

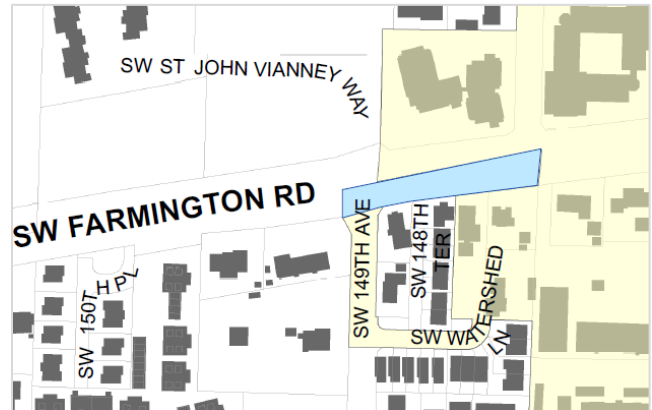
STAFF REPORT

Report date: January 20, 2021

Application/project name: SW Farmington Road Comprehensive Plan Amendment

Application Numbers: CPA2020-0007

Proposal: The City of Beaverton proposes to amend the City Comprehensive Plan Land Use Map to apply a city land use designation to a portion of SW Farmington Road right of way that is currently annexing into the City of Beaverton. The right of way has no Washington County designation because the County does not apply designations to rights of way.



The proposed amendment to the Land Use Map (CPA2020-0007) would apply the city's Medium Density Neighborhoods land use designation. Where land inside the City of Beaverton abuts the right of way being designated Medium-Density Neighborhood, the abutting zoning will apply to the right of way to the centerline consistent with Development Code Section 10.35. That means the R2 Residential Urban Medium Density zone would automatically apply to portions of the subject right of way once it is annexed into the city.

Proposal location: SW Farmington Road right of way south of the centerline including the intersection of SW 149th Ave/SW Farmington Road and right of way abutting 14880, 14860, 14852 and 14830 SW Farmington Road, specifically identified as Tax Lots 00800, 00700, 00601 and 00602 on Washington County Tax Assessor's Map 1S117AD.

Applicant: City of Beaverton

Recommendation: Recommendation of APPROVAL of CPA2020-0007 to City Council

Hearing information: 6:30 p.m. January 27, 2021, at City Hall, 12725 SW Millikan Way.

Note: Public Hearings are held remotely and can be viewed at the following link:
<https://www.beavertonoregon.gov/291/Agendas-Minutes>.

Contact information:

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Owner representative: Stephen Roberts, Director of Land Use & Transportation
503-846-6737
155 N First Avenue, Ste. 350
Hillsboro, OR 97124-3072

Property owner: Washington County
155 N First Avenue, Ste. 350
Hillsboro, OR 97124-3072

Existing conditions

Zoning: None. Washington County does not apply zoning to right of way.

Site conditions: Existing use of the site is a public right of way with an arterial street classification.

Site Size: Approximately 0.48 acres

Location: SW Farmington Road right of way south of the centerline including the intersection of SW 149th Ave/SW Farmington Road and right of way abutting 14880, 14860, 14852 and 14830 SW Farmington Road, specifically identified as Tax Lots 00800, 00700, 00601 and 00602 on Washington County Tax Assessor's Map 1S117AD.

Neighborhood Association Committee: None. Abutting properties are in the West Beaverton NAC.

Table 1: Surrounding uses

Direction	Zoning	Uses
North	R2 Residential Urban Medium Density	SW Farmington Road right of way and The Salvation Army Veterans & Family Center
South	R2 Residential Urban Medium Density and Washington County R-15	Residential, mix of single-family and multi-family housing
East:	R2 Residential Urban Medium Density	SW Farmington Road right of way and the Maryville care facility
West:	Washington County Interim	SW Farmington Road right of way

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
CPA2020-0007	Comprehensive Plan Amendment (annexation-related quasi-judicial)	Apply the Medium Density Neighborhoods designation to the right of way	Comprehensive Plan Chapter 1, Section 1.5.1.B (Page 14)

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
CPA2020-0007	Dec. 15, 2020	Dec. 15, 2020	April 24, 2021	Dec. 15, 2021

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

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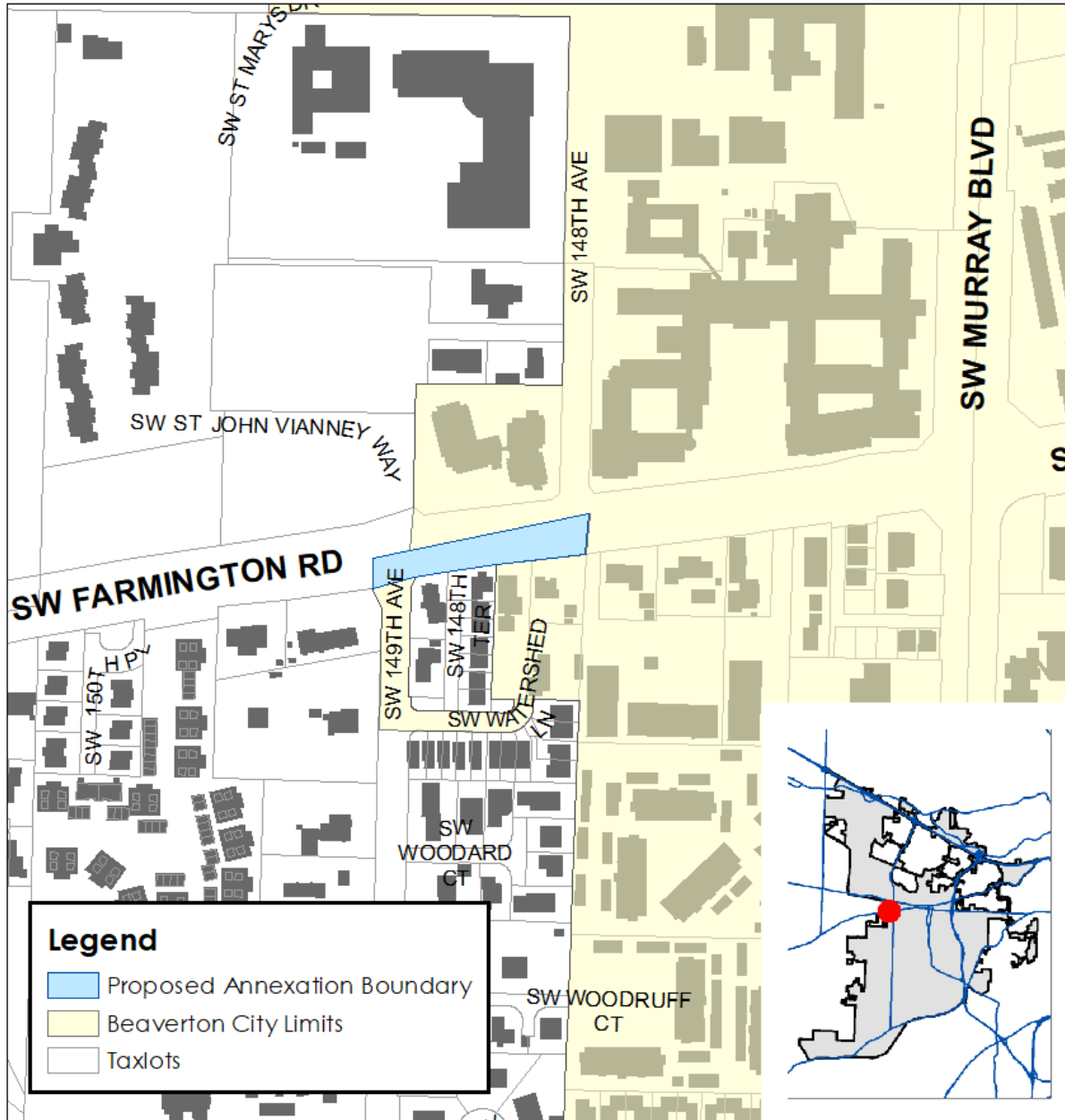
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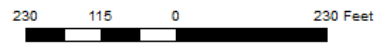
Exhibit 1: CPA2020-0007 Vicinity Map



VICINITY MAP



**CPA2020-0007: SW Farmington Road
Annexation-related Plan Amendment**
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



01/08/2021



CPA Analysis and Findings

Section 1.3 Amendment Procedural Categories

Quasi-Judicial Amendments are amendments to a Land Use Map designation as it applies to specific parcels or that applies to a small number of individuals or properties or locations.

Non-Discretionary Amendments are amendments to the Comprehensive Plan Land Use Map to add an annexed property, or properties, to the Map with a Land Use Map designation assigned through direct application of Table 1, Section 1.5.2. This section features a table of City Comprehensive Plan land use designations that correspond to zoning designations adopted by Washington County. The table is maintained by the City pursuant to the Washington County-Beaverton Urban Planning Area Agreement (UPAA). The County land use classification(s) remain in effect under provisions of Oregon Revised Statutes (ORS 197.175(1) and ORS 215.130(2)(a)) until the City acts to implement its own Comprehensive Plan Land Use designation(s) for the Annexed territory.

FINDING:

This application only addresses a portion of SW Farmington Road, which is currently being annexed into the City of Beaverton. Since this area is a road, it does not have Washington County zoning or a Washington County designation and thus does not have a corresponding Beaverton land use designation in Table 1, Section 1.5.2 of the Comprehensive Plan.

This means the amendments are discretionary and must address criteria in Section 1.5.1.B of the Comprehensive Plan.

Conclusion: Therefore, this Comprehensive Plan Amendment is a quasi-judicial, annexation-related application and must follow relevant approval criteria in Section 1.5.1.B.

Section 1.4.2 Notice for Quasi-Judicial

- A. Notice of the initial hearing shall be provided as follows:
 1. By mailing the required inter-agency DLCD notice to DLCD, Metro, and Washington County at least thirty-five (35) calendar days prior to the initial hearing;
 2. By mailing the required inter-agency DLCD notice to the chair(s) of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Beaverton Committee for Community Involvement at least thirty-five (35) calendar days prior to the initial hearing;
 3. By publication of a notice with the information specified in 1.4.2.B.1., 2., 3. and 4. in a newspaper of general circulation within the City;

4. By posting notice with the information specified in 1.4.2.B. at Beaverton City Hall and the Beaverton City Library;
5. By mailing notice with the information specified in 1.4.2.B. to property owners included in the proposed change area, if applicable, and within an area enclosed by lines parallel to and 500 feet from the exterior boundary of the property for which the change is contemplated; and
6. By placing notice with the information specified in 1.4.2.B. on the City's web site.
7. Notice required by Oregon Revised Statutes (ORS 227.186, also known as Ballot Measure 56) shall be provided, when applicable. ORS 227.186(6) specifies notice requirements for city-initiated amendments related to Periodic Review.

FINDING:

The following notices with all the required information about the applications were provided:

- DLCD, Metro and Washington County notices were mailed on Dec. 21, which was 37 days prior to the Jan. 27 Planning Commission hearing.
 - Required notices were mailed to Beaverton Committee for Community Involvement chair and NAC and CPO representatives on Dec. 21.
 - Notices were posted in Beaverton City Hall and the Beaverton City Library the week of Dec. 21.
 - Information was placed on the city's website on Dec 22.
 - A public notice was mailed to the property owners and other property owners within 500 feet of the exterior boundary of the properties on Dec. 21.
- B. Notice required in subsection 1.4.2.A.4. and 5. shall:
1. State the date, time, and location of the hearing, and the hearings body;
 2. Explain the nature of the application and the use or uses, which could be authorized;
 3. Include the case file number, title or both of the proposed ordinance to be considered at the time of hearing;
 4. List the applicable criteria from the Comprehensive Plan by section number that apply to the application at issue;
 5. State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost and include the days, times and location where available for inspection;
 6. State that a copy of the staff report will be available for inspection at no cost at least seven (7) calendar days prior to the hearing and will be provided at reasonable cost include the days, times and location where available for inspection;
 7. Include the name and phone number of the City staff person assigned to the application from whom additional information may be obtained;

FINDING:

All notices for the proposed non-discretionary map amendment contained the information listed in subsection 1.4.2.B, above.

Conclusion: Therefore, the proposal satisfies Comprehensive Plan Section 1.4.2 for discretionary Comprehensive Plan amendments.

Section 1.5.1 Criteria for Legislative and Quasi-Judicial Comprehensive Plan Amendments

Section B of Section 1.5.1 says:

The following criteria apply to all annexation-related quasi-judicial Comprehensive Plan Amendments. [ORD 4759 January 2019]

1. In applying the most appropriate Comprehensive Plan designation, the decision-making authority shall use the relevant criteria below.
 - a. If the property is or properties are subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A. wherein the zoning is specified, the decision-making authority shall apply the specified Comprehensive Plan designation or designations; or
 - b. If the Washington County designation is Institutional, the decision-making authority shall find that the designation is consistent with Beaverton Comprehensive Plan policies in the Land Use Element; or
 - c. If neither Section 1.5.1.B 1. or 2. apply, the decision-making authority shall find that the designation is consistent with one or more of the following criteria in applying a Beaverton Comprehensive Plan designation:
 - i. City Comprehensive Plan policies in the Land Use Element
 - ii. Consistency with the County Land Use Districts.

FINDING:

Beaverton's Comprehensive Plan procedures have been acknowledged as consistent with Statewide Planning Goal 1.

The portion of right of way is not subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A.

The area does not have the Washington County Institutional designation.

Section 1.5.1.B.1.c applies. That requires the decision-making authority to find that the Comprehensive Plan designation applied to the portion of right of way is consistent with either the City Comprehensive Plan policies in the Land Use Element, the County Land Use Districts or both.

City Comprehensive Plan policies in the Land Use Element

The subject site does not have a Washington County designation but is located in a residential area bordering properties with the Washington County R-15 residential designation and the City of Beaverton Medium Density Neighborhoods designation.

Medium Density Neighborhoods designation

Goal 3.8.3, Medium and High Density Neighborhoods, is to provide for a variety of housing types and higher residential densities in areas with more amenities and transit services. Policy 3.8.3.h states that the Medium and High Density Neighborhood designations may be applied in areas that have walkable access to transit, commercial services, parks, and/or other amenities. The Medium Density Neighborhood may serve as a transition between Standard Density or Low Density Neighborhoods and higher density neighborhoods or commercial or mixed use designations.

The portion of right of way borders properties with the Medium Density Neighborhoods designation. The subject site has walkable access to transit. There are three bus lines that stop within one-half mile of the site. All three bus lines provide access to transit centers, which are major transit hubs served by several bus or rail lines. The MAX Blue Line and Red Line light rail services stop at both the Sunset Transit Center and the Beaverton Transit Center. The MAX Blue Line connects Hillsboro, Beaverton, Portland City Center, East Portland, and Gresham. The MAX Red Line connects Portland International Airport, East and Northeast Portland, Portland City Center, and Beaverton. Additionally, the Westside Express Service (WES) commuter rail line stops at the Beaverton Transit Center. The WES commuter rail line serves Beaverton, Tigard, Tualatin, and Wilsonville on weekdays during the morning and afternoon rush hours.

The subject site has walkable access to commercial services. At the intersection of SW Farmington Road and SW Murray Boulevard, which is approximately a one-tenth mile walk to the east, there is a convenience store, a dry cleaner, and a daycare facility. At the intersection of SW Tualatin Valley Highway and SW Murray Boulevard, which is approximately a one-half mile walk to the northeast, there are retail stores, eating and drinking establishments, and medical offices. The subject site also has walkable access to parks. Eichler Park is just under a one-half mile walk to the east and the Lilly K. Johnson Woods Natural Area is just over a one-half mile walk to the west.

For these reasons, staff finds that applying the Medium Density Neighborhoods land use designation is consistent with City Comprehensive Plan policies in the Land Use Element for the subject site.

Consistency with County Land Use Districts

In addition to city Comprehensive Plan policies, the decision-making authority may consider consistency with Washington County Land Use Districts. For this proposal, this

is not applicable because there is no Washington County land use district applied to this geography.

Conclusion: Therefore, the Medium Density Neighborhoods Comprehensive Plan designation is consistent with Beaverton Comprehensive Plan policies. The Medium Density designation meets the criteria in Comprehensive Plan Section 1.5.1.B.1.c.

ORS 197.175(1) requires cities to exercise their planning responsibilities consistent with statewide Planning Goals and ORS chapters 195, 196 and 197.

Goal 1: Citizen Involvement Findings

Goal 1 requires each city and county to have a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

FINDING:

The proposed amendment is subject to the public notice requirements of the Comprehensive Plan Section 1.4.2.

At the public hearing, the Planning Commission considers written comments and oral testimony before they make a decision. The procedures outlined in Comprehensive Plan Section 1.4.2 allow for proper notice and public comment opportunities on the proposed Comprehensive Plan amendment as required by this Statewide Planning Goal.

Beaverton's Comprehensive Plan procedures have been acknowledged as consistent with Statewide Planning Goal 1. These Comprehensive Plan procedures were followed, as described under [CPA Analysis and Findings](#).

Conclusion: For these reasons, staff finds that the proposal is consistent with Goal 1.

Goal 2: Land Use Planning Findings

Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations.

FINDING:

Beaverton's Comprehensive Plan contains procedures for applying Comprehensive Plan land use designations and policies regarding use of land in the Plan's Land Use Element. The Comprehensive Plan has been found to be consistent with the Metro Urban Growth Management Functional Plan and Oregon's Statewide Planning Goals and it has been acknowledged by the Land Conservation and Development Commission.

Changes to the Comprehensive Plan Land Use Map require a Type 3 process, which includes noticing and a comment period prior to an initial public hearing before the Planning Commission. The hearing is open to the public and testimony, if any, will be received. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, which is the ultimate decision-making authority for annexation-related discretionary Comprehensive Plan amendments.

All notices for the proposed non-discretionary map amendment contained the information listed in subsection [1.4.2.B](#), above.

Conclusion: For these reasons, staff finds that the proposal is consistent with Goal 2.

Goal 10: Housing Findings

Goal 10 requires that cities inventory their land inside an urban growth boundary that is suitable and available for residential use.

FINDING:

Beaverton’s Housing Needs Analysis (HNA) was published in October 2015. It demonstrated a need for all housing types in the 20-year period ending in 2035. This was true both for the current Beaverton city limits as well as the city limits plus the assumed urban service area, which is an area where it is assumed Beaverton will provide governance in the future. The state Department of Land Conservation and Development (DLCD) found it to be consistent with the requirements of Statewide Planning Goal 10. See Table 4 for the number of housing units projected to be needed.

Table 4: Projected Future Need for New Housing Units (2035)

	SF detached	SF attached	Duplex	3 or 4 units	5+ units
Current city limits (2015)	5,767	1,542	295	718	3,866
City limits plus assumed urban service boundary	14,001	2,626	958	718	3,886

Source: Beaverton Housing Needs Analysis (part of the city’s Housing Strategies Report) Figure 5.3 and Figure 10.3. <https://www.beavertonoregon.gov/DocumentCenter/View/10322>. Accessed April 14, 2020.

Based on the findings in Beaverton’s Housing Strategies Report in Volume II of the Comprehensive Plan, which includes the city’s Buildable Lands Inventory and Housing Needs Analysis, Beaverton updated its Comprehensive Plan’s Housing Element and Land Use Element to address the identified housing needs. DLCD also found these Comprehensive Plan changes consistent with the Statewide Planning Goals.

The subject site is a road and does not contain developable land. There is no change in housing capacity and no impact on the city’s Buildable Lands Inventory.

Conclusion: For these reasons, staff concludes that applying the Medium Density Neighborhoods land use designation to the subject site upon annexation has no effect on housing supply, and the city remains compliant with Goal 10.

Oregon Administrative Rules – Housing Density and Mix

Oregon Administrative Rule 660-007-030 requires the City of Beaverton to designate sufficient buildable land to provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing or justify an alternative percentage based on changing circumstances.

FINDING:

Beaverton Housing Strategies Report, in Figure 11.1 on Page 74, shows the capacity for 8,273 attached or multi-family units and 5,033 single-family detached units in the city, which is about 62 percent of units. That far exceeds the 50 percent required. The Comprehensive Plan Amendment applies only to a roadway with no developable land. Application of the staff recommended Comprehensive Plan designation will not put the city out of compliance with OAR 660-007-030.

Oregon Administrative Rule 660-007-035 requires the City of Beaverton to provide for an overall density of 10 or more dwelling units per net buildable acre.

Beaverton's Housing Strategies Report, in Table 6 on Pages 20-21, lists the net residential acres available at 504 acres within the city. Figure 11.1 on Page 74 of Exhibit C the Housing Strategies Report (Housing Needs Analysis) shows a total capacity of 13,306 units within the city. Dividing the units by the acres available results in 26.4 units per net buildable acre. This far exceeds the 10 units per net buildable acre minimum. The Comprehensive Plan Amendment applies only to a roadway with no developable land. Application of the staff recommended Comprehensive Plan designation will not put the city out of compliance with OAR 660-007-035.

Conclusion: Therefore, the proposal meets Oregon Administrative Rule 660-007-030.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff concludes that amending the Comprehensive Plan Land Use Map to apply the Medium Density Neighborhoods land use designation is appropriate for the subject site. Therefore, staff recommends that Planning Commission recommend that the City Council approve the proposed Comprehensive Plan Amendment.