



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

03/14/2012

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 007-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, March 29, 2012

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: Leigh Crabtree, City of Beaverton  
Angela Lazarean, DLCD Urban Planner  
Anne Debbaut, DLCD Regional Representative

Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

In person  electronic  mailed

**DEPT OF**

**MAR 9 2012**

**LAND CONSERVATION AND DEVELOPMENT**  
For Office Use Only

DATE  
STAMP

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

Jurisdiction: **City of Beaverton**

Local file number: **CPA2011-0002**

Date of Adoption: **3/5/2012**

Date Mailed: **3/8/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 10/20/2012

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".

Implement City of Beaverton SC (Station Community) land use designation over six (6) properties, listed as follows by Tax Lot ID (Existing Washington County Land Use Districts): 1S102B000500 (TO:R40-80, TO:R80-120, TO:BUS), 1S102CA00500 (TO:BUS), 1S102CA00600 (TO:BUS), 1S102CB00100 (TO:R40-80, TO:BUS), 1S103A002200 (TO:R40-80), 1S103AD00600 (TO:R40-80). Associated proposals with separate DLCD noticing: ZMA2011-0002, TA2011-0003, ZMA2011-0003, CPA2011-0003

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

Plan Map Changed from: **TO:R40-80, TO:R80-120, TO:BUS** to: **Station Community**

Zone Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Location: **Barnes Rd, Cedar Hills to Hwy 217; 1S1W02, 1S1W03** Acres Involved: **63**

Specify Density: Previous: **1,899, no max** New: **1,899 to 5,115**

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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

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

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

ODOT, Metro, Washington County

Local Contact: **Leigh M Crabtree**

Phone: **(503) 526-2458** Extension: \_\_\_\_\_

Address: **4755 SW Griffith Dr, POBox4755**

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

City: **Beaverton**

Zip: **97076-4755**

E-mail Address: **lcrabtree@beavertonoregon.gov**

DLCD File No. 007-11 (19026) [16963]

ORDINANCE NO. 4579

**AN ORDINANCE AMENDING ORDINANCE 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP TO APPLY CITY STATION COMMUNITY PLAN DESIGNATION TO SIX PARCELS LOCATED NORTH OF HIGHWAY 26, SOUTH OF JOHNSON CREEK, FROM CEDAR HILLS BOULEVARD TO HIGHWAY 217 IN NORTHERN BEAVERTON, CPA 2011-0002**

- WHEREAS,** the Council finds that pursuant to Comprehensive Plan Section 1.4.2., the City provided the required notice of a Planning Commission initial hearing to consider this map amendment (CPA); and,
- WHEREAS,** the Planning Commission conducted a public hearing on December 7, 2011, to consider the proposed amendment, the submitted staff report and exhibits, three supplemental memoranda, and written and oral testimony provided at the hearing; and
- WHEREAS,** the Planning Commission after that hearing recommended that the Council adopt the proposed CPA, as per the Commission's Land Use Order No. 2274, dated December 15, 2011; and
- WHEREAS,** an appeal of the Planning Commission's recommendation was filed on December 27, 2011; and
- WHEREAS,** the City Council conducted a public hearing on February 7, 2012, to consider an appeal of the Planning Commission's recommendation, the record of the Planning Commission hearing, the submitted staff report and exhibits, one memorandum, written testimony provided from January 31, 2012 through February 7, 2012, revisions to the proposed Development Code text, Peterkort Area Frequently Asked Questions, Peterkort History, Peterkort Fast Facts, Peterkort Community Concerns, and the written and oral testimony submitted at the hearing; and
- WHEREAS,** the Council finds that the criteria for this decision and the findings in support of that criteria are as shown in the staff report of November 30, 2011, a memorandum of December 5, 2011, two memoranda of December 7, 2011, the Planning Commission's Land Use Order No. 2274 of December 15, 2011, the staff report of January 31, 2012, the revised Development Code text, the matters submitted for the record between the time of the Commission's order and the Council hearing on the appeal, and the supplemental findings attached to this Ordinance as Exhibit "B" and incorporated by this reference; now, therefore,

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

- Section 1.** Ordinance No. 4187, the Comprehensive Plan Land Use Map, is amended to designate the subject properties on Map and Tax Lot 1S102B000500, 1S102CA000500, 1S102CA00600, 1S102CB00100, 1S103A002200 and

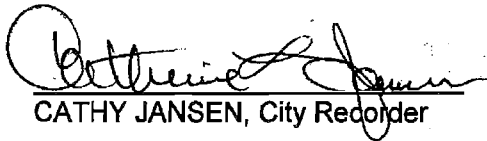
1S103AD00600 Station Community, as shown on Exhibit "A" attached to this Ordinance and incorporated by this reference.

First reading this 28th day of February, 2012.

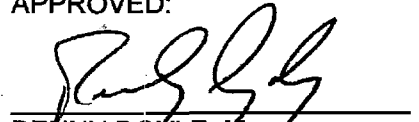
Passed by the Council this 5th day of March, 2012.

Approved by the Mayor this 6th day of March, 2012.

ATTEST:

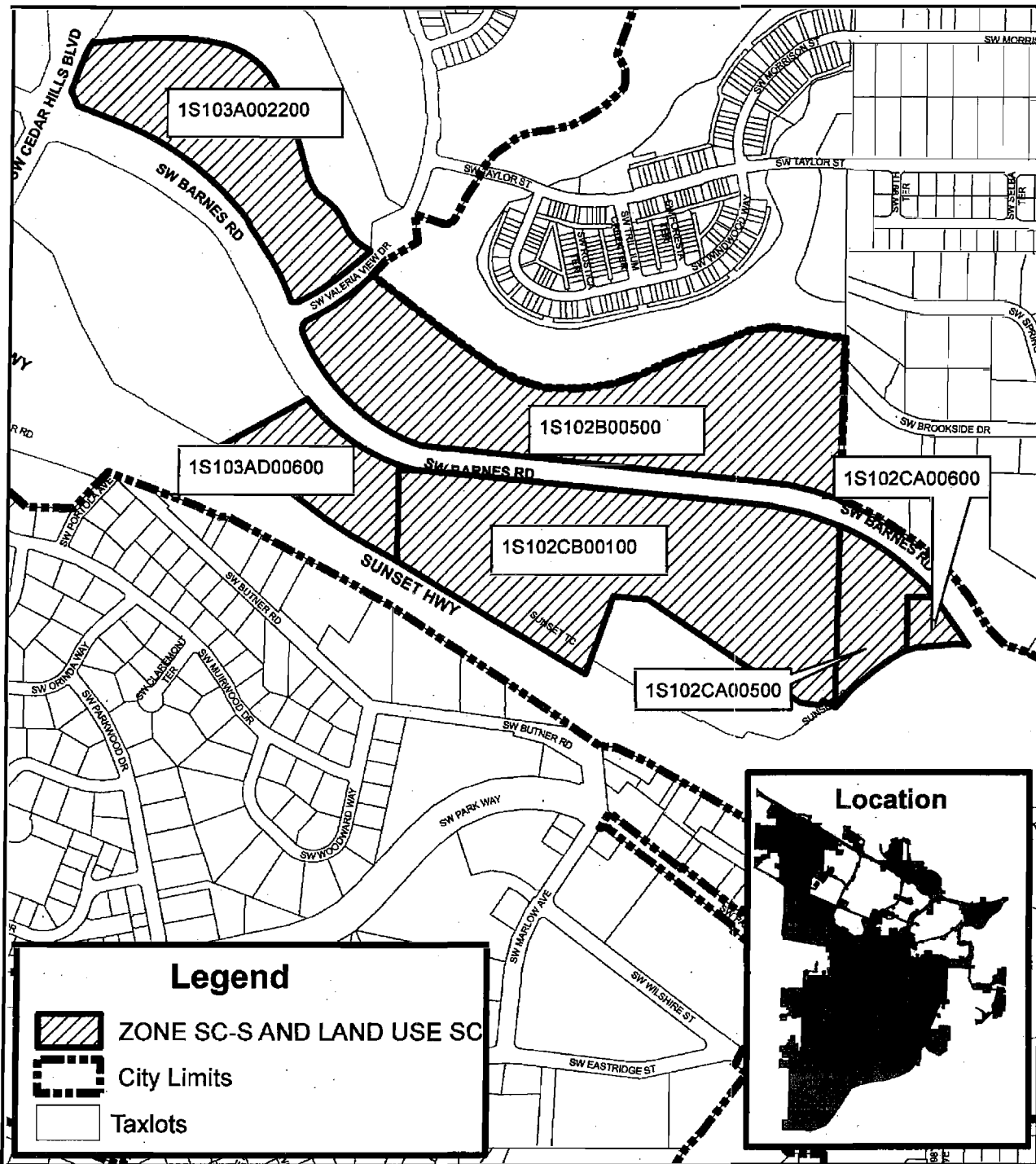
  
CATHY JANSEN, City Recorder

APPROVED:

  
DENNY DOYLE, Mayor by  
RANDY EALY, Mayor Pro Tem

## VICINITY MAP

## PROPOSED CITY ZONES AND LAND USE



**PETERKORT CPA/ZMA 2011-0002**  
**PROPOSED ZONE AND LAND USE MAP CHANGE**  
**COMMUNITY AND ECONOMIC DEVELOPMENT**  
**Planning Division**

**11/9/11**  
 Tax Lot #'s  
 VARIOUS  
 Application #  
 ZMA2011-0002



# EXHIBIT B

Ord. No. 4579

## SUPPLEMENTAL FINDINGS ON APPEAL

### CPA2011-0002, ORDINANCE NO. 4579

The matter came before the City Council on February 7, 2012, for public hearing on an appeal of the Planning Commission's Recommendation to Approve CPA2011-0002 Peterkort Station Community Land Use Map Amendment. The Notice of Appeal contends that the amendment does not satisfy the City's Comprehensive Plan Chapters 3, 5, 6 and 9 and Metro's Urban Growth Management Functional Plan Titles 1, 6, 7 and 12.

The City Council adopts the following supplemental findings in support of its decision to deny the appeal and to enact the plan map amendment as shown in Ordinance 4579.

At the hearing the testimony concerning Comprehensive Plan and Development Code sections cited above, centered instead on the following issues:

*State of Oregon, Statewide Planning Goals, Goal 1 Citizen Involvement and Goal 2 Land Use Planning.* The Council finds that the review process for this CPA included a notice that was mailed 45-days prior to the initial hearing to the chairs of Citizen Participation Organization (CPO) 1, Central Beaverton Neighborhood Association Committee (NAC), and the Beaverton Committee for Citizen Involvement (BCCI). A second notice was mailed 20-days prior to the initial hearing to the chairs of CPO 1, Central Beaverton NAC and BCCI. The Council finds that under the county's land use plan and code, a CPO serves a county planning function similar to the function of the City BCCI and NACs, and that the

City was entitled under its ORS Chapter 195 coordination agreement with the County to rely upon the County to further communicate with its CPOs regarding this CPA and other City land use planning proposals and enactments. The Council finds that neither state law nor the City Comprehensive Plan require a community planning process for a land use map amendment. The Council finds that the noticing requirements of the City's Comprehensive Plan have been acknowledged as adequate and satisfy Goal 1 and Goal 2.

*Metro Urban Growth Management Functional Plan, Title 1.* The Council finds that in the 1990's with adoption of the 2040 Plan, Metro allocated jobs and dwelling units among regional jurisdictions. Many jurisdictions applied higher densities within Station Areas and Town Centers. These design types applied a certain number of people per acre in a mix of jobs and housing, with no required ratio of jobs to housing. Washington County for its part found it necessary to add housing density and applied its highest residential density zoning to the area around the Sunset Transit Center. Metro accepted the County's planning for this Station Area.

*Other Contentions.* The appellant contends that Metro's Urban Growth Management Functional Plan (UGMFP) Titles 1, 6, 7, and 12 and the City's Comprehensive Plan Chapters 3, 5, 6, and 9 were not satisfied by the proposed amendment. In response the Council cites the supplemental findings for Ordinance No. 4578, the supplemental findings for this Ordinance No. 4579, and the findings provided in the Staff Report to City Council dated January 31, 2012 as adequately

addressing the appellant's argument with regard to each of those UGMFP Titles  
and Comprehensive Plan Chapters.





City of Beaverton  
4755 SW Griffith Drive  
PO Box 4755  
Beaverton, OR 97076



DEPT OF  
MAR 09 2012  
LAND CONSERVATION  
AND DEVELOPMENT

PLAN AMENDMENT SPECIALIST  
DLCD  
635 CAPITOL STREET NE SUITE 150  
SALEM OR 97301-2540