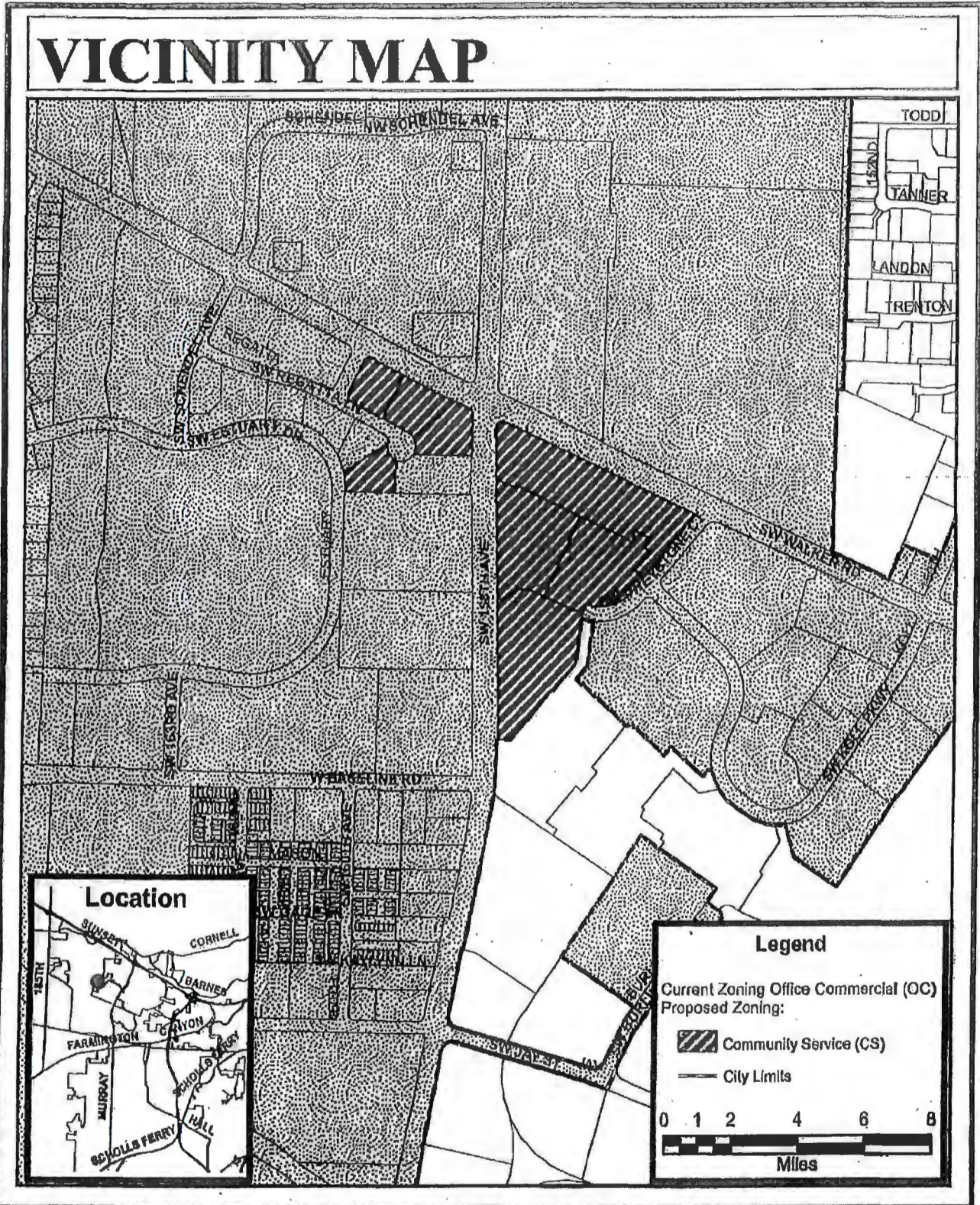
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EXHIBIT 2.10

**ZMA2010-0003**  
**158<sup>th</sup> & Walker Office Commercial Zoning Map**  
**Amendment**

# VICINITY MAP



158TH & WALKER OFFICE COMMERCIAL  
ZONE MAP AMENDMENT

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division

05/14/10  
Tax Lot #  
VARIOUS

Application #  
ZMA2010-0003





ZMA2010-0003 158th & Walker OC ZMA





**ZMA2010-0003 158th & Walker Office Commercial Zoning Map Amendment**

<b>1</b>	Address: <b>15975 SW Regatta Ln</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Restaurant</b> Market Land Value: <b>\$746,920</b> Land/Improvement Value Ratio: <b>0.76</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: <b>4601</b> Constraints: <b>N/A</b> Acreage: <b>0.80</b> Total Improvement Value: <b>\$978,730</b> Redevelopment Potential: <b>No</b>
<b>2</b>	Address: <b>15935 SW Regatta Ln</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Restaurant</b> Market Land Value: <b>\$756,670</b> Land/Improvement Value Ratio: <b>1.6</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: Constraints: <b>N/A</b> Acreage: <b>0.91</b> Total Improvement Value: <b>\$479,690</b> Redevelopment Potential: <b>Yes</b>
<b>3</b>	Address: <b>15915 SW Regatta Ln</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Restaurant w/ Drive Thru</b> Market Land Value: <b>\$844,620</b> Land/Improvement Value Ratio: <b>1.1</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: <b>2854</b> Constraints: <b>N/A</b> Acreage: <b>0.92</b> Total Improvement Value: <b>\$774,590</b> Redevelopment Potential: <b>No</b>
<b>4</b>	Address: <b>15930 SW Regatta Ln</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Restaurant</b> Market Land Value: <b>\$535,000</b> Land/Improvement Value Ratio: <b>0.69</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: Constraints: <b>N/A</b> Acreage: <b>0.70</b> Total Improvement Value: <b>\$776,920</b> Redevelopment Potential: <b>No</b>
<b>5</b>	Address: <b>15655 SW Greystone Ct</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Office</b> Market Land Value: <b>\$2,872,750</b> Land/Improvement Value Ratio: <b>0.31</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: <b>66,081</b> Constraints: <b>N/A</b> Acreage: <b>4.08</b> Total Improvement Value: <b>\$9,327,840</b> Redevelopment Potential: <b>No</b>
<b>6</b>	Address: <b>15727 SW Greystone Ct</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Office</b> Market Land Value: <b>\$2,070,250</b> Land/Improvement Value Ratio: <b>0.36</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: <b>48,220</b> Constraints: <b>N/A</b> Acreage: <b>2.59</b> Total Improvement Value: <b>\$5,750,630</b> Redevelopment Potential: <b>No</b>
<b>7</b>	Address: <b>15625 SW Greystone Ct</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Office</b> Market Land Value: <b>\$1,931,630</b> Land/Improvement Value Ratio: <b>0.40</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: <b>48,220</b> Constraints: <b>N/A</b> Acreage: <b>2.41</b> Total Improvement Value: <b>\$4,865,320</b> Redevelopment Potential: <b>No</b>
<b>8</b>	Address: <b>15700 SW Greystone Ct</b> Proposed Zoning: <b>Community Service (CS)</b> Existing Use: <b>Medical Office</b> Market Land Value: <b>\$2,344,870</b> Land/Improvement Value Ratio: <b>0.19</b> Classification: <b>Outside ODOT Vicinity</b>	Bldg. Square Footage: <b>53,332</b> Constraints: <b>N/A</b> Acreage: <b>3.29</b> Total Improvement Value: <b>\$12,545,700</b> Redevelopment Potential: <b>No</b>

## ZMA2010-0003 158th & Walker Office Commercial Zoning Map Amendment

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### **Background**

The proposed legislative zoning map amendment involves properties in the general vicinity of SW 158<sup>th</sup> Avenue & SW Walker Road. The subject properties are depicted on the maps associated with these documents. Staff has assessed these properties and the reasonable likelihood that they will redevelop.

### **Outside ODOT Vicinity**

All properties proposed for rezoning are not within the vicinity of any ODOT facility, and therefore will not have a significant impact on ODOT facilities. The subject properties are over nine tenths (9/10) mile from an existing ODOT facility. In addition the majority of the subject properties have recently undergone significant capital investments which make redevelopment unlikely at this time.

### **Conclusions**

Based on the aforementioned observations, we feel that there is no need to do additional traffic impact analysis for these properties. If you agree, we will return to our Planning Commission with augmented transportation impact findings for the proposed Zoning Map Amendment.

EXHIBIT 3.1

LAND USES

Commercial: OC

20.10.25. Office Commercial Districts: OC

1. **Purpose.** The Office Commercial or "OC" District is intended for a mixing of professional offices and other compatible commercial purposes with medium and high density residential uses.
2. **District Standards and Uses.** OC Districts and uses shall comply with the following:

A. Permitted Uses:

Unless otherwise prohibited or subject to a conditional use, the following uses and their accessory uses are permitted:

1. Office uses engaged in providing services to the general public: e.g., medical, real estate, insurance; and similar services as approved by the Director. When an interpretation is discretionary, notice shall be provided in accordance with Section 50.40. (ORD 3739)
2. Detached or attached dwellings, provided, however, that only 50% of the contiguous area within any office commercial zone may be developed residentially. (ORD 3688) [ORD 4224; August 2002]
3. Educational institutions which do not abut a residential zone. This type of use includes public, private, or parochial academic schools, colleges, universities, vocational and trade schools. (ORD 3622)
4. Residential Care Facilities. [ORD 4036; March 1999]
5. Accessory Dwelling Units (See also Special Use Regulations Section, Accessory Dwelling Units, 60.50.03). [ORD 4048; June 1999]
6. Financial Institutions. [ORD 4111; June 2000]
7. Collocation of wireless communication facilities on an existing wireless communication facility tower [ORD 4248; April 2003]



20.10.25.2.A.

8. Installation of wireless communication facilities on streetlights, excluding streetlights on power poles, traffic signal lights, and high voltage power utility poles within public road rights-of-way [ORD 4248; April 2003]
9. Attachment or incorporation of wireless communication facilities to existing or new buildings or structures that are not exclusively used for single-family residential or multi-family residential purposes [ORD 4248; April 2003]
10. Temporary wireless communication facilities structures (See also Temporary Structures – Section 40.80) [ORD 4248; April 2003]
11. Installation of one (1) replacement wireless communication facility tower on a parent parcel containing an existing tower supporting one (1) carrier for the purpose of providing collocation opportunity consistent with previous land use approvals [ORD 4248; April 2003]
12. Up to and including two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]

B. Conditional Uses: (Subject to Section 40.15 or Section 40.96 as applicable)

The following uses and their accessory uses may be permitted subject to the approval of a Conditional Use (CU):

1. Eating or drinking establishments
2. Rental businesses
3. Educational institutions which abut a residential zone. This type of use includes public, private, or parochial academic schools, colleges, universities, vocational and trade schools. (ORD 3622)
4. Construction of a wireless communication facility tower [ORD 4248; April 2003]

20.10.25.2.B.

5. More than two (2) satellite antennas greater than two (2) meters in diameter on one (1) lot [ORD 4248; April 2003]
6. Direct-to-home satellite service having antennas greater than one (1) meter in diameter [ORD 4248; April 2003]

C. Prohibited Uses:

1. Retail businesses
2. Temporary Living Quarters
3. Taverns, bars or other uses that principally sell alcoholic beverages.
4. Mobile home parks and subdivisions. (ORD 3739)
5. Automotive Services, Major
6. Automotive Services, Minor
7. Attachment of a wireless communication facility to existing or new non-residential buildings that does not utilize stealth design [ORD 4248; April 2003]

D. Use Restrictions:

1. Conditional Uses shall be subject to the condition that the activity is conducted wholly within an enclosed structure, with the exception of outside play or activity areas related to educational institutions. (ORD 3622)

E. District Requirements:

1. The Minimum Area for a New Zoning District is 2 Acres.
2. There is no Maximum Area for a new Zoning District.

[ORD 3975, February 1997]

LAND USES

Commercial: Site Development

20.10.50. Site Development Requirements.

	<u>NS</u>	<u>GC</u>	<u>CS</u>	<u>CV</u>	<u>OC</u>
1. Minimum Lot Area: (in Square Feet)	7,000	7,000	7,000	7,000	7,000
2. Minimum Lot Dimensions: (in feet)					
A. Width	70	70	70	70	70
B. Depth	100	100	100	100	100
3. Minimum Yard Setbacks: (in feet)					
A. Front	20	20	20	20	20
B. Side					
1. Interior	10	10	10	10	10
2. Corner Lot	20	20	20	20	20
C. Rear (only if next to a residential zone)	20	20	20	20	20

[ORD 4075; November 1999] [ORD 4265; September 2003]

D. Reduction to setback standards. Under conditions outlined in Section 40.30, applications may be made for zero side yard setbacks. (ORD 3494)

E. [ORD 4397; July 2006] Under the conditions outlined in Section 60.05.15.6.C of this Code, buildings in commercial zones located on parcels that exceed 60,000 square feet shall be exempt from Section 20.10.50.3.A, minimum setbacks. Front yard setbacks for parcels in excess of 60,000 gross square feet shall be governed by the Design Review Design Standard specified in Section 60.05.15.6.C. Any deviation from that standard shall be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline. . [ORD 4462; December 2007]



20.10.50.

4. **Maximum Building Height:**  
(in feet)

[ORD 4075; November 1999]      NS      GC      CS      CV      OC

A. Maximum Height      25      35      35      30      30  
[ORD 4224; August 2002] [ORD 4265; September 2003]

B. The maximum height for wireless communication facilities inclusive of antennas in all commercial zoning districts shall be one hundred (100) feet. The maximum height for at-grade equipment shelters for wireless communication facilities in all commercial zoning districts shall be twelve (12) feet. [ORD 4248; April 2003]

20.10.55. **Supplemental Development Requirements** [ORD 4224; August 2002]

In addition to the site development requirements listed in Section 20.10.50, development in commercial zoning districts shall be subject to the following supplemental development requirements:

1. **Extension of Facilities.** [ORD 4061, September 1999] To provide for orderly development of the adjoining property or to provide an adequate grid of the City system, the City Engineer or designee shall require extension of water lines, sanitary and storm sewer lines through applicant's property to the property line of the adjoining or abutting property. Extension of streets shall conform to the requirements of Section 60.55 Transportation Facilities. Facilities required in accordance with this section shall be consistent with the acknowledged Comprehensive Plan. Where physical or topographic conditions make the extension of a facility or facilities impracticable, the City Engineer or designee may require a cash payment to the City in lieu of the extension of the facility or facilities, the amount of which shall be equal to the estimated cost of the extension(s) under more suitable conditions.
2. **Open Air Display:** Where permitted, open air sales/display/storage of merchandise shall be setback at least 20 feet from the front property line. The area shall be designated and subject to Board of Design Review approval.

[ORD 4332; November 2004]

## EXHIBIT 3.2

### LAND USES

#### Commercial

## 20.10 COMMERCIAL LAND USE DISTRICTS

**20.10.05 Corridor and Main Street Areas.** These areas of the City implement the Corridor and Main Street policies of the City's Comprehensive Plan and are identified on the City's Zoning Map. Full urban services are to be provided.

Four commercial zones establish varied levels of commercial uses and residential densities.

### 20.10.10 Purpose

**1. Neighborhood Service (NS)**

The NS District is intended to provide minimal areas of service and convenience uses to meet the frequent needs of nearby residents.

**2. Community Service (CS)**

The CS District is intended to provide for a variety of business types compatible with and of similar scale to commercial activities found principally along the City's major streets.

**3. Corridor Commercial (CC)**

The CC District is intended to provide Corridors to develop into multiple use employment and service centers.

**4. General Commercial (GC)**

The GC District is intended to provide businesses requiring extensive land intensive outdoor storage and/or display of merchandise, equipment, or inventory.

**20.10.15 SITE DEVELOPMENT STANDARDS**

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below.

<b>Development Standards</b> <i>Superscript Numbers Refer to Footnote</i>	<b>NS</b>	<b>CS</b>	<b>CC</b>	<b>GC</b>
A. Minimum Parcel Area Non-Residential	7,000	7,000	None	7,000
B. Minimum Residential Density <sup>1</sup>	Refer to Section 20.25.05			
1. Attached	1,000 / unit	1,000 / unit	1,000 / unit	1,000 / unit
2. Detached	4,000 / unit	4,000 / unit	4,000 / unit	4,000 / unit
C. Lot Dimensions				
1. Minimum Width	70	70	None	70
2. Minimum Depth	100	100	None	100
D. Minimum Yard Setbacks				
1. Front <sup>2</sup>	20	20	None	20
2. Side <sup>3</sup>				
a. Interior	10	10	None	10
b. Corner	20	20	None	20
3. Rear <sup>4</sup>	20	20	None	20
E. Minimum Open Air Display Setbacks <sup>5</sup>				
1. Front	20	20	None	20
F. Building Height				
1. Maximum <sup>6</sup>	35	60	60	60

1. Attached, minimum parent parcel of land area per dwelling unit; Detached, minimum land area per dwelling unit.
2. Under the conditions outlined in Section 60.05.15.6 of this Code, buildings in commercial zones located on parcels that exceed 60,000 square feet shall be exempt from Section 20.10.15.E.1, minimum setbacks. Front yard setbacks for parcels in excess of 60,000 gross square feet shall be governed by the Design Review Design Standard specified in Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline.
3. Under the thresholds outlined in Section 40.30, application may be made for zero side yard setbacks.
4. Rear yard setback is applicable to only the portion of the rear yard which abuts a residential zone; otherwise the minimum rear yard setback is 0 feet.
5. Where permitted, open air sales / display / storage of merchandise shall be setback at least 20 feet from the front property line. The area shall be designated and subject to Decision Maker approval.
6. Maximum building height of any building within 100 feet of a residentially zoned property is 35 feet.



<b>Development Standards</b> Superscript Numbers Refer to Footnote		<b>NS</b>	<b>CS</b>	<b>CC</b>	<b>GC</b>
<b>Wireless Communication Facilities</b>					
<b>G. Maximum Height</b>					
1. WCF <sup>7</sup>	100	100	100	100	100
2. Equipment Shelters <sup>8</sup>	12	12	12	12	12
3. Roof Mounted Antennas	Shall not extend above maximum height of underlying zone or increase the height of any building which is non-conforming due to height.				
<b>H. Yard Setbacks<sup>9</sup></b>					
1. Requirements	Shall comply with underlying zoning district requirements				
2. Other	Refer to 60.70.35.14.A and B				

All Dimensions are in Feet.

7. Inclusive of antenna.  
8. At-grade equipment shelters.  
9. Applicable to all WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters.

**20.10.20 LAND USES**

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Commercial Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.10.25.

Category and Specific Use <small>Superscript Refers to Use Restrictions</small>		NS	CS	CC	GC
		P: Permitted C: Conditional N: Prohibited			
<b>Residential</b>					
1. Care	A. Care Facilities	P	P	P	P
2. Dwellings	B. Accessory Dwelling Units	P	P	P	P
	C. Attached	C <sup>1</sup>	P	P	P
	D. Detached	C <sup>1</sup>	P	P	P
	E. Home Occupation	P	P	P	P
	F. Manufactured and Mobile Homes	N	N	N	N
	G. Manufactured / Mobile Homes Parks and Subdivisions	N	N	N	N
	H. Planned Unit Development	C	C	C	C
<b>Commercial</b>					
3. Animal	A. Animal Care, Major	C	C	C	C
	B. Animal Care, Minor	P	P	P	P
4. Care	A. Hospitals	C	C	C	C
	B. Medical Clinics	C	C	C	C
	C. Child Care Facilities	C	P	P	P
	D. Residential Care Facilities	C	C	C	C
5. Eating and Drinking Establishment	P	P	P	P	
6. Financial Institutions	P	P	P	P	
7. Live / Work Uses	P	P	P	P	

LAND USES  
Commercial

Category and Specific Use Superscript Refers to Use Restrictions		NS	CS	CC	GC
		P: Permitted C: Conditional N: Prohibited			
8. Office		P <sup>2</sup>	P	P	P
9. Parking as the Principal Use		N	N	C	P
10. Retail Trade <sup>3</sup>		P	P	P	P
11. Service Business / Professional Services		P	P	P	P
12. Storage	A. Self Storage Facilities	N	N	C	P
	B. Storage Yards	N	N	C	P
13. Temporary Living Quarters		N	C <sup>4</sup>	P	P
14. Vehicles	A. Automotive Service, Major	C	C	N	C
	B. Automotive Service, Minor	C	P	C	P
	C. Bulk Fuel Dealerships	C	P	C	P
	D. Sales or Lease	N	N	N	P
	E. Rental	N	C	C	P
<b>Civic</b>					
15. Cemetery		N	N	N	N
16. Education	A. Commercial Schools	C	P	P	P
	B. Educational Institutions	P	P	P	P
17. Places of Worship		C	P C <sup>7</sup>	P	P
18. Public Buildings, Services and Uses		C	C	C	C
19. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	P	P	P	P
	B. Recreational Facilities	P	P	P	P
20. Social Organizations		C	P C <sup>7</sup>	P	P
21. Transit Centers		N	C	C	N
22. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines.	C	C	C	C
	B. Transmission Lines	P	P	P	P
<b>Hours of Operation</b>					
23. Uses Operating between 10:00 p.m. and		P C <sup>6</sup>	P C <sup>6 7</sup>	P	P C <sup>8</sup>



Category and Specific Use Superscript Refers to Use Restrictions	NS	CS	CC	GC
	P: Permitted C: Conditional N: Prohibited			
7:00 a.m. <sup>5</sup>				

Category and Specific Use Superscript Refers to Use Restrictions	NS	CS	CC	GC	
	W1: WCF Type 1 W2: WCF Type 2 W3: WCF Type 3 N: Prohibited				
<b>Wireless Communication Facilities (WCF)</b>					
23. New WCF	A. Tower Construction	W3	W3	W3	W3
	B. Attachment to existing or new building or structure not using stealth design	N	N	N	N
	C. Replacement tower to provide collocation opportunity <sup>9</sup>	W1	W1	W1	W1
	D. Attachment of a new WCF to buildings or structures and utilize stealth design <sup>10</sup>	W2	W2	W2	W2
	E. Incorporation of WCF into the architectural features and utilize stealth design <sup>10</sup>	W1	W1	W1	W1
	F. Attachment of WCF to existing structures <sup>11</sup>	W1	W1	W1	W1
24. Equipment in Right-of-Way	A. Above-ground installation of equipment for WCF within right-of-way <sup>12</sup>	W2 / W3	W2 / W3	W2 / W3	W2 / W3
25. Collocation	A. New WCF on existing WCF tower	W1	W1	W1	W1
	B. New WCF inclusive of antennas on existing WCF	W2	W2	W2	W2

Category and Specific Use Superscript Refers to Use Restrictions		NS	CS	CC	GC
		W1: WCF Type 1    W2: WCF Type 2    W3: WCF Type 3 N: Prohibited			
	tower exceeding height standard				
26. Antennas	A. Attachment of antennas to WCF tower or pole structures other than used for cellular phone service	W1	W1	W1	W1
27. Satellite Antennas and Direct to Home Satellite Service	A. DHSS antennas >1 m. in diameter	W2	W2	W2	W2
	B. Up to 2 antennas >2 m. in diameter	W1	W1	W1	W1
	C. Up to 5 antennas >2 m. in diameter	W2	W2	W2	W2
	D. More than 5 antennas >2 m. in diameter	W3	W3	W3	W3
	E. Up to 2 antennas <5 m. in diameter	W1	W1	W1	W1
	F. 3 to 5 antennas >5 m. in diameter	W2	W2	W2	W2
	G. More than 5 antennas >5 m. in diameter	W3	W3	W3	W3

**20.10.25 USE RESTRICTIONS**

The following Use Restrictions refer to superscripts found in Section 20.10.20.

1. Detached or Attached Dwellings; only 50% of the contiguous area within any NS zone may be developed residentially.
2. No freestanding office structure or group of office structures shall exceed a combined total of 15,000 square feet.
3. No sales or outdoor storage of animals or livestock are allowed with this use.
4. Limited to Hotels and Extended Stay Hotels located on a lot or parcel adjoining U.S. Highway 26, Canyon Road, Tualatin Valley Highway or Oregon State Highway 217, subject to the following:
  - a. It shall be located on the portion of the lot immediately adjoining the highway.
  - b. Signage is allowed as per Section 60.40.35.3 of this code. However, only one freestanding sign, up to 32 square feet per face, 64 square feet for all four faces combined or one wall sign up to 64 square feet may orient toward an abutting arterial or regional traffic route.
  - c. Signage shall not be allowed for auxiliary uses such as restaurants, meeting rooms, etc.
  - d. Auxiliary uses such as restaurants and meeting rooms shall be designed to meet the needs of the guests of the facility and not the general public.
5. Applicable to all uses.
6. Office uses do not require a Conditional Use for extended hours of operation.
7. If property is greater than 500 feet from an existing Residential use in a Residential zone the use is Permitted. If property is within 500 feet from an existing Residential use in a Residential zone the use requires Conditional Use approval.
8. Conditional Use required when abutting a Residential Zone.
9. On parent parcel containing an existing tower supporting one carrier and shall be consistent with other approvals.
10. Provided the buildings or structures are not exclusively used for single-family or multi-family residential purposes.



LAND USES

Commercial

20.10.25

11. Not permitted on single family dwellings.
12. W3 when located on streetlights, or traffic signal lights, or high voltage power utility poles in the right-of-way of designated Collector, Neighborhood Route, or Local streets; W2 in the right-of-way of designated Freeways and Arterial streets.

**20.10.30 OTHER NS ZONING REQUIRMENTS**

Uses shall be subject to the following (excludes parks and playgrounds):

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities and as allowed in item 2, below.
2. Accessory open air sales / display / storage shall constitute no more than 5% of the gross building floor area of any individual establishment.
3. Excluding food stores, individual establishments shall not exceed 15,000 square feet gross floor area.

**20.10.35 OTHER CS ZONING REQUIRMENTS**

Uses shall be subject to the following (excludes parks and playgrounds):

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities and as allowed in item 2, below.
2. Accessory open air sales / display / storage shall constitute no more than 5% of the gross building floor area of any individual establishment.

**20.10.40 OTHER CC ZONING REQUIRMENTS**

Uses shall be subject to the following (excludes parks and playgrounds):

1. Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities, transit centers and as allowed in items 2 and 3 below.
2. Accessory open air sales / display / storage shall be permitted for horticultural and food merchandise only and shall constitute no more than 5% of the gross building floor area of any individual establishment.

**PLANNING COMMISSION MINUTES**

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August 24, 2011

**CALL TO ORDER:** Chairman Ric Stephens called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

**ROLL CALL:** Present were Chairman Ric Stephens; Planning Commissioners, Mimi Doukas, Jennifer Nye, Kim Overhage, Eric Johansen, Dan Maks, and Scott Winter.

Senior Planner Tyler Ryerson, Associate Planner Jana Fox, Assistant Planner Cassera Phipps, Assistant Planner Jason T, Transportation Planner Don Gustafson, and Recording Secretary Sheila Martin represented staff.

The meeting was called to order by Chairman Stephens who presented the format for the meeting.

**VISITORS:**

Chairman Stephens asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

**NEW BUSINESS:**

Chairman Stephens opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

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**PUBLIC HEARINGS:**

- I. **ZMA 2010-0003 – 158<sup>TH</sup> & WALKER OFFICE COMMERCIAL ZMA:**  
 The City is initiating a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map districts. For this specific ZMA, the proposal is to amend the Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) zone. The subject site is a developed area consisting of eight (8) parcels located on the southwest and southeast corners of SW 158<sup>th</sup> Avenue and SW Walker Road. No new development is proposed as a part of this application.
  
- II. **ZMA 2010-0005 – GREATER CORNELL OFFICE COMMERCIAL ZMA:**  
 The City is initiating a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map districts. For this specific ZMA, the proposal is to amend the Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) and Neighborhood Service Center (NS) zones. The subject site is a developed area consisting of twenty-five (25) parcels located in the general vicinity of Cornell Road, 185<sup>th</sup> Avenue and 173<sup>rd</sup> Avenue. No new development is proposed as a part of this application.
  
- III. **ZMA 2010-0006 – SOUTHEAST BEAVERTON OFFICE COMMERCIAL ZMA:**  
 The City is initiating a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map districts. For this specific ZMA, the proposal is to amend the Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) and Neighborhood Service Center (NS) zones. The subject site is a developed area, consisting of eight (8) parcels located in the general vicinity of Hall Boulevard / Ridgecrest Drive, Hall Boulevard / Brightfield, and 125<sup>th</sup> / Pioneer Lane. No new development is proposed as a part of this application.
  
- IV. **ZMA 2010-0011 – CENTRAL BEAVERTON CONVENIENCE SERVICE CENTER (CV) / OFFICE COMMERCIAL (OC) ZMA:**  
 The City is initiating a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map districts. For this specific ZMA, the proposal is to amend the Zoning Map to delete the obsolete Office Commercial (OC) and Convenience Service Center (CV) zones and apply the Community Service (CS) and / or Neighborhood Service Center (NS) zones. The subject site is a developed area consisting of three (3) parcels generally located in Central Beaverton: two (2) parcels along Farmington Road and one (1) parcel near the corner of Jenkins Road and Cedar Hills Boulevard. No new development is proposed as a part of this application.



1 Chairman Stephens briefly described the hearing process and applicable  
2 approval criteria for these proposals. Observing that the Commission has  
3 the option of hearing all four applications concurrently as well as waiving  
4 staff presentations, he pointed out that three of the four applications have  
5 been previously heard by the Commission. He explained that all four  
6 applications would be held concurrently and that the staff presentations  
7 would be waived, adding that because the City is the applicant for all four  
8 applications, the Commission has the option of asking questions of staff.  
9

10 Referring to ZMA 2010-0003 – 158<sup>th</sup> and Walker Office Commercial ZMA,  
11 Commissioner Overhage pointed out that the Civic Plan has been  
12 approved and the southeast corner of 158<sup>th</sup> / Walker would be better  
13 suited for the SC-E zone, which would require a change to the land use  
14 designation.  
15

16 Assistant Planner Cassera Phipps explained that staff agrees that this is  
17 an issue that could and will be reevaluated as part of the Civic Plan.  
18

19 Commissioner Overhage called staff's attention to a typo on page 10 of  
20 the Staff Report for ZMA 2010-0006.  
21

22 Associate Planner Jana Fox mentioned an additional correction that needs  
23 to be made to this Staff Report.  
24

25 Commissioner Maks noted that current or present use should be  
26 designated when identifying any of these properties in the future.  
27

#### 28 PUBLIC TESTIMONY

29  
30 No member of the public testified with regard to these proposals.  
31

32 The public portion of the Public Hearing was closed.  
33

34 At the request of Commissioner Winter, Ms. Fox explained that Oregon  
35 Department of Transportation's (ODOT's) concerns focused around the  
36 potential for an adverse effect upon their facilities.  
37

38 Observing that these applications meet applicable approval criteria,  
39 Commissioners Winter, Nye, Overhage, Maks, Doukas, and Johansen  
40 and Chairman Stephens expressed their support of all four applications.  
41

42 Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a  
43 motion to **APPROVE** ZMA 2010-0003 – 158<sup>th</sup> and Walker Office  
44 Commercial ZMA, based on the facts and findings in the Staff Report  
45 dated August 17, 2011.  
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Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a motion to **APPROVE** ZMA 2010-0005 – Greater Cornell Office Commercial ZMA, based on the facts and findings in the Staff Report dated August 17, 2011.

Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a motion to **APPROVE** ZMA 2010-0006 – Southeast Beaverton Office Commercial ZMA, based on the facts and findings in the Staff Report dated August 17, 2011.

Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a motion to **APPROVE** ZMA 2010-0011 – Central Beaverton Convenience Service Center (CV) Office Commercial (OC) ZMA, based on the facts and findings in the Staff Report dated August 17, 2011.

Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

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AND DEVELOPMENT

PLAN AMENDMENT SPECIALIST  
OREGON DEPARTMENT OF LAND CONS  
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SALEM OR 97301-2540