



Community Development Department

MEMORANDUM

To: Planning Commission
From: Brian Martin, Long Range Planning Manager
Kate McQuillan, Senior Planner
Date: Dec. 9, 2020
Subject: Goal 12/TPR Findings

The City of Beaverton proposes a Comprehensive Plan Map Amendment and Zoning Map Amendment for two properties at the intersection of Hall Boulevard and Oleson Road. They are subject to the "Significant Impact" analysis as required by the state's Transportation Planning Rule to ensure there is adequate planned capacity in the surrounding transportation network. This document demonstrates that the proposed amendments do not create a significant impact on transportation facilities per Oregon Administrative Rule (OAR) 660-12-0060.

Proposed amendments to the City's Comprehensive Plan (Chapter 3, Land Use Element) in Comprehensive Plan Amendment CPA-2020-0006, the zoning map in Zoning Map Amendment ZMA2020-0007 are annexation-related discretionary amendments within the Washington Square Regional Center.

Proposal location: 9120 SW Hall Blvd., specifically identified as Tax Lot 1200 on Washington County Tax Assessor's Map 1S126CA; and

9115 SW Oleson Road, specifically identified as Tax Lot 2700 on Washington County Tax Assessor's Map 1S126DB.

Applicant: City of Beaverton

Site conditions: Existing uses on the western property include retail and restaurants (including Chipotle Mexican Grill, John's Incredible Pizza Co. and Nadeau Furniture). The property includes three buildings totaling more than 73,000 square feet. The existing use on the eastern property is a 46,472-square-foot office building.

The Willamette Water Supply Program (WWSP) plans a Pressure and Flow Control Facility on western property that will reduce water pressure as it enters facilities serving City of Beaverton and Tualatin Valley Water District (TVWD) customers. The facility is not allowed in the Washington County zone but is a conditional use in the proposed Beaverton zone. The WWSP is a joint effort of TVWD, the City of Hillsboro and the City of Beaverton to provide additional water supply from the Willamette River at Wilsonville.

The findings below demonstrate that the proposed amendments do not cause a significant impact on existing and proposed transportation facilities.

Table 1: Summary of Amendments Affecting Properties

	Proposed changes to Comp Plan map?	Proposed changes to Zoning Map?	Proposed changes to Zoning Code?
9120 SW Hall Blvd.	Yes	Yes	No
9115 SW Oleson Road	Yes	Yes	No

Washington County does not have Comprehensive Plan designations. The County has a one-map system with Land Use Districts, the equivalent of zoning. Beaverton has a two-map system with a Comprehensive Plan Map and Zoning Map. The Comp Plan map changes noted in Table 1 above are from no Comprehensive Plan designation (because the County does not have them) to a city Comprehensive Plan designation.

OAR 660-012-000 through 660-012-0070, referred to as the Transportation Planning Rule (TPR), provide guidance on compliance with Statewide Planning Goal 12. A Transportation System Plan (TSP) adopted pursuant to OAR Division 12 fulfills the requirements for public facilities planning required under Oregon Revised Statutes 197.712(2)(e), Goal 11, and OAR Chapter 660, Division 12 as they relate to transportation facilities. Volume IV of the Beaverton's Comprehensive Plan contains the City's adopted TSP (Ordinance No. 4551, adopted September 2010).

The Transportation Planning Rule states that amendments that "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 ration, etc.) of the facility."

A "significant effect" can result from:

- A change to functional classification or the standards implementing a functional classification system; or
- Changes to planned land uses that would result in types or levels of travel or access that are inconsistent with adopted functional classifications; or
- Changes that would degrade performance so that it doesn't meet performance standards or further degrade performance for a facility that is already projected not to meet performance standards.

The following TPR findings demonstrate that the proposed amendments, when applied

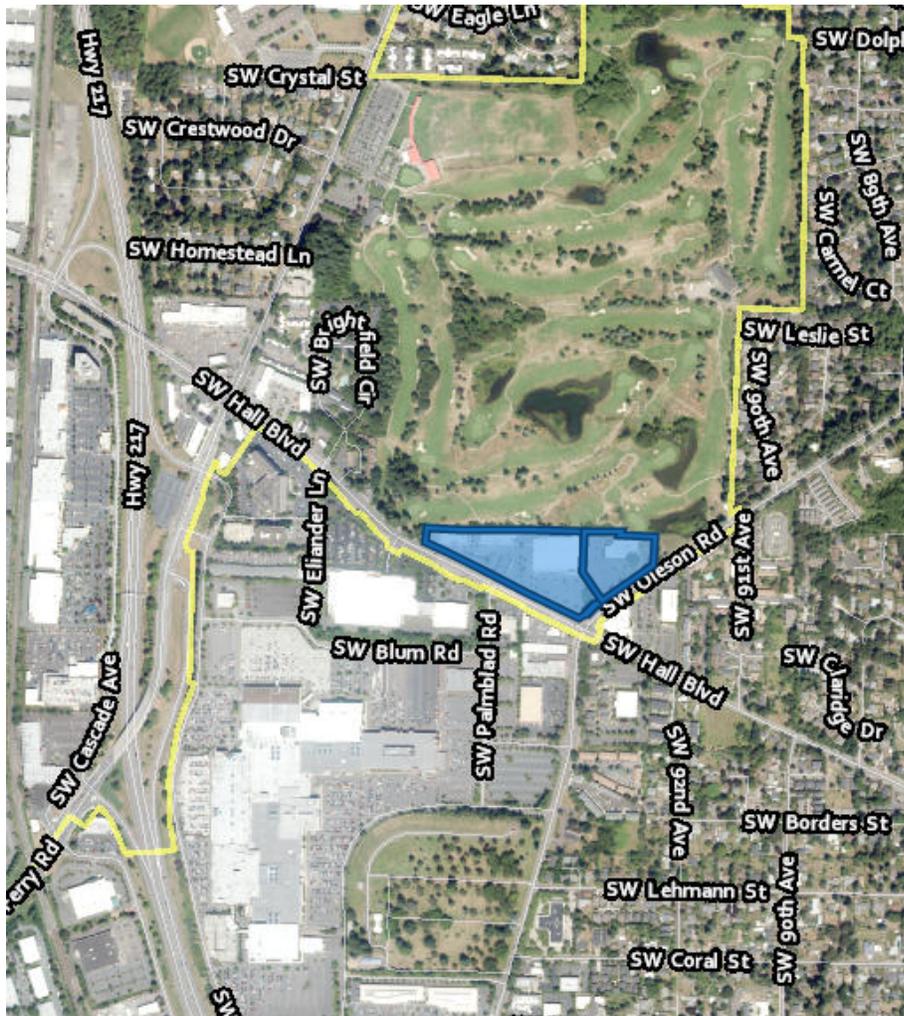
to the two subject properties, do not cause a significant effect to existing and proposed transportation facilities. The amendments to Beaverton's Comprehensive Plan map and zoning map are described below:

The City of Beaverton proposes to amend the City Comprehensive Plan Land Use Map and the Zoning Map to apply city land use and zoning designations to two parcels previously annexed into the city. The properties are currently designated Washington County Interim Zoning. The proposed amendment to the Comprehensive Plan Land Use Map (CPA2020-0006) would apply the city's Community Commercial land use designation. The proposed amendment to the Zoning Map (ZMA2020-0007) would apply the city's Washington Square Regional Center – Commercial District (C-WS) zone.

The western property takes direct access from SW Hall Boulevard (functional classification is Arterial in the Transportation System Plan). Hall Boulevard is under the jurisdiction of the Oregon Department of Transportation. The eastern property takes direct access from SW Oleson Road (functional classification is Arterial in the Transportation System Plan). Oleson Road is under the jurisdiction of Washington County.

Figure 1 provides an aerial view of the properties and vicinity.

Figure 1: Aerial photograph of subject properties



In Figure 1, the subject properties are highlighted in blue.

Error! Reference source not found. provides a summary of the amendments affecting 9120 SW Hall Blvd., the western property.

Table 2: Amendments affecting 9120 SW Hall Blvd, the western property

	Existing	Proposed	Summary of Change
Comp Plan Map	Washington County Interim	Community Commercial	New Comprehensive Plan designation

	Existing	Proposed	Summary of Change
Zoning Map	Washington County Interim (City would apply County's Transit Oriented: Retail Commercial zone)	Washington Square Regional Center – Commercial District zone (C-WS)	New zone designation
Applicable Development Standards	No maximum FAR	No maximum FAR	No change.
	No maximum residential density	No maximum residential units/acre	No change.
	Maximum building height 60 feet	Maximum building height of 60 feet	No change.
	Allowed uses (either outright or conditional use): <ul style="list-style-type: none"> • Retail • Service Businesses • Hotels • Day Care Facilities • Service stations • Vehicle rental without storage facilities • Offices (financial, professional, medical) • Apartments • Religious Institutions • Public Buildings 	Now prohibited uses: <ul style="list-style-type: none"> • Vehicle rental 	

Table 3: Amendments Affecting 9115 SW Oleson Road, the eastern property

	Existing	Proposed	Summary of Change
Comp Plan Map	Washington County Interim	Community Commercial	New Comprehensive Plan designation

	Existing	Proposed	Summary of Change
Zoning Map	Washington County Interim (City would apply County's Transit Oriented: Employment zone)	Washington Square Regional Center – Commercial District zone (C-WS)	New zone designation
Applicable Development Standards	No maximum FAR	No maximum FAR	No change.
	No maximum residential density	No maximum residential units/acre	No change.
	Maximum building height 80 feet	Maximum building height of 60 feet	Decreases allowed height by 20 feet.
	Allowed uses (either outright or conditional use): <ul style="list-style-type: none"> • Retail • Service Businesses • Hotels • Day Care Facilities • Service stations • Offices (financial, professional, medical) • Manufacturing • Research and Development • Warehouses • Equipment storage • Religious Institutions • Public Buildings 	Now prohibited uses: <ul style="list-style-type: none"> • Manufacturing • Research and Development • Equipment Storage (Storage Yards in Beaverton's code) <p>Uses are now allowed or are less restrictive</p> <ul style="list-style-type: none"> • Apartments (above non-residential development) 	

Overall, the zone change for the two properties results in similar uses (with the exception of removing several industrial uses on the eastern property and allowing upper-story residential) and similar density and intensity standards. The one notable difference in applicable site development standards is a lower building height on the eastern property (60 feet rather than 80 feet).

OAR 660-012-0060 findings are:

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

Findings: The proposed amendments will update the Comprehensive Plan Map and Zoning Map for the two subject properties. The proposed amendments do not include changing the functional classification of an existing or planned transportation facility. Thus, staff finds that the criterion within section (1)(a) of this rule is not applicable.

(b) Change standards implementing a functional classification system; or

Findings: The proposed amendments will update the Comprehensive Plan Map and Zoning Map for the two subject properties. The amendments do not include changes to any adopted standards for implementing the City's functional classification plan. Thus, staff finds that the criterion within section (1)(b) of this rule, is not applicable.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

Findings: Paragraphs (A) through (C) list effects to the transportation system as identified in the adopted TSP's planning period that qualify as an impact to the transportation system under this rule. The City of Beaverton last updated its TSP in September 2010 (Ordinance No. 4551) with a planning period through the year 2035.

The following findings demonstrate that the amendment to the City's Comprehensive Plan Map and Zoning Map as they are applicable to the subject properties do not create an impact to the transportation system. Thus, under sections (1)(c)(A) through (C) of this rule, staff finds that the amendment does not significantly affect a transportation facility.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

Findings: The subject properties are well served by existing transportation network that is planned for in the City's adopted TSP through the year 2035.

9120 SW Hall Blvd

The western property, known as Washington Green shopping center, is a 6.72-acre site with one access to Hall Boulevard. (with a functional classification of an arterial)

The current access to Hall Boulevard is limited to one fully signalized intersection which meets access standards for an arterial. The amendments to the Comprehensive Plan Map and Zoning Map will not change or otherwise affect the City's ability to regulate the site's future access to be consistent with the function classification.

Applying the C-WS zoning designation to the property will result in no change in maximum density or FAR on the site. Staff conclude that the zoning map amendment will not alter the types or levels of travel to the property.

9115 SW Oleson Road

The eastern property, known as Fairway Center, is a 2.81-acre site with frontage on and one access to Oleson Road. The existing access currently meet the access standards based on functional classification with in the City's adopted Engineering Design Manual. The proposed amendments to the Comprehensive Plan Map and Zoning Map will not affect the City's ability to regulate future access to the site. Thus, access to 9115 SW Oleson Road is consistent with the functional classification of the surrounding street network.

Applying the C-WS zoning designation to the property will result in no change in maximum density or FAR on the site. The maximum building height will drop from 80 feet to 60 feet, reducing the effective maximum FAR. The amendment will remove some industrial uses as allowed uses and newly allow attached multi-family housing on upper floors above non-residential uses – basically as part of vertical mixed-use buildings. With no changes to the maximum FAR and a reduction in building height, staff conclude that the amendments will not significantly change but might reduce the maximum allowed densities on the site. Any changes to the types and level of traffic generated in a full build-out of the site as allowed under the development code would be negligible.

The access, types of travel, and the level of travel anticipated with the Comprehensive Plan Map and Zoning Map amendments are consistent with the adopted functional classification of surrounding streets. Thus, staff finds that the Comprehensive Plan Map and Zoning Map amendments do not significant effect the existing and planned

transportation network as defined in Section 1 of this rule.

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

Findings: The amendment will change the zoning designation the subject properties to an implementing zone for the Washington Square Regional Center, namely Washington Square Regional Center – Commercial District. The change from Washington County's zoning to the Beaverton zone on the western property, 9120 SW Hall Blvd, will not change maximum density/intensity standards. The zoning map amendment would not change the allowable uses for the western property with the exception of prohibiting vehicle rental use. Staff conclude there is effectively no change in anticipated trips from the zoning amendment that would degrade the performance of the transportation network.

The change on the eastern property, 9115 SW Oleson Road, will keep maximum density/intensity standards the same but will reduce the maximum height from 80 feet to 60 feet. This likely will slightly reduce development potential for the eastern property. The amendment will modify the allowed uses on the property by prohibiting some uses (manufacturing, research and development, equipment storage) but also allowing multi-family residential on upper floors above non-residential uses. As shown in Table 4: Proposed changes to allowable land uses for 9115 SW Oleson Road and associated trip generation rates (PM peak hour) below, the trip generation rates for the PM peak hour according to the ITE Trip Generation Manual 10th edition demonstrate that the newly allowed use of multifamily residential generates less trips than manufacturing which was previously allowed on the site. Thus, staff concludes there is no change in anticipated trips from the zoning amendment that would degrade the performance of the transportation network.

Table 4: Proposed changes to allowable land uses for 9115 SW Oleson Road and associated trip generation rates (PM peak hour)

	Land Use in Zoning Code	ITE Land Use Category ¹	Trips per PM Peak Hour
Newly prohibited land uses	Manufacturing	140, Manufacturing	0.67 trips per 1,000 ft ²

¹ Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition

	Land Use in Zoning Code	ITE Land Use Category ¹	Trips per PM Peak Hour
	Research and development	760, Research and Development Center	0.49 trips per 1,000 ft ²
	Storage yard	150, Warehousing	0.19 trips per 1,000 ft ²
Newly allowed land uses	Multifamily residential	220, Low-rise Multifamily Residential	0.56 trips per dwelling unit
		221, Mid-rise Multifamily Residential, Suburban environment	0.44 trips per dwelling unit

The City's adopted TSP contains planned improvements to the transportation network to ensure that congestion performance measures can be met through the year 2035. The TSP includes a project to install an adaptive traffic signal at the intersection of SW Hall Boulevard and SW Oleson Road to mitigate the forecasted capacity concerns (see 2035 TSP ID 44 and Regional Transportation Plan project no. 10642). As staff concluded above, the zoning map amendment would not result in an increased number of trips assuming full build out of the properties. Thus, staff conclude that the proposed zoning map amendment would not degrade the performance of existing transportation facilities as identified in the City's adopted TSP.

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Findings: Staff refer to the findings in subsection (B) herein. The amendment to the Zoning Map will make changes to allowed uses in the zone with zero net impact to anticipated trips to the site. Amendments to the maximum allowed density are negligible. These amendments to the Zoning Map will not degrade the performance of existing or planned transportation facilities including those that are projected to not meet performance standards in the City's adopted TSP.

Conclusion: The proposed amendment will updated the City's Zoning Map and the Comprehensive Plan Map for two subject properties. As demonstrated in the above

findings to Section (1) of this rule, the proposed Zoning Map amendments as applied to properties No. 1 and No. 2 will not significantly affect the existing or planned transportation facilities as described the subsections (a) through (c) above.

(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

Findings: City staff refer to the findings within section (1) of this rule that demonstrate the amendment does not cause a significant effect to existing and planned transportation facilities. The findings mean the City is not required to demonstrate how the allowed land uses resulting from the amendment are consistent with the function, capacity, and performance measures of the transportation network as prescribed in section (2) below. Staff finds that the criteria within section (2) of this rule are not applicable.

Conclusion: The proposed amendments to the City's Zoning Map do not cause a significant impact on the transportation system. Thus, section (2) of this rule is not applicable.

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

Findings: As described above, the amendment does not significantly affect an existing transportation facility. The criteria within section (3) are not applicable.

Conclusion: The provisions allowed under section (3) of this rule are not applicable to the proposed amendments.

(4) Determinations under sections (1)– (3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c)

below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

Findings: The amendments to the City's Comprehensive Plan Map and Zoning Map will be applicable to two properties, both of which are outside of an interstate interchange area as defined in section (4)(d)(C) of this rule. Interstates 5, 82, 84, 105, 205 and 405 are not near Beaverton and the nearby Highway 217 interchanges are not part of an Interchange Area Management Plan. The planned facilities, improvements and services to the transportation network outside of the interstate interchange area that are referenced in the findings to the state transportation planning rule are from the City's adopted 2035 TSP as well as the federally constrained project list within the Metro Regional Transportation Plan. The City collects system development charges as part of the Washington County-wide Transportation Development Tax that helps fund

improvements to the transportation network. The City also regularly conditions improvements to the transportation network for proposed developments that cause an impact to the transportation system through the land use approval process. Through these plans and measures, the method the City used to assess the planned improvements to the transportation network is consistent with subsection (b)(B) and (C). Staff finds that the criterion within section (4)(b) of this rule is met.

(c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

Findings: The amendment to the City's Comprehensive Plan Map and Zoning Map will affect two properties that are located outside of an interstate interchange area as defined in paragraph (4)(d)(C) of this rule. Thus, the criteria within Section (4)(c) of this rule are not applicable.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

Findings: As demonstrated above, the two subject properties of these findings are not located within an interstate interchange area. Staff finds that subsection (4)(d) is not applicable.

(e) For purposes of this section, a written statement provided pursuant to paragraphs

(b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)–(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Findings: The planned facilities, improvements and services to the transportation network outside of the interstate interchange area that are referenced in the findings to the state transportation planning rule are from the City's adopted 2035 TSP and the federally constrained project list of the Regional Transportation Plan which is consistent with subsection (b)(B) and (C). Staff finds that the criterion within section (4)(e) of this rule are met.

Conclusion: The determination made by city staff that the proposed amendment will not cause a significant effect on the transportation network meets the criteria within subsection (4) of this rule for the two subject properties, which are outside of an interstate interchange area. The criteria in section (4) of this rule are met.

(5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 (Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)) and 660-004-0028 (Exception Requirements for Land Irrevocably Committed to Other Uses).

Findings: The proposed amendments to the City's Comprehensive Plan Map and Zoning Map as they are applicable to the two subject properties does not include an exception to allow development on rural lands. The two subject properties are within the Washington Square Regional Center, an urban land use designation in the City's adopted Comprehensive Plan and within the Metro Urban Growth Boundary. Staff finds that the criterion within section (5) of this rule is met.

Conclusion: The criterion within section (5) of this rule is met.

(6) In determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2), local governments shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)–(d) below;

(a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or

neighborhood, will generate 10% fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10% reduction allowed for by this section shall be available only if uses which rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;

(b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10% reduction required in subsection (a) above;

(c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045 (Implementation of the Transportation System Plan)(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with 660-012-0045 (Implementation of the Transportation System Plan)(3) and (4) or through conditions of approval or findings adopted with the plan amendment that assure compliance with these rule requirements at the time of development approval; and

(d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments which accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a) above. The Commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances which provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.

Findings: The proposed amendments to the City's Comprehensive Plan Map and Zoning Map as they are applied to the two subject properties does not create a significant impact on the existing and proposed transportation network as demonstrated in the findings for section (1) of this rule.

In addition to finding no significant impact in section (1) of this rule, the two subject properties affected by the proposed amendment do not meet one of the criteria established in subsection (6)(a) above. Specifically, the City's Development Code allows for self-storage facilities and minor automotive uses in the C-WS zone which is not consistent with the allowable uses described in section (a). Thus staff are not seeking the 10% trip reduction allowed in subsection (6)(a) for the determination of no significant impact. Staff finds section (6) is not applicable.

Conclusion: As determined in the staff findings to section (1) of this rule, the proposed Zoning Map and Comprehensive Plan Map amendments do not result in a significant impact to the surrounding transportation network. The City is not seeking the 10 percent trip reduction as allowed under section (6) of this rule. This, staff find this section is not applicable.

(7) Amendments to acknowledged comprehensive plans and land use regulations which meet all of the criteria listed in subsections (a)–(c) below shall include an amendment to the comprehensive plan, transportation system plan the adoption of a local street plan, access management plan, future street plan or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020 (Elements of Transportation System Plans)(2)(b) and 660-012-0045 (Implementation of the Transportation System Plan)(3):

(a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;

(b) The local government has not adopted a TSP or local street plan which complies with OAR 660-012-0020 (Elements of Transportation System Plans)(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro's requirement for street connectivity as contained in Title 6, Section 3 of the Urban Growth Management Functional Plan; and

(c) The proposed amendment would significantly affect a transportation facility as provided in section (1).

Findings: Per subsection (a), the proposed amendments affect only the Washington Square Regional Center, a Regional Center designated in Metro's 2040 Growth Concept. The proposed implementing zone is a mixed-use zone in Beaverton's Development code. The other two available (but not applied as part of this proposed amendment) implementing zones are commercial districts but the allowed land uses allow multi-family residential development and are functionally mixed-use zones. Subsection (a) is not applicable. Commercial uses are allowed in the zone, but in any case, (b) and (c) below are not applicable.

Regarding subsection (b), the City has an adopted 2035 Transportation System Plan that complies with OAR 660-012-0020. Refer to City Ordinance No. 4551. Staff find that subsection (b) is not applicable.

Regarding subsection (c), staff has provided findings above in Section (1) and (2) of this rule that the proposed amendments to the Comprehensive Plan Map and Zoning Map do not significantly affect a transportation facility. Staff find that subsection (c) is not applicable.

Section (7) is applicable to proposed amendments that meet all of the criteria listed in subsections (7)(a)–(c). The proposed amendments do not meet the criteria in (b) and (c).

Conclusion: Staff find that section (7) is not applicable to the City's proposed amendments to the Comprehensive Plan Map and Zoning Map because subsections (b) and (c) are not met.

(8) A “mixed-use, pedestrian-friendly center or neighborhood” for the purposes of this rule, means:

(a) Any one of the following:

(A) An area designated as a central city, regional center, town center or main street in the Portland Metro 2040 Regional Growth Concept;

Findings: The proposed amendments to the Comprehensive Plan Map and Zoning Map will affect two subject properties that are within the Washington Square Regional Center, a regional center designated in the Portland Metro 2040 Regional Growth Concept (per subsection (a)(B)) and Beaverton's Comprehensive Plan. Thus, the two properties affected by the proposed Comprehensive Plan Map and Zoning Map changes are considered mixed-use and pedestrian-friendly center and neighborhood as defined in this rule. Staff finds the criterion under section (8) of this rule is met.

Conclusion: The two subject properties affected by the proposed amendments are located within a “mixed use, pedestrian-friendly center” as defined in section (8) of this rule. This criterion is met.

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map; ...

Findings: The proposed amendments propose Comprehensive Plan Map and Zoning Map amendments. Washington County does not have Comprehensive Plan Map designations. Beaverton does have a Comprehensive Plan Map and is changing the map from “Washington County Interim” to “Community Commercial.” The proposed Zoning Map Amendment would apply the Washington Square Regional Center – Commercial District (C-WS) zone that is an implementing zone for Community Commercial. Staff finds that the criterion within section (9)(a) of this rule is not met. Staff also are not seeking to determine a finding that the amendment “does not significantly affect” through section (9).

Conclusion: The proposed amendments to the City’s Comprehensive Plan Map and Zoning Map do not meet the criteria established in subsections (9)(a) through (c), therefore section 9 of this rule is not met but is not relevant because staff are not seeking a “no significant affect” determination using this section.

(10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.

Findings: Section (10) of this rule allows local governments to establish a Multimodal Mixed-Use Area (or MMA) which would exempt the areas within the MMA from having to comply with performance standards related to motor vehicle congestion. The proposed Comprehensive Plan Map and Zoning Map amendments do not propose an MMA. Thus, staff find that Section (10) of this rule is not applicable.

(11) A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section.

(a) The amendment must meet paragraphs (A) and (B) of this subsection or meet paragraph (D) of this subsection. ...

Findings: The proposed Comprehensive Plan Map and Zoning Map amendments as applicable to the two subject properties does not cause a significant impact on existing or planned transportation facilities as demonstrated in the findings for sections (1) and (2) of this rule above. As such, staff are not proposing partial mitigation as allowed

under section (2) of this rule. Therefore, staff finds that the criteria under Section (11) of this rule are not applicable.

Summary Finding: The proposed amendment is consistent with Statewide Planning Goal 12. In addition, the city intends to update the Transportation System Plan in the next two to three years, providing the opportunity for a holistic look at city goals and policies. This will ensure that the Transportation System Plan is consistent with the proposed land use designations.

Conclusion: The proposed amendment is consistent and compatible with Statewide Planning Goal 12.

1.5.1.A. Conclusion: Staff finds that the proposed amendment to Volume I of the Comprehensive Plan Land Use Map and the Development Code's Zoning Map is consistent and compatible with applicable Statewide Planning Goals, thereby satisfying Criterion 1.5.1.A.