



Oregon

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 10/24/2014
Jurisdiction: City of Beaverton
Local file no.: CPA 2014-0008/ZMA 20
DLCD file no.: 005-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/23/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 48 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE	
File No.:	005-14 { 22362 }
Received: 10/23/2014	

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAD 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Beaverton

Local file no.: **CPA2014-0008 / ZMA2014-0005**

Date of adoption: 10/22/2014 Date sent: 10/24/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?
 Yes: Date (use the date of last revision if a revised Form 1 was submitted): 7/11/2014
 No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
 If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Jana Fox
 Phone: 503.526.3710 E-mail: jfox@beavertonoregon.gov
 Street address: 12725 SW Millikan Way City: Beaverton Zip: 97005-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:
 Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:
 Identify the former and new map designations and the area affected:

Change from NR-SD	to NR-MD	2.2 acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 1S122BA06600 11700 SW Allen Boulevard

- The subject property is entirely within an urban growth boundary
- The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from R7-Urban Standard Density	to R2-Urban Medium Density	Acres:
2.2		
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 1S122BA06600 11700 SW Allen Boulevard

List affected state or federal agencies, local governments and special districts: Metro

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

AN ORDINANCE AMENDING ORDINANCE NO. 2050, THE ZONING MAP AND ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP, CPA 2014-0008 AND ZMA 2014-0005, ROYAL CREST APARTMENTS MAP AMENDMENTS

WHEREAS, on September 10, 2014, the Planning Commission conducted a public hearing to consider an application to amend Ordinance No. 2050, the Zoning Map, and Ordinance No. 4187, Figure III-1, the Comprehensive Plan Land Use Map, to designate one parcel R2 (Urban Medium Density) and NRMD (Neighborhood Residential-Medium Density). The parcel is currently zoned R7 (Urban-Standard Density) with the Land Use Designation of NRSD (Neighborhood Residential-Standard Density). The site is an existing 48-unit apartment complex; and

WHEREAS, the quasi-judicial Zoning Map Amendment will change the zoning of the subject parcels from R7 (Urban Standard Density) to R2 (Urban Medium Density); and

WHEREAS, the Comprehensive Plan Amendment will change the land use designation of the subject parcels, from a designation of NRSD (Neighborhood Residential Standard Density) to NRMD (Neighborhood Residential Medium Density); 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 comprehensive plan 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 September 3, 2014, and Planning Commission Land Use Order No. 2368. Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 2050, the Zoning Map, is amended to designate the parcel identified in Section 2 to the zoning designation R2 (Urban Medium Density) and land use designation NRMD (Neighborhood Residential-Medium Density).

Section 2. The property affected by this ordinance is depicted in the attached map, marked Exhibits "A", as incorporated herein.

First reading this 14th day of October, 2014.

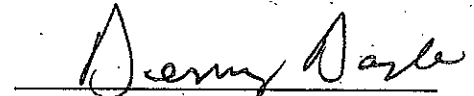
Passed by the Council this 21st day of October, 2014.

Approved by the Mayor this 22nd day of October, 2014.

ATTEST:

APPROVED:

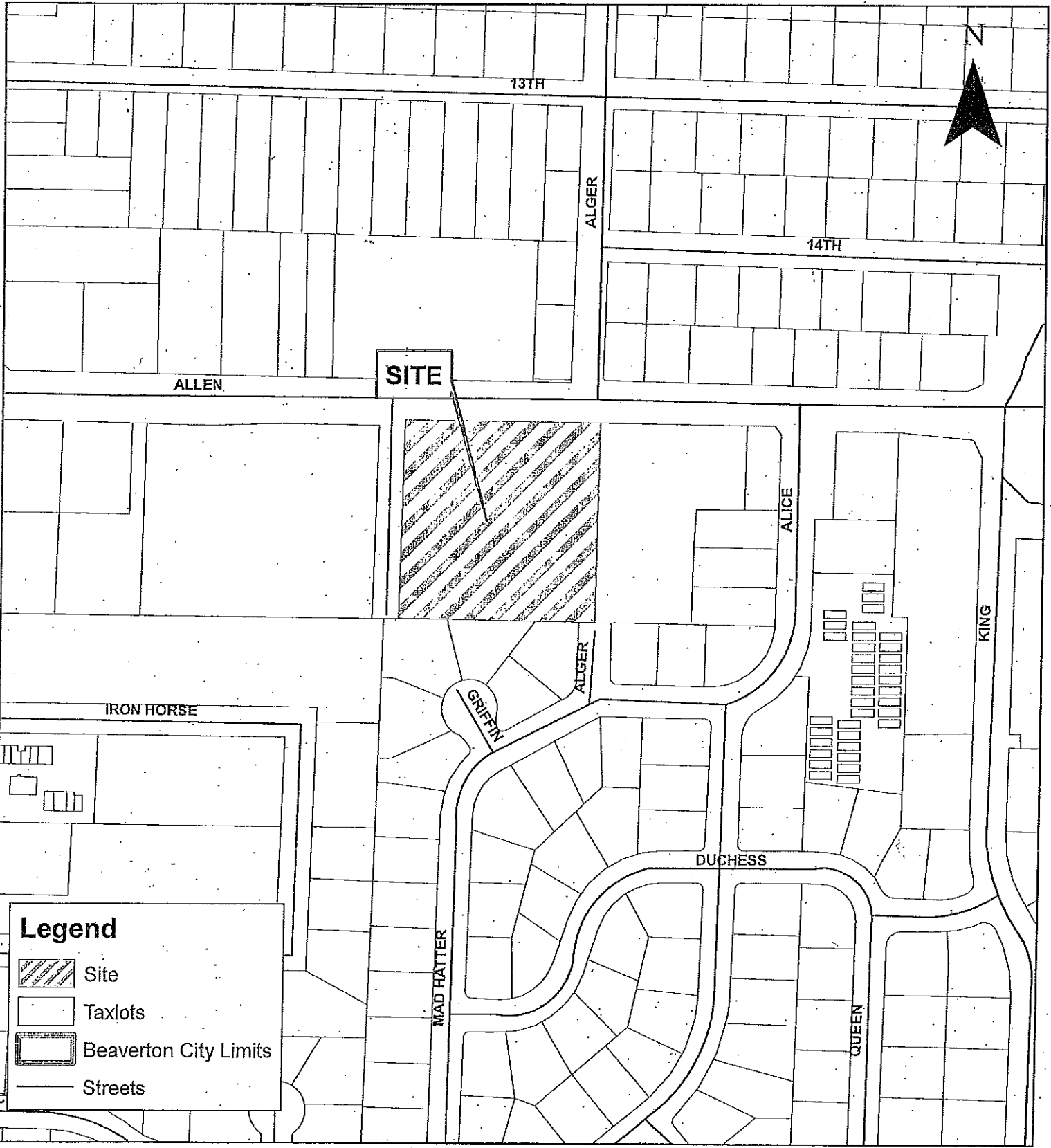

CATHY JANSEN, City Recorder


DENNY DOYLE, Mayor

VICINITY MAP

EXHIBIT "A"

Ordinance No. 4643



Legend

- Site
- Taxlots
- Beaverton City Limits
- Streets

C



Royal Crest Apartments CPA/ZMA

Community Development Department
Planning Division

02

08/07/2014

Tax Lot #
1S122BA06600

CPA2014-0008
ZMA2014-0005

ANALYSIS AND FINDINGS
LEGISLATIVE COMPREHENSIVE PLAN AMENDMENTS

Comment [SS1]: At some point early in the staff report, we need to be sure to explain the history of the site. How did the density get approved with the land use designation it currently has? Once we have that historical context, I think the following finding will make more sense.

1.5 Criteria for Amending the Comprehensive Plan

The adoption by the City Council of any amendment to the Plan shall be supported by findings of fact, based on the record, that demonstrate the criteria of this Section have been met. The City Council and Planning Commission may incorporate by reference facts, findings, reasons, and conclusions proposed by the City staff or others into their decision.

1.5.1. Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments:

A. The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules;

Of the 19 Statewide Planning Goals, staff finds that Goals 1, 2, 9, 10, 12, and 14 are applicable to the proposed map amendment.

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

This proposed amendment is subject to the public notice requirements of the City Charter and Comprehensive Plan Section as described in the discussion of approval criteria C, below.

At the hearing, the Planning Commission considers written comments and oral testimony before they make a recommendation to City Council. The amendment procedures outlined in Comprehensive Plan Section 1.4 allow for proper notice and public comment opportunities on the proposed Comprehensive Plan amendment as required by this Statewide Planning Goal. These procedures have been followed; therefore, the proposed amendment is consistent with Statewide Planning Goal 1.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The City of Beaverton adopted its Comprehensive Plan, which includes text and maps in a three-part report (Ordinance 1800), in 1972. 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 was acknowledged pursuant to a series of Approval Orders from the Department of Land Conservation and Development, the last of which was issued on December 31, 2003.

Exhibit 3 is a map identifying the proposed City Land Use designation for the subject site. Findings addressed for the Criteria listed in Section 1.5.1 Comprehensive Plan Amendments will identify how the proposed Comprehensive Plan Amendment will show adequate factual base for the proposed land use designation. Therefore, the proposed amendment is consistent with Statewide Planning Goal 2.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Statewide Planning Goal 9 states that, "Comprehensive plans for urban areas shall: ...3. Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies." The City outlines goals, policies, and actions for economic development within Chapter 9 of the *Comprehensive Plan for the City of Beaverton*. The subject properties have been designated and developed for residential use. Metro identified the subject parcels and surrounding area as a Corridor. Applying a NR-MD (Neighborhood Residential - Medium Density) land use designation to the subject properties maintains compliance with the intended use of the subject area as a more intense residential area than the current designation of NR-SD (Neighborhood Residential - Standard Density). The City proposes land use designations that are the most similar to the current uses of the subject site consistent with the goals and policies of the City's Comprehensive Plan. Therefore, the proposed amendment is consistent with Statewide Planning Goal 9, by complying with the goals and policies of the City's Comprehensive Plan.

Goal 10: Housing

To provide for housing needs of citizens of the state.

Goal 10 requires that local jurisdictions inventory the supply of buildable lands and develop plans "...in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels".

In January of 2002, pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD) the City adopted a Housing Element into its Comprehensive Plan (Ordinance 4187). Part of that process involved development of a buildable lands inventory, a housing type needs analysis, and a housing density assessment. Compliance with Title 1 of Metro's UGMFP standards was cited as a compliance element in satisfying the requirements of Goal 10. Based upon the findings of those studies, the City adopted policies to encourage a broad mix of housing types at density levels designed to maximize development potential. The City's policies that derived from this process were henceforth acknowledged to comply with Goal 10. Compliance with the goals and policies of the City's Comprehensive Plan are shown in Criterion D. Therefore, the proposed amendment is consistent with Statewide Planning Goal 10, by complying with the goals and policies of the City's Comprehensive Plan.

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

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*”. 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.*”

This proposed amendment of the Comprehensive Plan does not change functional classifications or change standards implementing a functional classification system. The subject parcels total 1.6 acres and the proposed zone change is to approximately 1.2 acres of the subject parcel. Future development of subject parcels is less likely as the subject parcel is fully developed with residential dwellings within the density requirements of the proposed land use designation. The proposed CPA is not expected to result in any additional traffic impacts for future redevelopment of the subject site since the site is already fully developed to the density allowed under the proposed zoning. Therefore, staff find that the change of land use will not “significantly affect” a transportation facility as defined by OAR 660-012-0060. The proposed amendment is consistent with Statewide Planning Goal 12.

Goal 14 Urbanization
To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The subject site is located within the city limits of Beaverton and the proposal is to change the land use designation for one parcel from NR-SD to NR-MD, both City land use designations. The subject site is developed with attached residential dwellings and the proposed CPA is to provide a land use designation consistent with the development on the site. Staff find the proposed CPA is consistent with the intent of Goal 14.

Staff finds that, for the reasons identified above, the proposed amendment complies with Goals 1, 2, 9, 10, 12, and 14 and find that Goals 3, through 8, 11, 13, and 15 through 19 are not applicable. Therefore, staff find Criterion 1.5.1.A is met.

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;

The effective Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan are addressed below.

Chapter 3.07 Urban Growth Management Functional Plan

Title 1: Requirements for Housing and Employment Accommodation

Metro Code Sections 3.07.110 – 3.07.120

Section 3.07.110 of the UGMFP states:

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120.

The proposed CPA is to modify the land use designation for one parcel from NR-SD to NR-MD to reflect the existing apartment development on the site. City of Beaverton has adopted minimum residential density requirements for each zoning district. Application of City land use designations allows for application of City zoning districts that is consistent with the uses and densities found in the development. The proposed NR-MD will allow the City to apply zoning districts that require similar densities to those found in the development. What does the 2040 design type map show for the area? Densities in the area? Let’s expand on the context of the site and not just that it has a density that supports the existing use. Why shouldn’t the use be considered non-conforming? Therefore staff find application of a City land use designations upon the subject properties does not modify compliance with Title 1.

Title 2: Regional Parking Policy

(Repealed Ord. 10-1241B, § 6)

Title 3: Water Quality and Flood Management

Metro Code Sections 3.07.310 – 3.07.370

Section 3.07.310 of the UGMFP states:

To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

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. Application of a City land use designations upon the subject properties does not modify compliance with Title 3. The subject site was developed in 1967 and has been largely unchanged since that time. Improvements to or redevelopment of the site will require bringing the site into compliance with all applicable Clean Water Service regulations. The site does not contain any flood hazards.

Title 4: Industrial and Other Employment Areas

Metro Code Sections 3.07.410 – 3.07.450

Section 3.07.410 of the UGMFP states:

... To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally

Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. ...

The City and Metro established long-term Industrial and Employment Areas, which are depicted on the *Title 4, Employment and Industrial Areas Map*. The subject properties are not depicted within an Employment Area, Industrial Area or Regionally Significant Industrial Area on the Metro's *Title 4, Employment and Industrial Areas Map*. This title is not applicable to this application as it does not propose modification of Metro's *Title 4, Employment and Industrial Areas Map*.

Title 5: Neighbor Cities and Rural Reserves
(Repealed Ord. 10-1238A, § 4)

Title 6: Centers, Corridors, Station Communities and Main Streets
Metro Code Sections 3.07.610 – 3.07.650

Section 3.07.610 of the UGMFP states:

The Regional Framework Plan (RFP) identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role...

The City and Metro established Centers, Corridors, Station Communities and Main Street Areas, which are addressed in Title 6. The City is responsible for interpreting and implementing the Metro 2040 Design Type map for the lands within the City and this area of SW Allen Boulevard is primarily designated as NR-MD and NR-HD (Neighborhood Residential - High Density). The Metro 2040 Design Type map shows this area as Corridor. The City has designated this design type in other locations in the City higher density land uses. The proposed NR-MD land use designation would be consistent with the City's previous interpretation of the Metro 2040 Design Type map for the area.

Title 7: Housing Choice
Metro Code Sections 3.07.710-3.07.760

The intent of Title 7 is to enact a "fair share" housing strategy for each jurisdiction which includes a diverse range of housing types, specific goals for low- and moderate-income housing, housing densities consistent with the regional transportation system, and a balance of jobs and housing. The City adopted Comprehensive Plan Chapter Four to comply with this Metro Title. As stated in the criterion below, the proposed CPA is to modify the land use designation from NR-SD to NR-MD on one developed parcel. Application of the NR-MD land use designation on subject parcel is consistent with the residential developments in the area. The proposed CPA will allow the City to provide a consistent land use and zoning designation that is reflective of the existing multi-family development on site. Staff find that the proposed

amendment is compatible with the relevant goals and policies found in Chapter 4 and therefore these goals and actions comply with Title 7.

Title 8: Compliance Procedures
Metro Code Sections 3.07.810-3.07.870

Information about this proposal was sent to the Chief Operating Officer on July 24, 2014, more than 45 days prior to the first evidentiary hearing as required by Metro Code Section 3.07.820.

Title 9: Performance Measures
Repealed

Title 10: Functional Plan Definitions
Metro Code Sections 3.07.1010

Title 10 provides definitions for use in Metro's administration of the UGMFP. While the definitions inform relative UGMFP Titles, they are not specifically related to compliance of this proposal to the UGMFP. Therefore, this title does not require a response relevant to this proposal.

Title 11: Planning for New Urban Areas
Metro Code Sections 3.07.1105 – 3.07.1140

Title 11 concerns planning for new urban areas. The subject properties are not considered a 'New Urban Area' as they have been within the Urban Growth Boundary before the adoption of the first 2040 Growth Concept Map. Therefore, this title does not apply to the amendment.

Title 12: Protection of Residential Neighborhoods
Metro Code Sections 3.07.1210 – 3.07.1240

Section 3.07.1210 of the UGMFP states:

Existing neighborhoods are essential to the success of the 2040 Growth Concept... The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services.

Existing developments to the east and west of the subject properties are multi-family residential uses. The development to the south of the subject site is a single family development. The subject site contains existing multi-family residential development. The proposed City land use designation is consistent with the uses for the subject properties and no modifications are proposed to the subject parcels. Therefore, this proposal results in little impacts to the surrounding residential neighborhoods. Staff find application of a City land use designations upon the subject properties does not modify compliance with Title 12.

Title 13: Nature In Neighborhoods
Metro Code Sections 3.07.1310 - 3.07.1370

The City, as a member of the Tualatin Basin Natural Resources Coordinating Committee (TBNRCC), implemented a program that complies with Title 13. The City has also enacted Comprehensive Plan and Development Code regulations that comply with Title 13 as part of the TBNRCC program. This application does not modify the City's compliance with Title 13.

Title 14: Urban Growth Boundary

Metro Code Sections 3.07.1405 - 3.07.1465

Title 14 applies to adjustments and amendments to the Urban Growth Boundary. The subject properties are within the Urban Growth Boundary and within the corporate limits of the City of Beaverton. Therefore, this Title 14 does not apply to the proposed amendment.

Staff finds that, for the reasons identified above, the proposed amendment complies with applicable Titles of the Metro Urban Growth Management Functional Plan. Therefore, staff find Criterion 1.5.1.B is met.

C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans;

The following Comprehensive Plan policies have been found by staff to be applicable to the proposed land use map amendment. Those policies which are not listed have been found by staff to be not applicable to this proposal. Further, staff finds that no other local plans are applicable to this proposal.

Chapter 1 Comprehensive Plan Amendment Procedures Element
1.1.1 City-Initiated Amendments

The proposal is a City-initiated amendment to the Land Use Map, originally initiated by the Community Development Director.

1.4 Notice Requirements

The proposed Land Use Map amendment is subject to the public notice requirements of the Comprehensive Plan as follows:

1.4.2 Quasi-Judicial Amendments.

Sections 1.4.2.A.1. and 2. require that, at least 45 days prior to the initial hearing, notice must be mailed to the State Department of Land Conservation and Development (DLCD), Metro, Washington County, the Chair of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Committee for Citizen Involvement (CCI). Sections 1.4.2.A.3. and 4. require that between 20 and 40 days prior to the initial hearing, notice must be published in a local newspaper, posted in City Hall and City Library, mailed to the subject property owners and surrounding property owners within 500 feet, and placed on the City's Web site.

Notice has been provided, as follows:

1. The required inter-agency DLCD notice was mailed to DLCD, Metro, and Washington County on July 24, 2014, more than forty-five (45) calendar days prior to the initial hearing;
2. The required inter-agency DLCD notice was also mailed to the Chair of the Vose Neighborhood Association Committee (NAC) whose boundaries include the properties for which the change is contemplated, and the Chair of the Committee for Citizen Involvement on July 24, 2014, more than forty-five (45) calendar days prior to the initial hearing;
3. Legal notice was published in the Beaverton Valley Times on August 2, 2014.
4. Notice was posted in Beaverton City Hall and in Beaverton City Library on August 2, 2014.
5. Notice was mailed to property owners included in the proposed change area, and to the owners of property within 500 feet of the subject property for which the change is proposed on August 7, 2014.
6. Notice was placed on the City's web site on August 7, 2014.

At the hearing, the Planning Commission will consider written comments and oral testimony before they make a decision. The procedures outlined in Comprehensive Plan Section 1.4.1. allow for proper notice and public comment opportunities on the proposed Legislative Comprehensive Plan amendment as required by Statewide Planning Goal 1.

As noted above, the procedures of Comprehensive Plan Section 1.4.1. have been followed. The City Council has not directed staff to provide additional notice for this amendment beyond the notices described above. Exhibit 7 contains documentation of the noticing process completed by the City. Staff find the notice requirements for this CPA have been met.

1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments

- 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;*
- C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans; and*
- D. If the proposed amendment is to the Land Use Map, there is a demonstrated public need, which cannot be satisfied by other properties that now have the same designation as proposed by the amendment.*

This staff report is addressing section 1.5.1, executing the determination to review this application through the Quasi-judicial process. Relevant Statewide Planning Goals, Oregon Administrative Rules, and Titles of the Urban Growth Management Functional Plan are addressed, herein, in prior sections. This section of the staff report addresses the proposal's compliance with the City's Comprehensive Plan.

Staff find that the appropriate procedures in Chapter 1 of the Comprehensive Plan have been met. Therefore, the proposed amendment is compatible with the relevant goals and policies found in Chapter 1.

Chapter 2 Public Involvement Element

Chapter 2 of the Comprehensive Plan reiterates criteria from Chapter 1 and goes further to discuss public involvement programs for the City in compliance with Statewide Planning Goal 1, the City Council's Goal for citizen involvement and participation, and the Comprehensive Plan Public Involvement Goal. This application satisfies Chapter 2 by satisfying the applicable procedures within Chapter 1 of the Comprehensive Plan.

Chapter 3 Land Use Element

3.13.4 Goal: Establish Medium Density Residential areas to allow for single family attached and detached, and multiple-family developments.

The subject site is an existing 48 unit apartment complex which provides multi-family housing in the Allen area.

The parcels along Allen to the east and west of the subject site are designated NR-HD (Neighborhood Residential-High Density) and are developed primarily as multi-family housing. The parcels across Allen are designated NR-MD (Neighborhood Residential-Medium Density). The applicant requests the NR-MD land use designation with the implementing R2 zone as it most closely corresponds with the existing development on the site. The site is generally surrounded by multi-family residential uses, with the exception of development to the south which is R-7 but does not have frontage on Allen Boulevard.

Chapter 4 Housing Element

4.2.2.1 Goal: Provide an adequate variety of quality housing types to serve Beaverton's citizenry.

The subject site is an existing 48 unit apartment complex which provides multi-family housing in the Allen area. The parcels along Allen to the east and west of the subject site are all zoned R-1 (Urban High Density Residential), the parcels across Allen are zoned R-2 (Urban Medium Density). The applicant requests R2 as their zoning designation as it most closely corresponds to the existing development of the site. The site provides multi-family housing, a needed housing type to the citizens of Beaverton.

Chapter 6 Transportation Element

6.2.4.e Action: Maintain mobility and performance standards that meet the needs of the City and are consistent with regional and State standards.

The proposed Comprehensive Plan Map Amendment and associated Zoning Map Amendment do not involve physical development, the existing 48 unit apartment complex will continue to operate as it currently does. Any future redevelopment of the site will be required to show compliance with the mobility and performance standards set forth by the City.

Comment [SS2]: same question.

Why shouldn't this parcel be considered N-C? get at the variety of housing in the City and how this will/not impact variety of housing types. that is the point of the policy. Perhaps it is moot because of the existing development. That's why we should discuss the N-C question.

Staff find that the proposed Comprehensive Plan amendment is generally consistent and compatible with the Comprehensive Plan. Thus, the requirements of Criterion 1.5.1.C are met.

D. If the proposed amendment is to the Land Use Map, there is a demonstrated public need, which cannot be satisfied by other property that now have the same designation as proposed by the amendment;

The proposed amendment is to provide a land use designation that is consistent with the existing multi-family development on the site. The amendment will remove the NR-SD designation which does not reflect the built environment of the site which has been an apartment building since the 1960s. The public need is to provide the site with a land use designation consistent with the existing development.

Staff find that criterion 1.5.1.D is met for the proposed amendment.

SUMMARY

For the reasons identified above, staff finds that the Comprehensive Plan Map Amendment satisfies the approval criteria for a legislative Comprehensive Plan Amendment pursuant to Section 1.5.1 of the Comprehensive Plan.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **CPA2014-0008 (Royal Crest Apartments CPA/ZMA)** with no recommended conditions of approval.