

CHAPTER THREE: LAND USE ELEMENT



LAND USES

3.1 OVERVIEW

In the 1970s when the City of Beaverton adopted its first long range “General Plan,” the City anticipated moderate growth within its urban service area. At the time, the Plan identified a 49 square mile urban service area that would accommodate 127,000 to 257,000 people. At the close of 1999, the City’s population has risen to approximately 68,000 people, increasing by approximately 53% in the last 19 years. Additionally, the 1999 city limits encompasses approximately 16 square miles.

Subsequent to the City’s initial planning effort, Metro adopted a series of land use and transportation planning regulations requiring local government action. In order to use the existing regional land supply and resources more efficiently, Metro forecasts the City’s fair share of the regional population and employment growth (forecast year 2017) as approximately 21,000 new jobs and 15,000 new housing units. Population and employment targets are based on local government boundaries as of 1996. Maintaining densities and intensities of development established through Washington County planning is important as land annexes to the City as the land subject to incorporation carries a proportionate share of population and employment based on the 1996 jurisdictional boundaries. Planning for the City’s targets requires recognition of the requirement to accommodate the targets within the 1996 boundaries. As a result of this regional planning, prominent issues facing the City and the region include efficient provision of public services and efficient use of land while maintaining the resident’s concept of livability.

A basic element of any comprehensive plan is prescribing the type, location, and distribution of land uses in the community. In addition, the relationship between land use and urban design is fundamental to quality infill and redevelopment and increased densities. These are the primary issues facing the City of Beaverton in the 20 year planning horizon beginning in the year 2000. As the density of residential and non-residential development increases urban design issues become more important. Consequently, this land use element integrates land use considerations with urban design. In other words, the element integrates the type, location and distribution of land uses with how those uses look and function on the landscape.

Significant differences in the characteristics of existing development patterns can be found in the community. These should be recognized as a factor to be considered when reviewing development proposals. If in any area development has been sufficient to have an established or particular desirable character, it should be identified and maintained. Infill in an established area with an identified character should be designed to be compatible with the area. Compatible characteristics include size, scale and design.

3.2 PLANNING CONTEXT

Within the Portland Metropolitan Area, local governments must comply with both state and regional land use laws. Consistency with the Statewide Planning Goals (referenced in Appendix A), Transportation Planning Rule and other Oregon Administrative Rules (OAR) and Oregon Revised Statutes (ORS) is required. Metro, the elected regional government serving the tri-county area, has adopted a number of planning documents for guiding the region's future growth. In 1995 Metro adopted a future vision titled "Regional Urban Growth Goals and Objectives" and a map titled "2040 Growth Concept". Compiling data from within the region and using the context of the future vision and the map, Metro formulated the Regional Framework Plan (Framework Plan). The Framework Plan highlights programs and provides the basic concepts adopted as directives in the Urban Growth Management Functional Plan (Functional Plan). The city must comply or substantially comply with the directives found within the Functional Plan or justify an exception to the directives. The 2040 Growth Concept provided a general approach to approximately where and how much the urban growth boundary should expand, the mix of uses and range of densities to accommodate projected growth within the boundary.

Specifically, section 3.07.130 of the Functional Plan requires the following:

"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:

Regional Centers – Nine regional centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks.

Station Communities – Nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment.

Town Centers – Local retail and services will be provided in town centers with compact development and transit service.

Main Streets – Neighborhoods will be served by main streets with retail and service developments served by transit.

Corridors – Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.

Employment Areas – Various types of employment and some residential development are encouraged in employment areas with limited commercial uses.

Inner Neighborhood – Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods."

Beaverton's Downtown is designated a Regional Center on the 2040 Growth Concept Map. A portion of southeast Beaverton, adjacent to Highway 217, is part of the Washington Square Regional Center. Generally, the zoning districts allowed within the Beaverton Regional Center Comprehensive Plan designation include Regional Center – East, Regional Center – Old Town, and Regional Center – Transit Oriented. Other zoning districts consistent with the City's goals within the Washington Square Regional Center will be developed. The developments known as Koll Business Center, Marathon Industrial Park and Nimbus Industrial Park are located within the Washington Square Regional Center. Generally, densities in the Regional Center are intended to meet Metro's target of 60 persons per acre.

Station Communities in Beaverton include Beaverton Transit, Beaverton Central, South Tektronix, Beaverton Creek and Merlo. The Sunset and 170th/Elmonica Station Communities are located within Beaverton's urban service area, as is the eastern portion of the Willow Creek Station Community. Beaverton's zoning districts focus on the immediate station, within ½ mile, and the outer perimeter, ½ to 1 mile. These zoning district categories are labeled Station Community and Station Area, respectively. The Development Code specifies two Station Community zoning districts: Station Community – High Density Residential and Station Community – Multiple Use. Two Station Area zoning districts are identified as follows: Station Area – Medium Density Residential and Station Area – Multiple Use. Metro's target density is 45 persons per acre for the Station Community design type.

Beaverton has one Town Center, located in the vicinity of the intersection of Scholls Ferry Road and Murray Boulevard. The Bethany, Raleigh Hills, and Cedar Hills/Cedar Mill town centers are within Beaverton's urban service area. Additionally, the Sunset Transit Center is also designated as a town center. (Many of the design type boundaries overlap on the Growth Concept Map, especially in areas adjacent to light rail stations.) City Town Center zoning districts include Town Center – Multiple Use, Town Center – High Density Residential, and Town Center – Medium Density Residential. The Neighborhood Residential Medium Density (R-4) zoning district is also allowed within the Murray/Scholls Town Center. Densities are intended to reach the Metro target of 40 persons per acre.

Metro designated Main Streets on the 2040 Growth Concept Map including the following areas within Beaverton:

Murray Boulevard intersection with Allen Boulevard, and
Hall Boulevard intersection with Allen Boulevard.

An additional planned Main Street has been identified through planning efforts in the South Cooper Mountain Community Plan area, an area added to the Urban Growth Boundary and annexed to Beaverton after publication of the original 2040 Growth Concept Map. The planned Main Street will be along a future collector road on the north side of that road's intersection with Scholls Ferry Road, between 175th Avenue and Tile Flat Road.

Metro also designates Main Streets in the following areas that include both incorporated city areas and unincorporated county areas:

Farmington Road from the Regional Center westerly to the city limits, Allen Boulevard intersection with Scholls Ferry Road, and Cornell Road.

Main Streets allow a mix of commercial and medium to high density residential zoning districts. Main Streets within the City and its environs are currently developed or planned to develop primarily as commercial centers with some moderate and high density residential interspersed. Densities within this land use designation are intended to reach the target of 39 persons per acre as the areas redevelop. Although Metro designates Farmington Road as a Main Street, the City applied the Corridor designation due to the character of development adjacent to Farmington Road within the city limits.

Corridors in Beaverton include Walker Road, Cedar Hills Boulevard, Murray Boulevard, Hall Boulevard, Allen Boulevard, Farmington Road, Canyon Road, Scholls Ferry Road, Beaverton-Hillsdale Highway and Tualatin Valley Highway. Corridor development differs from Main Street development with respect to density and mix of uses. In the long term, Main Streets are intended to provide for an integrated mix of residential and employment opportunities. Whereas, Corridors provide nodes of residential and employment that may be integrated, but more likely reside side by side. The Metro density target for the Corridor design type is 25 persons per acre.

Employment Areas within Beaverton generally include the following areas commonly known as the Twin Oaks Industrial Park and Cornell Oaks Corporate Center. These areas are generally within Beaverton's Industrial zoning districts. The majority of Woodside Corporate Park is within the City's urban service boundary and Science Park in Cedar Mill is in the City's urban service area. Target densities within this design type are 20 persons per acre.

Industrial Areas are generally developed with low density industrial development. Designated Industrial Areas in Beaverton include the developments known as Southern Pacific Industrial Park, Allen Business Park, and Bevest Industrial Park. Generally, the block shown on the Comprehensive Plan Land Use Map as Industrial Areas are designated with Beaverton industrial zoning districts. No new commercial zoning will be allowed in these areas.

Generally, all other areas within the city are designated Inner Neighborhood on the Metro 2040 Growth Concept Map. Areas designated on the Comprehensive Plan Land Use Map as Neighborhood Residential generally comply with the Metro Inner Neighborhood Design Type, providing densities of 14 persons per acre. Within the Neighborhood Residential land use designation, four densities are allowed as follows: Low Density, Standard Density, Medium Density and High Density. In addition, commercial development within the Medium and High Density Neighborhood Residential designations will not, generally, be permitted. Existing capacity for residential development within these land use designations is needed to help meet the Metro growth targets. Development of another nature would lessen the City's compliance with these targets, consequently; conversions of Medium and High Density Neighborhood Residential land to other uses will be limited. Where conversions are desired, it must be demonstrated that the "substantial compliance" with the Metro housing capacity targets can be met with the remaining available land as allocated.

Figure III-1, Comprehensive Plan Land Use Map, appropriately designates land uses in compliance with the Statewide Planning Goals and Metro Functional Plan Title 1 requirements to define boundaries of Metro Design Types.

The Comprehensive Plan text is a policy document guiding land use within the City of Beaverton. As such, a hierarchy of policy language is provided in the following manner:

- Goals are brief guiding statements, which describe a desired result.
- Policies are statements of the City's general approach to meeting a goal.
- Actions direct specific City activities or events, consistent with goals and policies.
- Text Boxes provide references to source materials used when developing the goal, policy or action statement. Text boxes can also clarify the intent of a policy, but are not intended to serve as the policy direction itself. Text boxes appear with the typeface shown in this sentence.

3.3 COMMUNITY PLAN CONTEXT

To provide Comprehensive Plan policy text specific to geographical areas, a number of Community Plans have been developed. Full understanding of the Community Plans requires review of the Comprehensive Plan for the policy framework, the Community Plan for the geographically specific text, the Beaverton Development Code for permitted uses and development application permit types and processes, and the Beaverton Engineering Design Manual and Standard Drawings for infrastructure standards.

Maps found in the Comprehensive Plan and the Development Code provide the basis for the mapped figures referenced in Community Plans. The Community Plan figures provide an expanded view of selected Comprehensive Plan and Development Code maps with a focus on a specific geographical area of the City. Community Plan figures include views of the Comprehensive Plan Land Use Map, the Transportation Functional Classification Map, the Significant Natural Resources Map, the Historic Resources Map, the Development Code Zoning Map and Major Pedestrian Route Map. Amendments to these figures follow procedures specified within the document in which they are located. Community Plan figures will be administratively updated as amendments to the Comprehensive Plan and Development Code maps are adopted.

3.4 COMMUNITY IDENTITY

Beaverton's eleven general City planning goals are found in the introduction to the Comprehensive Plan. Each Element of the Comprehensive Plan refines those goals, and creates new goals, within the context of state and regional mandates and the topic of that particular element.

The first general goal states "Retain Beaverton as an outstanding City." An outstanding City is a place of quality for people to live and work. Fundamental to the achievement of this goal is the

appearance of the community. There is no doubt that the community will continue to grow and change as new people, businesses, and industries establish themselves in the area. A deliberate and continuous effort will be necessary to see that the multitude of decisions made in the process of growth collectively constitute progress toward an attractive, livable community.

3.4.1 Goal: Provide a policy framework for a community designed to establish a positive identity while enhancing livability.

Policies:

- a) The City, through its development review process, shall apply urban design standards to guide public and private investment toward creating a positive community identity.

Action 1: Adopt and apply land use regulations for landscaping, screening and buffering standards for interfaces between differing zones to reduce impacts of lighting and noises to retain a degree of privacy.

Action 2: Adopt and apply land use regulations respecting the natural and physical features of the landscape, including but not limited to, natural areas, site design for hillside areas, flood hazards, earthquake hazards and other environmental constraints.

Action 3: Adopt and apply land use regulations promoting development in ways that promote healthy watersheds and natural resources, use a natural system approach to development, and avoid impacting natural resources. A natural system approach includes sustainable stormwater management using habitat friendly development practices and low impact development techniques.

Action 4: Adopt and apply land use regulations allowing and encouraging techniques to reduce impacts to natural resources, known as Habitat Friendly Development and Low Impact Development.

- b) The City's urban design standards shall promote creation of public spaces and a good pedestrian environment.
- c) Existing overhead utilities shall be placed underground in all parts of the community in conjunction with development.
- d) Sign regulations shall limit the size, location, and number of signs throughout the City. Non-conforming signs shall be removed at the time of a change in use. Off-site advertising signs shall be prohibited in all districts of the City.

Action 1: To ensure fairness, the City shall apply the sign amortization program to annexed properties that had their signs approved by Washington County.

- e) The City shall preserve significant natural resources identified on the City's Statewide Planning Goal 5 Inventories, Volume III of this Plan, through application of regulations requiring the careful siting of development.

Action 1: Adopt mapping showing habitat benefit areas. Habitat benefit areas, Clean Water Services' vegetated corridors and Beaverton identified Goal 5 Inventory areas frequently mutually support and are coincidental to one another.

Action 2: Adopt and apply land use regulations that allow and encourage habitat friendly development practices that reduce impacts to habitat benefit areas, including preservation of the habitat benefit areas.

Action 3: Develop a program to monitor reductions in density to allow for preservation and improvement of habitat benefit areas so that the reduction in density may be reported to Metro.

Action 4: Promote habitat friendly development practices and low impact development techniques through the pre-application conference with development applicants.

- f) Historic buildings, structures, and sites shall be identified on the City's Statewide Planning Goal 5 Inventories, Volume III of this Plan. These resources shall be protected to the extent practicable to preserve community identity and retain important links with the past.
- g) Significant scenic views and sites, as described in Section 7.4 of this plan, shall be identified on the City's Statewide Planning Goal 5 Inventories, Volume III of this Plan, and protected to the extent practicable. Other scenic views and sites that are not locally significant should be preserved for public enjoyment through voluntary, incentive-based measures to the extent practicable.
- h) Private, semi-public, and public uses such as churches, non-commercial schools and parks that contribute to the livability of Beaverton shall be permitted or conditionally allowed in most City zoning districts.
- i) Subsequent to their development in another zoning district, quasi-public and public uses should be converted to the Public/Quasi-Public zoning district on a regular basis through a City-initiated process. This will assist the general public in being aware of the location of such developments in their community and respond to the community's investment in public resources. Modifying only the zoning district and not the land use designation provides for future redevelopment opportunities through the zoning process.
- j) Ensure public and private facilities, especially essential public facilities, are available and provided at the time of development to reduce initial and long-range costs to City businesses and residents.

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Action 1: On and off-site improvements should add to the character and quality of the area as a place for people to live and work. This includes such measures as utility undergrounding and basic pedestrian improvements such as street trees and sidewalks. Street trees are central to creating neighborhood community; therefore, land use regulations shall be adopted requiring street trees or a fee-in-lieu.

3.4.2 Goal: *Proper relationships between residential, commercial, industrial, mixed and public land uses to provide a sound basis for urbanization.*

Policies:

- a) The City, through its Planning Commission and City Council, shall establish and apply appropriate land use designations to property within the city limits.
- b) The City shall establish and maintain a Comprehensive Plan Land Use Map (Figure III.1) designating land uses throughout the city.
- c) The City shall apply appropriate City land use designations to annexed areas.

3.5 MIXED USE AREAS

The following goals, policies and actions apply to all mixed use areas. Mixed use areas are conceived as urban neighborhoods containing a variety and intermixing of uses that complement the established surrounding communities. These areas generally integrate compatible land uses vertically, horizontally, or both. A typical vertically integrated development includes retail uses or a mix of retail and office uses on the first floor – with a majority of the wall area fronting the sidewalk in glass. The next floors would include an additional mix of uses such as more office followed by residential dwellings. In some instances the offices are located on the main floor with an internal access to the residential dwelling on the second and third floors. This type of integrated unit has been termed an “Hoffice”.

The following Metro design types are Mixed Use Areas: Regional Centers, Town Centers, Station Communities, and Main Streets. The density of development called for in the Metro Urban Growth Management Functional Plan in these areas is greater than other design types. In fact, Beaverton expects to accommodate the majority of its targeted growth within the Mixed Use Areas. Development within City of Beaverton land use designations of Regional Center, Town Center, Station Community and Main Street must comply with the policy framework set by this section (3.5 Mixed Use Areas).

3.5.1 Goal: *Beaverton mixed use areas that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.*

Policies:

- a) Regulate new development in Regional Centers, Town Centers, Station Communities and Main Streets (see Figure III-1, Comprehensive Plan Land Use Map) to ensure compact urban development.

Action 1: *Adopt and apply land use regulations to promote efficient use of land. Land use regulations shall include*

- *minimum densities and floor area ratios (FAR),*

- *minimum and maximum surface parking ratios, with allowance of shared and on-street parking to meet minimum requirements,*
- *maximum setbacks along pedestrian routes, including flexible or zero setbacks, and*
- *increased building heights.*

Action 2: *Adopt and apply land use regulations to permit calculation of residential density and FAR on net buildable land. Exclusions to the density and FAR calculations are permitted for lands set aside in an unbuildable tract or dedicated to the public for the following purposes:*

- *Protected wetlands,*
- *Natural resource areas,*
- *Other protected or regulated areas,*
- *Drainage areas or drainage facilities, and*
- *Buildable lands devoted to public or private rights-of-way.*

Action 3: *Adopt and apply land use regulations that allow and encourage preserving habitat benefit areas and minimizing the effect of development on those areas.*

Action 4: *Develop a program to monitor reductions in density to allow for preservation and improvement of habitat benefit areas so that the reduction in density may be reported to Metro.*

Action 3: *Identify and develop incentive programs for increased housing densities such as funding programs for multistory parking, combining public open space for use in high density projects, and developing a mitigation bank for wetland impacts.*

- b) Allow a mix of complementary land use types, which may include housing, retail, offices, small manufacturing or industry, and civic uses to encourage compact neighborhoods with pedestrian oriented streets in order to promote:
- Independence of movement, especially for the young and elderly to enable them to conveniently walk, cycle, or ride transit;
 - Safety in commercial areas, through round-the-clock presence of people;
 - Reduction in auto use, especially for shorter trips;
 - Support for those who work at home, through the nearby services and parks;
 - A range of housing choices so that people of varying cultural, demographic, and economic circumstances may find places to live.

Action 1: *Adopt and apply land use regulations that allow for and encourage mixed use development.*

Action 2: *Adopt and apply land use regulations that promote pedestrian-oriented designs including regulations governing the following:*

- *building orientation and design along pedestrian routes, transit stops and other*

- *pedestrian accessways or open spaces actively used by the public;*
- *landscaping, fencing, screening, buffering pedestrian circulation and access; and*
- *other appropriate site design measures that enhance the pedestrian environment.*

- c) Design streets and adjacent buildings within mixed use land use designations to ensure a setting that is attractive and accessible to multiple transportation modes, including pedestrians, bicyclists, transit riders and motor vehicles.

Action 1: *Adopt and apply design standards related to building height, massing, siting, and detailing to achieve an appearance, micro-climate, and scale along designated streets to encourage walking.*

Action 2: *Adopt and apply design standards to Major Pedestrian Routes that clearly identify acceptable vehicular movement such as slow speeds and attention to pedestrian traffic.*

Action 3: *Designate major pedestrian routes joining employment, retail and residential areas and other pedestrian attractors.*

Action 4: *Develop, adopt, and apply land use regulations that concentrate retail activities along pedestrian oriented streets and prohibit or limit uses generating little pedestrian traffic on ground floor frontages.*

- d) Incorporate pedestrian and bicycle connections into an area-wide network of public and private open spaces.
- e) Promote pedestrian safety by designing streets and pedestrian areas that encourage pedestrian use both day and night, reflect local access functions and use land efficiently.
- f) Regulate the design and construction of streets, intersections, and parking facilities to ensure pedestrian safety and convenience.

Action 1: *Adopt and apply land use regulations that exclude parking spaces in structures from maximum parking ratio standards.*

Action 2: *Adopt and apply standards to provide attractive street frontages and visual compatibility with surrounding areas by*

- *minimizing the placement of parking lots and garages along streets,*
- *configuring parking in ways that will not dominate street frontages or public open spaces, and*
- *designing parking areas to accommodate construction of multiple level parking with commercial or office uses dominating the first floor.*

Action 3: *Require minimum sidewalk widths to allow for pedestrian movement and use of sidewalks for temporary uses such as outdoor dining, limited commercial display and placement of pedestrian features such as street furniture, lighting and trees.*

- g) Promote use of multiple level parking structures with ground floor storefront design to accommodate parking needs while avoiding dispersal of commercial activities and discontinuity of retail activities.
- h) Improve designated pedestrian oriented streets and intersections to stimulate safe, enjoyable walking.
- i) Provide usable open spaces throughout mixed use areas, acknowledging such open spaces will generally be smaller and more intensively developed through open spaces in a more suburban setting.
- j) Prior to development on any portion of a property or group of properties under single ownership a Design Review Application, or a Planned Unit Development and Design Review Application, must be submitted and approved. The application(s) must demonstrate consistency with the policies in the underlying land use designation.
- k) Allow phased development of property through a Planned Unit Development application. Ensure the phasing plan demonstrates compliance with the minimum housing density and commercial floor area ratio requirements.

3.6 REGIONAL CENTER DEVELOPMENT

The Regional Center land use designation is a mixed use designation. Each mixed use designation must comply with the policies and actions set forth in Section 3.5 as well as those promulgated for the individual designation.

3.6.1 Goal: Regional Centers that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.

Policies:

- a) Regulate new development in Regional Centers to ensure compact urban development and to maximize the public infrastructure investment in light rail.
- b) Apply the Regional Center land use designation generally in the areas identified on the Metro 2040 Regional Growth Concept Map.
- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.
- d) Adopt Community Plans identifying Comprehensive Plan Policies applicable to each regional center to provide community vision.

Action 1: Identify the Downtown Beaverton Regional Center Community Plan Area as the area generally bordered to the east by Highway 217, to the south by 5th Street, to the west by Hocken and to the north by Center and Hall Streets.

***Action 2:** Identify the Washington Square Regional Center Community Plan Area as the area generally bordered to the east by Highway 217, to the north by Denny Road, to the west by Fanno Creek, and to the south by Scholls Ferry Road. This Regional Center is primarily located in the City of Tigard. Planning for this area continues to involve intergovernmental coordination.*

3.7 TOWN CENTER DEVELOPMENT

The Town Center land use designation is a mixed use designation. Each mixed use designation must comply with the policies and actions set forth in Section 3.5 as well as those promulgated for the individual designation.

3.7.1 Goal: Town Centers that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.

Policies:

- a) Regulate new development in Town Centers to provide an integrated mix of land uses accessible to pedestrians and bicyclists as well as those who drive.
- b) Apply the Town Center land use designation in the general area identified on the Metro 2040 Regional Growth Concept Map.
- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.
- d) Adopt Community Plans identifying Comprehensive Plan Policies applicable to town center areas to provide community vision.

***Action 1:** Identify the Murray Scholls Town Center Community Plan Area as including properties in the general vicinity of the intersection of Murray Boulevard and Scholls Ferry Road, consistent with the Murray Scholls Town Center study conducted in 1998.*

***Action 2:** Prepare and adopt a Town Center Community Plan for each unincorporated Town Center area concurrent with or shortly after annexation. If a plan has been adopted by the County it shall be considered by the City in preparing its Community Plan for the area. In the case of incremental annexation, a Town Center Community Plan may be more appropriately adopted upon annexation of greater than 50% of the area designated as a Town Center by the County.*

3.8 STATION COMMUNITY DEVELOPMENT

The Station Community land use designation is a mixed use designation. Each mixed use designation must comply with the policies and actions set forth in Section 3.5 as well as those promulgated for the individual designation.

3.8.1 Goal: Station Communities that develop in accordance with community

vision and consistent with the 2040 Regional Growth Concept Map.

Policies:

- a) Regulate new development in Station Communities to maximize the public infrastructure investment in light rail.
- b) Apply the Station Community land use designation generally within one mile of light rail station platforms.
- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.
- d) Adopt Community Plans identifying Comprehensive Plan Policies applicable to Station Community Areas to provide community vision.

Action 1: Identify the South Tektronix Station Community Plan Areas as the area generally north of the Tualatin Valley Highway, west of Hocken, south of SW Millikan Way and east of SW Murray Boulevard.

Action 2: Identify the Beaverton Creek Station Community Plan Area as the area bordered by S.W. Jenkins Road to the north, S.W. Murray Boulevard and the railroad spur to the east, S.W. Millikan Boulevard to the south, and S.W. 153rd Drive to the west.

Action 3: Identify the Merlo Station Community Plan Area as the area in the vicinity of the Merlo Road/158th Avenue intersection.

Action 4: Identify the Elmonica Station Community Plan Area as the area in the vicinity of the Baseline Road/170th Avenue intersection.

Action 5: Identify the Willow Creek Station Community Plan Area as the area in the vicinity of the Baseline Road/185th Avenue intersection.

Action 6: Prepare and adopt a Station Community Community Plan for each unincorporated Town Center area concurrent with or shortly after annexation. If a plan has been adopted by the County it shall be considered by the City in preparing its Community Plan for the area. In the case of incremental annexation, a Town Center Community Plan may be more appropriately adopted upon annexation of greater than 50% of the area designated as a Town Center by the County.

3.8.2 Goal: Develop Station Communities with sufficient intensities to generate light rail ridership and around-the-clock activity.

Policies:

- a) Regulate new development in Station Communities to provide increased densities and employment to support a high level of transit service.

- b) Within ¼ mile of the light rail station platform and along all major pedestrian routes, require development to provide the highest level of design features for pedestrian activity and public access to the light rail station platform.
- c) Within ¼ mile of the light rail station platform, design the arrangement of parking and streets to accommodate construction of multiple level structures for parking, commercial, residential and mixed uses.

3.9 MAIN STREET DEVELOPMENT

The Main Street land use designation is a mixed use designation. Each mixed use designation must comply with the policies and actions set forth in Section 3.5 as well as those promulgated for the individual designation. Main Streets are intended to develop as cohesive communities with design features promoting an urban scale and pedestrian environment.

3.9.1 Goal: Main Street Areas with a vibrant mix of neighborhood commercial and residential uses in a pedestrian friendly environment that includes wide sidewalks with pedestrian amenities.

Policies:

- a) Regulate new development along designated Main Streets to promote transit– supportive development that is relatively dense, mixed in use, and designed for the safety, interest, and convenience of pedestrians.

Action 1: Adopt and apply land use regulations allowing increased building heights along main streets to promote an urban scale.

Action 2: Adopt and apply land use regulations requiring design of ground floor facades to support pedestrian uses. Examples of supportive ground floor design include, but are not limited to,

- *at least 50 % glazing or window displays along the ground floor building frontages facing the main street,*
- *building entrances facing the main street,*
- *retail or small office space on the ground floor inviting activity, and*
- *awnings sheltering the sidewalk area facing the main street.*

Main Street regulations should require ground floor windows for commercial development to promote urban character and pedestrian - orientation, according to the Metro 2040 Land Use Code Workbook: A Guide for Updating Local Land Use Codes. The Corvallis Mixed use Residential and Mixed use Commercial districts require 60% glazing. Gresham and Portland require 50%.

Glazing provides security through "eyes on the street" and provides an interesting environment for pedestrians.

The recommended minimum residential density for Main Street development is 15 units per acre according to the Metro 2040 Land Use Code Workbook: A Guide for Updating Local Land Use Codes. Similarly, the Metro Guide recommends minimum commercial floor area ratios of 0.40:1 up to 0.60:1. In areas where lease rates are low, there may be a need to allow shadow plans that demonstrate compliance through future site intensification. Office Commercial zoning, within Main Streets, should provide for 1 to 4 story buildings supplying professional services to the community.

Action 3: Adopt and apply land use regulations generally requiring street trees planted so that the canopy provides continuous sidewalk coverage at full growth.

Action 4: Adopt and apply minimum densities and floor area ratios in designated Main Street areas.

Action 5: Adopt and apply modified landscape standards that allow a reduction in the amount of landscaping required for non-residential and mixed use development within Main Streets in exchange for pedestrian amenities.

According to the Metro 2040 Land Use Code Workbook: A Guide for Updating Local Land Use Codes, the extent of landscaping needed in mixed use areas will depend on the type of development proposed. More landscaping may be needed to ensure privacy for residential uses, while less landscaping may be desirable for commercial visibility.

Action 6: Allow limited commercial within residential projects where it can be appropriately integrated.

Office development typically provides an integrated office and housing unit, which is typically attached vertically or horizontally to the office with internal access.

- b) Apply the Main Street land use designation to the areas identified in the Metro 2040 Urban Growth Concept Map and those identified through subsequent community plans.

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Action 1: Designate the following roads, and appropriate properties along the roads, as Main Streets:

- the intersection of Murray and Allen Boulevards,
- the intersection of Allen and Hall Boulevards, and
- the intersection of Allen Boulevard and Scholls Ferry Road,
- the intersection of the North-South collector road (between 175th Avenue and Tile Flat Road) and Scholls Ferry Road (within the limits of the City of Beaverton) in the South Cooper Mountain Community Plan area.

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- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.

Action 1: Adopt land use regulations in the Development Code providing criteria for rezones in Main Street Areas pursuant to subsection 3.14 Comprehensive Plan and Zoning District Matrix. Recommended criteria include, but are not limited to, minimum and maximum zoning district sizes, floor area ratios, housing densities, distances to other similar zoning classifications, uses, and schools.

Within the Main Street land use designation, commercial zoning is intended to provide for the shopping and service needs of the immediate neighborhood and should be readily accessible by foot, bicycle, and automobile. Two types of commercial activity are expected, individual stores, generally not exceeding 10,000 square feet in gross floor area and centers where any individual business should not exceed 15,000 square feet, with the exception of food markets. Residential zoning, within the Main Street land use designation, is intended to provide for single family attached and detached and multi-family developments. Generally, housing density will range from 8 to 43 units per acre. Where possible, residential and commercial uses should be part of an integrated mixed use development.

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.

Action 1: Allow limited commercial within residential projects where it can be appropriately integrated.

Office development typically provides an integrated office and housing unit, which is typically attached vertically or horizontally to the office with internal access.

- b) Apply the Corridor land use designation consistent with the Metro 2040 Regional Urban Growth Concept Map.

Action 1: Designate the following roads, and appropriate properties along the roads, as Corridors:

- Murray Boulevard,
- Hall Boulevard,
- Canyon Road,
- Farmington Road,
- Cornell Road,
- Scholls Ferry Road,
- Allen Boulevard,
- 92nd Avenue,
- Tualatin Valley Highway,
- Beaverton-Hillsdale Highway,
- Walker Road.

- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.

Action 1: Adopt land use regulations in the Development Code providing criteria for rezones in compliance with subsection 3.14 Comprehensive Plan and Zoning District Matrix. Recommended criteria include, but are not limited to, minimum and maximum zoning district sizes; minimum floor area ratios and housing densities; minimum distances between other similar zoning classifications, uses, and schools; frontage on specific functional classifications on the Functional Classification of Streets Map (Figure 6.7).

- d) The community shall endeavor to improve the appearance of commercial areas.

Action 1: Adopt and apply land use regulations that will limit driveway and street access, and provide landscaping along street frontage.

Action 2: Adopt and apply land use regulations that will provide landscaped

Recommended land use regulations include:

- stepping the heights of buildings down to 35 feet within 100 feet of existing single family residences,
- developing a screening and buffering matrix providing required plant landscaping and screening structures, and
- increasing setbacks when adjacent to residential zones.

median strips within the street right-of-way on the following streets:

- *Beaverton-Hillsdale Highway,*
- *Canyon Road*
- *Cedar Hills Boulevard.*

Action 3: *Adopt and apply land use regulations requiring buffering of properties designated Neighborhood Residential (Standard and Low Density) from commercial and higher density residential uses to mitigate the impacts of such development on adjacent lower density residential development.*

Action 4: *Adopt and apply land use standards to limit curb cuts and direct highway access.*

- e) Commercial facilities shall be allocated in a reasonable amount and in a planned relationship to the people they will serve.

Action 1: Commercial activities requiring a high degree of visibility, extensive land area, extensive outdoor storage, and or display of merchandise, equipment or inventory should be permitted only along frontage to arterials and freeways as shown on the Functional Classification of Streets Map (Figure 6-7).

Within the Corridor land use designation, commercial zoning is intended to provide for a variety of shopping and service needs. Corridor areas include commercial areas requiring extensive outdoor storage and or display of merchandise, equipment or inventory. Because of the high visibility of this type of commercial area, these areas are limited to parcels with frontage along arterials or freeways. Also, commercial areas serving the immediate neighborhood with pedestrian, bicycle and auto accessibility are provided within the Corridor land use designation provided the market area for the commercial district is within a 2-3 mile radius (i.e. neighborhood scale).

Residential development within Corridors is intended to provide for single family attached and detached and multi-family developments. Generally, housing density will range from 8 to 43 units per acre. Where possible, residential and commercial uses should be part of integrated mixed use development.

3.11 EMPLOYMENT AREAS

3.11.1 Goal: *Regulate development in Employment Areas to accommodate changing market trends while maintaining the City's employment base.*

Policies:

- a) Regulate new development in Employment Areas to promote a functional and attractive mix of office and light industrial uses within the Campus Industrial zoning district. Allow limited commercial and other non-industrial uses to lessen dependence on the automobile for workday activities of employees in the employment areas, increase the attractiveness of the employment center, and to provide a range of synergistic relationships in the development. Examples of regulatory limits on commercial activity include, but are not limited to, size, type, location, and hours of operation.

Metro Code Section 3.07.420 requires local governments apply commercial limitations in certain mapped industrial and employment areas.

Development Code regulations limit the amount of commercial activity in Campus Industrial areas.

***Action 1:** Adopt and apply land use regulations limiting commercial activity in employment areas in compliance with Metro Code Section 3.07.420.*

- b) Apply the Employment Area land use designation consistent with the Metro 2040 Urban Growth Concept Map.
- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.

3.12 INDUSTRIAL DEVELOPMENT

3.12.1 Goal: *Attractive, compatible industrial, manufacturing, warehouse, and heavy industrial development at locations in the City served by good transportation networks.*

Policies:

- a) Regulate new development in Industrial Areas to maintain economic function while buffering incompatible adjacent uses.
- b) Apply the Industrial Area land use designation consistent with the 2040 Regional Urban Growth Concept Map.
- c) Apply industrial zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix to provide appropriate locations for different types of industrial development.

- d) Promote good design in developing industrial areas to provide a positive contribution to the community environment.
- e) Industrial development shall recognize and respect the character of the surrounding development.

***Action 1:** Adopt and apply standards requiring industrial areas to develop a system of bicycle and pedestrian facilities that link to residential areas, to lessen dependence on the automobile for work trips.*

- f) Ensure that adequate traffic circulation, off-street parking, and loading and service areas are provided to serve the existing and projected development in industrial areas.

***Action 1:** Adopt and apply standards for adequate traffic circulation, off-street parking and loading areas for industrial development.*

3.13 RESIDENTIAL NEIGHBORHOOD DEVELOPMENT

3.13.1 Goal: Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.

Policies:

- a) Regulate residential development to provide for diverse housing needs by creating opportunities for single and multi-family development of various sizes, types and configurations.

***Action 1:** Adopt and apply land use regulations requiring buffering of properties designated Neighborhood Residential (Standard and Low Density) from commercial and higher density residential uses to mitigate the impacts of such development on adjacent lower density residential development.*

Recommended land use regulations include:

- stepping the heights of buildings down to 35 feet within 100 feet of existing single family residences,
- developing a screening and buffering matrix providing required plant landscaping and screening structures, and
- increasing setbacks when adjacent to residential zones.

- b) Encourage a variety of housing types in residential areas, by permitting or conditionally permitting any housing type (one, two or more, family dwellings) within any zoning district so long as the underlying residential density of the zoning district is met. Accessory dwelling units shall not be considered in the calculation of the underlying housing density.

***Action 1:** Adopt and apply land use regulations permitting mobile homes in mobile home parks or on individual lots within mobile home subdivision and requiring conformity to the density regulations of the underlying land use designation.*

- c) Require Planned Unit Development application procedures for projects proposing two or more attached dwelling units within the Low Density and Standard Density land use designations. Planned Unit Developments encourage flexibility in standards and provide a mechanism for staff to make adequate findings with respect to compatibility in size, scale, and dimension. Exceptions to this requirement are dwellings designed as primary units with an accessory dwelling unit, as specified in the Development Code.

***Action 1:** Adopt and apply regulations ensuring that home occupations are limited in scale within the Low Density and Standard Density Residential Neighborhood land use designations to businesses that do not display outward manifestations of a business. This includes limiting the number of customers visiting the site, signage, and number of employees.*

- d) Apply Residential Neighborhood designations (Low Density, Standard Density, Medium Density and High Density) consistent with the Metro 2040 Growth Concept Map and the City's housing target implementing strategy.

Residential Neighborhood Designations	Net Square Feet per Dwelling Unit
Low Density	10,000 – 12,500
Standard Density	5,000 – 8,750
Medium Density	2,000 – 4,999
High Density	1,000 – 1,250

- e) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.
- f) New Commercial zoning districts are not allowed within Residential Neighborhood Standard and Low Density land use designations. Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified in the Development Code.
- g) Enhance the City's landscape through design measures considering the natural setting of the land and the character of existing residential neighborhoods.

***Action 1:** Adopt and apply land use regulations requiring residential development to provide public, semi-public, and/or private open space.*

- h) Foster innovation and variety in design to enhance the visual character of the City's landscape. Innovation in design can include designing infill structures to integrate into existing neighborhoods through compatible scale, similar design features, and similar setbacks.

Action 1: Adopt and apply land use regulations that provide flexibility in the Development Code to encourage creative infill and redevelopment solutions where the strict application of typical development standards will not meet the intent of efficient use of the land and preserve existing neighborhoods.

Action 2: Adopt and apply land use regulations to provide design standards for infill and redevelopment within existing neighborhoods.

- i) Residential development, in compliance with regional mandates, shall achieve at least 80% of the maximum density allowed in the respective zoning districts as applied through 3.14 Comprehensive Plan and Zoning District Matrix.

For the purposes of density calculation, dwelling unit is defined as the primary dwelling unit. Accessory dwelling units are allowed anywhere a single-family dwelling is permitted. Accessory dwelling units are considered subordinate and accessory to the primary dwelling and are not counted in the density calculation above.

Persons per acre may be calculated using the 1990 US Census Bureau ratio of 2.5 persons per household for Oregon. Generally, Low Density yields approximately 7 to 10 people per acre, Standard Density returns approximately 12 to 20 persons per acre, Medium Density results in a range of 20 to 52 persons per acre and High Density may yield 84 to 107 persons per acre.

LOW DENSITY RESIDENTIAL DEVELOPMENT:

3.13.2 Goal: Retain established large lot zoning in limited areas.

Policies:

- a) Due to regional planning efforts to maintain minimal expansion of the regional Urban Growth Boundary, opportunities to increase land designated low density residential shall be limited.

- b) Existing pockets of low density residential may continue, but expansion of low density residential areas shall not occur.

Regional inner neighborhood residential densities are 14 persons per acre. At maximum development, low density residential development, as specified herein, nets 10 persons per acre. In April 2000, 200 parcels were designated low density residential totaling approximately 89 acres. Overall, this area yields 356 persons fewer than envisioned by the regional model. To limit the City's deficit in its regional share of population, expansion of the low density residential areas must be prohibited.

STANDARD DENSITY RESIDENTIAL DEVELOPMENT:

3.13.3 Goal: Establish Standard Density Residential areas to provide moderate sized lots for typical single family residences with private open space.

Policies:

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix to allow a variety of housing choices.

Action 1: In recognition of the urban/suburban character of Beaverton, the City shall eliminate the Residential Agriculture zoning district and apply appropriate zoning consistent with the Comprehensive Plan and Zoning District Matrix (3.14).

MEDIUM DENSITY RESIDENTIAL DEVELOPMENT:

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

Policies:

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix
- b) Medium Density Residential zoning is located generally in areas with good access to arterial streets, good transit service, commercial service, and public open space, or should be designed in a coordinated manner to provide such amenities in the immediate vicinity.

HIGH DENSITY RESIDENTIAL DEVELOPMENT:

3.13.5 Goal: Establish High Density Residential areas to allow for a variety of housing types.

Policies:

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

3.14 COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX

The City's Comprehensive Plan provides the overall planning perspective for the City. Integrating state and regional mandates, the plan provides land use patterns that are further implemented through zoning. The following Matrix prescribes the relationship between the Comprehensive Plan land use designations and zoning districts. Compliance with the Comprehensive Plan is achieved through development application approval consistent with the regulations of the Development Code.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX

Comprehensive Plan Designation	Zoning District
Downtown Regional Center	RC-E, RC-OT, RC-TO
Washington Square Regional Center	C-WS, OI-WS
Station Community	SC-HDR, SC-MU, SC-E1, SC-E3, SC-S ¹
Town Center	TC-HDR, TC-MU
Main Street ⁴	Neighborhood Service, R-1, R-2
Corridor	General Commercial, Community Service, Neighborhood Service, R1, R2, R4, Corridor Commercial
Employment Areas	Office Industrial
Industrial	Industrial, Office Industrial
Neighborhood Residential ⁴ (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R10 ²
Standard Density	R7, R5 ³
Medium Density	R4, R2
High Density	R1
Any of the plan designations cited above	Institutional

1. Limited to parcels formerly identified with Washington County Plan designations TO40-80, TO80-120, and TO:BUS within approximately ½ mile of the Sunset Transit Light Rail Station.
2. Existing pockets of low density residential may continue, but expansion of low density neighborhood residential areas shall not occur.
3. Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified by the Development Code.
4. [See South Cooper Mountain Community Plan for additional requirements related to application of residential zones in compliance with the Community Plan.](#)

3.15 URBAN PLANNING AREA AGREEMENT

The Washington County Urban Planning Area Agreement (UPAA), including Exhibits A and B, which is dated October 25, 1998 and was signed by the City on May 15, 1989 and signed by the County on February 10, 1989 is hereby incorporated as section 3.15 of this Land Use Element.

WASHINGTON COUNTY - BEAVERTON
URBAN PLANNING AREA AGREEMENT

THIS AGREEMENT is entered into this 25th day of October, 19 88 by WASHINGTON COUNTY, a political subdivision of the State of Oregon, hereinafter referred to as the "COUNTY", and the CITY OF BEAVERTON, an incorporated municipality of the State of Oregon, hereinafter referred to as the "CITY".

WHEREAS, ORS 190.010 provides that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreement, its officers or agents, have authority to perform; and

WHEREAS, Statewide Planning Goal #2 (Land Use Planning) requires that City, County, State and Federal agency and special district plans and actions shall be consistent with the comprehensive plans of the cities and counties and regional plans adopted under ORS Chapter 197; and

WHEREAS, the Oregon Land Conservation and Development Commission requires each jurisdiction requesting acknowledgment of compliance to submit an agreement setting forth the means by which comprehensive planning coordination within the Regional Urban Growth Boundary will be implemented; and

WHEREAS, the COUNTY and the CITY, to ensure coordinated and consistent comprehensive plans, consider it mutually advantageous to establish:

1. A site-specific Urban Planning Area within the Regional Urban Growth Boundary within which both the COUNTY and the CITY maintain an interest in comprehensive planning;
2. A process for coordinating comprehensive planning and development in the Urban Planning Area; and
3. A process to amend the Urban Planning Agreement.

NOW THEREFORE, THE COUNTY AND THE CITY AGREE AS FOLLOWS:

I. Location of the Urban Planning Area

The Urban Planning Area mutually defined by the COUNTY and the CITY includes the area designated on Exhibit "A" to this agreement.

II. Coordination of Comprehensive Planning and Development

A. Amendments to or Adoption of a Comprehensive Plan or Implementing Regulation

1. Definitions

Comprehensive Plan means a generalized, coordinated land use map and policy statement of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including, but not limited to, sewer and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs. "Comprehensive Plan" amendments do not include small tract comprehensive plan map changes.

Implementing Regulation means any local government zoning ordinance, land division ordinance adopted under ORS 92.044 or 92.046 or similar general ordinance establishing standards for implementing a comprehensive plan. "Implementing regulation" does not include small tract zoning map amendments, conditional use permits, individual subdivision, partitioning or planned unit development approval or denials, annexations, variances, building permits and similar administrative-type decisions.

2. The County shall provide the CITY with the appropriate opportunity to participate, review and comment on proposed amendments to or adoption of the COUNTY comprehensive plan or implementing regulations. The CITY shall provide the COUNTY with the appropriate opportunity to participate, review and comment on proposed amendments to or adoption of the CITY comprehensive plan or implementing regulations. The following procedures shall be followed by the COUNTY and the CITY to notify and involve one another in the process to amend or adopt a comprehensive plan or implementing regulation:

a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall notify the other agency, hereinafter the responding agency, of the proposed action at the time such planning efforts are initiated, but in no case less than 45 days prior to the final hearing on adoption. The specific method and level of involvement shall be finalized by "Memorandums of Understanding" negotiated and signed by the planning directors of the CITY and

the COUNTY. The "Memorandums of Understanding" shall clearly outline the process by which the responding agency shall participate in the adoption process. If, at the time of being notified of a proposed action, the responding agency determines it does not need to participate in the adoption process, it may waive the requirement to negotiate and sign a "Memorandum of Understanding".

- b. The originating agency shall transmit draft recommendations on any proposed actions to the responding agency for its review and comment before finalizing. Unless otherwise agreed to in a "Memorandum of Understanding", the responding agency shall have ten (10) days after receipt of a draft to submit comments orally or in writing. Lack of response shall be considered "no objection" to the draft.
 - c. The originating agency shall respond to the comments made by the responding agency either by a) revising the final recommendations, or b) by letter to the responding agency explaining why the comments cannot be addressed in the final draft.
 - d. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.
 - e. Upon final adoption of the proposed action by the originating agency, it shall transmit the adopting ordinance to the responding agency as soon as publicly available, or if not adopted by ordinance, whatever other written documentation is available to properly inform the responding agency of the final actions taken.
- B. Development Actions Requiring Individual Notice to Property Owners

1. Definition

Development Action Requiring Notice means an action by a local government which requires notifying by mail the owners of property which could potentially be affected (usually specified as a distance measured in feet) by a proposed development action which directly affects and is applied to a specific parcel or parcels. Such development actions may include, but not be limited to small tract zoning or comprehensive plan map amendments, conditional or special use permits, individual subdivi-

sions, partitionings or planned unit developments, variances, and other similar actions requiring a hearings process which is quasi-judicial in nature.

2. The COUNTY will provide the CITY with the opportunity to review and comment on proposed development actions requiring notice within the designated Urban Planning Area. The CITY will provide the COUNTY with the opportunity to review and comment on proposed development actions requiring notice within the CITY limits that may have an affect on unincorporated portions of the designated Urban Planning Area.
3. The following procedures shall be followed by the COUNTY and the CITY to notify one another of proposed development actions:
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall send by first class mail a copy of the public hearing notice which identifies the proposed development action to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than ten (10) days prior to the date of the scheduled public hearing. The failure of the responding agency to receive a notice shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
 - b. The agency receiving the notice may respond at its discretion. Comments may be submitted in written form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered "no objection" to the proposal.
 - c. If received in a timely manner, the originating agency shall include or attach the comments to the written staff report and respond to any concerns addressed by the responding agency in such report or orally at the hearing.
 - d. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If, after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.

C. Additional Coordination Requirements

1. The CITY and the COUNTY shall do the following to notify one another of proposed actions by the CITY and COUNTY Planning Commissions, Board of County Commissioners and City Council which may affect the community, but are not subject to the notification and participation requirements contained in subsections A and B above.
 - a. The CITY or the COUNTY, whichever has jurisdiction over the proposed actions, hereinafter the originating agency, shall send by first class mail a copy of all public hearing agendas which contain the proposed actions to the other agency, hereinafter the responding agency, at the earliest opportunity, but no less than three (3) days prior to the date of the scheduled public hearing. The failure of the responding agency to receive an agenda shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
 - b. The agency receiving the public hearing agenda may respond at its discretion. Comments may be submitted in written form or an oral response may be made at the public hearing. Lack of written or oral response shall be considered "no objection" to the proposal.
 - c. Comments from the responding agency shall be given consideration as a part of the public record on the proposed action. If, after such consideration, the originating agency acts contrary to the position of the responding agency, the responding agency may seek appeal of the action through the appropriate appeals body and procedures.
- D. The CITY and the COUNTY agree that when annexation to the CITY takes place, the transition in land use designation from one jurisdiction to another should be orderly, logical and based upon a mutually agreed upon plan. Upon annexation, the CITY agrees to convert COUNTY plan and zoning designations to CITY plan and zoning designations which most closely approximate the density, use provisions and standards of the COUNTY designations. Such conversions shall be made according to the tables shown on Exhibit "B" to this Agreement.

II. Special Policies

- A. The CITY recognizes and supports the COUNTY's Community Plans and land use designations and agrees to convert COUNTY land use designations to CITY land use designations upon annexation in accordance with Exhibit "B" of this Agreement. In addition, the COUNTY will advise the CITY of adopted policies which apply to the annexed areas and the CITY shall determine whether CITY adoption is appropriate and act accordingly.
- B. The CITY and the COUNTY shall provide information of comprehensive planning and development actions to the Community Planning Organizations (CPO) through the notice procedures outlined in Section II of this Agreement.
- C. At least one copy of any COUNTY ordinance which proposes to (1) amend the COUNTY comprehensive plan, (2) adopt a new plan, or (3) amend the text of the COUNTY zoning code shall be mailed to the CITY within five (5) days after its introduction.
- D. At least one copy of any COUNTY ordinance which proposes to rezone land within one (1) mile of the corporate limits of the CITY shall be mailed to the CITY within five (5) days after its introduction.
- E. The CITY is responsible for conducting an urban services study within its urban planning area shown on Exhibit "A". This study will identify the area for long-range provision of urban level services and annexation to the CITY. Services to be studied shall include, but not limited to: water, sanitary sewer, storm sewer and transportation facilities; police and fire protection; land use planning and development services. The COUNTY will participate in this process as outlined in a Memorandum of Understanding and will forward the future proposed urban services boundary and policies to the County Planning Commission and Board of Commissioners for consideration as a possible amendment to the COUNTY Comprehensive Plan.
- F. The CITY is responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 within the City limits of Beaverton as of January 1, 1986. The COUNTY is responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 within the unincorporated area of the Urban Planning Area shown on Exhibit "A". The method of coordination and involvement of each jurisdiction in the other's planning process shall be specified in Memorandums of Understanding.

As the CITY annexes territory during the time the COUNTY prepares its public facility plan, this territory shall be withdrawn from the COUNTY's direct responsibility for planning and be given to the CITY unless both jurisdictions agree that it is in everyone's interest to continue with COUNTY responsibility.

- G. The CITY and COUNTY shall adopt policy statements in the public facilities plans and/or amend this agreement to identify present and future service providers.
- H. The City of Tigard, City of Beaverton and Washington County have agreed to the following stipulations regarding the connection of Murray Boulevard from Old Scholls Ferry Road to the intersection of SW 121st Avenue and Gaarde Street:
 - 1. The City of Tigard, City of Beaverton and Washington County agree to amend their respective comprehensive plans to reflect the following functional classification and design considerations:
 - a. Designation: Collector
 - b. Number of Travel Lanes: 2 (plus turn lanes at major intersections)
 - c. Bike Lanes: Yes
 - d. Right-of-Way: 60 feet (plus slope easements where necessary)
 - e. Pavement Width: 40 foot minimum
 - f. Access: Limited
 - g. Design Speed: 35 M.P.H.
 - h. Minimum Turning Radius: 350 to 500 feet
 - i. Parking Facilities: None provided on street
 - j. Upon verification of need by traffic analysis, the connection may be planned to eventually accommodate additional lanes at the Murray/Old Scholls Ferry and Murray/New Scholls Ferry intersections.
 - k. The intersection of SW 135th Avenue and Murray Boulevard connection will be designed with Murray Boulevard as a through street with 135th Avenue terminating at the Murray connection with a "T" intersection.
 - l. The general alignment of the Murray Boulevard connection is illustrated in Exhibit C.

2. Any changes to land use designations in the Murray Boulevard connection area shall be coordinated with all jurisdictions to assure that traffic impacts are adequately analyzed.
 3. The City of Tigard, City of Beaverton and Washington County shall support improvements to the regional transportation system as outlined in the adopted Regional Transportation Plan (RTP).
 4. Improvements to SW Gaarde Street between SW 121st Avenue and Pacific Highway 99W should occur coincident with the connection of Murray Boulevard from Walnut/135th Avenue to Gaarde Street.
- I. The COUNTY and the CITY will execute a Memorandum of Understanding outlining the methodology for transferring COUNTY records regarding land use activities to the CITY when property is annexed to the CITY. The Memorandum of Understanding shall be drafted and executed by December 31, 1988.
 - J. The COUNTY and the CITY will execute a Memorandum of Understanding outlining the respective responsibilities for collection of fees, inspections and drainage maintenance districts on platted subdivisions annexed to the CITY. The Memorandum of Understanding shall be drafted and executed by December 31, 1988.

IV. Amendments to the Urban Planning Area Agreement

- A. The following procedures shall be followed by the CITY and the COUNTY to amend the language of this agreement or the Urban Planning Area Boundary:
 1. The CITY or COUNTY, whichever jurisdiction originates the proposal, shall submit a formal request for amendment to the responding agency. In addition, the CITY or the COUNTY shall send a copy of the Request for Amendment to affected Community Planning Organizations (CPO).
 2. The formal request shall contain the following:
 - a. A statement describing the amendment.
 - b. A statement of findings indicating why the proposed amendment is necessary.
 - c. If the request is to amend the planning area boundary, a map which clearly indicates the proposed change and surrounding area.

3. Upon receipt of a request for amendment from the originating agency, the responding agency shall schedule a review of the request before the appropriate reviewing body, with said review to be held within 45 days of the date the request is received.
 4. The CITY and COUNTY shall make good faith efforts to resolve requests to amend this agreement. Upon completion of the review, the reviewing body may approve the request, deny the request, or make a determination that the proposed amendment warrants additional review. If it is determined that additional review is necessary, the following procedures shall be followed by the CITY and COUNTY:
 - a. The CITY and the COUNTY shall agree to initiate a joint study. Such a study shall commence within 30 days of the date it is determined that a proposed amendment creates a disagreement, and shall be completed within 90 days of said date. Methodologies and procedures regulating the conduct of the joint study shall be mutually agreed upon by the CITY and the COUNTY prior to commencing the study.
 - b. Upon completion of the joint study, the study and the recommendations drawn from it shall be included within the record of the review. The agency considering the proposed amendment shall give careful consideration to the study prior to making a final decision.
 - B. The parties will jointly review this Agreement every two (2) years to evaluate the effectiveness of the processes set forth herein and to make any amendments. The review process shall commence two (2) years from the date of execution and shall be completed within 60 days. Both parties shall make a good faith effort to resolve inconsistencies that may have developed since the previous review. If, after completion of the 60 day review period inconsistencies still remain, either party may terminate this Agreement.
- V. This Urban Planning Area Agreement repeals and replaces the Urban Planning Area Agreement dated September 9, 1986.

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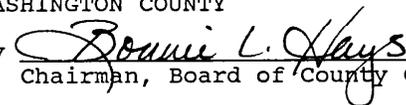
This Agreement commences on October 25, 19 88.

IN WITNESS WHEREOF the parties have executed this Urban Planning Area Agreement on the date set opposite their signatures.

CITY OF BEAVERTON

By  Date 5-15-89
Mayor

WASHINGTON COUNTY

By  Date 2-10-89
Chairman, Board of County Commissioners

 Date 2-10-89
Recording Secretary

CITY OF BEAVERTON URBAN PLANNING AREA

EXHIBIT A

WASHINGTON COUNTY-BEAVERTON URBAN PLANNING AREA AGREEMENT

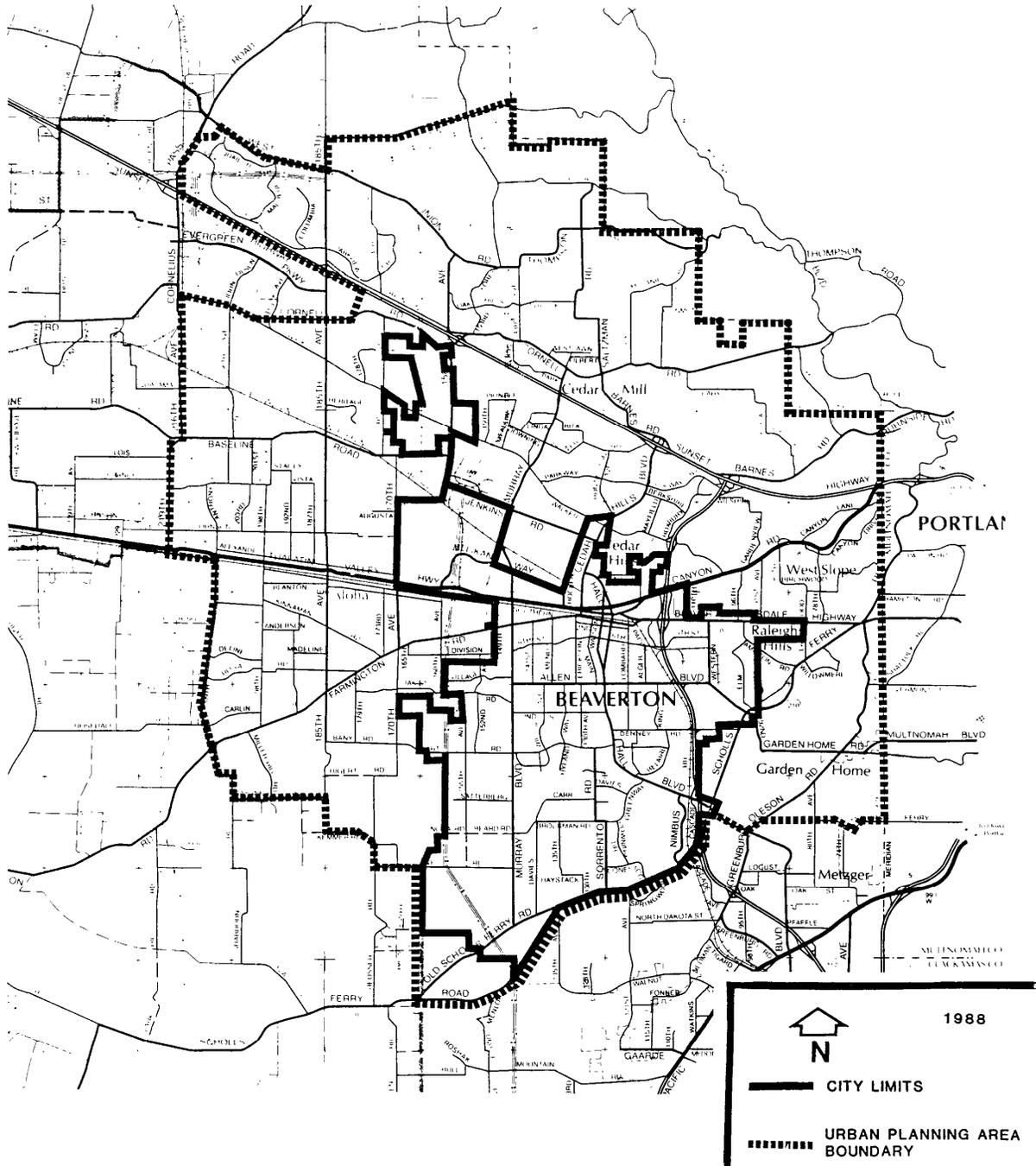


EXHIBIT "B"

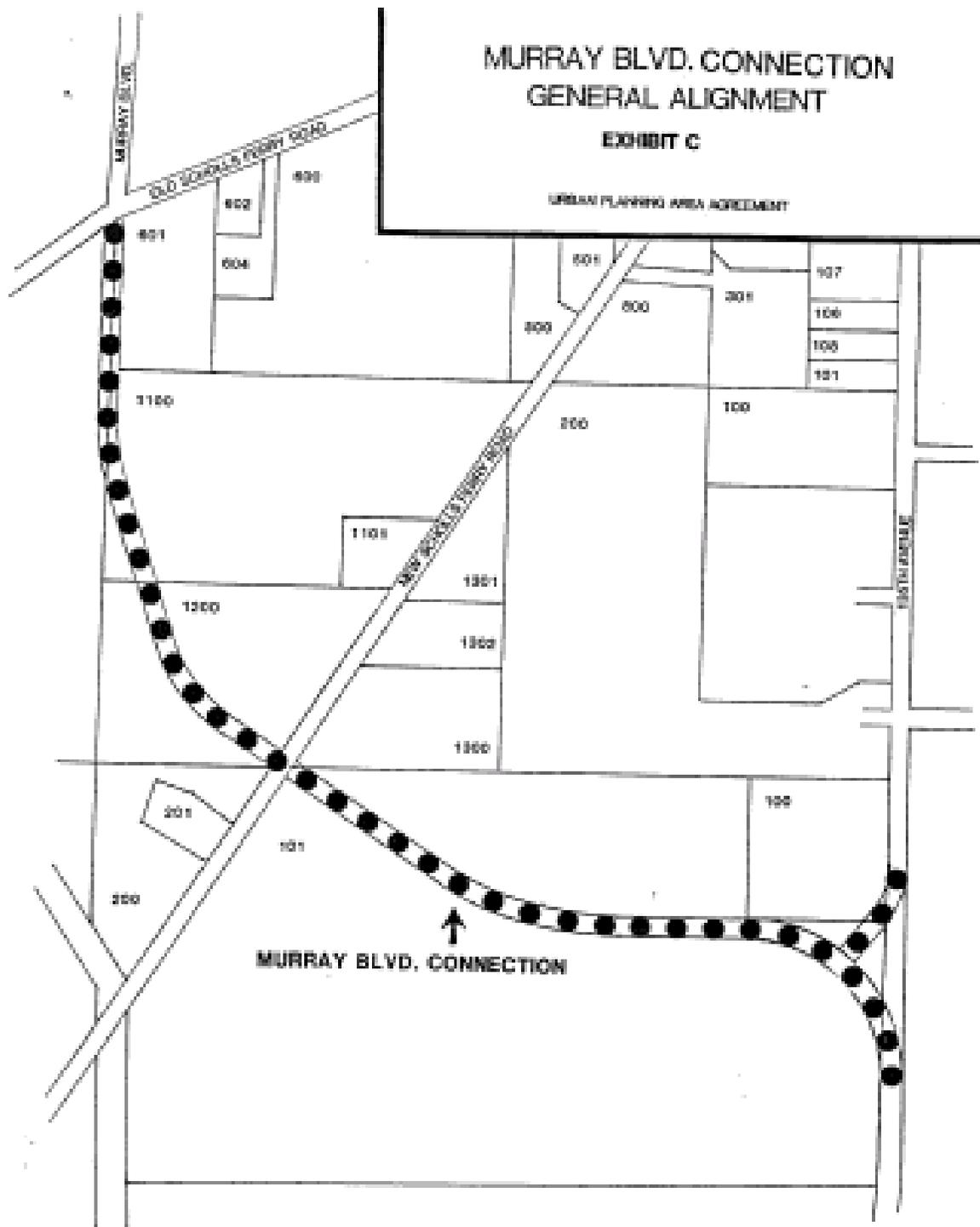
CITY-COUNTY LAND USE DESIGNATION EQUIVALENTS

County		Beaverton*	
<u>Plan/Zoning</u>		<u>Plan</u>	<u>Zoning**</u>
Residential	5 u/ac	Urban Standard Residential	R-7
Residential	6 u/ac	Urban Standard Residential	R-5
Residential	9 u/ac	Urban Standard Residential	R-5
Residential	15 u/ac	Urban Medium Residential	R-2
Residential	24 u/ac	Urban Medium Residential	R-2
Residential	25+ u/ac	Urban High Residential	R-1
Office Commercial		Office Commercial	O.C.
Neighborhood Commercial		Neighborhood Commercial	N.S.
Community Business District		Community Service Town Center (for property west of Hwy. 217 and south of Center only)	C.S.
General Commercial		General Commercial	G.C.
Industrial		Industrial Park Campus Industrial Light Industrial	I.P. C.I. *** L.I.
Institutional		Shown on Plan	Zoned to the most restric- tive abutting zone.
Significant Natural Resource		Significant Natural Resource	Not designated on zoning map

* When partially completed developments such as residential subdivisions, apartment complexes, industrial parks, retail or office centers, etc. are annexed to the CITY after receiving development approval from the COUNTY, the CITY may, at its discretion, continue to apply the COUNTY's development standards relating to setbacks, lot sizes, lot coverage and heights for buildings and accessory structures for any new construction taking place after annexation.

** Beaverton's residential densities identified in Exhibit "B" reflect current standards. Amendments to the City's standards shall revise this exhibit upon final approval by the City.

*** Planning Director shall determine the appropriate industrial designation based upon prevailing industrial land uses and the characteristics of individual activities, i.e., extensive outside storage, non-conforming characteristics, etc.



Insert Figure III-1 Here Comprehensive Plan Land Use Map

FIGURE III-2
Index Map of
Parcels with Commercial Zoning Districts
and
Neighborhood Residential Land Use Designations
as of Ordinance Effective Date

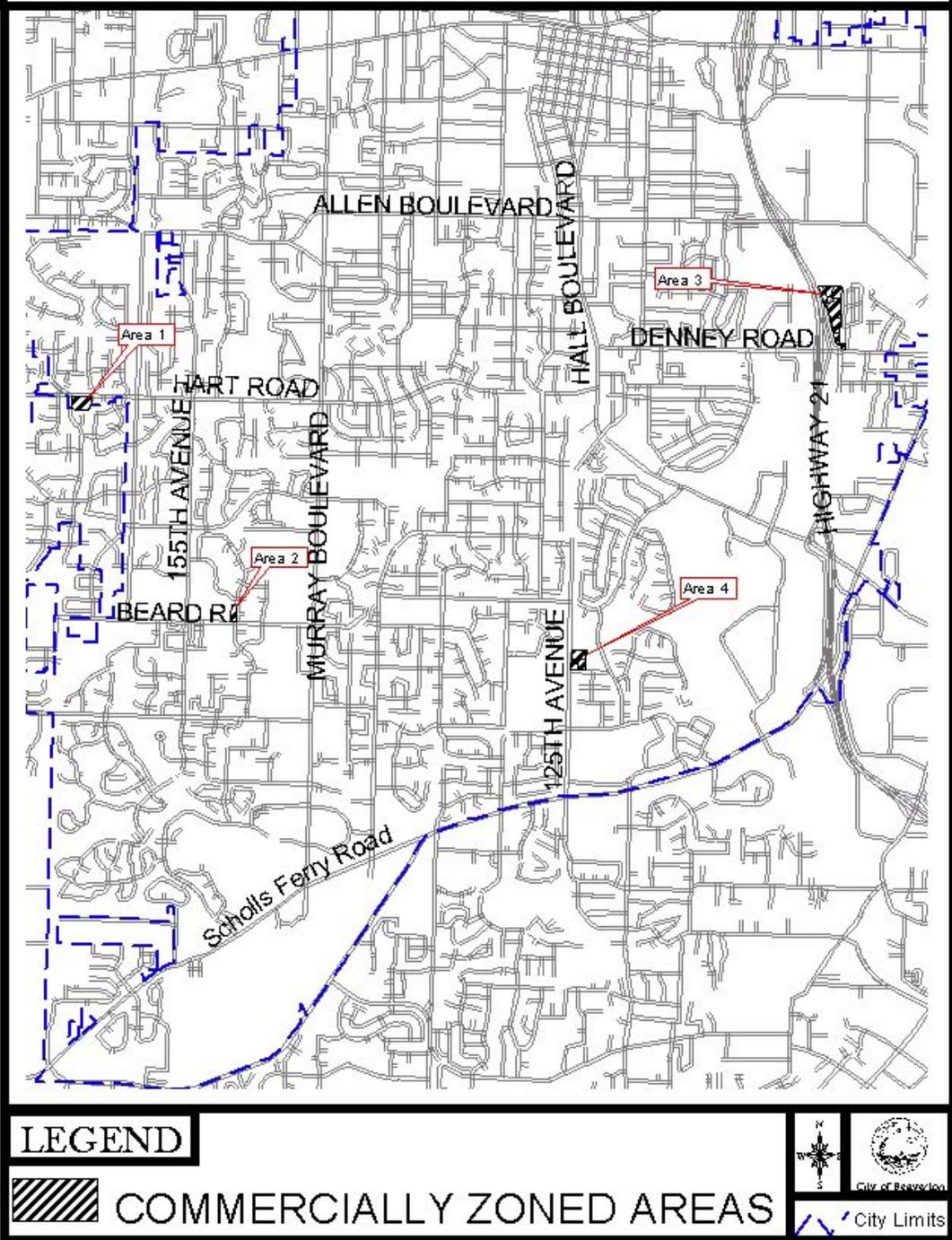
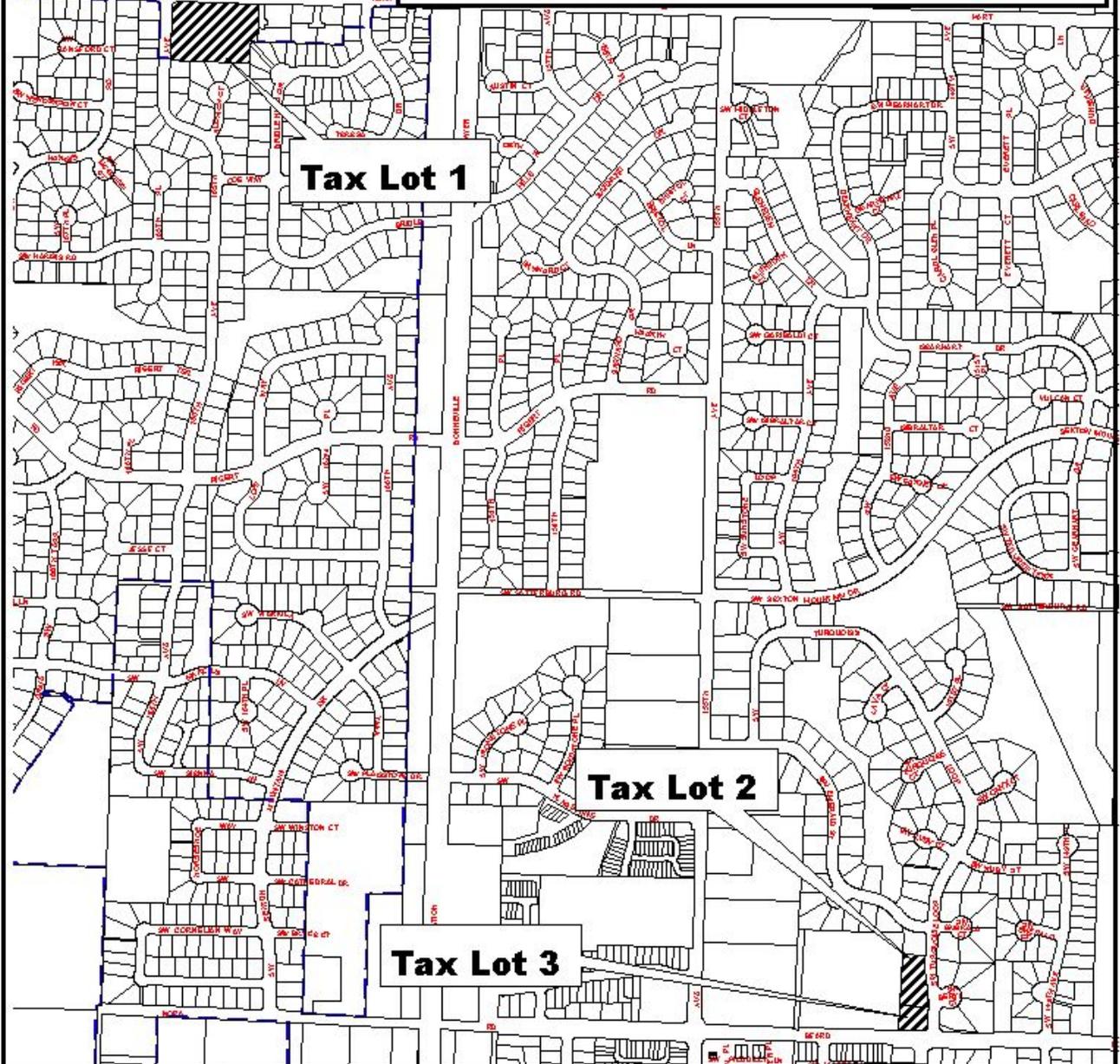


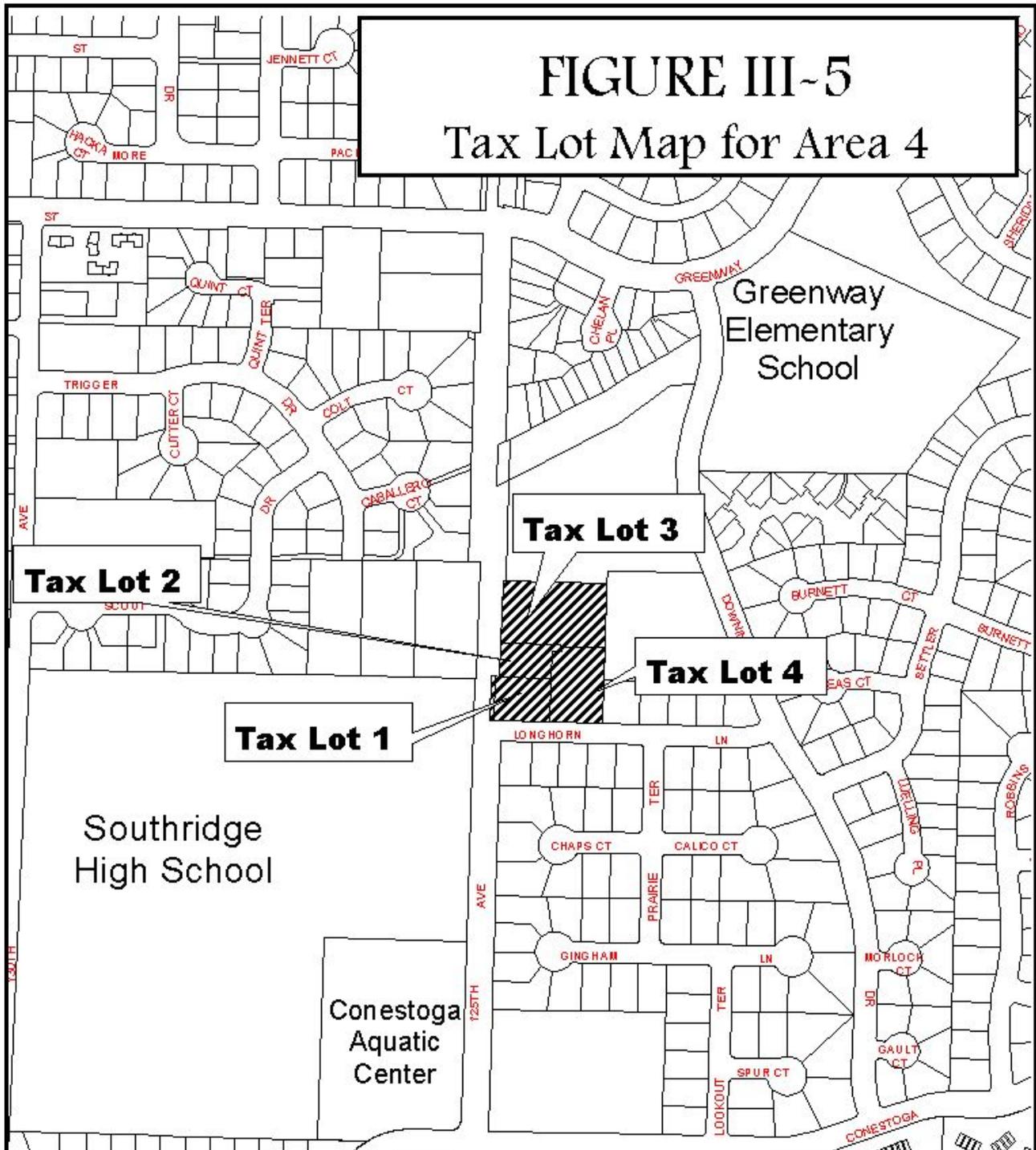
FIGURE III-3

Tax Lot Map for Areas 1 & 2



LEGEND	Commercially Zoned Areas Tax Lot 1: 1S120CC00200 Tax Lot 2: 1S129DB07100 Tax Lot 3: 1S129DB07000		 City of Beaverton
		City Limits	

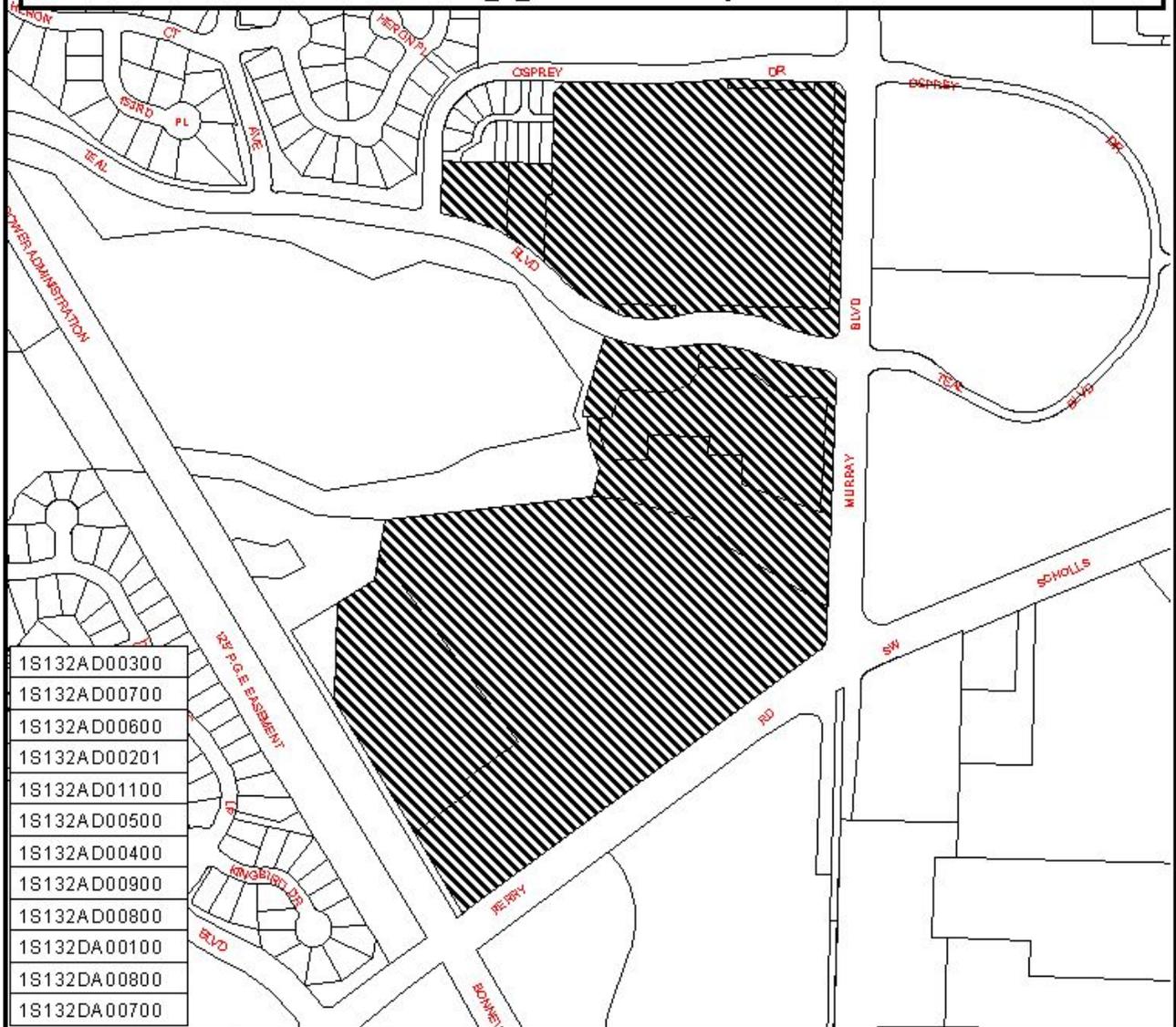
FIGURE III-5 Tax Lot Map for Area 4



LEGEND	Commercially Zoned Areas Tax Lot 1: 1S127CB07801 Tax Lot 2: 1S127CB07901 Tax Lot 3: 1S127CB07900 Tax Lot 4: 1S127CB07802		City of Beaverton
		City Limits	

FIGURE III-6

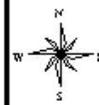
Area of Town Center Sub Regional Zoning District Applicability



LEGEND



Town Center Sub Regional applicable



City of Beaverton



City Limits