



CITY OF BEAVERTON
Planning Division
Community Development Department
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www.beavertonoregon.gov

STAFF REPORT

Report date: Oct. 2, 2024

Project name: Cooper Mountain Community Plan

Applications: Comprehensive Plan Amendment, Zoning Map Amendment and Development Code Text Amendment

Case File Numbers: LU42024-00682, CPMA42024-00679, ZMA42024-00681, TA42024-00680

Proposal: The City of Beaverton proposes to amend the Comprehensive Plan (including the Land Use Map), Development Code, and Zoning Map to implement the Cooper Mountain Community Plan and related Oregon Administrative Rules. While most of the proposed changes apply only to the land within the Cooper Mountain Community Plan area, some changes will apply citywide, as described below.

Proposed amendments will affect Comprehensive Plan Volume I (Chapter 1 – Procedures; Chapter 3 – Land Use; Chapter 5 – Public Facilities and Services; Chapter 6 – Transportation; Chapter 7 – Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources; and Chapter 8 – Environmental Quality and Safety), Volume III (Statewide Planning Goal Five Resource Inventory), Volume IV (Transportation System Plan), and Volume V (Community Plans).

Proposed amendments will affect Development Code Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90- Definitions.

Proposal location: Cooper Mountain Community Plan area; Citywide.

Applicant: City of Beaverton

Recommendation: Staff recommend the Planning Commission review the proposal, take public testimony, deliberate on the proposal, and make a recommendation to City Council.

Hearing information: Zoom Webinar beginning at 6:30 p.m. Oct. 16, 2024. Public hearings are held remotely and can be viewed at the following link:

<https://www.beavertonoregon.gov/291/Agendas-Minutes>

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EXHIBITS

- **Exhibit 1** Cooper Mountain Community Plan (Vol. V of Comprehensive Plan)
 - Natural Resources Report (Appendix B in Exhibit 1)
 - Funding Plan (Appendix C in Exhibit 1)
- **Exhibit 2** Comprehensive Plan Updates (Vol. I, Chapters 1, 3, 5, 6, 7 and 8)
- **Exhibit 3** Cooper Mountain Land Use Map
- **Exhibit 4** Comprehensive Plan Updates (Vol. III), Cooper Mountain Local Wetland Inventory Map
- **Exhibit 5** Comprehensive Plan Updates (Vol. III), Cooper Mountain Natural Resources Inventory Map
- **Exhibit 6** Comprehensive Plan Updates (Vol. IV), Chapter 2
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- **Exhibit 14** Cooper Mountain Community Plan Public Engagement Summary
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- **Exhibit 19** ESEE Analysis

- **Exhibit 20** Local Wetland Inventory Report
- **Exhibit 21** Cooper Mountain Transportation Impact Analysis
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- **Exhibit 26** Cooper Mountain's Cultural History and Oldest Buildings
- **Exhibit 27** City of Beaverton-Washington County Intergovernmental Agreement
- **Exhibit 28** Washington County Letter Regarding Cooper Mountain Transportation Funding Strategies
- **Exhibit 29.1** Testimony (Anderson)
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- **Exhibit 29.3** Testimony (Washington County)

Background and Summary

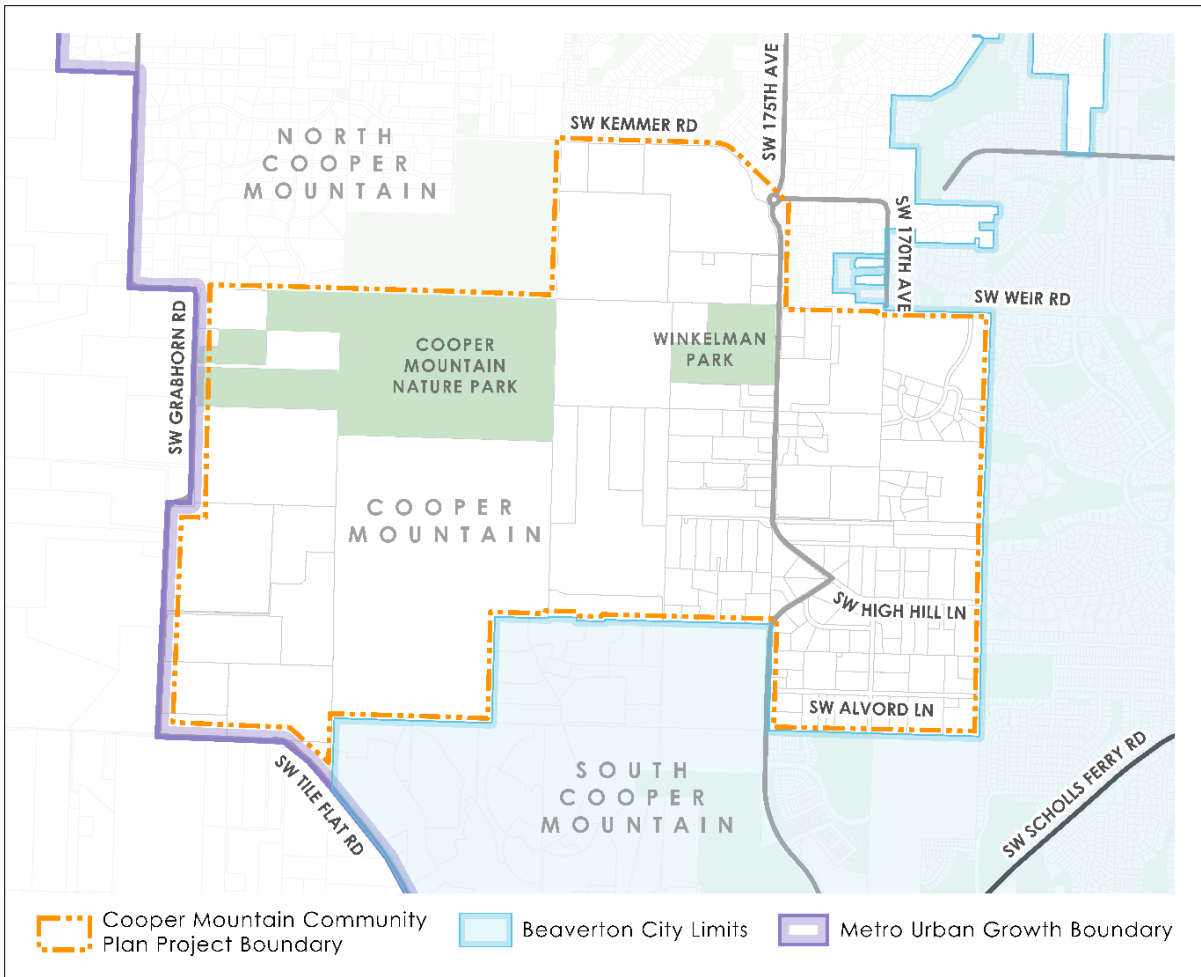
PROJECT OVERVIEW

Introduction

Cooper Mountain is a 1,232-acre expansion area bordering Beaverton that will eventually be home to about 5,000 homes, more than 10,000 residents, parks, commercial areas, trees, and natural resources (Figure 1).

The Cooper Mountain Community Plan project establishes a long-term vision for the area’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection.

Figure 1. Cooper Mountain Community Plan Project Boundary



2018 URBAN GROWTH BOUNDARY EXPANSION

The Cooper Mountain Community Plan meets regional and state requirements for planning new urban areas added to the urban growth boundary.

The Community Plan builds on the South Cooper Mountain Concept Plan, which includes South Cooper Mountain, Cooper Mountain, and North Cooper Mountain.

At Metro's request, Beaverton led the concept planning for all three areas to consider holistically transportation, infrastructure, natural resources, and new development. Beaverton City Council approved the Concept Plan in 2014, which established a vision for future growth; natural resource preservation and enhancement; and development across a 2,300-acre planning area. The Concept Plan is available online here:

<https://beavertonoregon.gov/694/South-Cooper-Mountain>

The city in 2015 completed a Housing Needs Analysis that identified the need for additional housing in the city. Cooper Mountain was identified as a way to help provide housing supply.

Beaverton in 2018 applied for an expansion of Metro's Urban Growth Boundary (UGB) to meet significant housing needs for the city and region. The Metro regional government approved the expansion in 2018, and the Cooper Mountain Community Plan was developed to establish how new housing could be allowed in the plan area, while protecting natural resources in Cooper Mountain neighborhoods. The Cooper Mountain planning area is in southwest Beaverton generally east of Grabhorn Road and south of Kemmer Road.

The city's 2023 Housing Needs Analysis also assumed Cooper Mountain would provide needed housing for Beaverton.

COMMUNITY PLAN'S ROLE

The Cooper Mountain Community Plan includes policies and regulatory approaches that are tailored to the unique qualities and opportunities for Cooper Mountain. It reflects community preferences identified during the planning process, as well as direction from the City Council. As with other goals and policies in the Comprehensive Plan, the goals and policies in this plan report are regulatory. The City's Land Use Map is the official land use designation map for zoning and development review. Beaverton's Transportation System Plan will serve as the legal guidance for transportation facilities and improvements.

EXISTING CONDITIONS

The Cooper Mountain Community Plan's goals and policies were informed by research and analysis completed during the project. The project team reviewed existing plans and gathered data to better understand the built and natural systems.

Existing conditions documents:

- Examined the developability of land within the project boundary considering existing development patterns, land value, ownership, and physical constraints;
- Explored the ecological context of the project area; and
- Described slope and potential hazard conditions in the plan area, including landslide and earthquake susceptibility.

RACIAL EQUITY

As established in Beaverton’s Diversity, Equity and Inclusion Plan (2019), the city uses race as a primary lens for diversity, equity and inclusion work, which includes guiding policy decisions.

To understand what this means for Cooper Mountain, it helps to have a shared understanding of what these key terms, as defined in the plan:

- Diversity includes all the ways that people differ, which encompasses the variation of social and cultural identities among people existing together.
- Equity is when structural barriers that have historically disadvantaged certain groups are removed and everyone has access to the opportunities and tools they need to thrive. Equity is measured in outcomes and is achieved when one’s identity can no longer predict their success.
- Inclusion means that everyone feels welcomed, valued, and encouraged to fully participate and belong.

Why was race used as a primary lens in the Community Plan? In Beaverton, most communities of color still experience disparities in housing, income, health, education, and more. Using race as a primary lens to develop the Community Plan, especially the goals and policies, was a way the city could help improve outcomes for communities of color in Beaverton and Washington County.

What was the equity and inclusion process? To provide a roadmap for this work, the project team worked through the following steps:

1. **Establishing desired results and outcomes.** The Cooper Mountain Community Plan provided the direction for Comprehensive Plan updates and Development Code updates as well as a Funding Plan. These documents established the framework for new neighborhoods in Cooper Mountain. The Community Plan goals include “creating equitable outcomes for residents, including underserved and underrepresented communities,” and “providing new housing in a variety of housing types and for all income levels.” For the outcomes to be truly inclusive, new neighborhoods should feel welcoming for all types of people, especially people who have not traditionally had access to newer, tree-lined neighborhoods near parks and schools.

- 2. Collecting and reviewing data to examine existing racial inequities.** At the beginning of the project, staff analysis of population-level data in Beaverton showed that exclusive single-family neighborhoods are significantly whiter and less racially diverse than multifamily neighborhoods. Historically, the people that have lived in single-family neighborhoods have been more likely to own their homes, which provided long-term financial security through the ability to build equity in their homes and share this wealth with future generations.

For the past several decades in the United States, areas with mostly single-family zoning have had higher percentages of residents who were white, higher income and higher wealth. Census-based research has demonstrated that there is a correlation between growing up in single-family neighborhoods and improved outcomes in adulthood, compared to other neighborhood types (this has been confirmed for Beaverton neighborhoods, which mirrors a national pattern of generally improved outcomes in adulthood for children that grew up in mostly single-family areas).

While researchers know that there is a relationship between these two factors, they do not know the nature of the relationship between them since there could be many explanations for the correlation. Nevertheless, the pattern encourages the city to think of local solutions to help improve outcomes for children that grow up in different types of neighborhoods.

Staff research also confirmed that renters and communities of color are the groups that are most likely to benefit from more diverse housing options for many reasons, including but not limited to a history of racial segregation and racist housing practices; the fact that they are more likely to be cost-burdened; and the need to accommodate larger families and/or multigenerational living.

- 3. Conducting multicultural engagement.** Understanding the documented racial inequities and the desire to improve outcomes for a wider variety of families, the project team prioritized multicultural engagement for the Cooper Mountain Community Plan (Exhibit 13 and Exhibit 14).

Over four years, multicultural engagement took many forms, including listening sessions with community organizations; coordination with Beaverton's Inclusive Housing Cohort (a partnership with Unite Oregon); discussions with city advisory committees; a diverse Community Advisory Committee (CAC) with Spanish interpretation provided at every meeting; and Spanish translation provided throughout engagement.

Community engagement helped define the goals of the Community Plan and establish desired outcomes. In addition, the CAC provided input on alternatives and policies to help shape the community plan. As a result, the Community Plan goals are centered on creating equitable outcomes through implementing safe, accessible

communities that are fully connected to natural resources, public facilities, and commercial areas.

4. **Evaluating strategies that advance racial equity.** Leading up to the Community Plan, the project team created three alternatives that represented different strategies for growth and development across Cooper Mountain.

Each alternative addressed the amount, type, and location of housing; the amount, scale, and location of commercial uses; facilities for bicycles and pedestrians; trail and road networks; parks and viewpoints; and natural resource protection and habitat connectivity.

Three alternative strategies were developed to provide community members with choices and inform community dialogue about the future of the area. Staff provided the City Council and the community, including multicultural engagement partners, with the affordability and equity considerations for each alternative. Exhibit 14 provides additional considerations for each strategy and a summary of outreach materials, meetings and events. Staff then received direction to create a draft preferred approach based on strategies that would result in at least 1,000 additional homes beyond what was originally planned.

Furthermore, another goal of the Community Plan is to support more mixed-income, mixed-race neighborhoods. The Community Plan is expected to result in about 5,000 new homes. Proposed policies require that all new neighborhoods include a variety of single-detached dwellings; middle housing, such as duplexes, triplexes, quadplexes, townhouses and cottage clusters; and multi-dwellings to provide increased opportunities for different types and sizes of families to live in Cooper Mountain.

5. **Implementing the plan.** To make these new neighborhoods a reality, the Community Plan has an associated Funding Plan that provides options for how to fund infrastructure and share the cost of new roads, parks, and utilities. In addition, the Beaverton Equity Procurement Program would apply to city contracting opportunities in Cooper Mountain. That procurement program advances equity by encouraging minority-owned, women-owned, and emerging small businesses (MWESB) to do business with the city and establishing minimum participation of MWESB firms in the city's overall dollar amount of contracting and purchasing activities, which helps achieves greater racial and gender equity in city contracting.

PUBLIC ENGAGEMENT

The Cooper Mountain Community Plan Public Engagement Plan (May 19, 2020) includes detailed information on the public engagement plan purpose and objectives, target audience and key stakeholders, demographic data and racial equity considerations, the decision-making structure for the project, and a list of preliminary engagement tools and activities (Exhibit 13). A Public Engagement Plan Update (June 2021) communicates what

project staff had learned from engagement as of June 2021 and described additional public engagement activities for subsequent phases.

The Cooper Mountain Community Plan Public Engagement Summary (September 2024) describes all public engagement activities completed for the project by phase (Exhibit 14). The Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments. The Public Engagement Summary provides an overview that demonstrates how community feedback meaningfully influenced the process and project outcomes for each phase of the project.

COOPER MOUNTAIN COMMUNITY PLAN AMENDMENTS

Overview of Proposed Amendments

The proposed amendments implement the Cooper Mountain Community Plan through changes to the:

- Comprehensive Plan, including adding the Community Plan to Volume V;
- Zoning Map; and
- Development Code .

The Comprehensive Plan includes goals and policies that provide the future vision and development direction for the city. The Comprehensive Plan includes five volumes. Volumes I through IV generally apply citywide. Volume V is reserved for Community Plans, which provide a unique set of goals and policies for a specific area.

For example, Chapter 3 (Land Use) of Volume I includes the Beaverton Comprehensive Plan Land Use Map that determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations. Land use designations in the Comprehensive Plan correspond with implementing zoning districts that provide rules for neighborhood development.

Zoning is the practice of establishing the appropriate mix of uses in different areas and setting site and building design expectations. On Beaverton’s Zoning Map, each zone may have different allowed land uses and rules for neighborhood development such as minimum or maximum building height, setbacks, and density requirements. The rules for neighborhood development are described in Beaverton’s Development Code.

Proposed amendments to implement the Cooper Mountain Community Plan include:

- **CPMA42024-00679.** The addition of:

- Volume V: The Cooper Mountain Community Plan, which describes the vision and intended outcomes for the next 20 or more years of growth in Cooper Mountain.
- Volumes I through IV: New or updated goals and policies that implement the Cooper Mountain Community Plan. In some cases, updated goals and policies apply citywide.
- **ZMA42024-00681.** The addition of four new Cooper Mountain zoning districts (one mixed-use zone, one commercial zone, and two residential zones) to the Zoning Map.
- **TA42024-00680.** New rules for neighborhood development in Cooper Mountain. In some cases, other Development Code sections were updated to facilitate this work, and these changes have implications for code that applies to other parts of the city.

Comprehensive Plan Changes (CPMA42024-00679)

COOPER MOUNTAIN COMMUNITY PLAN (VOL. V)

The Community Plan is intended to create an equitable and inclusive community. It was prepared with the involvement of a wide variety of community members, including those from traditionally underserved and underrepresented groups. The outcomes described in the Community Plan reflect the ideas and feedback of those participants.

As a part of the city’s Comprehensive Plan, the Community Plan is a guiding blueprint for:

- Where and how housing, commercial, parks and other land uses will be developed
- A connected transportation network for walking, biking, driving and future transit
- Natural resource protection and integration into the neighborhoods
- Proactive planning and funding for utilities

The Cooper Mountain Community Plan includes eight goals. The Community Plan policies are the strategies to implement and achieve the goals in each area.

The Community Plan goals include:

1. Create equitable outcomes for residents, including underserved and underrepresented communities.
2. Provide new housing in a variety of housing types and for all income levels.
3. Preserve, incorporate, connect, and enhance natural resources.
4. Improve community resilience to climate change and hazards.
5. Provide public facilities and infrastructure needed for safe, healthy communities.

6. Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.
7. Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.
8. Identify feasible, responsible funding strategies to turn the vision into a reality.

In addition, the Community Plan includes a Preferred Approach Concept Map, which was informed by the project goals, community member engagement, equity considerations, and City Council direction. Cooper Mountain desired outcomes are shown on the Concept Map, which informed the development of proposed amendments to the Land Use Map, Zoning Map and Development Code updates.

OTHER COMPREHENSIVE PLAN AMENDMENTS (VOL. I-IV)

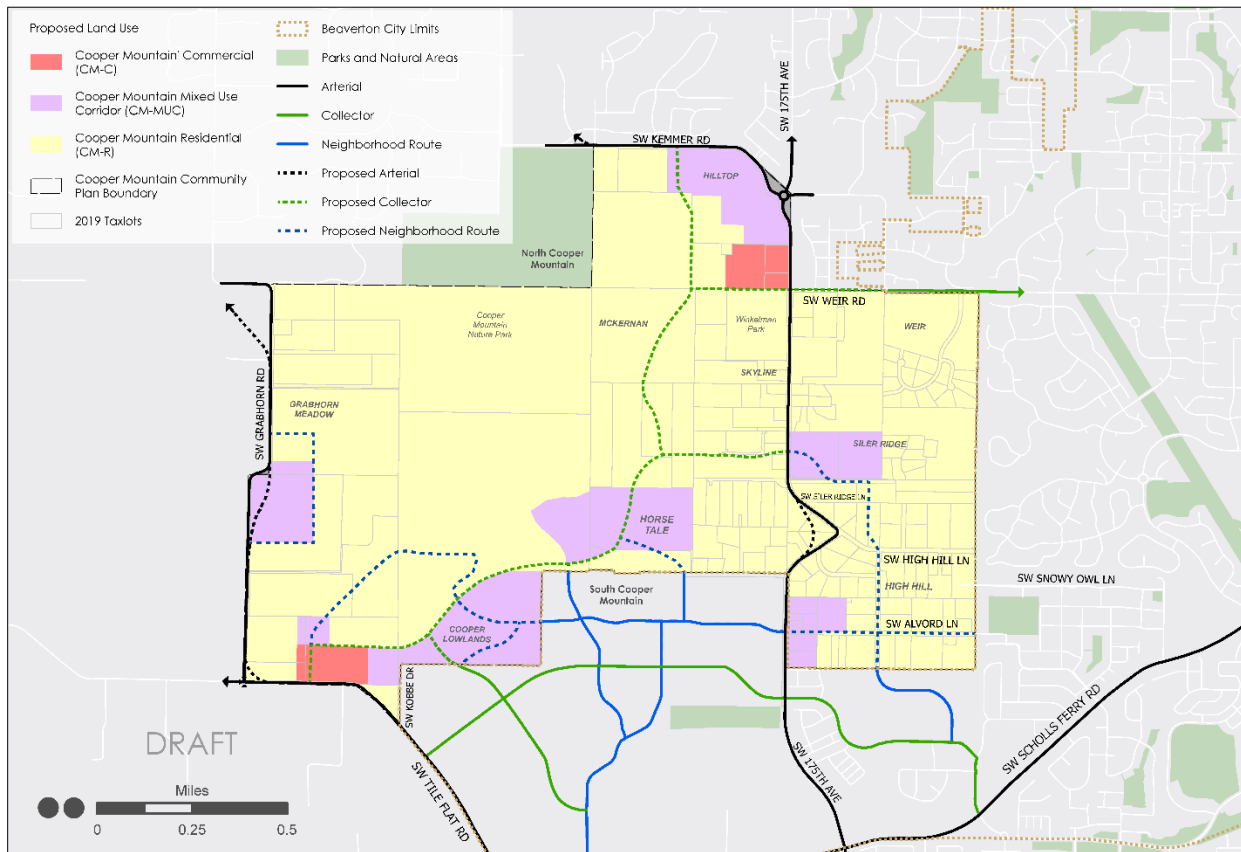
CPMA42024-00679 also proposes the following amendments:

- **Volume I** – Update the Beaverton Comprehensive Plan Land Use Map (Figure 2) in Chapter 3 to include three new Cooper Mountain land use designations and update the Comprehensive Plan and Zoning District Matrix (Table 1) to determine which zoning districts can be applied within those Comprehensive Plan designations.
 - **Cooper Mountain Commercial** – Provides for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities.
 - **Cooper Mountain Mixed Use Corridor** – Promotes a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritizes safe and convenient ways to walk, bike, and roll.
 - **Cooper Mountain Residential** – Promotes equitable, inclusive neighborhoods that emphasize housing variety and integration and includes parks and commercial opportunities within walkable neighborhoods.

Table 1. Comprehensive Plan Designations and Implementing Zones

Land Use Designation	Implementing Zoning Districts
Cooper Mountain Commercial	CM-CS, Cooper Mountain - Community Service
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential CM-MR – Cooper Mountain - Multi-dwelling Residential CM-RM – Cooper Mountain - Residential Mixed
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed

Figure 2. Cooper Mountain Community Plan Proposed Land Use Map



A PDF of the land use map is also available at: <https://beavertonoregon.gov/cm>

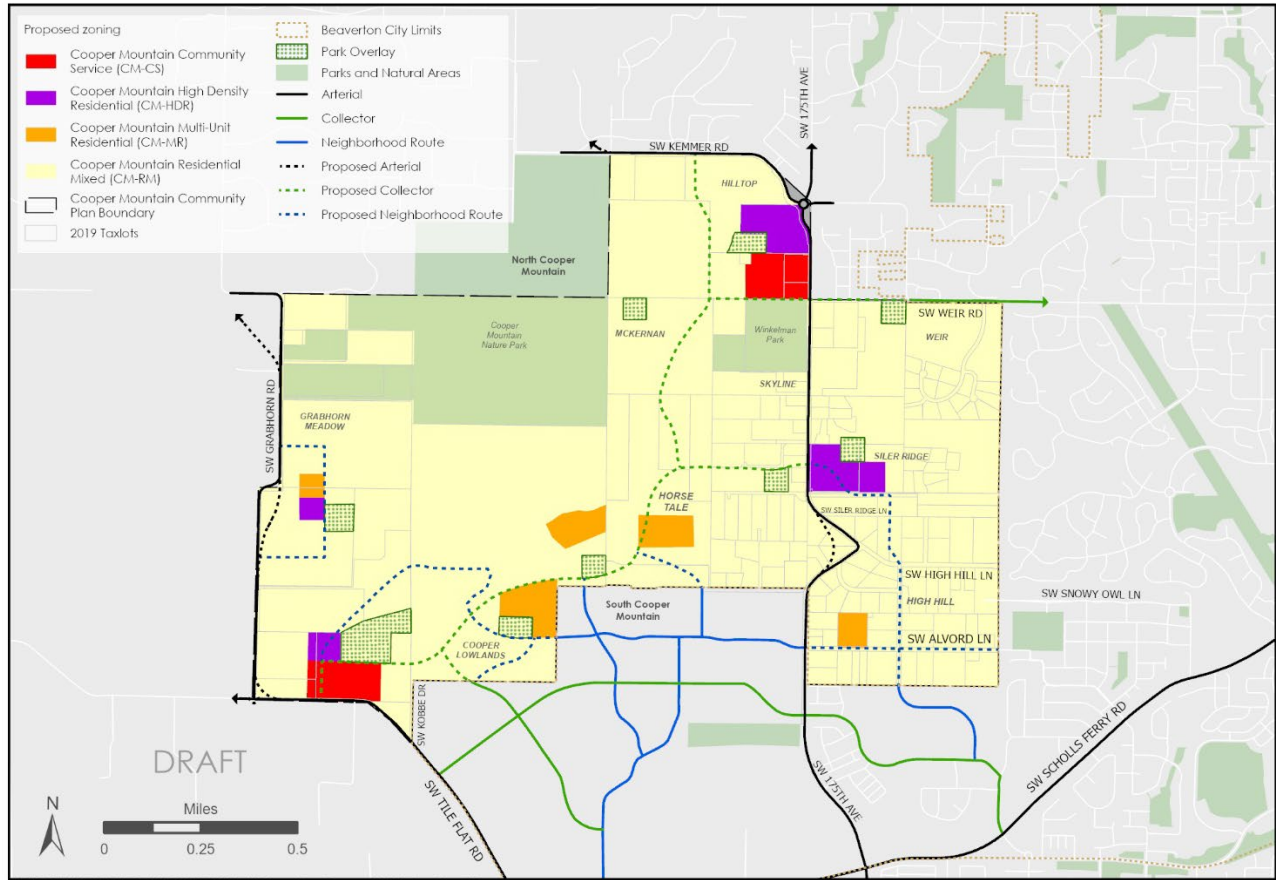
Other changes to Volume I include:

- **Chapter 1.** Update noticing requirements.
- **Chapter 5.** Add new or updated utility plans.
- **Chapter 6.** Add new transportation policies and a new functional classification map for Cooper Mountain.
- **Chapter 7.** Add new policies that protect natural resources and wildlife habitat.
- **Chapter 8.** Add a Cooper Mountain Landslide Hazard Risk Map and update landslide policies.
- **Volume III (Statewide Planning Goal Five Resource Inventory)** – Add the Statewide Planning Goal Five Resource Inventory map for Cooper Mountain and the approved Local Wetlands Inventory map.
- **Volume IV (Transportation System Plan)** – Update Chapters 2 and 4 to match Volume I Chapter 6 updates. Add Appendix O to include a list of future Cooper Mountain projects that would be added to the city’s Transportation System Plan.

Zoning Map Changes (ZMA42024-00681)

ZMA42024-00681 proposes the Zoning Map for Cooper Mountain shown in Figure 3. The Zoning Map identifies geographic locations where different development rules apply. Development rules are described later in TA42024-00680.

Figure 3. Cooper Mountain Community Plan Proposed Zoning



The proposed zoning districts are:

- **Cooper Mountain – Community Service (CM-CS).** Requires a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing residential development, generally multi-dwellings and middle housing.
- **Cooper Mountain – High Density Residential (CM-HDR).** Primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses are also among the uses allowed.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** Intended to result in mostly residential developments with a focus on multi-dwellings and middle housing.

- **Cooper Mountain – Residential Mixed (CM-RM).** Allows a mix of detached and attached housing types at the lowest number of units per acre of Cooper Mountain's residential zones. Allows small-scale commercial uses in some locations.

Overlay zones indicate areas where special rules apply. The proposed overlays applied are:

- **Resource Overlay.** The Resource Overlay shows where additional environmental rules apply, in part to meet state and regional requirements.
- **Cooper Mountain Parks Overlay.** The Cooper Mountain Parks Overlay identifies locations for parks and open space within Cooper Mountain.

Development Code Changes – Cooper Mountain (TA42024-00680)

TA42024-00680 proposes the following Development Code amendments applicable to properties in Cooper Mountain:

CHAPTER 10 – GENERAL PROVISIONS

- **10.25 Classification of Zoning Districts.** Add Cooper Mountain zoning districts to the list of citywide zoning classifications.
- **10.32 Overlays.** Add two new overlays – Cooper Mountain Parks Overlay and Resource Overlay – to the overlay section.
 - The Resource Overlay protects streams and riparian areas, floodplains, wetlands and upland habitat (generally areas near streams or areas with trees). It also promotes water quality, erosion control, and reduced sedimentation in streams; conserves scenic, recreational, and educational values of natural resources; and balances conservation and economic use by allowing reasonable economic use of property when resource impacts can be mitigated.
 - The Cooper Mountain Parks Overlay indicates locations where Community Parks or Neighborhood Parks are required.
- **10.40 Annexation.** Add Section 10.40.5 to clarify that zoning can be applied prior to annexation in anticipation of zoning being effective upon annexation.

CHAPTER 20 – LAND USES

- **20.22 Cooper Mountain Zoning Districts**
 - **20.22.15.** Add a new section that includes site development standards for the CM-CS, CM-HDR, CM-MR, and CM-RM zones (Table 2).

- In all zones, maximum building heights are proposed to be 45 feet in CM-RM and 65 feet in the other three zoning districts. This are slightly higher than in other comparable Beaverton districts to allow additional flexibility given steep slopes and sites with significant natural resource areas.
- In all zones, maximum floor area ratio (FAR) limits the amount of interior building square footage allowed based on the size of the site.
- **20.22.20.** Add a new section that which land uses are Permitted (P) Conditional Uses (C) or Prohibited (N) uses in the CM-CS, CM-HDR, CM-MR, and CM-RM zones (Table 2).
 - In the CM-RM zone, five-plexes and six-plexes are allowed in addition to other middle housing types.
 - In all zones, public parks and dog runs are proposed to be permitted uses in all Cooper Mountain zones. They are often conditional uses in the rest of the city. This would provide an easier approval process for parks.
- **20.22.25.** Add a section that describes where additional environmental regulations apply within the Resource Overlay (Section 60.37).
- **20.22.30.** Add a section that requires a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site's size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional. The zone also would allow residential uses and other uses.
- **20.22.35.** Add a section that allows small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are near areas zoned for higher density multi-dwellings; near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and along Neighborhood Routes.
- **20.22.40.** Add a section that includes additional housing requirements for the CM-RM zoning district to implement the Cooper Mountain Community Plan's desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. Housing variety and integration requirements are clear and objective. Minimum requirements for housing variety and integration apply when the net acreage of a parent parcel is three acres or larger. At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units. Minimum requirements for housing variety integration are based on "Housing Variety Groupings" described in TA42024-00680.

This section also includes requirements that allow a property owner to divide their land in a way that doesn't meet minimum density yet, such as allowing a property to be divided and sold for future development, while ensuring that the future development will need to meet minimum density and these housing variety and integration requirements.

- **20.22.45.** Add a section that describes requirements for the Cooper Mountain Parks Overlay, which identifies locations for parks/open space within Cooper Mountain and includes a discretionary options for alternative locations.
- **20.25.05 Residential Density.** For sites within the CM-RM zoning district, clarify how minimum and maximum residential density is calculated and how minimum and maximum residential density averaging is allowed.
- **20.25.10 Floor Area Ratio.** For sites in CM-CS, CM-HDR, and CM-MR with constrained lands, the code allows a higher FAR on the buildable portion of a lot. For multi-phase developments, the code provides a process that allows applicants to demonstrate how the project can meet minimum FAR at ultimate build out.

CHAPTER 40 – APPLICATIONS

- **40.15 Conditional Use.**
 - Update the existing Planned Unit Development (PUD) application to include new Section 60.36 requirements that will apply within the Cooper Mountain Community Plan area.
 - Properties in Cooper Mountain will not be required to apply for a PUD but may choose to apply in order to seek approval of the flexibility or alternatives offered for certain development by Section 60.36.
- **40.20 Design Review.**
 - Update applicability rules to indicate when design review is required for various uses and building types in all four Cooper Mountain zoning districts and how projects can meet minimum floor area ratio and/or minimum required commercial standards in a phased manner inside the Cooper Mountain Community Plan area.
 - Provide a mechanism that allows property owners to divide and sell lots while requiring that future developments provide the housing variety and integration requirements that would have been required by the original Parent Parcel.
- **40.21. Single-Detached and Middle Housing Design Review.**
 - Update applications to include the development of small-scale commercial uses described in Section 20.22.35 in the CM-RM zoning district and to include

development of multi-dwelling structures with five or six units on one lot in the CM-RM zoning district.

- Update applications to ensure compliance, if applicable, with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
- **40.40 Home Occupations.** Update applications to address limitations on home occupations in buildings or units with both residential and small-scale commercial uses in the CM-RM zoning district.
- **40.45. Land Division and Reconfiguration.** See Development Code Changes – Citywide section below for information about flexibility provided by Land Division Housing Plans. Information is also provided for how risks will be mitigated during land divisions in areas of high landslide susceptibility.
- **40.58. Sidewalk Design Modification.** Update approval criteria to include references to the Resource Overlay.
- **40.70 Resource Overlay.** Add new application that provides for the review of allowed uses in the Resource Overlay and a path to correct the Resource Overlay boundary.
- **40.91 Tree Applications – Cooper Mountain.** Add new application that:
 - Provides a permitting mechanism within the Cooper Mountain Community Plan area for regulating the removal and replacement of trees that are not associated with Initial Development activity and are, therefore, not subject to the tree preservation or tree canopy requirements of Sections 60.61.15 through 60.61.30
 - Establishes Cooper Mountain Tree Plan applications for tree removal, preservation, and planting associated with Initial Development and for modifications of a previously approved Cooper Mountain Tree Plans prior to completion of Development.
- **40.96 Wireless Facility.** Update approval criteria to include references to Section 20.22. Cooper Mountain Zoning Districts.

CHAPTER 50 – PROCEDURES

- **50.90 Expiration of a Decision.** Add decision expiration time periods for new Cooper Mountain applications.
- **50.93 Extension of a Decision.** Clarify that Resource Overlay Boundary Correction applications do not expire.

CHAPTER 60 – SPECIAL REQUIREMENTS

- **60.05.15 Building Design and Orientation Standards.** Add requirements for building location and orientation along streets in Commercial and Multiple Use zones. Add requirements for ground-floor elevations on commercial and multiple-use buildings. Guidelines in Section 60.05.35 advance similar desired outcomes.
- **60.05.20 Circulation and Parking Design Standards.** Add requirements for connections to the public street system; pedestrian circulation; off-street parking frontages; and sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. Guidelines in Section 60.05.40 advance similar desired outcomes.
- **60.05.25 Landscape, Open Space, and Natural Areas Design Standards.** Add minimum landscaping requirements for various uses and building types. Add open space and landscape buffer requirements for developments subject to Design Review. Guidelines in Section 60.05.45 advance similar desired outcomes.
- **Table 60.05-1 Technical Lighting Standards.** Add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** Updates requirements to include rules for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.
- **60.05.65 Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District.** Add a new section for development of five-plexes and six-plexes based on the existing design standards and guidelines for single-detached homes and middle housing.
- **60.15.08 Cooper Mountain Landslide Hazard Risk.** Add a new section with standards applicable to land division proposals in Cooper Mountain that include land identified as a Landslide Hazard.
- **60.30 Off-Street Parking.** Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone.
- **60.36 Planned Unit Development (PUD) – Cooper Mountain.** Add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. The Cooper PUD provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area.

The Cooper PUD provisions include opportunities for reduced site development standards, such as lot size reductions if active open space is provided; a discretionary approach to housing variety and integration requirements; open space options; and additional incentives and flexibility for needed types of housing, called Needed Development Outcomes.

- **60.37 Resource Overlay.** Add a new section intended to be substantially compliant with the Metro Title 13 Model Code, which provides the framework for regulating natural resources inside the urban growth boundary.

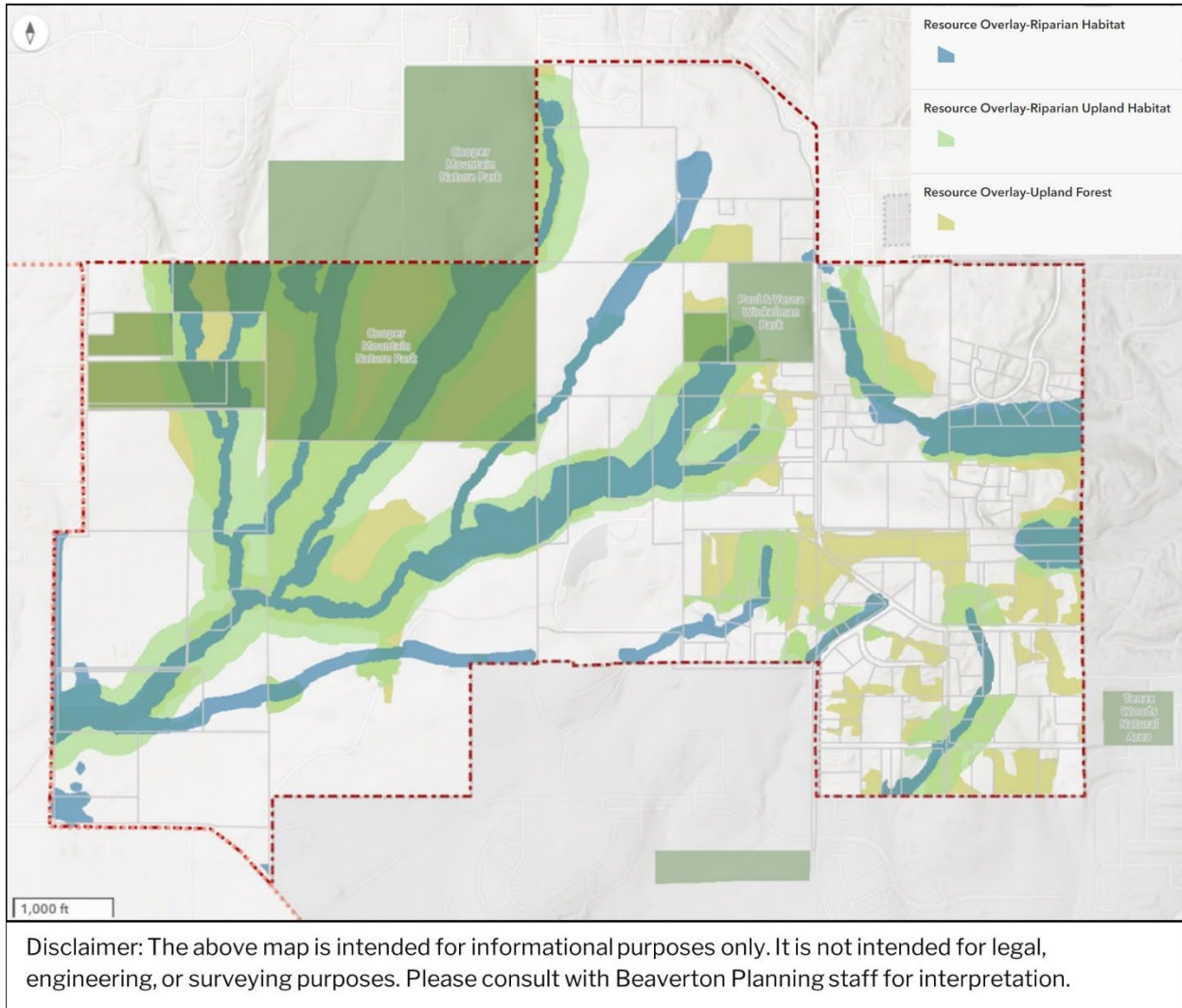
The Development Code applies the Resource Overlay to wetlands, water bodies (such as streams), areas near water bodies, and upland habitat (areas that provide wildlife habitat), as shown in Figure 4. These areas include Clean Water Services vegetated corridors, Class I and II riparian areas, and Class A and B upland habitat. More detail can be found in the Cooper Mountain Community Plan Natural Resources Report which is included as an appendix to the Cooper Mountain Community Plan and the Cooper Mountain Local Wetland Inventory, which has been approved by the Oregon Department of State Lands (DSL) and is available on the DSL website.

The upland area classifications are based on the conditions at the time that Cooper Mountain was added to the urban growth boundary, which was Dec. 13, 2018. Areas of significant trees as of December 13, 2018, are included in the Resource Overlay.

The development rules related to the resource overlay allow property owners/developers to conduct on-site investigations of creek and wetland locations and apply for a boundary correction (see details in proposed Development Code Section 60.37.15). Applicants who believe the natural resources reports contain errors other than creek and wetland locations also can apply for changes through a discretionary process that requires Planning Commission approval.

For most development, the development rules will require the majority of the Resource Overlay to be placed in a protected tract or easement (see details in proposed Development Code Section 60.37.30). Portions of the Resource Overlay may be disturbed for development activities (proposed Development Code Section 60.37.40) and mitigation is often required through replanting to enhance the habitat in the protected portion of the Resource Overlay (proposed Development Code Section 60.37.45).

Figure 4. Cooper Mountain Resource Overlay



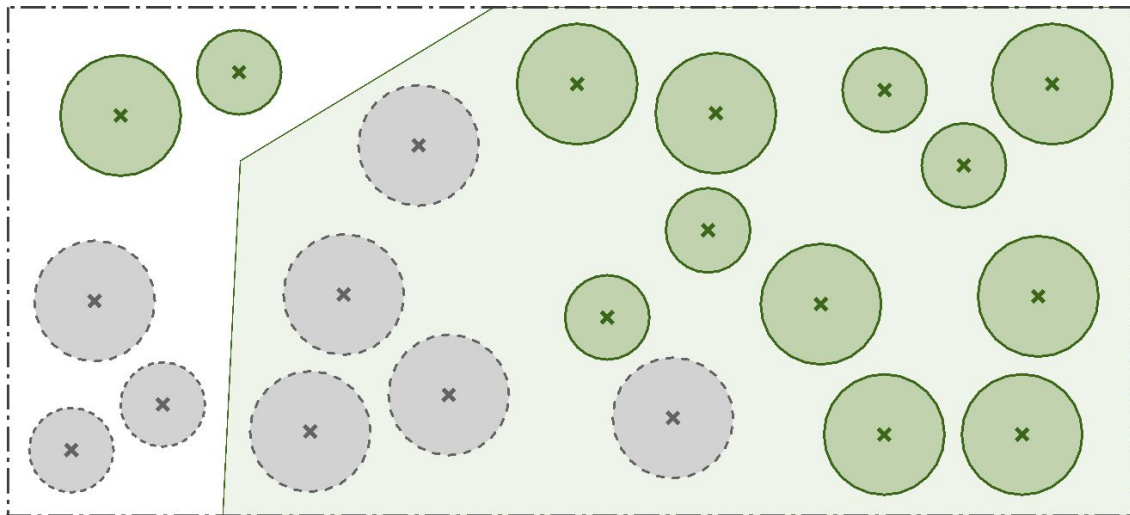
60.50.25 Uses Requiring Special Regulation. Add a new section that establishes requirements for Neighborhood Parks, Community Parks, and open space tracts within the Parks Overlay and requirements for Visitable Dwellings.

- **60.55.35 Access Standards.** Add private alley standards and vehicular access standards for Neighborhood Routes west of SW 175th Avenue.
- **60.61 Trees and Vegetation – Cooper Mountain.** Add regulations for trees within the Cooper Mountain Community Plan Area during and after the initial site development. Tree regulations address tree preservation, protection, removal, mitigation, and planting, with the goal of ensuring preservation of trees and creating an adequate tree canopy.

Minimum tree preservation rules focus on retaining existing trees. Proposed rules establish higher preservation standards inside the Resource Overlay and moderate preservation standards outside of the overlay for all zones in Cooper Mountain (Figure 5). Tree preservation is retaining trees and tree canopy that already exist on the site. Minimum preservation percentages are:

- 65 percent of existing tree canopy within the Resource Overlay; and
- 40 percent of existing tree canopy outside the Resource Overlay

Figure 5. Example Site that Meets Minimum Preservation Standards

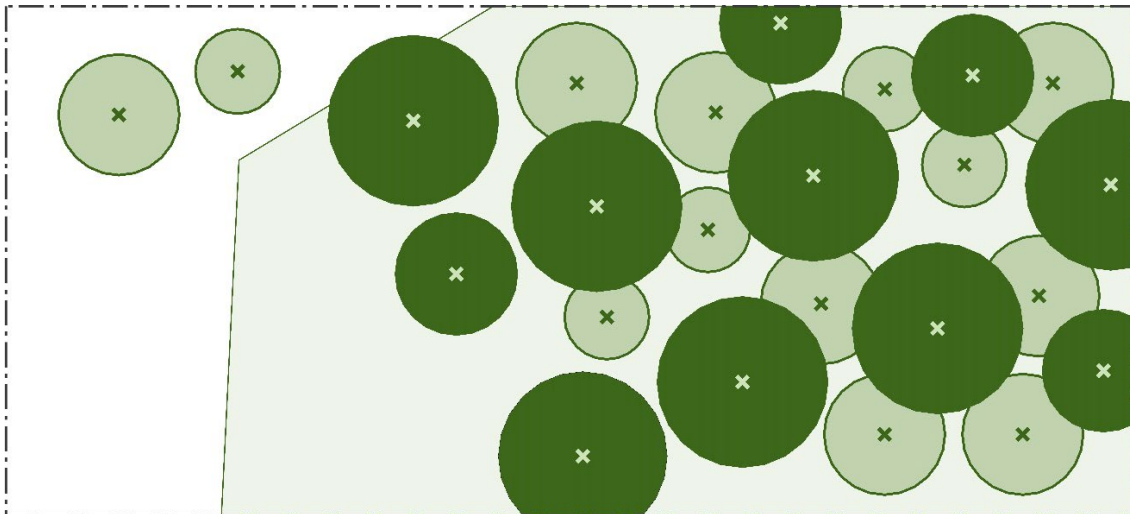


On this 1-acre lot, 75 percent of the lot is covered by the Resource Overlay (the light green area), The gray circles represent the amount of tree canopy that could be removed. The green circles represent tree canopy preserved on the site that meets minimum tree preservation requirements inside and outside the Resource Overlay.

Minimum tree canopy rules focus on ensuring the site has sufficient tree canopy, either now or in the future. The proposed rules require 65 percent tree canopy inside the Resource Overlay (Figure 6). That can be achieved using tree preservation, tree planting, or a combination of preservation and planting.

Discretionary processes are available to address alternative approaches to minimum tree preservation and minimum tree canopy.

Figure 6. Example Site that Meets Minimum Tree Canopy Requirements



On this 1-acre lot, 75 percent of the lot is covered by the Resource Overlay (the light green area), and 25 percent is outside the Resource Overlay (the white area). Existing canopy is represented by light green circles. The existing canopy covers 25 percent of the Resource Overlay area on the site. To meet the standard, a property owner could plant new, native trees (the dark green circles) within the overlay to attain 65 percent canopy coverage.

The proposed Development Code also includes rules for tree removal and tree maintenance that apply to when property owners would like to remove trees separate from a land development activity. The tree removal rules allow property owners to remove a limited number of trees on a site to provide flexibility and allow easier removal of dead or hazardous trees, while encouraging retention of some trees. For more expansive tree removal, the rules require a higher level of review. Depending upon the scenario, the proposed Development Code requires tree replanting or fee in lieu of replanting.

The tree removal rules include standards for when a tree can be removed from a site based on clear and objective criteria, as well as discretionary processes that provide more flexibility. For example, the proposed standard allows one tree 6-inch DBH (trunk diameter at breast height) or greater to be removed each year per 5,000 square feet of lot area (See Section 40.91). Some trees, such as nuisance trees or agricultural trees, can be removed without a land use application.

Other tree-related Development Code rules includes incentives that encourage the retention of native trees, such as white oak, drought-tolerant trees, mature trees, and tree groves; tree protection standards to protect on-site trees during construction; soil volume standards for new plantings; and landscaping requirements when development occurs for single-detached homes, middle housing, apartments, commercial uses, and multiple-use developments.

CHAPTER 90 – DEFINITIONS

- Add new definitions that support code changes related to natural resources, trees and land divisions, among others. Refine some definitions for clarity.

TA42024-00680 also includes minor modifications in Chapters 10, 20, 40, 50 and 60 that add references to new Cooper Mountain zoning districts, building types, and small-scale commercial uses and also reflect changes in wording for clarity or consistency.

Other Citywide Amendments

Development Code Changes – Citywide (TA42024-00680)

TA42024-00680 proposes to make changes to the following code sections that apply to citywide properties:

CHAPTER 10 – GENERAL PROVISIONS

- **10.32 Overlays.** Create a new section that moves overlays from the zoning districts table to a separate overlay table. An overlay zone establishes additional regulations beyond the base zone to address specific community objectives.

CHAPTER 40 – APPLICATIONS

- **40.45 Land Division and Reconfiguration.**
 - Add code language in Sections 40.45.4 (Preliminary Partition), 40.45.5 (Preliminary Subdivision) and 40.45.11 (Land Division Housing Plan Amendment) that creates a requirement for Land Division applications that would create lots for development of single-detached dwellings or middle housing to submit a Land Division Housing Plan when the project does not include a concurrent Design Review application (Sections 40.20, 40.21, and 40.23).

The Land Division Housing Plan will demonstrate that the proposed Land Division will be developed with housing in a way that complies with all applicable Chapter 20 or Chapter 70 requirements. If a developer wishes to change the housing plan for the subdivision prior to or concurrent with the submittal of the required Design Review application, a new Type 1 application process, called the Land Division Housing Plan Amendment, has been created for that purpose.

- Additional changes to 40.20 Design Review, 40.21 Single-Detached and Middle Housing Design Review, and 40.23 Downtown Design Review ensure compliance with changes to Section 40.45.
- **40.93 Tualatin Hills Park and Recreation District (THPRD) Annexation Waiver.** Delete the section that allows waivers for required annexations to THPRD to ensure the park district can provide park and recreation services for annexed properties.

CHAPTER 50 – PROCEDURES

- **50.90 Expiration of a Decision.** Add Design Review Three to the 5-year expiration list for phased developments. Update expiration of PUDs to 5 years regardless of phasing. Add Land Division Housing Plan Amendment to 2-year expiration list. Remove the THPRD Annexation Waiver because it is proposed for deletion.

CHAPTER 60 – SPECIAL REQUIREMENTS

- **60.05.15 Building Design and Orientation Standards.** Add additional detail and options to meet standards for roof forms, primary building entrances, and window coverage.
- **60.05.20 Circulation and Parking Design Standards.** Add screening standards for ground-floor parking. Update off-street parking frontage requirements for development in commercial and multiple use districts for consistency with Oregon Administrative Rule 660-012-0330(4)(a). Guidelines in Section 60.05.40 advance similar desired outcomes.
- **60.05.25 Landscape, Open Space, and Natural Areas Design Standards.** Update minimum open space landscape requirements for developments. Add general landscaping requirements that require plant diversity and irrigation. Rename Table 60.05-2 for landscape buffer requirements and relocate it to Section 60.05.25.14.H.1. Guidelines in Section 60.05.45 advance similar desired outcomes.
- **60.05.30 Lighting Design Standards.** Update standards to reduce light and glare within and adjacent to Natural Areas. Guidelines in Section 60.05.50 advance similar desired outcomes.
- **Table 60.05-1. Technical Lighting Standards.** Relocate this table to Section 60.05.30. Add exemption from lighting requirements for public parks based on hours of operation and proposed park uses. Add special design standards for development within and adjacent to Natural Areas. Add lighting rules for private alleys.
- **60.15 Land Divisions.** Add standards for land divisions in areas that are susceptible to landslide in order to mitigate additional risks of development.

- **60.30 Off-Street Parking.** Add parking ratio for minimum required bicycle parking spaces in public parks.
- **60.55.35 Access Standards.** Add private alley standards that apply citywide.
- **60.65 Utility Undergrounding.** Add references to two other design review applications where development must comply with utility undergrounding.

CHAPTER 70 – DOWNTOWN DESIGN DISTRICT

- Update references and/or replace tree-related terms to ensure consistency with other tree-related terms in the Beaverton Development Code.

CHAPTER 90 – DEFINITIONS

- Add new definitions that support code changes to land divisions, natural resources and trails. Refine definitions that refer to entrances, public parks or dog runs.

TA42024-00680 also includes minor modifications in Chapters 10, 20, 40, 50, 60, 70, and 90 that reflect changes in wording in the Development Code, update references, delete old references, and add language that some code updates may be done online.

CPMA42024-00679 COMPREHENSIVE PLAN AMENDMENTS

ANALYSIS AND FINDINGS FOR COMPREHENSIVE PLAN TEXT AMENDMENT

CPMA42024-00679 Recommendation

Based on the facts and findings presented below, staff offers the following recommendation for the conduct of the October 16, 2024, public hearing for CPMA42024-00679, Cooper Mountain Community Plan Comprehensive Plan Amendment.

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend APPROVAL of CPMA42024-00679 Cooper Mountain Community Plan Comprehensive Plan Amendment to the City Council as presented in the staff report.

Section 1.1.1 establishes procedures for city-initiated amendments of the Comprehensive Plan, stating that amendment requests shall be submitted to the Community Development Director for preparation and analysis for a Planning Commission public hearing or City Council consideration. The Planning Commission and City Council have the right to accept, reject or modify any specific request for amendments in accordance with the city's policies and procedures.

Section 1.3 Amendment Procedural Categories

...

Legislative Amendments are amendments to the Comprehensive Plan text or map of a generalized nature initiated by the city that applies to an entire land use map category or a large number of individuals or properties or that establishes or modifies policy or procedure. Legislative amendments include additions or deletions of text or land use map categories.

...

Statewide Planning Goal 5 Inventory Resource Document Amendments are amendments to Volume III of the Comprehensive Plan. Amendments may be legislative, such as periodic review, or annual updates to maps, or quasi-judicial.

...

Findings:

Staff finds these criteria are met. CPMA42024-00679 proposes to amend the Comprehensive Plan text and Land Use Map to implement the Cooper Mountain Community Plan and related Oregon Administrative Rules. While most of the proposed changes apply only to the land within the Cooper Mountain Community Plan area, some changes will apply citywide.

Proposed legislative amendments affect the following Comprehensive Plan sections:

- **Volume I** – Update the Beaverton Comprehensive Plan Land Use Map (Figure 2) in Chapter 3 to include three new Cooper Mountain land use designations and update the Comprehensive Plan and Zoning District Matrix (Table 1) to determine which zoning districts can be applied within those Comprehensive Plan designations. New land use designations include Cooper Mountain Commercial, Cooper Mountain Mixed Use Corridor, and Cooper Mountain Residential. Other changes to Volume I include:
 - **Chapter 1** – Update noticing requirements.
 - **Chapter 3** – Add new policies for proposed Cooper Mountain land use designations and zoning districts.
 - **Chapter 5** – Add new or updated utility plans.
 - **Chapter 6** – Add new transportation policies and a new functional classification map for Cooper Mountain.
 - **Chapter 7** – Add new policies that protect natural resources and wildlife habitat.
 - **Chapter 8** – Add a Cooper Mountain Landslide Hazard Risk Map and update landslide policies.
- **Volume III (Statewide Planning Goal Five Resource Inventory)** – Add the Local Wetland Inventory map and Statewide Planning Goal Five Resource Inventory map for Cooper Mountain. The proposed amendments to Volume III qualify as a legislative amendment to the Comprehensive Plan because they are based on new policies and procedures that apply to a large number of properties in the Cooper Mountain Community Plan area.

- **Volume IV (Transportation System Plan)** – Update Chapters 2 and 4 to match Volume I Chapter 6 updates. Add Appendix O to include a list of future Cooper Mountain projects that would be added to the city’s Transportation System Plan.
- **Volume V (Community Plans)** – Add the Cooper Mountain Community Plan, which describes the vision and intended outcomes for the next 20 or more years of growth in Cooper Mountain, and the Infrastructure Funding Plan.

Section 1.4 Notice Requirements

Section 1.4.1.A (Legislative Amendments) says that notice of the initial hearing shall be provided as follows:

1. **By providing the required inter-agency Department of Land Conservation and Development (DLCD) notice to DLCD, Metro, and Washington County at least thirty-five (35) calendar days prior to the initial hearing. When the legislative amendment is required through Periodic Review, DLCD notice is not required, therefore, it is not provided;**
2. **By mailing the required inter-agency DLCD notice to all Neighborhood Association Committee (NAC) chairs and Community Participation Organizations (CPO) in whose area there is property that in the Director’s opinion could be affected by the proposed ordinance if adopted, and the Chair of the Beaverton Committee for Community Involvement, at least thirty-five (35) calendar days prior to the initial hearing;**
3. **Mail notice to owners of property within the City for which the proposed ordinance, if adopted, may in the Director’s opinion affect the permissible uses of land**
 - a. **The most recent property tax assessment roll of the Washington County Department of Assessment and Taxation shall be used for determining the property owner of record. The failure of a property owner to receive notice does not invalidate the decision.**
 - b. **If a person owns more than one property that could be affected by the proposed ordinance if adopted, the Director may mail that person only one notice of the hearing;**
4. **By publication of a notice with the information specified in subsection 1.4.1 B.1, 2, and 3 in a newspaper of general circulation within the City;**
5. **By posting a notice with the applicable information specified in subsection 1.4.1 B at Beaverton City Hall and the Beaverton City Library; and**
6. **By placing a notice with the applicable information specified in subsection 1.4.1 B on the City’s website.**

Section 1.4.1.B states that mailed notice required in subsection 1.4.1.A.3., posted notice required in subsection 1.4.1.A.5., and web notice required in subsection 1.4.1.A.6. shall:

1. **State the date, time and location of the hearing, and the hearings body;**
2. **Explain the nature and purpose of the hearing;**
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 approval criteria by Comprehensive Plan by section numbers 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 and 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;**
8. **State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the Planning Commission an opportunity to respond to the issue precludes appeal to the City Council and the Land Use Board of Appeals based on that issue; and**
9. **Include a general explanation of the requirements for submission of testimony and procedure for conduct of the hearing.**

Findings:

Consistent with procedures outlined in the Beaverton Comprehensive Plan, notice of the proposed amendment was submitted online, mailed or posted by the required dates below.

- **1.4.1.A.1.** Staff submitted a post-acknowledgement plan amendment (PAPA) online to DLCD on September 6, 2024. Staff mailed a public hearing notice to Metro and Washington County on August 30, 2024, which is more than 45 calendar days prior to the initial hearing. For updates to the Transportation System Plan, Metro code requires a public notice to be sent to Metro at least 45 calendar days prior to the initial hearing. For Washington County, Beaverton's Comprehensive Plan and Development Code indicate that the public notice shall be sent no less than 35 days prior to the initial hearing.

- **1.4.1.A.2.** Staff mailed a public hearing notice, which the Beaverton Comprehensive Plan requires to be sent no less than 35 days before the hearing, to all NAC chairs; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6, 7 and 10; and the Chair of the Beaverton Committee for Community Involvement; on September 5, 2024, 41 calendar days prior to the initial hearing;
- **1.4.1.A.3.** Staff mailed a public hearing notice, which the Beaverton Comprehensive Plan requires to be sent not less than 20 and not more than 40 calendar days prior to the date of the initial hearing, and a Measure 56 notice, which the Beaverton Comprehensive Plan and ORS 227.186 require to be sent 20-40 days before hearing, to property owners on September 12, 2024, which is 34 calendar days prior to the initial hearing. The property owner mailing list was based on the property tax assessment roll of the Washington County Department of Assessment and Taxation as of August 2, 2024. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.
- **1.4.1.A.4.** The Beaverton Valley Times published a public hearing notice on September 19, 2024, which is 27 days prior to the initial hearing.
- **1.4.1.A.5.** Staff posted a public hearing notice at Beaverton City Hall, the Beaverton City Library and the Beaverton Police Department on September 10, 2024, which is 36 days before the public hearing.
- **1.4.1.A.6.** Staff posted a public hearing notice on a city website on September 10, 2024, which is 36 days before the public hearing. The website: <https://apps2.beavertonoregon.gov/DevelopmentProjects/>

While not required by the Beaverton Comprehensive Plan or Beaverton Development Code, OAR 660-012-0105 (through a reference to 0120, which then refers 0130) requires “2) Cities and counties shall identify federally recognized sovereign tribes whose ancestral lands include the planning area. The city or county shall engage with affected tribes to notify them of coordinated land use and transportation planning activities and projects under this division.” As such, city staff mailed and emailed a notice of the proposed amendment on August 21, 2024, to three tribes – Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians of Oregon, and Confederated Tribes of Warm Springs Reservation of Oregon – to provide information related to the Community Plan and proposed adoption of the Comprehensive Plan, Zoning Map and Development Code changes. As of September 30, 2024, staff has not received comments from any of the three tribes.

Conclusion: Staff finds the noticing criteria in Section 1.4.1.A and 1.4.1.B are met.

Section 1.4.4 (Statewide Planning Goal 5 Inventory Resource Document (Volume III) Amendments) says that notice of the initial hearing shall be provided as follows:

- A. If the proposal is legislative in nature, as in an update to one of the Statewide Planning Goal 5 Inventory Resource Documents or an addition of a new category of Statewide Planning Goal 5 Inventory Resource Documents, then notice shall follow the legislative notice procedure identified under subsection 1.4.1.**
- B. If the proposal is quasi-judicial in nature, as in a change on one property or a limited group of properties, the notice shall follow the quasi-judicial notice procedure under subsection 1.4.2.**
- C. If the proposal is to update the Local Wetland Inventory map of the Significant Natural Resource maps based on approvals of wetland delineations or fill or removal permits issued by the Oregon Department of State Lands, the amendment shall be deemed non-discretionary and shall be updated administratively by City Council ordinance adoption, following the Non-Discretionary Map Amendment procedure under 1.4.3.**

Findings:

Staff finds the criteria are met. CPMA42024-00679 proposes to add the Local Wetland Inventory map and Statewide Planning Goal 5 Inventory map for the Cooper Mountain Community Plan Area to Volume III of the Comprehensive Plan. The proposed amendment is a legislative amendment to the Comprehensive Plan because it is based on new policies and procedures that apply to a large number of properties in the Cooper Mountain Community Plan Area.

Conclusion: Therefore, Section 1.4.4.A applies and Sections 1.4.4.B and C are not relevant. As described in the findings for Section 1.4.1.A, staff submitted online, mailed, or posted public hearing notices by the required dates and in a format consistent with procedures outlined in the Beaverton Comprehensive Plan. Staff finds these criteria are met.

Section 1.5 Criteria for Amending the Comprehensive Plan

1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments

A. The following criteria apply to all legislative Comprehensive Plan amendments and non-annexation-related quasi-judicial Comprehensive Plan Amendments:

1. The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules
2. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan
3. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans.

Findings:

- The proposed amendments are consistent with relevant Statewide Planning goals and related OARs, as described below.
- The proposed amendments are consistent and compatible with Metro UGMFP and RTP, as described below.
- Proposed amendments are consistent with Comprehensive Plan and applicable local goals, as described below.

STATEWIDE PLANNING GOAL 1 – CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process. The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues. Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Response: The Beaverton Citizen Involvement Program adopted by Resolution 2229 in 1980 established a formalized public participation program that provides a method by which the

Beaverton Committee for Community Involvement (as renamed in Ordinance 4624 signed in 2013) and other community members can communicate their opinions and inquiries about city matters, including the planning process. The proposed amendment is subject to the public notice requirements of the Comprehensive Plan. At the public hearing, the Planning Commission will consider written or oral testimony before making a recommendation to City Council. A record of staff presentations on the Cooper Mountain Community Plan to the Beaverton Committee for Community Involvement is in Exhibit 14, which also includes a record of all other public engagement activities for the project.

Consistent with procedures outlined in the Beaverton Comprehensive Plan, notice of the proposed amendment was sent to all NAC chairs; the Chair of the BCCI; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6, 7 and 10; Washington County's Department of Land Use and Transportation; Metro; and DLCD. Copies of the hearing notice were posted at Beaverton City Hall, the Beaverton City Library, the Beaverton Police Department and published in the newspaper, consistent with noticing requirements. A notice was also posted on the city's website. Mailed notice also was sent to more than 24,000 property owner addresses to notify property owners where the proposed amendments affect allowed land uses. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.

Conclusion: Therefore, staff finds the city has provided adequate notice and opportunity for public involvement consistent with Goal 1.

STATEWIDE PLANNING GOAL 2 – LAND USE PLANNING

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

Response: Changes to the Beaverton Comprehensive Plan require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. 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, the ultimate decision-making authority. Prior to adoption of the Comprehensive Plan amendments, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal. The planning process also considered the needs of all levels of government, agencies, and community members and accommodated them as much as possible as detailed in the findings throughout this staff report and described in the public engagement/Goal 1 findings.

The Cooper Mountain Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas,

creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

The proposed Comprehensive Plan amendment fits within the established process and framework. The findings contained within this report establish an adequate factual basis for the proposal.

Conclusion: Therefore, staff finds the Comprehensive Plan amendment is consistent with Goal 2.

STATEWIDE PLANNING GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. The city’s comprehensive plan has previously been found to be consistent with Goal 5. Local governments are required to inventory natural resource areas (including mineral and aggregate resources energy sources and cultural areas and encouraged to inventory historic resources, open space, and scenic views and sites.

Goal 5 guidelines include:

A. PLANNING

1. **The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.**
2. **Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.**
3. **Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.**
4. **Plans providing for open space, scenic and historic areas and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.**

5. **The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.**
6. **In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.**
7. **As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans should not provide for the reclassification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710(23).**

The proposed amendments include goals, policies, and land use regulations to protect natural resources and conserve open space resources in the planning area. The Cooper Mountain Community Plan Natural Resource Report, August 2024 (Exhibit 1) identifies and includes a determination of significance for natural resources within the planning area. A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city's methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

Statewide Planning Goal 5 is implemented through OAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5) and OAR 660-023 (Procedures and Requirements for Complying with Goal 5). Responses to the criteria from both OAR 660-016 and OAR 660-023 are included later in these findings and incorporated here by reference.

The Community Plan goals for natural resources include a policy to provide public open spaces and viewpoints in each neighborhood. The proposed approach was developed in coordination with Tualatin Hills Park & Recreation District. The approach includes a Parks Overlay that identifies locations for future parks/open space. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.

The planning area does not include sites for the generation of energy, significant scenic sites, cultural, or historic areas, or mineral and aggregate resources, as described in the

findings for OAR 660-023. Additional information about Cooper Mountain’s cultural history and oldest buildings can be found in Exhibit 26, which is incorporated here by reference.

The proposed amendments do not include changes to the city’s policies related to outdoor advertising signs. The proposed amendments allow for signs related to small scale commercial uses in residential zones, but those signs do not meet the definition of outdoor advertising signs in ORS 377.710.

Conclusion: The proposed amendments are consistent with Statewide Planning Goal 5. This criterion is met.

STATEWIDE PLANNING GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Response: There are no implementation OARs for Goal 7.

Risk is where natural hazards and people/assets collide. City regulations can more easily impact the people/assets. The existing Comprehensive Plan addresses hazards in 8.7 (Flood Hazards), 8.6 (Geologic/Landslide Hazards), and 8.5 (Seismic Hazards). Compliance with Comprehensive Plan goals 8.5.1, 8.6.1, and 8.7.1 is addressed later in this report. The city’s natural hazard protections are implemented through the existing Development Code Chapter 60.10 Floodplain Regulations.

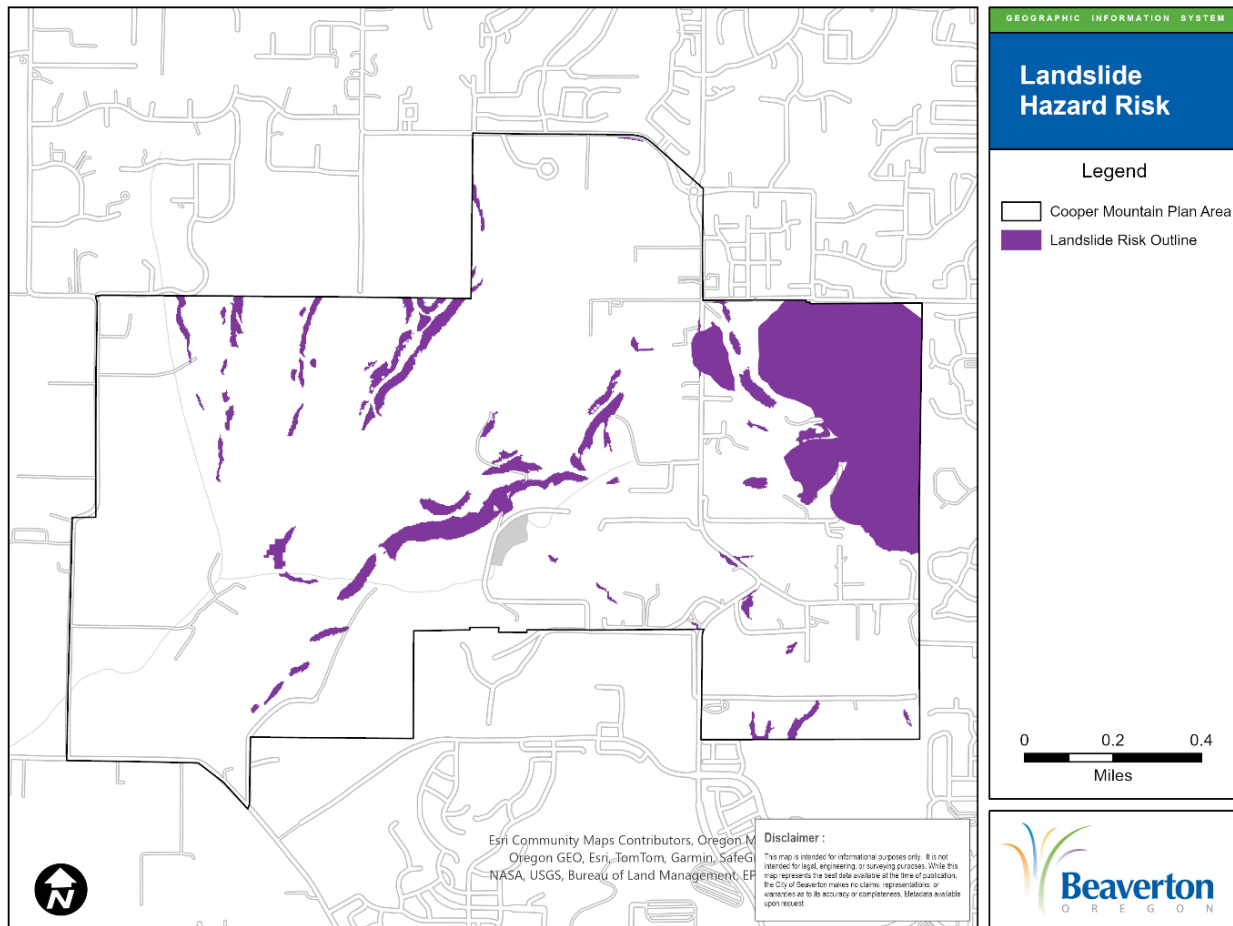
Riverine Flood Hazards

The Cooper Mountain area is part of three Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps: 41067C0525E, 41067C0528E, and 41067C0536E (all effective 11/4/2016). No special flood hazards are identified on any of those maps. All areas are designated Zone X areas determined to be outside the 0.2% annual chance floodplain.

Landslides

The Department of Geology and Mineral Industries (DOGAMI) has models and inventories that can identify landslide susceptibility. Those data show landslide susceptibility in parts of the Cooper Mountain areas. A proposed risk map (Figure 7) derived from a number of separate DOGAMI data sources has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide. The risk map is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan.

Figure 7. Landslide Risk Derived from DOGAMI Datasets



The map is designed to be easily applied and understood by planners, the public, and other city staff. Details regarding how the map was created can be found in Exhibit 25 Landslide Map Methodology.

Proposed Development Code 60.15.08. Cooper Mountain Landslide Hazard Risk. will require geotechnical review for land divisions in mapped area to identify risks and appropriate mitigation measures.

Earthquakes

Most of the earthquake hazard data can be visualized on Oregon HazVu (the statewide geohazards viewer)¹. Beaverton is vulnerable to both local and regional earthquakes and other seismic events. A 2018 a regional impact analysis regarding earthquake hazards for

¹ <https://www.oregon.gov/dogami/hazvu/Pages/index.aspx>

Clackamas Multnomah and Washington counties² includes two different scenarios an earthquake of magnitude 6.8 on the Richter scale along the Portland Hills fault and a magnitude 9.0 Cascadia subduction zone earthquake.

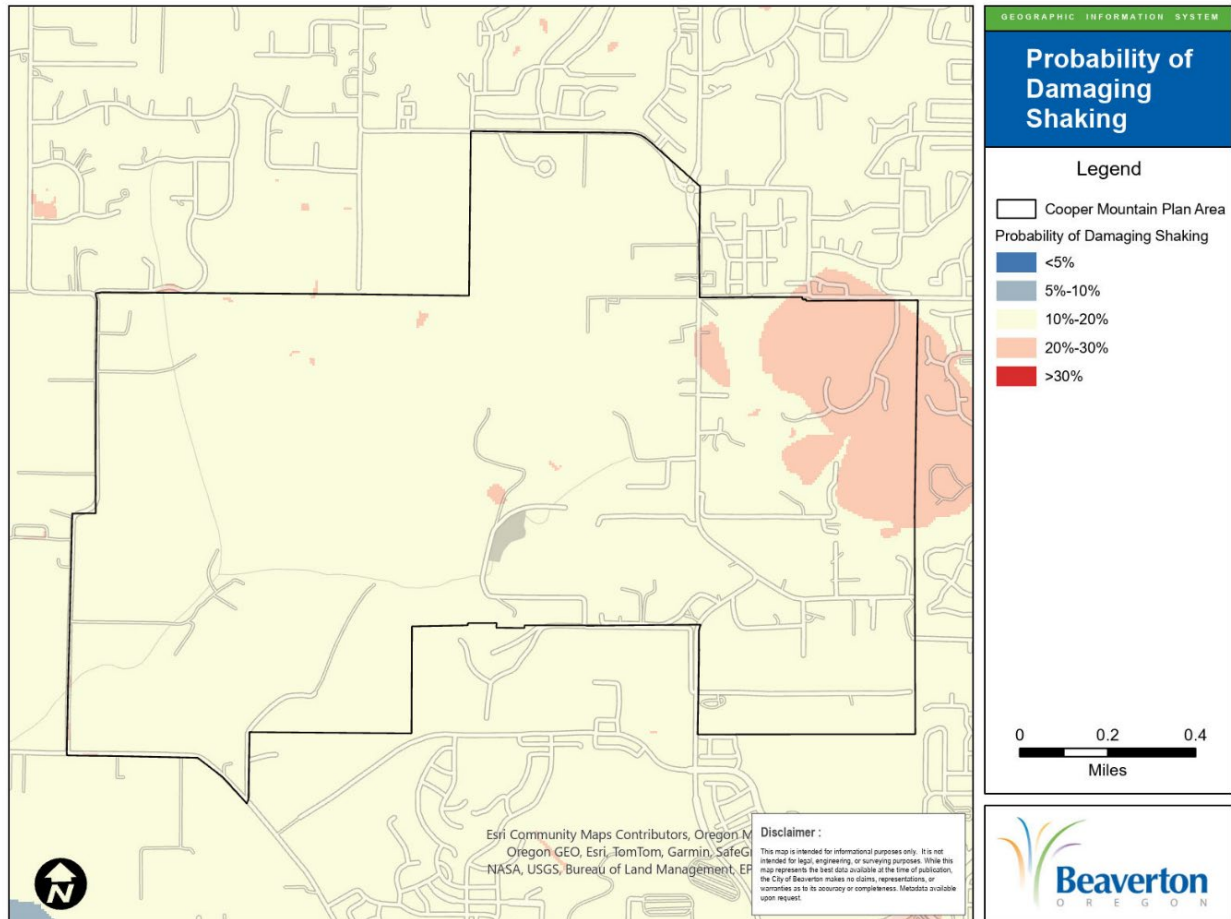
As shown on Figure 8 and Figure 9, there are areas within the Cooper Mountain Community Plan area with somewhat higher vulnerability to seismic hazards. Two datasets from the 2018 analysis show the risks off damaging shaking and ground liquefaction.

Probability of Damaging Shaking: In this analysis and follow this mapping damaging shaking is described ask Mercalli intensity VII which is the level at which weak buildings begin experiencing considerable damage an ordinary well-built structures have slight to moderate damage. Figure 8 below shows the probability of such damaging shaking in the next 50 years. Outside the previous landslide deposit Cooper Mountain has very little probability of damaging shaking.

² Open-File Report O-18-02 <https://pubs.oregon.gov/dogami/ofr/p-O-18-02.htm>

Figure 8. Probability of Damaging Shaking

(Projected magnitude 8.6 Portland Fault earthquake, based on DOGAMI data)

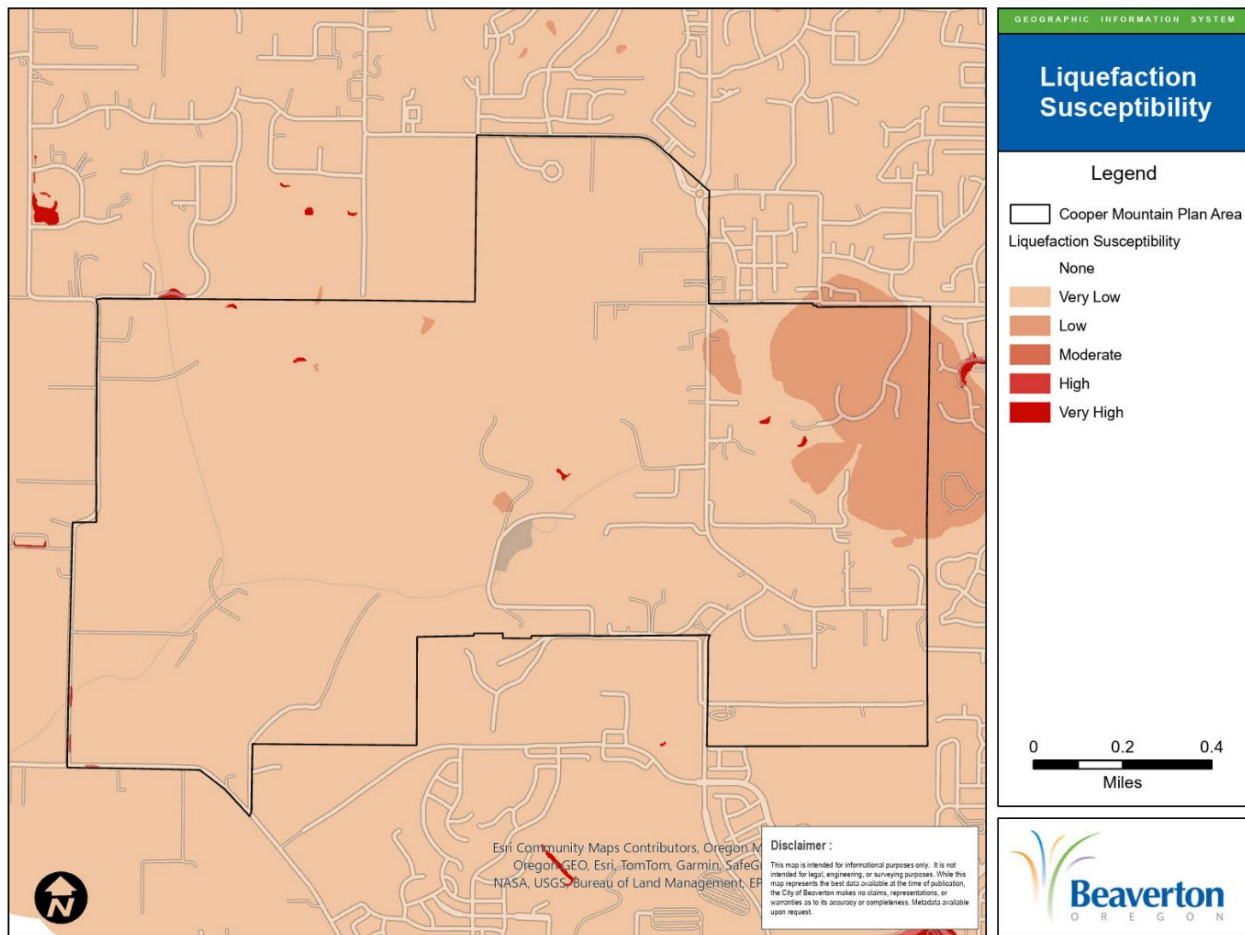


Liquefaction Susceptibility: Liquefaction is when loose sand or silt that is saturated with water begins to act like a liquid due to shaking. Liquefaction can be the cause of the most severe damage in large earthquakes. Not all soils are susceptible to liquefaction, and bedrock it's not at all susceptible. Figure 9 below shows most of the Cooper Mountain area (other than the area of previous landslide deposit) is not particularly susceptible to liquefaction.

Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally inside the boundary of the Resource Overlay (Figure 4), where development will be limited.

Figure 9. Susceptibility to Liquefaction

(Projected magnitude 9.0 Cascadia Subduction Zone earthquake, based on DOGAMI data)



Wildfires

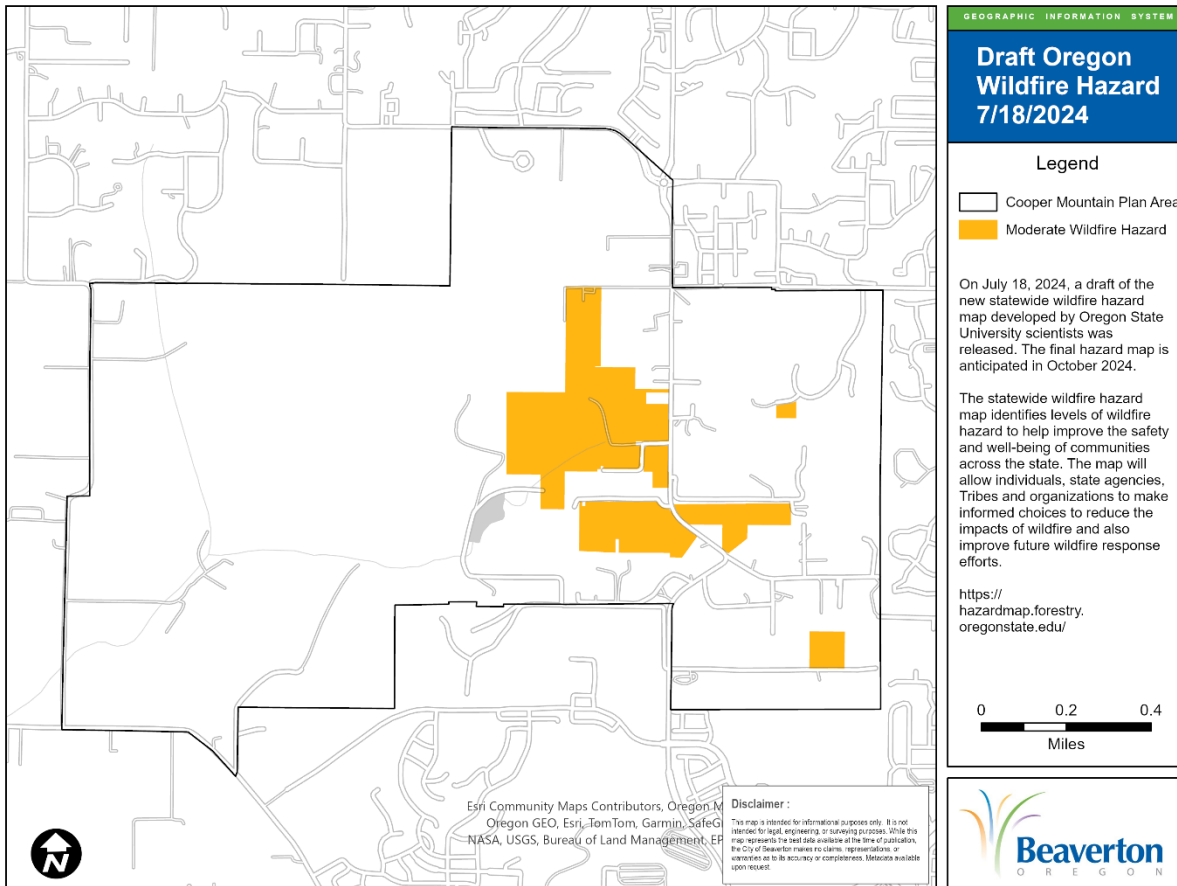
The July 18, 2024 draft Wildfire Hazard Maps³ show most of the Cooper Mountain area as “Low Hazard”. They’re all portions of the area which have moderate wildlife hazard mapped as shown on Figure 10. These are areas of tree canopy that are mostly within boundary of the Resource Overlay. State legislation does not require additional building hardening or defensible space for properties identified with moderate hazard. The hazard maps are to help agencies throughout the state, including remote rural communities, make informed choices regarding development and fire service. These properties and those surrounding

³ <https://hazardmap.forestry.oregonstate.edu/>

them will have urban levels of fire Protection from Tualatin Valley Fire and Rescue who have not indicated concern for their ability to provide service in this location.

Figure 10. Wildfire Hazard Locations

(based on July 18, 2024 draft statewide hazard map for Oregon State University)

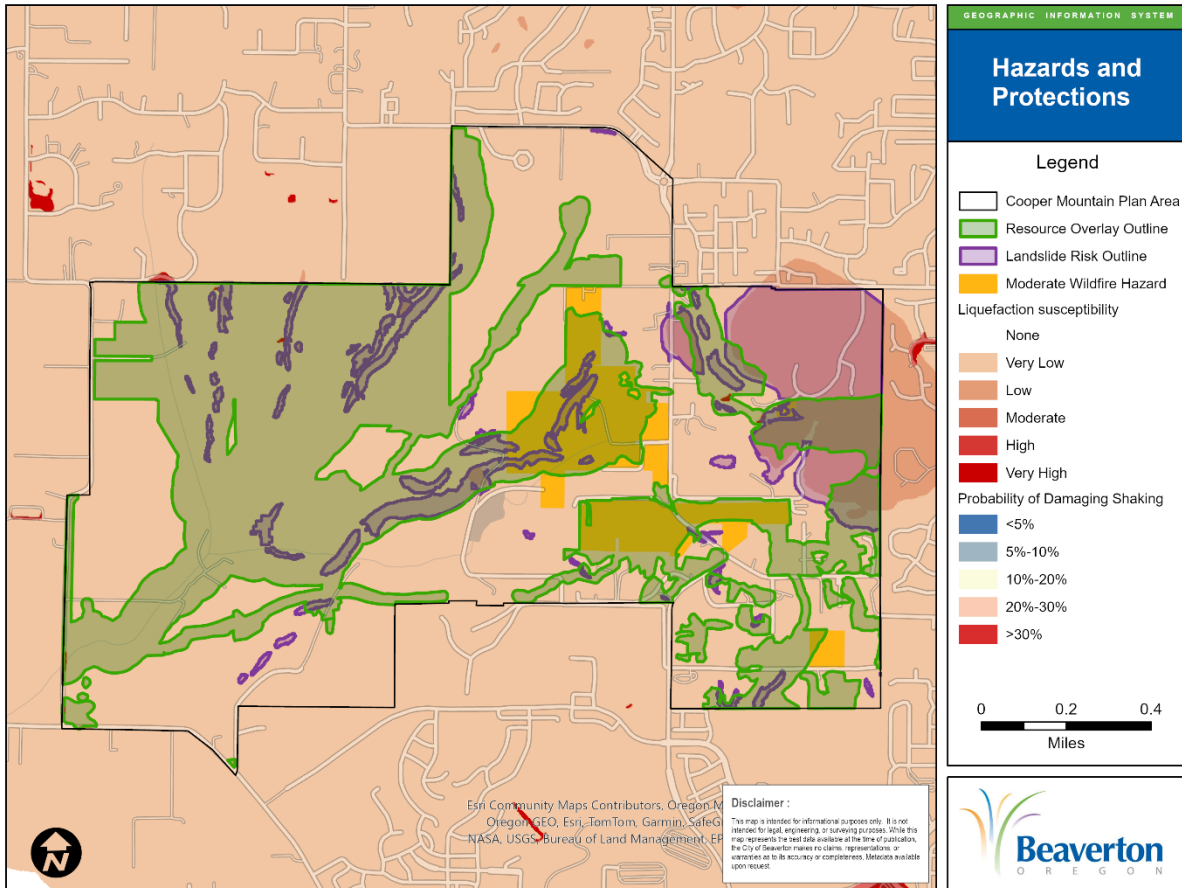


Other hazards:

Due to its location, there is no risk of coastal flooding, tsunami, or coastal erosion.

The Cooper Mountain Plan and development code protect people on property from hazards through the use of development limitation in certain areas and risk mitigation in others. Landslide, and indirectly seismic, risks are mitigated through the addition of Development Code Section 40.45.15 and 60.15.08 which will require geotechnical review and, if necessary, mitigation at the time of land division. Wildfire hazard is not high enough to require additional protections and development is limited in these areas through the proposed Development Code for the Resource Overlay, thus mitigating risk. Figure 11 below shows the overlapping overlays and areas of protection which cover areas at increased risk of natural hazards.

Figure 11. Locations of Increased Hazard and Protections



STATEWIDE PLANNING GOAL 8 – RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

Goal 8 guidelines include:

A. PLANNING

- 1. An inventory of recreation needs in the planning area should be made based upon adequate research and analysis of public wants and desires.**
- 2. An inventory of recreation opportunities should be made based upon adequate research and analysis of the resources in the planning area that are available to meet recreation needs.**
- 3. Recreation land use to meet recreational needs and development standards, roles and responsibilities should be developed by all agencies in coordination with each other and with the private interests. Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.**
- 4. The planning for lands and resources capable of accommodating multiple uses should include provision for appropriate recreation opportunities.**
- 5. The State Comprehensive Outdoor Recreation Plan could be used as a guide when planning, acquiring and developing recreation resources, areas and facilities.**
- 6. When developing recreation plans, energy consequences should be considered, and to the greatest extent possible non-motorized types of recreational activities should be preferred over motorized activities.**
- 7. Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that (a) Meet recreational needs requirements for high density population centers, (b) Meet recreational needs of persons of limited mobility and finances, (c) Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area and in the recreational use itself, (d) Minimize environmental deterioration, (e) Are available to the public at nominal cost, and (f) Meet needs of visitors to the state.**
- 8. Unique areas or resources capable of meeting one or more specific recreational needs requirements should be inventoried and protected or acquired.**
- 9. All state and federal agencies developing recreation plans should allow for review of recreation plans by affected local agencies.**
- 10. Comprehensive plans should be designed to give a high priority to enhancing recreation opportunities on the public waters and shorelands of the state especially on existing and potential state and federal wild and scenic waterways, and Oregon Recreation Trails.**
- 11. Plans that provide for satisfying the recreation needs of persons in the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.**

Statewide Planning Goal 8 also includes sections about Destination Resort Siting, which are not applicable to his application.

Response: The plan area includes two existing recreational facilities. Cooper Mountain Nature Park covers 140 acres within the plan area and an additional 90 acres adjacent to the plan area. The park is owned by Metro, with programming offered by Tualatin Hills Park & Recreation District (THPRD). Cooper Mountain Nature Park includes a nature center, 3.5 miles of existing trails, viewpoints, benches, and recreational programming. Winkelman Park is a 19-acre park, owned by THPRD, that includes a multi-purpose youth athletic field, a paved walking trail, and an off-leash dog park. Additional recreational opportunities within one half mile of the plan area include:

- Two neighborhood parks, five pocket parks, and an urban plaza that are under development or planned in South Cooper Mountain
- Ballfields, courts, and gymnasiums at Mountainside High School and Scholls Heights Elementary School, and Nancy Ryles Elementary School
- Undeveloped open space at Northridge Woods Natural Area, Morrison Woods Park and Tennax Woods Natural Area
- Portions of the Westside Regional Trail and related local connections

The Cooper Mountain Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan. The process included an evaluation of potential park and trail locations to provide recreational opportunities across the plan area. The proposed approach protects existing parks and recreational facilities, with collector roads and neighborhoods routes located outside existing park properties.

Comprehensive Plan Goal 5.8.1 is “Cooperate with THPRD in implementation of its 20- Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.” Findings related to Comprehensive Plan Goal 5.8.1 are included below and are incorporated here by reference.

The proposed comprehensive plan amendments add Goal 6.2.9: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” This goal is implemented through the proposed active transportation policies.

A key concept of the preferred approach is to create a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. The Cooper Mountain Community Plan Goal 5 is to “Provide public facilities and infrastructure needed for safe, healthy communities.” The public facilities goal includes three strategies related to recreational needs:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Establish McKernan Creek Regional Trail

The Community Plan includes six Parks Policies (Community Plan Goal 5, policies a through f) and six McKernan Creek Regional Trail Policies (Community Plan Goal 5, policies n through s) to implement these strategies.

In addition to the existing recreational facilities, the Cooper Mountain Community Plan identifies a range of park types and uses that will be incorporated across the Community Plan area. Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

The Community Plan identifies one new community park site, located in the southwest corner of the plan area. The location is adjacent to McKernan Creek and the neighborhood center along Tile Flat Road. This location provides a larger park amenity near the intersection of important green spaces, higher density residential development, and good transportation access for a variety of travel modes. As a larger park, the new community park could serve the entire Cooper Mountain area and beyond and provide sports fields and active recreation, activities which typically require more space.

The Community Plan identifies eight new neighborhood park sites across the plan area. The neighborhood parks range in size, typically 2-3 acres. Some sites could serve nearby high-density housing, and others could provide public access to high quality viewpoints and/or views of natural resource areas. The Community Plan also provides guidance regarding urban plazas and trailhead parks, and specific locations for those facilities will be identified through the land use and development processes.

The Community Plan identifies the preferred location of a new regional trail along McKernan Creek, with connections to the existing THPRD trail network. Additional trail alignments are identified that connect neighborhoods to existing and future parks, schools, and neighborhood centers.

The plan area is fully within the boundary of the Tualatin Hills Park & Recreation District service planning area. THPRD's Comprehensive Plan (2023) includes planning for parks and recreation facilities and services across the plan area. THPRD's planning documents include the Comprehensive Plan (2023), Parks Functional Plan (2019), Trails Functional Plan (2016), Natural Resources Functional Plan (2014), Athletic Facilities Functional Plan (2016), and Programs Functional Plan (2023). Each plan identifies existing conditions, future conditions, and standards for developing new parks, trails, facilities, and services.

The THPRD Parks Functional Plan identifies the size, typical amenities, and levels of service that should be included in each future park to meet the needs of surrounding neighborhoods. The THPRD Trails Functional Plan includes plans for a regional trail (McKernan Creek Trail) and several community trails across the plan area. These trails are consistent with the proposed amendments that add trail segments transportation system plan in Volume IV of the city's Comprehensive Plan.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Conclusion: Staff finds that the Comprehensive Plan amendment provides for recreational needs, consistent with Goal 8.

STATEWIDE PLANNING GOAL 9 – ECONOMIC DEVELOPMENT

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

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016, and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis). The Economic Opportunities Analysis (EOA) was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. In addition, as part of the Cooper Mountain Community Plan project, the city also completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). CPMA42024-00679 proposes new commercial policies in the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), as well as new policies in Volume I Chapter 3 (Land Use) of the

Comprehensive Plan, which are based off the citywide EOA and Cooper Market Analyses. Findings for OAR 660-009 provide additional information on the proposed policies in CPMA42024-00679, and how they relate to the proposed amendments in ZMA42024-00681 and TA42024-00679.

Conclusion: Staff finds that the Comprehensive Plan amendment provides for economic development, consistent with Goal 9.

STATEWIDE PLANNING GOAL 10 - HOUSING

To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Response: Beaverton’s Housing Needs Analysis (HNA) was adopted by City Council in September 2023, along with a Housing Production Strategy Report. The HNA includes a Buildable Lands Inventory (BLI) that was completed in October 2022. The BLI study area included the Cooper Mountain Community Plan area. Citywide, the HNA determined that there is a projected total need for 9,887 new housing units by 2042 (Table 2), and that the remaining land capacity could provide 14,987 units of different types within the study area (a surplus capacity of 5,100 units). Of the available capacity, Cooper Mountain accounted for approximately 5,000 units of the 14,987 units. In sum, the analysis found sufficient land capacity for housing at all densities to accommodate the 20-year growth forecast. The state Department of Land Conservation and Development (DLCD) found the HNA to be consistent with the requirements of Statewide Planning Goal 10.

Table 2: Estimate of 20-year Housing by Tenure and Housing Type (2042)

Unit Type	Total units	Percentage
Single-detached homes	2,692	27.2
Middle housing - Townhome	1,609	16.3
Middle housing - Duplex	727	7.3
Middle housing - Triplex or Quadplex	1,214	12.3
Multi-dwellings (5+ units)	3,215	32.5
Manufactured home	429	4.3
Total	9,887	100 ¹

¹ Percentages might not add up to 100 percent because of rounding.

At the same time that Beaverton’s citywide HNA was being updated, the Cooper Mountain Community Plan was already underway. As part of the Cooper Mountain Community Plan project, city staff completed a BLI for the plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. The updated methodology is described in Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate (Exhibit 22).

In short, the Cooper Mountain BLI (2024) determined that there are 328.7 developable acres in the plan area. Within this acreage, the Cooper Mountain housing estimate is 4,469 housing units across four Cooper Mountain zoning districts (42.9 single-detached homes, 32.8 percent middle housing and 24.2 multi-dwellings). The 2024 revised housing estimate of 4,469 housing units is similar to the 2022 citywide housing estimate of 5,000 housing units, with a key difference being that the 2024 revised housing estimate was, again, based on a refined methodology and updated plan information. A more detailed analysis is summarized in the findings for OAR 660-007-0045 and Exhibit 22.

To sum it up, the 2023 HNA estimates a 20-year housing need of 9,887 units and land capacity of 14,987 units, including 5,000 units in Cooper Mountain. The updated Cooper BLI now estimates 4,469 units, which is reasonably close to the original estimate. Even though 4,469 units (2024 Cooper BLI) is slightly less than 5,000 units (2023 HNA), the 2023 HNA indicates that there is still more than enough land capacity elsewhere in the city to meet the overall housing need, with a new citywide capacity estimate of 14,456 units, which is still much higher than 9,887 units.

CPMA42024-00679 proposes amendments to the Comprehensive Plan that would help meet the housing needs established in the Cooper Mountain BLI (2024).

- **Volume V.** Proposed amendments include the addition of the Cooper Mountain Community Plan, which establishes a long-term vision for Cooper Mountain’s growth and development to support welcoming, walkable neighborhoods. The Community Plan anticipates at least 4,500 homes, with about 5,000 likely because of flexible rules that allow middle housing throughout the plan area. The Community Plan’s housing goal is to provide new housing in a variety of housing types and for all income levels. Community Plan housing policies that implement this goal include:
 - **Policy a)** The city will promote housing consistent with the Housing Element, which is Volume I Chapter 4 of the Comprehensive Plan.
 - **Policy b)** The city will increase housing supply by establishing minimum densities as a tool to ensure the planned number of homes in the Community Plan is implemented.
 - **Policy c)** The city will promote affordable rental and home ownership housing choices in every neighborhood in a variety of housing types consistent with

the city’s identified housing needs. The city should consider a target of at least 450 regulated affordable homes in Cooper Mountain.

- **Policy d)** Include housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.
- **Policy e)** Integrate housing types in neighborhoods and developments so many housing needs can be met throughout Cooper Mountain.
- **Volume I.** Proposed amendments to implement the Cooper Mountain Community Plan include a new land use map in Chapter 3 (Land Use) to include three new Cooper Mountain land use designations (Table 3). The Land Use Map determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations.

Table 3. Comprehensive Plan and Zoning District Matrix

Land Use Designation	Implementing Zoning Districts
Cooper Mountain Commercial	CM-CS – Cooper Mountain - Community Service
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential CM-MR – Cooper Mountain - Multi-dwelling Residential CM-RM – Cooper Mountain - Residential Mixed
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed

Below is more information about each proposed land use designation:

- **Cooper Mountain Commercial.** Provides for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities. Allows residential uses. This land use designation only has one implementing zoning district: CM-CS. As described in the proposed amendments covered by TA42024-00680, CM-CS allows significant residential development with a focus on multi-dwellings and middle housing.
- **Cooper Mountain Mixed Use Corridor.** Promotes a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan. This land use designation allows three very different zoning districts to be applied: CM-HDR, CM-MR and CM-RM. This was done to allow property owners flexibility about how those three zones could be applied on their property.
 - The CM-HDR district is intended to be primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses also are allowed.

- The CM-MR district is intended to result in predominantly residential developments with a focus on multi-dwellings and middle housing.
- The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
- **Cooper Mountain Lower Density Neighborhoods.** Promotes equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods. This land use designation only has one implementing zoning district: CM-RM.

In addition, proposed amendments to Chapter 3 include new or updated policies that, for example, require residential zones with higher minimum densities to be distributed throughout all developable subareas in the plan area and promote applying mixed-use land use designations in locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Other existing policies in Chapter 3 (Land Use) and Chapter 4 (Housing) already allow and encourage a variety of housing types in all residential neighborhoods, such as duplexes, triplexes, quadplexes, townhomes, cottage clusters and multi-dwellings with at least five units to provide increased opportunities for different types and sizes of families to live in Beaverton.

Beaverton's HNA (2023) indicated that there is currently a need for more ownership housing at lower price points; and for rental housing, the greatest unmet need is found at the lowest end of the income scale. The HNA also concluded that more middle housing and a smaller share of single-detached homes are anticipated to be needed. The proposed amendments in CPMA42024-00679 create a plan, along with goals and policies, that address these housing needs.

To implement the Cooper Mountain Community Plan and other Comprehensive Plan updates, ZMA42024-00681 proposes Zoning Map changes and TA42024-00680 proposes Development Code changes. The proposed Zoning Map for Cooper Mountain identifies geographic locations where different development rules apply for the four new Cooper Mountain zoning districts. Generally, the Development Code changes implement Comprehensive Plan policies by establishing site development standards for the four new zoning districts (such as minimum density); providing more flexibility with site development standards to make it easier to build a variety of housing types throughout the plan area, which includes many challenging sites with steep terrain and extensive natural resources; establishing standards for housing variety and integration in new developments; and providing incentives for visitable housing, among many other rules.

Compliance with Statewide Planning Goal 10 is also described in findings for Statewide Planning Goal 10 in the TA42024-0080 section, which describe how housing variety and

integration requirements in Beaverton Development Code Section 20.22 will help the city meet its housing needs, as well as how the Planned Unit Development option in Beaverton Development Code Section 60.36 incentivizes the production of needed housing; and are incorporated here by reference.

Conclusion: Therefore, staff finds the Comprehensive Plan amendment is consistent with Goal 10.

STATEWIDE PLANNING GOAL 11 – PUBLIC FACILITIES & SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Response: The city's Comprehensive Plan states that the City's Public Facilities Plan consists of Volume I, Chapter 5 of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation. The proposed amendments include planning to extend public facilities across the Community Plan area.

The city previously completed public facility planning for the Cooper Mountain Community Plan area as part of the South Cooper Mountain Community Plan, December 2014. The adopted plan includes transportation and infrastructure provisions that extend across the plan area.

The Cooper Mountain Community Plan project followed a phased approach that involved identifying issues and opportunities, developing "plan concepts" to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan. The process included an evaluation of existing public facilities and alternatives to provide public facilities to potential development areas.

The Cooper Mountain Community Plan includes goals and policies related to public facilities and infrastructure. Community Plan Goal 5 is to "Provide public facilities and infrastructure needed for safe, healthy communities." The public facilities goal will be implemented through the following strategies:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Coordinate and implement utility plans
- Establish McKernan Creek Regional Trail

The city has prepared a Cooper Mountain Utility Plan (Exhibit 24) that identifies a plan for the extension of public utilities (water, sanitary sewer, and stormwater) to provide service to the urbanizable area of the plan area. The proposed amendments add The Cooper Mountain Utility Plan to the list of documents that compose the City’s Public Facilities Plan in Volume I, Chapter 5 of the Comprehensive Plan. Rural areas will continue to be served by existing private or public utilities until the time that those properties annex into the city and develop at a higher intensity use.

Community Plan Goal 6 is to “Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.” The transportation goal will be implemented through the following strategies:

- Create complete streets
- Provide many active transportation choices and connections
- Plan and design for transit readiness
- Create a connected network

The proposed amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city’s Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network of trails/paths to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan.

The proposed amendments do not change the proposed solid waste disposal planning. Solid waste disposal sites, including sites for inert waste, are the responsibility of Metro.

Counties shall develop and adopt community public facility plans regulating facilities and services for certain unincorporated communities outside urban growth boundaries as specified by Commission rules.

Response: This requirement does not apply to the city.

Local Governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries, except where the new or

extended system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land.

Response: The Cooper Mountain Utility Plan identifies a plan for providing sewer systems within the urban growth boundary and does not propose extension of sewer systems outside the urban growth boundary or unincorporated community boundaries.

Local governments may allow residential uses located on certain rural residential lots or parcels inside existing sewer district or sanitary authority boundaries to connect to an existing sewer line under the terms and conditions specified by Commission rules. Local governments shall not rely upon the presence, establishment, or extension of a water or sewer system to allow residential development of land outside urban growth boundaries or unincorporated community boundaries at a density higher than authorized without service from such a system.

Response: The proposed amendments would change the allowable uses throughout the planning area to allow residential uses. The proposed amendments only apply within the urban growth boundary and do not plan for the extension of water or sewer service outside the urban growth boundary.

In accordance with ORS 197.180 and Goal 2, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties.

Response: This requirement does not apply to the city.

Goal 11 guidelines include:

A. PLANNING

- 1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.**
- 2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.**
- 3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.**
- 4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.**

5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.

6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.

7. Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

Response: The comprehensive plan states that the City’s Public Facilities Plan consists of Volume I, Chapter 5 of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City’s Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation.

The development of the Cooper Mountain Community Plan included planning to extend public facilities to and through the plan area. The proposed amendments include modifications to the Transportation System Plan (Comprehensive Plan, Volume IV) to provide transportation planning for the Cooper Mountain Community Plan area.

Goal 11 defines urban facilities and services to include police protection, sanitary facilities, storm drainage facilities, planning, zoning, and subdivision control, health services, recreation facilities and services, energy and communication services, and community government services. The planning for each service is described below:

Police Protection – The plan area is currently served by Washington County. Upon annexation, properties within the plan area will receive police protection from the City of Beaverton.

Sanitary and Storm Drainage Facilities – The Cooper Mountain Utility plan includes evaluation of the existing public utilities for water, sewer, and stormwater, and includes plans to extend each of those services into the plan area. Upon annexation, sanitary sewer services would be provided by the City of Beaverton and Clean Water Services. The City and Clean Water Services operate under an intergovernmental agreement to provide public facilities for sanitary sewer and storm drainage.

Planning, Zoning, and Subdivision Control – The proposed amendments include development rules that will guide the land use process, establish zoning, and manage land divisions at the time the properties are annexed into the city.

Health Services – The proposed amendments do not impact planning for health-related services. The area continues to be served by Tualatin Valley Fire & Rescue and Washington County Public Health. Many organizations and businesses provide private health care

services to in the community. The proposed zoning would allow additional services to be located within the plan area.

Recreation Facilities and Services – The plan area includes two existing recreational facilities. Cooper Mountain Nature Park covers 140 acres within the plan area and an additional 90 acres adjacent to the plan area. The park is owned by Metro, with programming offered by Tualatin Hills Park & Recreation District. Winkelman Park is a 19-acre park, owned by THPRD, that includes a multi-purpose youth athletic field, a paved walking trail, and an off-leash dog park.

In addition to the existing recreational facilities, the Cooper Mountain Community Plan identifies a range of park types and uses that will be incorporated across the Community Plan area. Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

Energy and Communication Services – The plan area is served by franchise utilities for energy and communication services. Those services are typically located along transportation corridors in public rights of way. Energy and communication services can be expanded as public rights of way are dedicated during the development of neighborhoods in the plan area.

Community Governmental Services – The plan area was added to the Metro urban growth boundary in 2018. Community governmental services are currently provided by Washington County. Upon annexation, properties within the plan area would be served by the City of Beaverton.

In addition, Statewide Planning Goal 11 is implemented through OAR 660-011. Responses to the criteria for OAR 660-011 are included later in these findings and incorporated here by reference.

Conclusion: Staff finds the Comprehensive Plan amendment includes plans to provide a timely, orderly, and efficient arrangement of public facilities and services, consistent with Goal 11. This criterion is met.

STATEWIDE PLANNING GOAL 12 - TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Response: The City of Beaverton has an existing adopted Transportation System Plan that was found to be consistent with Goal 12. The proposed amendments would amend the city's existing Transportation System Plan related to the Cooper Mountain Urban Growth Boundary expansion area, with updates found in the following locations:

- Exhibit 1: Funding Plan (appendix to the Cooper Mountain Community Plan

- Exhibit 2: Comprehensive Plan Volume I, specifically Chapter 6
- Exhibit 6: Comprehensive Plan Volume IV, Chapter 2
- Exhibit 7: Comprehensive Plan Volume IV, Chapter 4
- Exhibit 8: Comprehensive Plan Volume IV, Appendix O
- Exhibit 9: Comprehensive Plan Volume IV, Appendix P

Findings related to Statewide Planning Goal 12 are found in the CPMA, ZMA, and TA application findings related to OAR 660-012, Metro Regional Transportation Plan, Metro Regional Transportation Functional Plan, and Beaverton Comprehensive Plan Chapter 6 goals and policies, which are incorporated here by reference.

Conclusion: This criterion is met.

STATEWIDE PLANNING GOAL 13 – ENERGY CONSERVATION

To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: As described in the findings for Goal 5, Goal 10, and Goal 12, which are incorporated here by reference, the Cooper Mountain Comprehensive Plan policies promote housing variety, efficient use of land, sufficient open space, and reduced automobile travel/greenhouse gas emissions consistent with development being energy efficient. In addition, existing city Comprehensive Plan goals and policies (specifically Goal 7.5 and its policies) already promote development that results in reduced energy consumption and enables renewable energy.

Conclusion: This criterion is met.

STATEWIDE PLANNING GOAL 14 - URBANIZATION

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

Response: Goal 14 requires urban growth boundaries to be established and expanded based on need consistent with state law. The Metro regional government approved the Cooper Mountain urban growth boundary expansion in 2018 and made Goal 14 findings at the time.

Goal 14 guidelines include:

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area;(2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Metro’s findings addressed Goal 14 topics including the guidelines above at the time of urban growth boundary expansion. The proposed amendments also include goals, policies, and land use regulations that promote housing, natural resource protection, parks/open space, streets, and public facilities. The amendments also include changes to the city’s public facilities plan. The Cooper Mountain Utility Plan describes how public facilities will be provided along with development. The Cooper Mountain Infrastructure Funding Plan that is included as an appendix to the Cooper Mountain Community Plan (Exhibit 1, Appendix C) identifies funding sources and strategies for each category of infrastructure and whether resources are expected to be available to cover the estimated costs. Services are provided by the city as well as service providers, including Clean Water Services (stormwater and sewer), Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, Tualatin Hills Water District, Metro, Washington County, and Beaverton School District. Each of those agencies have capital improvement plans, capital budgets, and funding sources for ongoing service provision as well as financing public facility capital investments. Beaverton Comprehensive Plan Section 5.2 Public Facilities Plan states that the city’s Public Facilities Plan “consists of ... the most recent version of master plans adopted by providers of the following facilities and services in the City” and includes storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation on that list.

Conclusion: The proposed amendments are consistent with Statewide Planning Goal 14. This criterion is met.

OAR 660-007 – METROPOLITAN HOUSING

660-007-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.
- (3) Subject to section (1), this rule does not infringe on a local government’s prerogative to:
 - (a) Set approval standards under which a particular housing type is permitted outright;
 - (b) Impose special conditions upon approval of a specific development proposal; or
 - (c) Establish approval procedures.

Response: Beaverton’s Comprehensive Plan includes policies that call for effective planning and development review services, such as Policy 3.4.1 a) Ensure that development regulations are consistent with and implement the Comprehensive Plan, and Policy 4.1.1.h) Provide an efficient, consistent, and reliable development review process. Development review processes are efficient when approval criteria for land use applications is based on clear and objective standards, which are easier and faster for staff to review and approve.

TA42024-00680 includes amendments that describe clear and objective standards applicable to housing developments in Cooper Mountain and citywide, which implements Comprehensive Plan Policy 3.4.1.a) and Policy 4.1.1.h). Compliance with OAR 660-007-0015 for CPMA42024-00679 is described in more detail in the findings for OAR 660-007-0015 for TA42024-00680 and are incorporated here by reference.

660-007-0018 Specific Plan Designations Required

- (1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be considered to be "residential plan designations" for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in OAR 660-007-0030 through 660-007-0037.**

...

Response: All land use designations and zoning districts in Cooper Mountain either require or allow residential uses. Comprehensive Plan Chapter 3 amendments provide land use designations and corresponding implementing zoning districts (found in the proposed Comprehensive Plan and Zoning District Matrix under Goal 3.4.1) for the Cooper Mountain Community Plan area.

Compliance with OAR 660-007-0018 was described above in findings for Statewide Planning Goal 10, which describes each proposed Comprehensive Plan land use designation and implementing zoning district and are incorporated here by reference.

Furthermore, findings for OAR 660-007-0030, 660-007-0035 and 660-007-0045 also demonstrate that the existing Comprehensive Plan (Volumes I, II and V); proposed amendments to the Comprehensive Plan covered by CPMA42024-00679; and proposed amendments in ZMA42024-00681 and TA42024-00680, which implement the Comprehensive Plan; collectively result in plan designations assigned to buildable land that accommodates the varying housing types and densities required by OAR 006-007.

660-007-0022 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing on or after its first periodic review shall either justify such restriction by an analysis of housing need according to tenure or otherwise demonstrate that such restrictions comply with ORS 197.303(1)(a) and 197.307(3).

Response: The proposed amendments do not restrict the construction of either rental or owner occupied housing; therefore, this criterion is not applicable.

660-007-0030 New Construction Mix

- (1) Jurisdictions other than small developed cities must either 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. Factors to be considered in justifying an alternate percentage shall include, but need not be limited to:**

- (a) Metro forecasts of dwelling units by type;**

- (b) Changes in household structure, size, or composition by age;
- (c) Changes in economic factors impacting demand for single family versus multiple family units; and
- (d) Changes in price ranges and rent levels relative to income levels.

(2) The considerations listed in section (1) of this rule refer to county-level data within the UGB and data on the specific jurisdiction.

Response: In September 2023, the Beaverton City Council adopted an updated Housing Needs Analysis (May 2023) which includes an updated BLI and assumptions for new construction mix in the HNA study area, which covered the City of Beaverton and the Cooper Mountain Community Plan area. Appendix C of the HNA, Projected Future Housing Need, states that there will be a projected growth of 9,887 households in the 20-year period. Appendix F, the Buildable Lands Inventory, reports that there is residential capacity in Beaverton for 14,987 more units, which is sufficient for meeting future housing needs. Of the 14,987 units, the Buildable Lands Inventory shows capacity for 5,122 units in the Medium-Density zoning category, which typically includes attached single family housing, manufactured homes, and plexes with 2-4 units. The Buildable Lands Inventory also shows capacity for 4,082 units in the High-Density zoning category, which typically includes multi-dwelling housing. Together, this accounts for 9,204 units, or 61.4 percent of new residential units. The Low-Density zoning category can also accommodate townhomes and plexes, so this percentage could be even higher. This far exceeds the 50 percent required.

In addition, city staff completed a BLI for the Cooper Mountain Community Plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. Based on these updated calculations, all four Cooper Mountain zoning districts can support 42.9 percent single-detached home and 57 percent middle housing and multi-dwelling units combined. Again, this exceeds the 50 percent required. A more detailed explanation of this analysis is described in the findings for 660-007-0045 and is incorporated here by reference.

660-007-0033 Consideration of Other Housing Types

Each local government shall consider the needs for manufactured housing and government assisted housing within the Portland Metropolitan UGB in arriving at an allocation of housing types.

Response: Beaverton's HNA, approved by City Council in September 2023, considered the needs for all housing types, including manufactured housing and government assisted housing within the Portland Metropolitan UGB. In the HNA, Appendix C, Projected Future Housing Needs, forecasts future housing needs over the 20-year planning period (2022-2042). Figure 2.5 in Appendix C shows an estimated need for 429 more manufactured homes, which account for 4.3 percent of total units needed by 2042. In addition to

manufactured housing, Appendix C also describes government-subsidized housing as important for fulfilling housing needs at the very lowest income levels. Figure 2.4 in Appendix C estimates that 33 percent of new units should serve residents who earn less than 80 Area Median Income.

To meet the housing needs established by the updated HNA, the proposed amendments in TA42024-00680 indicate that manufactured and mobile homes are permitted in all four proposed Cooper Mountain zoning districts, and manufactured home parks are permitted in the CM-RM zoning district.

660-007-0035 Minimum Residential Density Allocation for New Construction

The following standards shall apply to those jurisdictions which provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing:

...

- (3) Multnomah County and the cities of Portland, Gresham, Beaverton, Hillsboro, Lake Oswego and Tigard must provide for an overall density of ten or more dwelling units per net buildable acre. These are larger urbanized jurisdictions with regionally coordinated population projections of 50,000 or more for their active planning areas, which encompass or are near major employment centers, and which are situated along regional transportation corridors.**

...

Response: Beaverton’s HNA, approved by City Council in September 2023, added an updated BLI (Appendix F) to the Comprehensive Plan. In Appendix F, Table 2 shows 498.9 acres of residential land that are developable within the study area, which consists of the area within city limits plus the Cooper Mountain Community Plan area. Table 13 in Appendix F shows capacity for 14,987 units within the study area. Dividing the units by the acres available results in 30 units per net buildable acre. This far exceeds the 10 units per net buildable acre minimum.

Within the Cooper Mountain Community Plan area, the minimum density for the CM-CS, CM-HDR and CM-MR zoning districts is 34 units per acre and the minimum density for the CM-RM district is 10 units per acre. Inside the plan area, developable acreage is 373.7 acres and the housing estimate is 4,469 units, which results in approximately 12 units per buildable acre for the overall plan area. A more detailed analysis is described in the findings for OAR 660-007-0045.

660-007-0045 Computation of Buildable Lands

- (1) The local buildable lands inventory must document the amount of buildable land in each residential plan designation.**

(2) The Buildable Land Inventory (BLI): The mix and density standards of OAR 660-007-0030, 660-007-0035 and 660-007-0037 apply to land in a buildable land inventory required by OAR 660-007-0010, as modified herein. Except as provided below, the buildable land inventory at each jurisdiction's choice shall either be based on land in a residential plan/zone designation within the jurisdiction at the time of periodic review or based on the jurisdiction BLI at the time of acknowledgment as updated. Each jurisdiction must include in its computations all plan and/or zone changes involving residential land which that jurisdiction made since acknowledgment. A jurisdiction need not include plan and/or zone changes made by another jurisdiction before annexation to a city. The adjustment of the BLI at the time of acknowledgment shall:

- (a) Include changes in zoning ordinances or zoning designations on residential planned land if allowed densities are changed;**
- (b) Include changes in planning or zoning designations either to or from residential use. A city shall include changes to annexed or incorporated land if the city changed type or density or the plan/zone designation after annexation or incorporation;**
- (c) The county and one or more cities affected by annexations or incorporations may consolidate buildable land inventories. A single calculation of mix and density may be prepared. Jurisdictions which consolidate their buildable lands inventories shall conduct their periodic review simultaneously;**
- (d) A new density standard shall be calculated when annexation, incorporation or consolidation results in mixing two or more density standards (OAR 660-007-0035). The calculation shall be made as follows:**

(A)

- (i) BLI Acres x 6 Units/Acre = Num. of Units;**
- (ii) BLI Acres x 8 Units/Acre = Num. of Units;**
- (iii) BLI Acres x 10 Units/Acre = Num. of Units;**
- (iv) Total Acres (TA) — Total Units (TU).**

(B) Total units divided by Total Acres = New Density Standard;

(C) Example:

(i) Cities A and B have 100 acres and a 6-unit-per-acre standard: (100 x 6 = 600 units); City B has 300 acres and a 10-unit-per-acre standard: (300 x 10 = 3000 units); County has 200 acres and an 8-unit-per-acre standard: (200 x 08 = 1600 units); Total acres = 600 — Total Units = 5200.

(ii) 5200 units divided by 600 acres = 8.66 units per acre standard.

(3) Mix and Density Calculation: The housing units allowed by the plan/zone designations at periodic review, except as modified by section (2) of this rule, shall be used to calculate the mix and density. The number of units allowed by the plan/zone designations at the time of development shall be used for developed residential land.

Response: City staff completed a Buildable Lands Inventory (BLI) for the Cooper Mountain Community Plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. The adopted citywide HNA (2023) included a BLI documenting the amount of buildable land for each residential plan designation.

In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. The updated methodology is described in Exhibit 22 (Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate).

Currently, all land inside the Cooper Mountain Community Plan area is in unincorporated Washington County and zoned as Future Development, 20-acre District (FD-20). The FD-20 District applies to the unincorporated urban lands added to the UGB by Metro through a Major or Legislative Amendment process after 1998. The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. Essentially, the minimum lot area shall be 20 acres until the land is annexed by the City of Beaverton. Unlike other County zones, the County doesn't list a density standard for the FD-20 District, only dimensional standards.

Upon annexation, all properties that were zoned as FD-20 (county land use zoning) will be assigned one of four Cooper Mountain zoning districts (Table 4). All four Cooper Mountain zoning districts allow residential uses. The amount of buildable land in each zoning district described below is based on the Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate.

Table 4. Developable Acres in Cooper Mountain Zoning Districts

Cooper Mountain Zoning District	Developable Acres
Cooper Mountain – Community Service (CM-CS)	11 acres
Cooper Mountain – High Density Residential (CM-HDR)	13.5 acres
Cooper Mountain – Multi-Unit Residential (CM-MR)	20.6 acres
Cooper Mountain – Residential Mixed (CM-RM)	328.7 acres

The minimum density for each of the four Cooper Mountain Zoning Districts is described in Table 5, along with developable acreage and housing estimates per zoning district. The

minimum density standards for each zoning district complies with (OAR 660-007-0030 and 660-007-0035).

Table 5. Cooper Mountain Housing Estimate

Cooper Mountain Zoning District	Developable Acres¹	Minimum Density: Units Per Net Acre	Housing Estimate Units
Cooper Mountain – Community Service (CM-CS)	11	34	258
Cooper Mountain – High Density Residential (CM-HDR)	13.5	34	317
Cooper Mountain – Multi-Unit Residential (CM-MR)	20.6	34	696
Cooper Mountain – Residential Mixed (CM-RM)	328.7	10	3,198
Total	373.7²		4,469

¹ Developable acres is defined in Exhibit 22, which describes how unconstrained partially vacant acres and unconstrained totally vacant acres factor into the calculation.

² Developable acres for each district might not add up to total because of rounding.

The housing type estimates for each Cooper Mountain Zoning district is listed in Table 6. The required housing mix for each zoning district complies with (OAR 660-007-0030 and 660-007-0035).

Table 6. Cooper Mountain Housing Types Estimate

Cooper Mountain Zoning District	Total units	Single-detached homes	Middle Housing	Multi-dwellings
Cooper Mountain – Community Service (CM-CS):	258	0	38	220
Cooper Mountain – High Density Residential (CM-HDR)	317	0	47	270
Cooper Mountain – Multi-Unit Residential (CM-MR)	696	0	104	592

Cooper Mountain Zoning District	Total units	Single-detached homes	Middle Housing	Multi-dwellings
Cooper Mountain – Residential Mixed (CM-RM)	3,198	1,919	1,279	0
Total	4,469	1,919	1,468	1082
Percentage ¹		42.9	32.8	24.2

¹ Percentages might not add up to 100 percent because of rounding.

The calculations in the Cooper-specific 2024 BLI addendum (Exhibit 22) are substantially similar to the calculations in the 2023 citywide HNA (Volume II: Background & Supporting Material of the Beaverton Comprehensive Plan). The citywide HNA includes a BLI that was completed in October 2022. The study area for the citywide BLI included the Cooper Mountain Community Plan area. Citywide, the analysis found sufficient land capacity for housing at all densities to accommodate the 20-year growth forecast. Specifically, the citywide BLI determined that there is a projected total need for 9,887 new housing units by 2042, the remaining land capacity could provide 14,987 units of different types within the study area, which reflects a surplus capacity of 5,100 units. Of the available capacity, Cooper Mountain accounted for approximately 5,000 units of the 14,987 units in the October 2022 BLI.

OAR 660-007-0045(2)(c) and (d) are not applicable to this project.

660-007-0060 Applicability

- (1) The new construction mix and minimum residential density standards of OAR 660-007-0030 through 660-007-0037 shall be applicable at each periodic review. During each periodic review local government shall prepare findings regarding the cumulative effects of all plan and zone changes affecting residential use. The jurisdiction's buildable lands inventory (updated pursuant to 660-007-0045) shall be a supporting document to the local jurisdiction's periodic review order.**
- (2) For plan and land use regulation amendments which are subject to OAR 660, Division 18, the local jurisdiction shall either:**
 - (a) Demonstrate through findings that the mix and density standards in this Division are met by the amendment; or**
 - (b) Make a commitment through the findings associated with the amendment that the jurisdiction will comply with provisions of this Division for mix or density through subsequent plan amendments.**

Response: The proposed amendments are subject to OAR 660-018, so (2) applies. The mix and density standards required by this division are described in the findings for 660-007-0030, 660-007-0035 and 660-007-0045, and are incorporated here by reference. The City of Beaverton commits to complying with provisions of this Division for mix and density standards through subsequent plan amendments.

Conclusion: The proposed amendments are consistent with OAR 660-007. This criterion is met.

OAR 660-008 – INTERPRETATION OF GOAL 10 HOUSING

660-008-0010 Allocation of Buildable Land

- (1) The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.
- (2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the following provisions apply to local governments that are subject to OAR 660-012-0310(2):
 - (a) Following the initial designation of climate-friendly areas as required in OAR 660-012-0315, local governments shall maintain climate-friendly area zones with sufficient zoned residential building capacity to contain at least 30 percent of current and projected housing needs. However, the local government shall determine housing capacity within the climate-friendly area for the purpose of meeting identified housing needs as required by Goal 10 and this division in a manner consistent with ORS 197.296(5).
 - (b) The local government shall calculate the zoned residential building capacity within climate-friendly areas consistent with the provisions of OAR 660-012-0315(2), or utilizing an alternative methodology as provided in OAR 660-012-0320(10). The local government shall include demonstration of compliance with this requirement in each subsequent Housing Capacity Analysis.
 - (c) The local government shall establish land use requirements in climate-friendly areas as provided in OAR 660-012-0320 for any newly designated climate-friendly area concurrent with or prior to the adoption of a Housing Capacity Analysis.

Response: Compliance with OAR 660-008-0010(1) was described above in findings for OAR 660-007-0030, which describes how the city's 2023 HNA examines sufficient buildable lands to satisfy housing needs by type; and OAR 660-007-0035, which describes minimum densities in residential areas, are incorporated here by reference. Findings are not

provided for OAR 660-008-0010(2) since that does not apply to cities/counties within the Portland Metropolitan Area; therefore, it is not applicable.

660-008-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.**
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:**
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);**
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and**
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.**
- (3) Subject to section (1), this rule does not infringe on a local government's prerogative to:(a) Set approval standards under which a particular housing type is permitted outright;(b) Impose special conditions upon approval of a specific development proposal; or (c) Establish approval procedures.**

Response: Compliance with OAR 660-008-0015 is described above in findings for OAR 660-007-0015, which describes clear and objective standards for the development of needed housing on buildable land; and are incorporated here by reference.

660-008-0020 Specific Plan Designations Required

- (1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be considered to be "residential plan designations" for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in the local housing needs projection.**

(2) A local government may defer the assignment of specific residential plan designations only when the following conditions have been met:

- (a) Uncertainties concerning the funding, location and timing of public facilities have been identified in the local comprehensive plan;
- (b) The decision not to assign specific residential plan designations is specifically related to identified public facilities constraints and is so justified in the plan; and
- (c) The plan includes a time-specific strategy for resolution of identified public facilities uncertainties and a policy commitment to assign specific residential plan designations when identified public facilities uncertainties are resolved.

Response: Compliance with OAR 660-008-0020 is described above in findings for OAR 660-007-0018, which describes plan designations that allow or require residential uses on all buildable land; and are incorporated here by reference.

660-008-0040 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing shall include a determination of housing need according to tenure as part of the local housing needs projection.

Response: Compliance with OAR 660-008-0040 is described above in findings for OAR 660-007-0022, which confirms that the city does not restrict the construction of either rental or owner occupied housing; and are incorporated here by reference.

660-008-0045 Housing Capacity Analysis Deadline

Cities described in ORS 197.296(2)(a)(B) and (10)(c)(B) shall demonstrate sufficient Buildable Lands as scheduled by the Commission.

- (1) The Department shall publish the calendar of Housing Capacity Analyses deadlines for cities identified under ORS 197.296(2)(a)(B) or (10)(c)(B) in Exhibit A.
- (2) The deadline for adoption of a Housing Capacity Analysis in a given year is December 31st.
- (3) A city will be considered to have met its obligation to adopt a Housing Capacity Analysis upon adoption of the Housing Capacity Analysis by ordinance. A subsequent appeal of the Housing Capacity Analysis will not be considered a failure to comply with the deadline provided in Exhibit A provided in section (1).
- (4) Upon adoption of a Housing Capacity Analysis, the deadline for a subsequent Housing Capacity Analysis is as follows:
 - (a) Eight years subsequent for cities that are not within a metropolitan service district; or

(b) Six years subsequent for cities that are within a metropolitan service district.

(5) If a population estimate developed under ORS 195.033 and OAR 660-032-0020 and OAR 660-032-0030 results in a city qualifying under ORS 197.296(2)(a)(B) or (10)(c)(B), the city must adopt a Housing Capacity Analysis within two years of its qualification or the interval provided in section (4), whichever is the longer period.

Response: City staff completed a BLI for the Cooper Mountain Community Plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. The city's Housing Needs Analysis approved in 2023 and acknowledged by DLCD satisfied the city's obligation to adopt a Housing Capacity Analysis. In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. The updated methodology is described in Exhibit 22 (Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate).

Compliance with OAR 660-008-0045 is described above in findings for OAR 660-007-0045, which describes sufficient buildable lands analyzed in citywide and project-specific buildable land inventories; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with OAR 660-008. This criterion is met.

OAR 660-009 – ECONOMIC DEVELOPMENT

660-009-0010 Application

- (1) This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.
- (2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.
- (3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
 - (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030...

- (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.
- (6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis, EOA). The Economic Opportunities Analysis was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The analysis explored the community's economic patterns, potential, strengths, and deficiencies; resulted in policies concerning the economic development opportunities in the community; evaluated the supply of employment sites of suitable sizes and types; and addressed locations and service levels for a variety of industrial and commercial uses. DLCD acknowledged these updates in 2016.

660-009-0015 Economic Opportunities Analysis

Cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land.

- (1) Review of National, State, Regional, County and Local Trends. The economic opportunities analysis must identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends. This review of trends is the principal basis for estimating future industrial and other employment uses as described in section (4) of this rule. A use or category of use could reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors for the use or category of use. Cities and counties are strongly encouraged to analyze trends and establish employment projections in a geographic area larger than the planning area and to determine the percentage of employment growth reasonably expected to be captured for the planning area based on the assessment of community economic development potential pursuant to section (4) of this rule.

- (2) Identification of Required Site Types.** The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses. Cities and counties are encouraged to examine existing firms in the planning area to identify the types of sites that may be needed for expansion. Industrial or other employment uses with compatible site characteristics may be grouped together into common site categories.
- (3) Inventory of Industrial and Other Employment Lands.** Comprehensive plans for all areas within urban growth boundaries must include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use.
- (a) For sites inventoried under this section, plans must provide the following information:**
- (A) The description, including site characteristics, of vacant or developed sites within each plan or zoning district;**
 - (B) A description of any development constraints or infrastructure needs that affect the buildable area of sites in the inventory; and**
 - (C) For cities and counties within a Metropolitan Planning Organization, the inventory must also include the approximate total acreage and percentage of sites within each plan or zoning district that comprise the short-term supply of land.**
- (b) When comparing current land supply to the projected demand, cities and counties may inventory contiguous lots or parcels together that are within a discrete plan or zoning district...**
- (4) Assessment of Community Economic Development Potential.** The economic opportunities analysis must estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. The estimate must be based on information generated in response to sections (1) to (3) of this rule and must consider the planning area's economic advantages and disadvantages. Relevant economic advantages and disadvantages to be considered may include but are not limited to:
- (a) Location, size and buying power of markets;**
 - (b) Availability of transportation facilities for access and freight mobility;**
 - (c) Public facilities and public services;**
 - (d) Labor market factors;**
 - (e) Access to suppliers and utilities;**
 - (f) Necessary support services;**

(g) Limits on development due to federal and state environmental protection laws;
and

(h) Educational and technical training programs.

(5) Cities and counties are strongly encouraged to assess community economic development potential through a visioning or some other public input based process in conjunction with state agencies. Cities and counties are strongly encouraged to use the assessment of community economic development potential to form the community economic development objectives pursuant to OAR 660-009-0020(1)(a).

Response: The citywide Economic Opportunities Analysis (2016) was based on the Beaverton Urban Service Boundary (USB), which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The citywide EOA indicated that there is a resulting forecasted employment land need for over 900 acres over a twenty year horizon, of which 561 is for commercial uses (239 acres of retail, 229.8 acres of office and 92.5 acres of institutional) and 342 is for industrial uses (Cooper Mountain amendments described later will focus on commercial uses only).

In addition, the citywide EOA indicates that the city's capacity for additional employment growth is affected by a limited supply of vacant property. Under the assumed employment growth scenario in the citywide EOA, the capacity within the USB is insufficient to accommodate the projected aggregate twenty year needs for commercial uses. The reconciliation of projected employment needs and available capacity results in a projected shortage of 100 acres of commercial property by 2034. Proposed Cooper Mountain Community Plan amendments would add some land to inside city limits that could modestly meet some of the 20-year retail and office needs identified in the citywide EOA.

As part of the Cooper Mountain Community Plan project, the city completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). This analysis revealed that a small, neighborhood-serving commercial node is likely to be viable in Cooper Mountain, based on an assessment of the expected concentration of households in the likely catchment area. Based on evaluation of comparable developments and the scale of demand, the commercial node could be between 0.5 and 2 acres in size with 15,000 to 30,000 sq. ft. of commercial space. The tenant mix would include personal and experiential services (such as salons and fitness centers), restaurants and cafes, and small medical/dental offices. Because it would be small and neighborhood-serving, it would not draw the kind of crowds that a larger shopping area would; however, to succeed it would need a suitable site with the highest possible visibility and access (such as 175th Avenue at a key intersection). Therefore, the Market Analysis also recommends co-locating the commercial node with a public use that serves as an attraction will also help it succeed.

Several years after the Market Analyses was completed, the Cooper Mountain Community Plan was drafted in April 2023 and updated in August 2024 (Exhibit 1). Since then, several factors have changed:

- **Projected households.** The Market Analyses assumes that the plan area will accommodate 3,760 housing units when fully built out. According to the 2023 Housing Needs Analysis Report, the average household in Beaverton is 2.4 persons per household; therefore, 3,760 housing units translates to about 9,000 new residents. However, the Cooper Mountain Community Plan amendments and Development Code amendments plan for 4,460 housing units and estimate that the total likely will be larger because property owners can choose to exceed the minimum density, including on lots where middle housing is allowed. The city anticipates about 5,000 homes will eventually be built in the area. This translates to between 10,700 and 12,000 new residents (compared to 9,000 new residents in the 2020 calculations).
- **South Cooper Mountain.** Some commercial use is planned in South Cooper Mountain (SCM), but nothing has been built or proposed. There is one Neighborhood Service (NS) zoning district adjacent to Mountainside High School where commercial uses are required, but no commercial development has been proposed yet. There is also a Corridor Commercial (CC) zoning district adjacent to the NS site where commercial development is optional. But again, no commercial development has been proposed. According to the 2020 Market Analyses, SCM was anticipated to accommodate future Main Street commercial development, up to 30,000 sq. ft. of commercial/non-residential use. Both NS and CC zoning districts are within a half-mile of the Cooper Mountain Community Plan area, so they are in within the catchment area that would be frequented by people living in Cooper Mountain.
- **Public engagement.** Through four years of public engagement, community members, including people currently living in South Cooper Mountain and Cooper Mountain, have expressed a strong desire for more commercial uses in the Cooper Mountain plan area so that they do not have to drive as far to access goods and services. Many community members specifically mentioned that if the city is going to plan for even more housing than required in the plan area, then it is even more important to provide places to buy food nearby. In addition, City Council members and Planning Commissioners have also expressed a desire for more commercial uses in the Cooper Mountain plan area so that new residents can live in complete neighborhoods, which would prevent the area from turning into a food desert.

Based on updated information and community feedback, the amendments propose two commercial areas (one in the northeast corner and one in the southwest corner). This provides access to goods and services within one mile of new homes for more residential areas in the Cooper Mountain plan area (one neighborhood center could only serve half of

the plan area according to the “primary trade area” analyses in the Market Analysis, which assumes a one-mile radius around the neighborhood center).

To provide more creativity with when and how developments provide commercial uses on sites where commercial square footage will be required, TA42024-00680 proposes a few ways that developments can benefit from some added flexibility.

660-009-0020 Industrial and Other Employment Development Policies

(1) Comprehensive plans subject to this division must include policies stating the economic development objectives for the planning area. These policies must be based on the community economic opportunities analysis prepared pursuant to OAR 660-009-0015 and must provide the following:

- (a) Community Economic Development Objectives. The plan must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other employment uses desired by the community...**
- (c) Commitment to Provide Adequate Sites and Facilities. The plan must include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations. The plan must also include policies, through public facilities planning and transportation system planning, to provide necessary public facilities and transportation facilities for the planning area...**

Response: As stated above in the findings for OAR 660-009-0010, the Beaverton City Council added the citywide Economic Opportunities Analysis to Volume II of the Comprehensive Plan in 2016, as required by OAR 660-009-0015. The current Comprehensive Plan already has policies that advance the economic development objectives for the city in Chapter 3 (Land Use), Chapter 4 (Housing), Chapter 5 (Public Facilities and Services), Chapter 6 (Transportation), Chapter 8 (Environmental Quality and Safety), Chapter 9 (Economy) and Chapter 10 (Community Health) in Volume I of the Comprehensive Plan.

To provide place-specific policies for the Cooper Mountain plan area, CPMA42024-00679 adds the Cooper Mountain Community Plan to Volume V of the Comprehensive Plan. The Community Plan includes eight goals. The commercial goal reads, “Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.” The Community Plan’s key outcomes for commercial areas are:

- Promote commercial and entrepreneurial opportunities by creating two commercial centers
- Expand opportunities for commercial uses by incorporating mixed-use areas in Cooper Mountain

- Provide for small-scale commercial opportunities near where people live, such as in limited locations in Residential Mixed areas to provide better access to goods and services and more entrepreneurial opportunities

The Community Plan’s commercial goal and desired outcomes are informed by the analysis and conclusions in the Market Analysis for the Cooper Mountain Community Plan (October 2020, which includes potential uses most viable in the plan area (such as a small grocery store, café, florist or bookstore in the retail sector; and medical and health offices, salons, business centers, and childcare facilities in the non-retail sector).

The Community Plan commercial policies are the strategies to implement and achieve the commercial goal for the plan area. They include:

- Policy a) Ensure Cooper Mountain’s commercial areas are pedestrian-oriented, mixed use areas that are focal points for the community. The centers will:
 - i. Implement pedestrian-oriented design, consistent with, Goal 3.6.1, Policy d, of the Land Use Element:
 1. Commercial and mixed-use buildings placed next to the sidewalk with windows, interesting facades, and pedestrian scale design features (e.g., lighting, awnings, and signage) along with the majority of parking behind, above, or beneath development.
 2. Residential buildings with windows and doors facing the street and privacy provided through landscaping, grade changes, and modest setbacks.
 3. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from traffic (by using physical barriers or buffers such as curbside parking, landscaping, trees, and street furniture).
 - ii. Include areas for community gathering, including urban plazas consistent with THPRD standards.
 - iii. Provide direct, convenient access to nearby housing and parks and trail connections to the McKernan Creek Regional Trail, a Metro-designated regional trail, and other nearby trails and bicycle facilities.
- Policy b) Allow small-scale commercial activity within the Cooper Mountain Residential land use designation to provide opportunities for residents to have access to goods and services, provide entrepreneurship opportunities, support at home work options that reduce automobile usage, and create potential places for people to see and meet with fellow neighbors.
- Policy c) Regulate small-scale commercial uses in residential zones through zoning provisions that:

- i. Define allowed and conditional uses as well as prohibited uses
- ii. Limit the scale and configuration of commercial structures to be compatible with the scale of their residential context.

To implement the policies in the Cooper Mountain Community Plan, CPMA42024-00679 also proposes a new Land Use Map and new polices to Volume I Chapter 3 (Land Use) of the Comprehensive Plan. The new Land Use Map includes three new land use designations, all of which allow commercial uses in different ways. The Land Use Map determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations.

Below is more information about each proposed land use designation:

- **Cooper Mountain Commercial (CM-C).** Provides for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities. Allows residential uses. This land use designation only has one implementing zoning district: Cooper Mountain-Community Service (CM-CS). As described in the proposed amendments covered by TA42024-00680, CM-CS allows significant residential development with a focus on multi-dwellings and middle housing.
- **Cooper Mountain Mixed Use Corridor (CM-MUC).** Promotes a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan. This land use designation allows three very different zoning districts to be applied: Cooper Mountain-High Density Residential (CM-HDR), Cooper Mountain-Multi-unit Residential (CM-MR) and Cooper Mountain-Residential Mixed (CM-RM). This was done to allow property owners flexibility about how those three zones could be applied on their property.
 - **CM-HDR** is intended to be primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses also are allowed.
 - **CM-MR** is intended to result in predominantly residential developments with a focus on multi-dwellings and middle housing.
 - **CM-RM** is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
- **Cooper Mountain Residential (CM-R).** Promotes equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods. This land use designation only has one implementing zoning district: CM-RM, which also allows small-scale commercial uses if they meet other requirements in the code.

In addition, new or updated policies in Chapter 3 include locational criteria that describe where the CM-C, CM-MUC and CM-R land use designations shall be applied; where zones that allow commercial uses or a mix of commercial and residential uses in areas shall be applied; how residential zones with higher minimum densities shall be distributed throughout all developable subareas in the plan area; and that mixed-use land use designations shall be applied in locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation, among other policy requirements.

Compliance with OAR 006-009-0020(1)(c) is described in findings for Statewide Planning Goal 11 – Public Facilities & Services, OAR 660-011 – Public Facilities Planning, Metro UGMFP Title 11 – Planning For New Urban Areas, and Comprehensive Plan Goals – Chapter 5 Public Facilities And Services, which describes public facilities planning; and are incorporated here by reference.

Compliance with OAR 006-009-0020(1)(c) is also described in findings for Statewide Planning Goal 12 – Transportation, OAR 660-012 – Transportation Planning, Metro Regional Transportation Functional Plan, Comprehensive Plan Goals – Chapter 6 Transportation, which describes transportation planning; and are incorporated here by reference.

(3) Plans may include policies to maintain existing categories or levels of industrial and other employment uses including maintaining downtowns or central business districts...

Response: The Cooper Mountain Community Plan area is an urban growth boundary expansion area with largely rural development. The intent of the proposed amendments is to facilitate a smooth transition from rural uses to urban uses; therefore, maintaining existing categories of rural uses associated with agricultural land is not desirable or consistent with other OAR requirements, Metro Code, or Comprehensive Plan policies that require urbanization. Therefore, OAR 006-009-0020(3) is not applicable.

(7) Cities and counties are strongly encouraged to adopt plan policies that include additional approaches to implement this division including, but not limited to:

- (a) Tax incentives and disincentives;**
- (b) Land use controls and ordinances . .**

Response: As described above in the findings for OAR 660-009-0020, the Beaverton Development Code allows commercial uses in the CM-CS, CM-HDR and CM-RM districts in different ways. In addition, CM-CS requires a minimum amount of commercial square footage with development to ensure commercial uses are provided in the area, so that residents and visitors have access to goods and services in Cooper Mountain.

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include

amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

- (1) Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.
- (2) Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period...
- (4) If cities and counties are required to prepare a public facility plan or transportation system plan by OAR chapter 660, division 011 or division 012, the city or county must complete subsections (a) to (c) of this section at the time of periodic review. Requirements of this rule apply only to city and county decisions made at the time of periodic review. Subsequent implementation of or amendments to the comprehensive plan or the public facility plan that change the supply of serviceable land are not subject to the requirements of this section. Cities and counties must**

 - (a) Identify serviceable industrial and other employment sites.** The affected city or county in consultation with the local service provider, if applicable, must make decisions about whether a site is serviceable. Cities and counties are encouraged to develop specific criteria for deciding whether or not a site is serviceable. Cities and counties are strongly encouraged to also consider whether or not extension of facilities is reasonably likely to occur considering the size and type of uses likely to occur and the cost or distance of facility extension;
 - (b) Estimate the amount of serviceable industrial and other employment land likely to be needed during the planning period for the public facilities plan. Appropriate techniques for estimating land needs include but are not limited to the following:**

 - (A) Projections or forecasts based on development trends in the area over previous years; and**
 - (B) Deriving a proportionate share of the anticipated 20-year need specified in the comprehensive plan...**

(d) If a city or county is unable to meet the requirements of this section, it must identify the specific steps needed to provide expanded public facilities at the earliest possible time...

(8) Uses with Special Siting Characteristics. Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:

- (a) Identify sites suitable for the proposed use;
- (b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and
- (c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

Response: To implement policies described in findings for OAR 006-009-0020, the proposed amendments also update the Zoning Map, Development Code, Public Facility Plan and Transportation System Plan.

As described above, CPMA42024-00679 proposes a new Land Use Map, which includes three new land use designations, all allow commercial uses in different ways. Each land use designation has implementing zoning district(s), which are listed in the Comprehensive Plan and Zoning District Matrix in Volume I Chapter 3 (Land Use). ZMA42024-00681 proposes amendments that add four new zoning districts to the Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.

- CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

The Market Analyses indicates that the Cooper Mountain plan area could support 30,000 square feet of commercial space (this value was calculated in 2020 before additional analysis was completed, as described in the findings above for OAR 006-009-0015). The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed, significantly more than indicated in the Market Analyses. That includes 25 acres of CM-CS where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of CM-HDR where both commercial and residential are allowed but there is no minimum commercial requirement. CM-CS and CM-HDR zoning districts are applied where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other. Furthermore, these locations meet the locational requirements for commercial nodes as recommended in the Market Analyses, namely an easily visible and accessible location from larger roads.

According to existing Beaverton Development Code Section 40.97, when the city or a property owner applies to change zoning on a site, which is called a Zoning Map

Amendment (ZMA), the proposal must be consistent with the applicable Comprehensive Plan policies to be approved. Proposed amendments in CPMA42024-00679 also include updates to the policies in Volume I Chapter 3 (Land Use) that provide guidance for future ZMAs, which gives property owners even more flexibility with how they choose to develop their site and, if applicable, meet any commercial use requirements.. For example, a property owner with a property zoned for CM-MR in the Mixed Use Corridor could seek a zone change to CM-HDR after annexation since CM-HDR is also an implementing zoning district for Mixed Use Corridor.

In addition, TA42024-00680 includes amendments that would allow small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as SW 175th Ave, Tile Flat-Grabhorn, and east-west collector corridors. Most commercial uses within that district are limited to 1,500 square feet within buildings that would be similar in scale to the housing within that zoning district.

Compliance with OAR 006-009-0025(4) is described in findings for Statewide Planning Goal 11 – Public Facilities & Services, OAR 660-011 – Public Facilities Planning, Metro UGMFP Title 11 – Planning For New Urban Areas, and Comprehensive Plan Goals – Chapter 5 Public Facilities And Services, which describes public facilities planning; and are incorporated here by reference.

Compliance with OAR 006-009-0025(4) is also described in findings for Statewide Planning Goal 12 – Transportation, OAR 660-012 – Transportation Planning, Metro Regional Transportation Functional Plan, Comprehensive Plan Goals – Chapter 6 Transportation, which describes transportation planning; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with OAR 660-009. This criterion is met.

OAR 660-011 – PUBLIC FACILITIES PLANNING

OAR 660-011-0000 Purpose

The purpose of this division is to aid in achieving the requirements of Goal 11, Public Facilities and Services, OAR 660-015-0000(11), interpret Goal 11 requirements regarding public facilities and services on rural lands, and implement ORS 197.712(2)(e), which requires that a city or county shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons.

OAR 660-011-0010(1) lists the items that must be included in the public facilities plan: inventory and condition assessment, list of significant public facility projects, rough cost estimates, a map or written description of each project’s location or service area policy

statements or agreements identifying the provider of each public facility, an estimate of the timing of facility project needs, and a discussion of funding mechanisms.

Subsection (2) states that the plan must include the public facilities listed in OAR 660-011-0005(5), which are water, sewer, and transportation facilities, and may include other facilities or services. Subsection (3) clarifies the relationship between the public facilities plan and other referenced or adopted plans or related documents.

The public facility planning process must address the details from the following sections:

- OAR 660-011-0020: Public facility inventory and determination of future facility projects
- OAR 660-011-0025: Timing of Required Public Facilities
- OAR 660-011-0030: Location of Public Facility Projects
- OAR 660-011-0035: Rough Cost Estimates for Public Facility Projects and Local Review of Funding Mechanisms for Public Facility Systems

OAR 660-011-0045 requires that the adopted public facility plan include a list of facility project titles, a map or written description of the project location or service area, and the policy statements or agreements identifying the provider of each public facility.

Response: The city's comprehensive plan states that the City's Public Facilities Plan consists of Volume I, Chapter 5 of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation. The proposed amendments include planning to extend public facilities across the Community Plan area.

The Cooper Mountain Community Plan includes goals and policies related to public facilities and infrastructure. Community Plan Goal 5 is to "Provide public facilities and infrastructure needed for safe, healthy communities." The city has prepared a Cooper Mountain Utility Plan (Exhibit 24) that identifies a plan for the extension of public utilities (water, sanitary sewer, and stormwater) to provide service to plan area. The Cooper Mountain Utility Plan includes maps and descriptions of the existing inventory of water, sewer, and stormwater utilities in the plan area. It includes maps and descriptions of needed utility projects to provide water, sewer, and stormwater service to each future neighborhood and identifies whether those future utility assets would be owned and managed by the City of Beaverton or a partner agency, such as Clean Water Services for sewer pump stations. The Utility Plan includes project phasing and timing considerations and planning level cost estimates. The proposed amendments add The Cooper Mountain Utility Plan to the list of documents that compose the City's Public Facilities Plan in Volume I, Chapter 5 of the Comprehensive Plan.

Community Plan Goal 6 is to “Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.” The proposed amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city’s Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network trails to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan. A new appendix (Volume IV, Appendix O) is a list of the Cooper Mountain area transportation projects that have been identified to extend the transportation network across the plan area. Appendix O includes the location, description, and planning level cost estimate for each project.

Conclusion: The proposed amendments extend the city’s Public Facilities Plan to the Cooper Mountain Community Plan area, consistent with the requirements of OAR 660-011. This criterion is met.

OAR 660-012 – TRANSPORTATION PLANNING

OAR 660-012 “implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient, and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development.”

660-012-0020 Elements of Transportation System Plans

This OAR subsection requires Transportation System Plans to determine transportation needs as provided in OAR 660-012-0030, which requires identification of transit needs on the local level for local governments.

Response: Transportation needs for the Cooper Mountain Community Plan are identified in the proposed amendment in Appendix P (Exhibit 9) to Beaverton’s Transportation System Plan in addition to other needs identification contained within the city’s Transportation System Plan. Additional information about transportation needs can be found in the Cooper Mountain Transportation Analysis (Exhibit 21).

Conclusion: This criterion is met.

660-012-0060 Plan and Land Use Regulation Amendments

(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.

Response: The proposed amendments would significantly affect an existing or planned transportation facility, specifically related to OAR660-012-0060(c)(B) and (C) below. Each section of (1) is addressed below.

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);

Response: The Cooper Mountain Transportation Analysis evaluates the functional classification of collectors and neighborhood routes proposed as part of the Cooper Mountain Community Plan (as of October 2022). On the periphery of the study area, SW Kemmer Road from SW 190th to SW 175th was identified as an arterial road in the 2014 South Cooper Mountain Concept Plan and is shown as a future arterial in the Cooper Mountain Community Plan Comprehensive Plan amendments. Currently this segment is shown as a collector on Washington County’s functional classification map. The County’s map also includes a “refinement area” for a potential future road that would connect Kemmer Road and Gassner Road to provide a better link between those two streets so people can more easily travel to and from 185th to the north. This refinement area comprises projects No. 5 and No. 16 from the Cooper Mountain Transportation Analysis. Despite this discrepancy in how the transportation network in this area is depicted, it is not the intent of the Cooper Mountain Community Plan to alter the functional classification.

The proposed amendments also propose new roads of Collector and Neighborhood Route classifications within the Cooper Mountain Community Plan area. Those amendments are creating new classifications on future facilities rather than revising the classification of a planned facility.

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

Response: The proposed amendments do not change standards implementing the functional classification of roadways. The proposed amendments apply current roadway classifications to a new growth area for anticipated collector roads and neighborhood routes.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be 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.

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

(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

(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.

Response: Most existing roads in the study area are rural. DKS Associates prepared the Cooper Mountain Transportation Analysis dated February 16, 2023, (see Exhibit 21) that assumed urban upgrades consistent with adopted Transportation System Plans. To evaluate the effects of the Cooper Mountain Community Plan’s proposed land uses on existing or planned transportation facilities pursuant to subsection (c), the analysis evaluated 27 existing intersections and 7 proposed future intersections. Using performance standards (called “Mobility Targets”) described in the analysis, it found the results in Table 7 through Table 10 below.

Table 7. Intersection Operations (2040 p.m. peak)

No.	Intersection	Mobility target	2040 baseline	2040 with Cooper Mountain updates
Study Intersections				
1	Bany Road/ 170th Avenue (signalized)	0.99 v/c	0.91	0.93
2	Bany Road/ 185th Avenue (unsignalized)	0.99 v/c	0.83	0.83
3	Farmington Road/ 185th Avenue (signalized)	0.99 v/c	0.94	0.96
4	Farmington Road/ Grabhorn Road-209th Avenue (signalized)	0.99 v/c	1.07	1.09
5	Farmington Road/ Miller Hill Road (unsignalized)	0.99 v/c	0.99	1.09
6	Farmington Road/ Clark Hill Road (unsignalized)	0.90 v/c	0.88	1.06

No.	Intersection	Mobility target	2040 baseline	2040 with Cooper Mountain updates
7	Gassner Road/ 190th Avenue (all-way stop)	0.99 v/c	0.83	0.91
8	Gassner Road/ Grabhorn Road (unsignalized)	0.99 v/c	2.02	2.55
9	Kemmer Road/ 175th Avenue (roundabout)	0.99 v/c	1.40	1.54
10	Murray Boulevard/ Beard Road-Brockman Road (signalized)	0.99 v/c	1.33	1.37
11	Murray Boulevard/ Weir Road (signalized)	0.99 v/c	0.88	0.92
12	Rigert Road/ 170th Avenue (all-way stop)	0.99 v/c	1.67	1.75
13	Scholls Ferry Road/ Mountainside Way (signalized)	0.99 v/c	0.69	0.74
14	Roy Rogers Road/ Beef Bend Road (signalized)	0.90 v/c	0.85	0.85
15	Roy Rogers Road/ Bull Mountain Road (signalized)	0.99 v/c	0.85	0.84
16	Roy Rogers Road/ Scholls-Sherwood Road (signalized)	0.90 v/c	0.77	0.77
17	Scholls Ferry Road/ Barrows Road (signalized)	0.99 v/c	0.89	0.94
18	Scholls Ferry Road/ Clark Hill Road (unsignalized)	0.90 v/c	0.61	0.79
19	Scholls Ferry Road/ Horizon-Teal Boulevard (signalized)	0.99 v/c	0.96	1.01
20	Scholls Ferry Road/ Murray Boulevard (signalized)	0.99 v/c	1.01	1.06
21	Scholls Ferry Road/ River Road (roundabout)	0.90 v/c	0.50	0.53
22	Scholls Ferry Road/ Roy Rogers Road-175th Avenue (signalized)	0.99 v/c	1.03	1.04

No.	Intersection	Mobility target	2040 baseline	2040 with Cooper Mountain updates
23	Scholls Ferry Road/ Tile Flat Road (signalized)	0.99 v/c	0.66	0.65
24	Scholls Ferry Road/Strobel Road (signalized)	0.99 v/c	0.47	0.47
25	Tile Flat Road/ Grabhorn Road (unsignalized)	0.90 v/c	2.06	2.23
26	Tile Flat Road/ Clark Hill Road (all-way stop)	0.90 v/c	0.71	0.82
27	Weir Road/ 155th Avenue (all-way stop)	45 second delay	17 second delay	22 second delay

New On-site Intersections under Preferred Transportation Framework (unsignalized)

A	Kemmer Road/ Future Collector (Project #6)	0.99 v/c	*	0.56
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	*	>2.75
C	175th Avenue/ SW Siler Ridge Lane extension (Project #8)	0.99 v/c	*	2.08
D	Tile Flat Road/ SW Siler Ridge Lane extension (Project #8)	0.99 v/c	*	0.34
E	Future Collector (Project #6)/ SW Weir Road extension (Project #7)	45 second delay	*	11 second delay
F	SW Siler Ridge Lane extension (Project #8)/ Future Collector (Project #6)	45 second delay	*	10 second delay
G	SW Siler Ridge Lane extension (Project #8)/ SW Mountainside Way extension (Project #10)	45 second delay	*	9 second delay

Notes: **Red shading** indicates an intersection that exceeds the mobility target

* Intersection does not exist in the baseline scenario

Table 8. Intersection Operations with Recommendations (2040 p.m. peak)

No.	Intersection	Mobility target	Recommended improvement	V/C with recommended improvement
Study Intersections				
4	Farmington Road/ Grabhorn Road-209th Avenue	0.99 v/c	Extend 5-lane widening of 209th Avenue to just south of Farmington Road	0.89
5	Farmington Road/ Miller Hill Road	0.90 v/c	None*	N/A
6	Farmington Road/ Clark Hill Road	0.90 v/c	Westbound left-turn lane	0.81
8	Gassner Road/ Grabhorn Road	0.99 v/c	Southbound and westbound left-turn lanes	0.91
9	Kemmer Road/ 175th Avenue	0.99 v/c	Widen SW 175th to 5-lanes through the intersection**	0.85
10	Murray Boulevard/ Beard Road-Brockman St	0.99 v/c	None*	N/A
12	Rigert Road/ 170th Avenue	0.99 v/c	Roundabout	0.95
19	Scholls Ferry Road/ Horizon-Teal Boulevard	0.99 v/c	None*	N/A
20	Scholls Ferry Road/ Murray Boulevard	0.99 v/c	None*	N/A
22	Scholls Ferry Road/ Roy Rogers Road-175th Avenue	0.99 v/c	None*	N/A
25	Tile Flat Road/ Grabhorn Road	0.90 v/c	Realign the east leg of Tile Flat Road to become the free through movement with the north leg of Grabhorn Road; the west leg of Tile Flat Road becomes a stop-controlled approach	0.57
			Roundabout	0.39

No.	Intersection	Mobility target	Recommended improvement	V/C with recommended improvement
New On-site Intersections under Preferred Transportation Network				
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	Traffic signal (SW 175th Avenue with a 3-lane cross-section)**	1.10
			Roundabout (SW 175th Avenue with a 3-lane cross-section)**	1.58
C	175th Avenue/ SW Siler Ridge Lane extension (Project #8)	0.99 v/c	Traffic signal (SW 175th Avenue with a 3-lane cross-section)**	0.96
			Roundabout (SW 175th Avenue with a 3-lane cross-section)**	1.28

Notes: * See “Recommended Intersection Improvements” discussion preceding Table 4 in the Cooper Mountain Transportation Analysis.

** See “Regional Corridor Improvements” discussion preceding Table 4 in the Cooper Mountain Transportation Analysis.

OAR 660-012-0060(1)(c) states that, “If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP.” Beaverton’s adopted Transportation System Plan includes a planning period that ends in 2035.

The Cooper Mountain Transportation Analysis used the end year of 2040 to provide a look farther into the future (20 years from when the Cooper Mountain Community Plan started in earnest in 2020) and generate a more conservative approach to anticipating traffic impacts (because the assumption is that trips increase each year into the future). The Oregon Administrative Rules require the city to look at “projected conditions measured at the end of the planning period identified in the adopted TSP,” which is 2035. Therefore, an analysis of a few intersections that did not meet performance standards at end year 2040 was completed with an end year of 2035. The results are in Exhibit 21, titled “Cooper Mountain Transportation Impact Analysis (plus Addendum).” They also are reproduced below. Table 9 provides the 2035 analysis for the three intersections. Table 10 provides the 2035 analysis for the 175th Avenue/SW Weir Road extension assuming Project 7, a traffic signal at that intersection.

Table 9. Intersection operations (2035 p.m. peak)

No.	Intersection	Mobility target	2035 baseline	2035 with Cooper Mountain updates
5	Farmington Road/ Miller Hill Road	0.90 v/c	0.70	0.75
19	Scholls Ferry Road/ Horizon-Teal Boulevard	0.99 v/c	0.91	0.93
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	*	2.69

Notes: **Red shading** indicates an intersection that exceeds the mobility target
* Intersection does not exist in the baseline scenario

Table 10. Intersection operations with recommendations (2035 p.m. peak)

No.	Intersection	Mobility target	Recommended improvement	2035 with Cooper Mountain updates
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	Traffic signal (SW 175th Avenue with a 3-lane cross- section)	0.93

Notes: **Red shading** indicates an intersection that exceeds the mobility target
* Intersection does not exist in the baseline scenario

The 2035 analysis shows that all three intersections meet performance standards in 2035. In that case of B, the intersection meets performance standards assuming the recommended project is completed.

These results constitute a “significant effect” per the Transportation Planning Rule. They are the basis for recommended intersection improvements described on pages 8-10 of the Cooper Mountain Transportation Analysis and provided in section (2) of the Transportation Planning Rule, described below. The proposed amendments also include Cooper projects as Volume IV, Appendix O of the Transportation System Plan.

Table 11 shows which intersections were found in the analysis to be consistent with performance standards. It also shows in intersections (rows shaded in gray) that are consistent given the measures identified in Section (2) or (3).

Table 11. How Significant Effect is Addressed in Section 2 and 3

No.	Intersection	Finding
1	Bany Road/ 170th Avenue (signalized)	Consistent with standards
2	Bany Road/ 185th Avenue (unsignalized)	Consistent with standards
3	Farmington Road/ 185th Avenue (signalized)	Consistent with standards
4	Farmington Road/ Grabhorn Road-209th Avenue (signalized)	Addressed in (2)(a) and (b)
5	Farmington Road/ Miller Hill Road (unsignalized)	Consistent with standards (end year 2035)
6	Farmington Road/ Clark Hill Road (unsignalized)	Addressed in (2)(a) and (b)
7	Gassner Road/ 190th Avenue (all-way stop)	Consistent with standards
8	Gassner Road/ Grabhorn Road (unsignalized)	Addressed in (2)(a) and (b)
9	Kemmer Road/ 175th Avenue (roundabout)	Addressed in (2)(a) and (b)
10	Murray Boulevard/ Beard Road-Brockman Road (signalized)	Addressed in (3)
11	Murray Boulevard/ Weir Road (signalized)	Consistent with standards
12	Rigert Road/ 170th Avenue (all-way stop)	Addressed in (2)(a) and (b)
13	Scholls Ferry Road/ Mountainside Way (signalized)	Consistent with standards
14	Roy Rogers Road/ Beef Bend Road (signalized)	Consistent with standards
15	Roy Rogers Road/ Bull Mountain Road (signalized)	Consistent with standards
16	Roy Rogers Road/ Scholls-Sherwood Road (signalized)	Consistent with standards
17	Scholls Ferry Road/ Barrows Road (signalized)	Consistent with standards
18	Scholls Ferry Road/ Clark Hill Road (unsignalized)	Consistent with standards
19	Scholls Ferry Road/ Horizon-Teal Boulevard (signalized)	Consistent with standards (end year 2035)
20	Scholls Ferry Road/ Murray Boulevard (signalized)	Addressed in (3)
21	Scholls Ferry Road/ River Road (roundabout)	Consistent with standards

No.	Intersection	Finding
22	Scholls Ferry Road/ Roy Rogers Road-175th Avenue (signalized)	Addressed in (3)
23	Scholls Ferry Road/ Tile Flat Road (signalized)	Consistent with standards
24	Scholls Ferry Road/Strobel Road (signalized)	Consistent with standards
25	Tile Flat Road/ Grabhorn Road (unsignalized)	Addressed in (2)(a) and (b)
26	Tile Flat Road/ Clark Hill Road (all-way stop)	Consistent with standards
27	Weir Road/ 155th Avenue (all-way stop)	Consistent with standards

New On-site Intersections under Preferred Transportation Framework (unsignalized)

A	Kemmer Road/ Future Collector (Project #6)	Addressed in (2)(a) and (b)
B	175th Avenue/ SW Weir Road extension (Project #7)	Consistent with standards (end year 2035)
C	175th Avenue/ SW Siler Ridge Lane extension (Project #8)	Addressed in (2)(a) and (b)
D	Tile Flat Road/ SW Siler Ridge Lane extension (Project #8)	Consistent with standards
E	Future Collector (Project #6)/ SW Weir Road extension (Project #7)	Consistent with standards
F	SW Siler Ridge Lane extension (Project #8)/ Future Collector (Project #6)	Consistent with standards
G	SW Siler Ridge Lane extension (Project #8)/ SW Mountainside Way extension (Project #10)	Consistent with standards

(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 performance standards of the facility measured or projected at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in subsections (a) through (e) below, unless the amendment meets the balancing test in subsection (e) or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (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.

(a) Adopting measures that demonstrate allowed land uses are consistent with the performance standards of the transportation facility.

Response: The proposed amendments adopt measures that demonstrate land uses are consistent with the performance standards for most intersections. The measures include transportation projects proposed to be added to the city's Transportation System Plan as Appendix O as well as amendments to the city's Comprehensive Plan Volume 1, Chapter 6 and Volume IV, Chapters 2 and 4.

Table 7 through Table 11 show how the intersections meet mobility targets. The following intersections were addressed through projects that were incorporated into the Cooper Mountain Transportation Analysis, either because they were assumed as part of the baseline or because they are proposed projects being added to the Transportation System Plan through these amendments:

- No. 4: Farmington Road/ Grabhorn Road-209th Avenue (signalized)
- No. 6: Farmington Road/ Clark Hill Road (unsignalized)
- No. 8: Gassner Road/ Grabhorn Road (unsignalized)
- No. 9: Kemmer Road/ 175th Avenue (roundabout)
- No. 12: Rigert Road/ 170th Avenue (all-way stop)
- No. 25: Tile Flat Road/ Grabhorn Road (unsignalized)
- No. A: Kemmer Road/ Future Collector (Project #6)
- No. C: 175th Avenue/ SW Siler Ridge Lane extension (Project #8)

The following intersections do not meet mobility targets in the base year or in the 2040 end year and are addressed in Section (3) below:

- No. 10: Murray Boulevard/Beard Road-Brockman St (no project proposed)
- No. 20: Scholls Ferry Road/Murray Boulevard
- No. 22: Scholls Ferry Road/Roy Rogers Road-175th

In addition to the transportation projects proposed for Transportation System Plan Appendix O, the proposed amendment include Comprehensive Plan policies that describe the land use outcomes for Cooper Mountain and a map showing the land use designations for Cooper Mountain (Figure 12). Table 12 lists the zoning districts that may be applied in each of the Comprehensive Plan designations.

Table 13. Developable Acres for Cooper Mountain Zoning Districts

Zoning District	Acres	Developable acres from Buildable Land Inventory
CM-CS, Cooper Mountain - Community Service	25	11
CM-HDR – Cooper Mountain - High Density Residential Mountain	28	13.5
CM-MR – Cooper Mountain - Multi-unit Residential	41	20.6
CM-RM – Cooper Mountain - Residential Mixed	596	328.7

This land use plan meets Metro’s Urban Growth Boundary expansion conditions of approval to plan for at least 3,760 homes in the Cooper Mountain area. The estimated minimum number of housing units projected to be built in the Cooper Mountain Community Plan area is 4,469, although that number could be higher if developments exceed minimum density or property owners choose to build more middle housing than expected. The city’s Cooper Mountain Transportation Analysis assumed 5,200.

The proposed land use and transportation policies also will reduce transportation demand by including strong multi-modal policies, including:

- Policy a) Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton’s Active Transportation Plan. ...
- Policy b) The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. ...
- Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.
- Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

Other Transportation System Plan policies in the proposed amendments call for “Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the ‘interested but concerned ’ user category” on all arterials, collectors, and neighborhood routes.

The proposed amendments in Comprehensive Plan Volume 1, Chapter 6, include a complete multi-use path system in Cooper Mountain that will provide an alternative system of travel largely separated from automobiles. This includes a multi-use path

connecting Grabhorn Road and the future neighborhoods adjacent to Grabhorn Road to the rest of the Cooper Mountain Community Plan area (and vice versa) with a path through the Resource Overlay over McKernan Creek to ensure a comfortable, direct, and easy active transportation (walking, biking, rolling) connection.

Through a separate effort, the city is working to create new street design cross-sections for Cooper Mountain that are intended to be adopted into the City's Engineering Design Manual. These will implement the transportation goals and policies in the proposed amendments and set expectations for street construction of public streets.

The proposed amendments in Development Code Section 60.55.35 also limit vehicle access to private property to facilitate relatively uninterrupted, physically protected (with vertical physical barriers) bicycle facilities on Neighborhood Routes to ensure those routes complement the planned protected bicycle facilities on collectors and arterials as well as the comfortable bicycle environments on local streets.

The City of Beaverton does not require off-street parking for any uses in the city. Not requiring off-street parking, including excess parking beyond the demand for parking, will reduce vehicle miles traveled in Cooper Mountain and the city at large, according to information provided by the state of Oregon⁴ in its Climate Friendly and Equitable Communities work. The proposed land use policies also allow for a mix of uses. In CM-CS, commercial uses are allowed and a minimum amount of commercial uses are required. Commercial also is allowed in CM-HDR. Small-scale commercial uses (1,500 square feet maximum floor area) are allowed within CM-RM in locations near Neighborhood Routes, CM-MR zones, and public parks. Allowing commercial throughout Cooper Mountain will make it possible for people to acquire goods and services near their homes or businesses and make it possible for people to get what they need without an automobile trip. Residential uses are allowed in all Cooper Mountain zones.

As identified in the findings for OAR 660-0120-060(6) below, the Cooper Mountain – Community Service and Cooper Mountain – High Density Residential districts have a variety of standards and characteristics that will reduce automobile trips in those areas, and the administrative rules require the city to assume a 10 percent reduction of trips within those areas. The mix of uses, restrictions on auto-oriented uses, urban design standards, and other rules described in the findings to OAR 660-0120-060(6) are significant measures that contribute to ensuring the land uses will be consistent with the performance measures.

⁴ <https://www.oregon.gov/lcd/CL/Documents/ParkingCarsDriving.pdf>

Overall response to (2)(a): The proposed amendments adopt a variety of measures that contribute to the allowed land uses being consistent with the performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses consistent with the requirements of this division. Such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

Response: The proposed Comprehensive Plan amendments Volume 1, Chapter 6 (Transportation Element); Comprehensive Plan Volume 4, Chapters 2 and 4 (Transportation System Plan), and Comprehensive Plan Volume 4, Appendix O, identify planned transportation improvements for all modes as described in sub-section (a) above.

Among the proposed amendments are a network of Collector streets and Neighborhood Routes (as well as arterial improvements) identified in Figure 13 and bicycle/pedestrian facilities and connections identified in Figure 14.

The proposed amendments in Section 6.2.9 of Volume 1, Chapter 6 of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit, as shown in Figure 15.

Figure 13. Cooper Mountain Functional Classifications
 (Figure 6.4.b in Comprehensive Plan, Volume 1, Chapter 6)

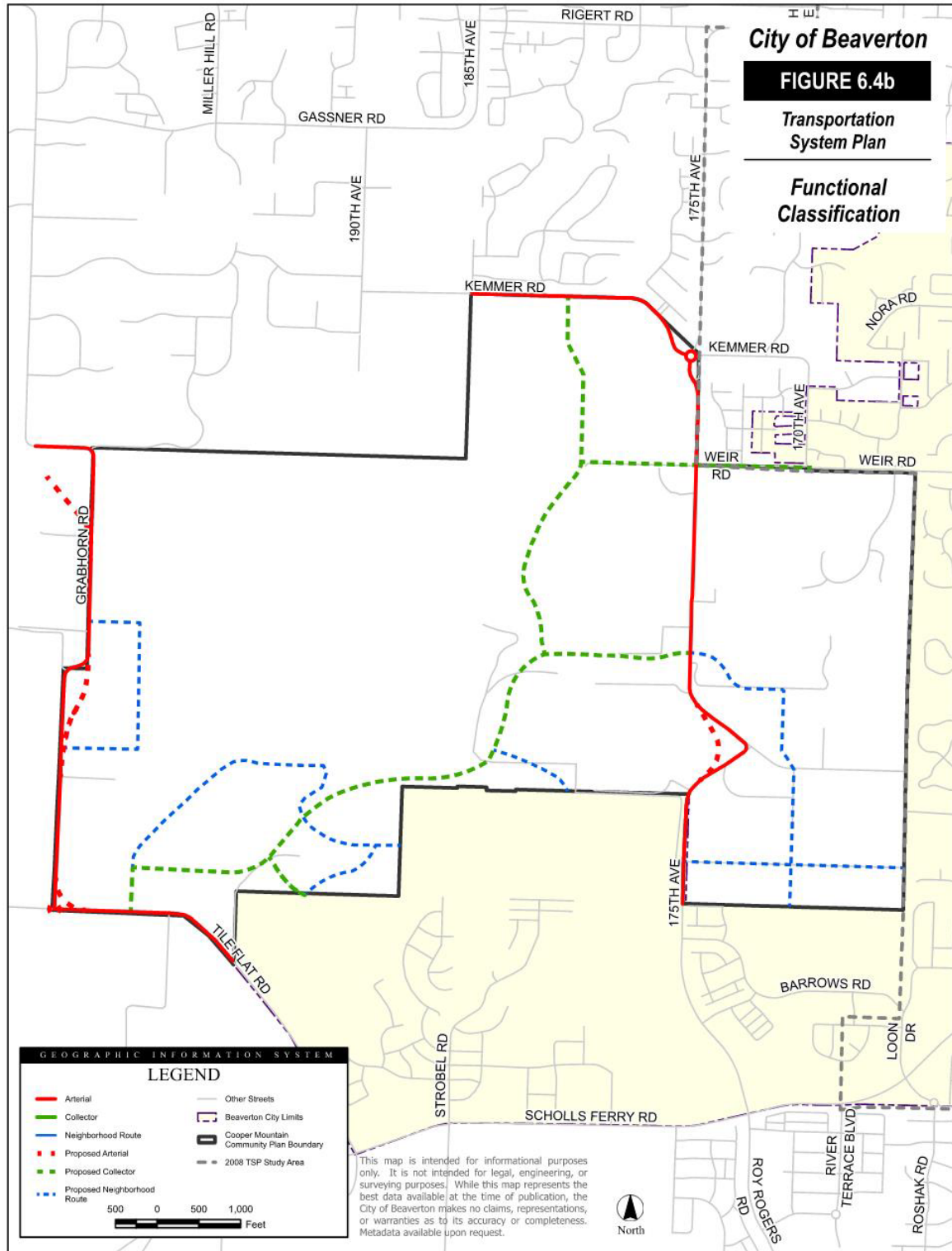


Figure 14. Planned Bicycle and Pedestrian Network
 (Figure 6.2.b in Comprehensive Plan Volume 1, Chapter 6)

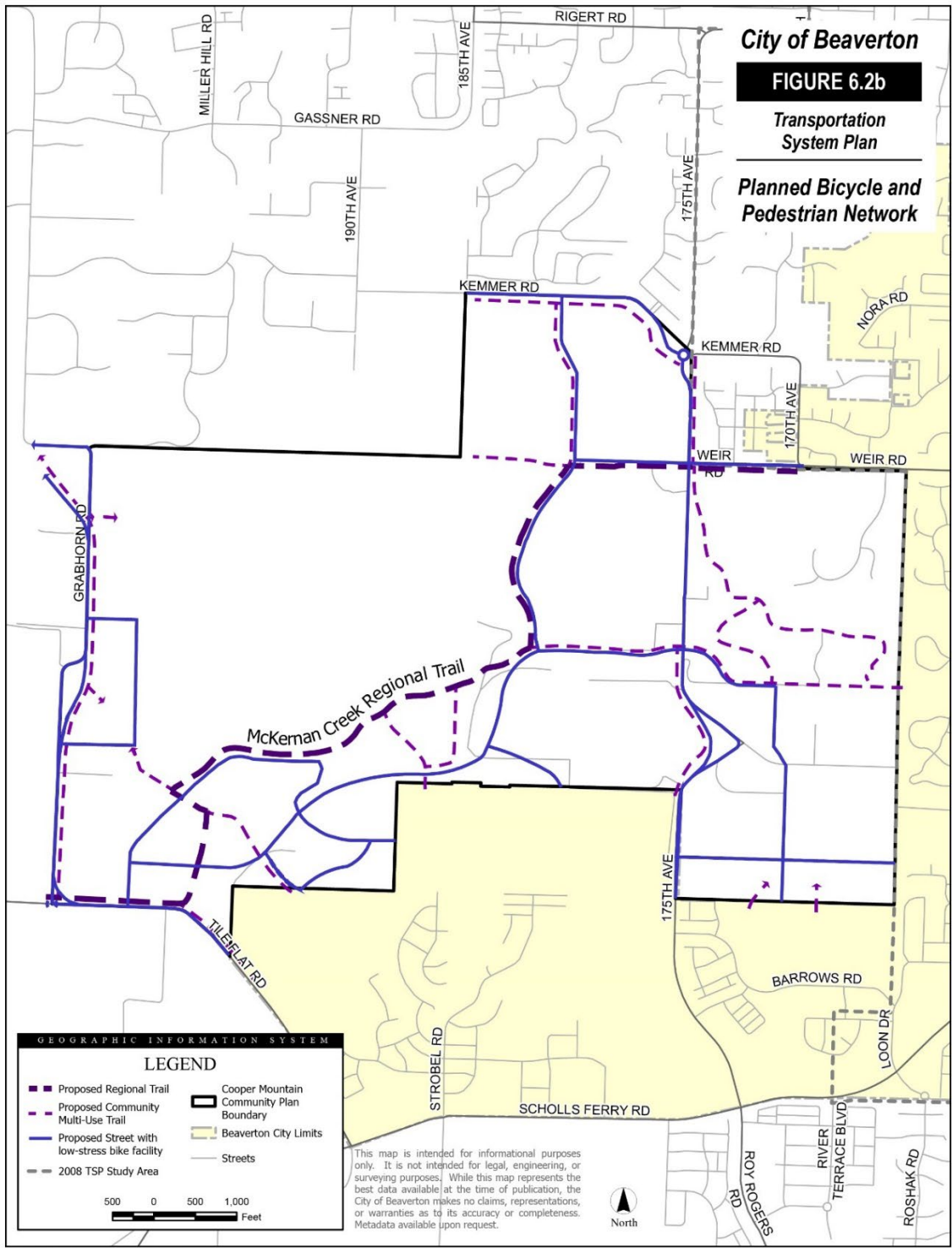
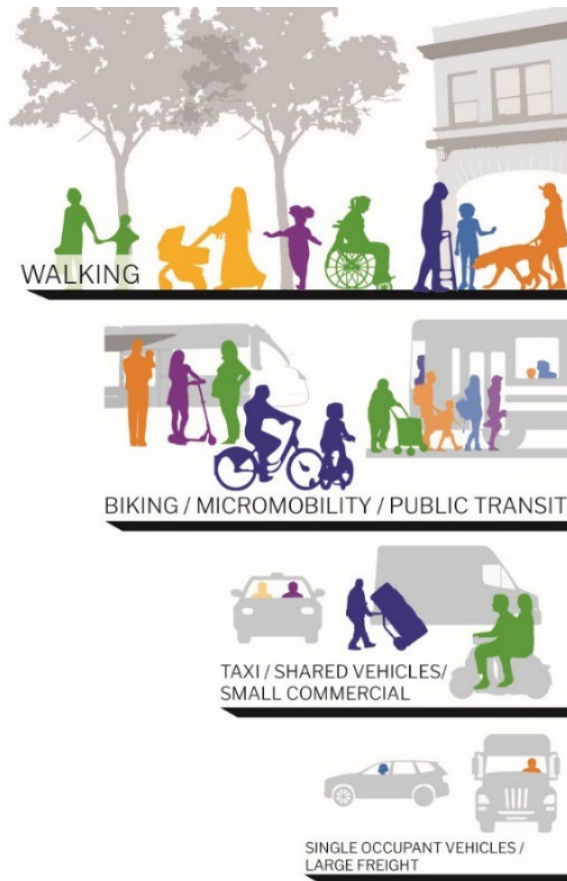


Figure 15. Modal Hierarchy



The functions and intended outcomes for each street type in the Community Plan are described below. All roads and streets will be designed as complete streets.

Arterial Streets

The arterials that serve Cooper Mountain — SW 175th, SW Tile Flat, and SW Grabhorn Road — will be complete streets consistent with Washington County street standards and Beaverton’s Development Code rules. Arterials will be regional routes for trips going through the Cooper Mountain area to other destinations. Washington County has jurisdiction over the arterial roads and is expected to retain that jurisdiction.

Collector Streets

The collector streets are the connecting routes between Cooper Mountain’s future neighborhoods and include:

- SW Weir Road is a future east-west collector in Cooper Mountain that is essentially a continuation of the portion of Weir Road that already exists within the City of Beaverton. It will connect the rest of Beaverton to Cooper Mountain, provide access to the northern neighborhood center and areas

west of SW 175th, and include a portion of the McKernan Creek Regional Trail.

- The future north-south collector will connect Kemmer Road and the future east-west collector (that runs from 175th in the east to Tile Flat Road in the southwest). This north-south collector will provide a parallel alternative to SW 175th between SW Kemmer Road that also will be a safe and comfortable route for local trips. It will include a portion of the McKernan Creek Regional Trail and will feature a wildlife-friendly crossing of McKernan Creek.
- The east-west collector will connect SW 175th and adjacent neighborhoods to central and western Cooper Mountain and SW Tile Flat Road; the Tile Flat commercial center; several multi-dwelling sites, and a proposed Community Park.

Neighborhood Routes

The Community Plan's neighborhood routes provide connectivity within neighborhoods, including:

- West: The neighborhood route provides two access points to SW Grabhorn Road.
- South between Cooper Mountain Nature Park and South Cooper Mountain: A neighborhood route is planned as the access to lands north of the Community Park. This neighborhood route would include the McKernan Creek Regional Trail and directly abut the natural resource area for the northern portion of its route so community members have at least visual access to natural spaces along the road and trail. Two shorter neighborhood route segments connect South Cooper Mountain and the future east-west collector.
- East of 175th: A future neighborhood route will be needed through the neighborhoods east of 175th to connect Siler Ridge Road and South Cooper Mountain. This will provide an option besides 175th for short, local trips east of 175th.

Local Streets

The local street network will be determined when development occurs in compliance with the Development Code and Engineering Design Manual. The plan's goals for local streets are to:

- Create walkable blocks and neighborhoods;
- Extend the street pattern from South Cooper Mountain; and
- Provide direct and convenient routes to parks, trails, and other community destinations.

Multi-use Paths

Figure 14 shows the planned pedestrian and bicycle network, which will also include sidewalks on local streets. The streets will have safe, comfortable bicycle facilities for all ages and abilities. In addition, many locations will have separate multi-use paths that provide a way to move around away from automobile traffic. This includes a pedestrian and bicycle link between the Grabhorn neighborhood and the Cooper Lowlands neighborhood (following the route of Project 24 on the Figure 16).

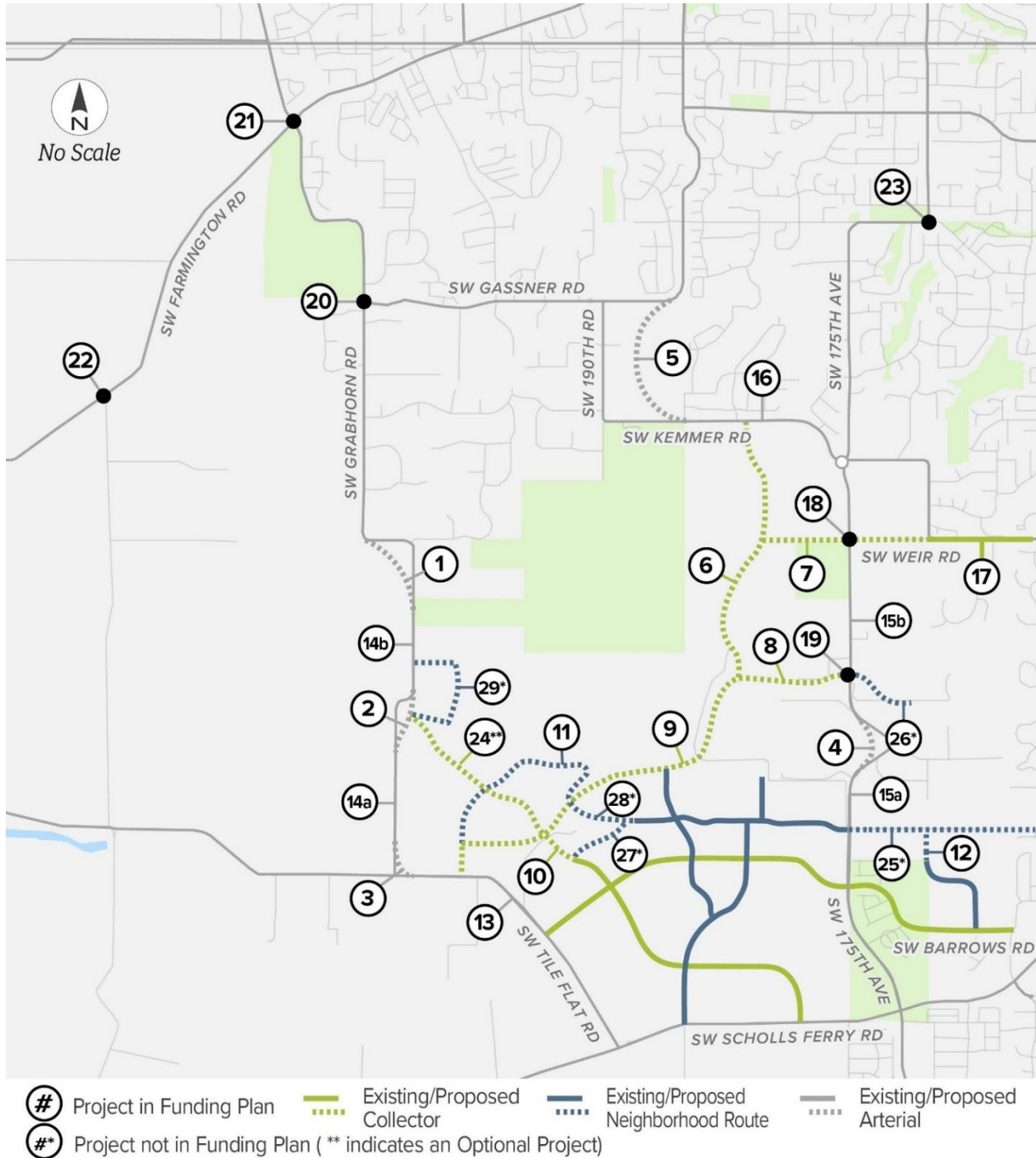
The proposed improvements also link up with adjacent development. The 2015 South Cooper Mountain Community Plan included roadway extensions to complete the network and fill connectivity gaps. Some of these roadways have been constructed with new development and many others are conditioned to be constructed with development in the near future.

The Cooper Mountain Community Plan provides for further extensions of these roadways into and through the area. This network will allow local trips to occur without traveling on the major regional roadway network but will be designed to fit seamlessly into the neighborhood and not become a barrier for pedestrian or bicycle travel.

Funding Plan

The City will also adopt the Cooper Mountain Funding Plan (Exhibit 1, Appendix C) that outlines strategies to provide many transportation infrastructure improvements at the time of development and identifies funding for future improvements within the planning period. When transportation facilities require a public investment (in dollars or project delivery), the funding plan describes a strategy to collect funding through the development process, so that the needed projects can be delivered by the city or county when funding is secured. Figure 16 is a map of future improvements that are included in the funding plan. Some of the improvements will be built by public agencies and some will be built by development. In addition, the network of local streets is not shown on Figure 16. Those improvements will be designed, funded, and constructed by development consistent with city standards.

Figure 16. Transportation Analysis: Transportation System Improvements



Overall response to (2)(b) The proposed amendments amend the Comprehensive Plan, including the Transportation System Plan, to provide facilities, improvements, or services that, combined with other efforts in (a) through (d) of this sub-section, are adequate to support the proposed land uses and include a funding plan so the

facilities, improvements and services will be provided by the end of the planning period.

(c) Amending the TSP to modify the performance standards of the transportation facility.

Response: No performance standards modifications are proposed.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

Response: During development, development agreements, city standards, or conditions of approval will require the construction of local streets and the elements of the transportation network (shown on Figure 13, Figure 14, and Figure 16) that are on or adjacent to the developing property. The conditions of approval may also require development to construct off-site improvements. The extent of the required improvements will be determined through transportation impact studies prepared as part of the land use application. Development will also contribute to regional and subregional transportation projects through Transportation Development Tax (TDT) fees established by Washington County and any supplemental transportation system development charge that the city may implement in the future.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:

(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;

(B) The providers of facilities being improved at other locations provide written statements of approval; and

(C) The local jurisdictions where facilities are being improved provide written statements of approval.

Response: This criterion is not applicable.

Overall Response to Section (2): The analysis found that the proposed land use changes would have an effect on studied transportation facilities. To address this finding, the City is proposing a combination of remedies, including those outlined in subsections (a), (b), and (d). These include amendments to the Comprehensive Plan and Transportation System Plan under subsection (a) and (b) and providing other measures through developer-led projects under subsection (d).

The combination of the remedies in subsections (a) through (e) below will ensure the allowed land uses are consistent with the performance standards of the facility measured or projected at the end of the planning period identified in the adopted Transportation System Plan, except for three intersections identified above that are addressed in Section (3).

(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 ensuring that the allowed land uses are consistent with the performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements, and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the performance standard for that facility by the end of the planning period identified in the adopted TSP;

Response: The City of Beaverton is proposing to approve amendments that would affect an existing transportation facility.

The following intersections meet (3)(a) because the intersections would not meet performance standards considering the base improvements even without the proposed amendments:

- No. 10: Murray Boulevard/Beard Road-Brockman St (no project proposed)
- No. 20: Scholls Ferry Road/Murray Boulevard
- No. 22: Scholls Ferry Road/Roy Rogers Road-175th

Therefore, criterion (a) is met for all three intersections.

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

Response: As shown in Section (2) above and described extensively in the Cooper Mountain Transportation Analysis and the Cooper Mountain Funding Plan, Exhibit 1, Appendix C, incorporated here by reference, development and transportation improvements will improve the functioning of study intersections over baseline conditions where feasible improvements are available. The three intersections do show minor changes between the 2040 baseline and the 2040 with Cooper Mountain updates scenarios. Given the uncertainty of projections into the future, the facility performance is nearly the same. In addition, the three intersections are so close to being consistent with performance standards that all three would certainly be consistent with performance standards in the 2035 end year required by rule. The policy and project improvements and how those improvements mitigate the impacts of this amendment

are also described above, including the findings addressing OAR 660-012-0060(2) that are incorporated here by reference.

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

Response: The proposed amendments do not involve property located in an Interchange Area.

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

Response: The proposed amendments do not have a significant effect on state highways.

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

Response: In a 2013 intergovernmental agreement between Washington County and Beaverton, Beaverton was assigned responsibility for creating a concept plan for the entirety of Urban Reserve Area 6b, including the area referred to in these proposed amendments as Cooper Mountain. It says the County and City will coordinate review of incremental UGB expansions within the Cooper Mountain urban reserve area in the future.

Metro Ordinance 18-1427 (Exhibit 15) approved the urban grown boundary expansion for Cooper Mountain and assigned Beaverton to conduct Comprehensive Planning, including in the Conditions of Approval on Land Added to UGB, which was attachment A to that ordinance.

Washington County and Beaverton in 2018 entered into an intergovernmental agreement (Exhibit 27) related to transportation planning in the proposed urban growth boundary expansion area. The County acknowledged the IGA through Minute Order No. 18-147, and the city authorized the agreement through Resolution 4501. The agreement says:

1. Prior to adopting a comprehensive plan amendment for the UGB expansion area, the CITY will coordinate with the COUNTY to develop a traffic study for the area and a cumulative traffic study that reflects the impacts to existing transportation facilities from other proposed UGB expansions.
2. The CITY and COUNTY will agree on a financing strategy for COUNTY road improvements necessitated by development in the UGB expansion area, that is

consistent with the amended comprehensive plan. The CITY and COUNTY will agree on a future multi-modal transportation network to support the UGB expansion area and adopt road alignments, functional class, and lane numbers into CITY and COUNTY Transportation System Plans consistent with this network.

3. The CITY and COUNTY will agree on access management standards for COUNTY roads, and, during development, attempt to close existing access points where they are out of compliance with agreed-upon standards.
4. The CITY and COUNTY will identify roads that will remain under COUNTY jurisdiction, and those for which the CITY will assume responsibility upon annexation of part or all of the UGB expansion area. Road Jurisdiction transfer will be determined through a separate agreement between the CITY and COUNTY.

The Washington County – Beaverton Urban Planning Area Agreement says the city “shall provide the County with a reasonable opportunity to participate, review and comment on proposed amendments to the city comprehensive plan or adoption of implementing regulation. This includes notice when the planning efforts are initiated (in no case later than 35 days before the hearing). It also says the city must “provide the responding agency (the County) with reasonable opportunity to participate in the originating agency’s (the city’s) planning process prior to the notification period, through means such as service on the originating agency’s advisory committee, if any.” It also says the city should transmit the draft amendments to the County for review and comment before finalizing, with at least 10 days for the County to provide comment.

Regarding the 2018 IGA with Washington County:

1. The city prepared the cumulative traffic study that reflects impacts to the existing transportation facility from other UGB expansions. That study is the Cooper Mountain Transportation Analysis and was prepared in coordination with Washington County. A Washington County representative served on the Cooper Mountain Technical Advisory Committee, and Washington County staff were provided opportunities to comment on the plan.
2. Washington County agreed upon the financing strategy for County road improvements necessitated by development in the UGB expansion area consistent with the proposed amendments. The County’s agreement with County road improvements is described in a letter from Jessica Pelz, Washington County Policy Analyst, dated February 16, 2024 (Exhibit 28). It states general support of Beaverton’s proposed funding scenarios, with the exception of a comment on a non-County road that is not shown in the plan and a statement that describes how the County has not yet identified funding for future County intersection improvements outside the Cooper Mountain Community Plan area

and that the County “can commit to being good partners and we look forward to continuing conversations around collaborative funding strategies and methods so this area can grow and develop according to the community’s vision.” The second part of No. 2 from the County-city IGA related to County roads addresses agreement on a multi-modal network. The proposed amendments include road alignments, functional class, and lane numbers, and Washington County has had an opportunity to review the proposed policies, alignments, and lane numbers for County facilities.

3. The third element of the County-city IGA addresses access management standards for County roads. Beaverton is not proposing new access standards for road classifications on County roads within Cooper Mountain. Washington County has existing access standards that will apply to the relevant County roads, including Tile Flat, Grabhorn, 175th and Kemmer. The existing access standards for the city and County address closing existing access points when they are out of compliance.
4. Washington County will retain Tile Flat, Grabhorn, 175th, and Kemmer in its jurisdiction. Jurisdiction of different roads and projects are indicated within the Cooper Mountain Infrastructure Funding Plan (Exhibit 1, Appendix C), which was created in coordination with Washington County. The County has expressed general support for the funding plan and has expressed no objection to the assumptions about future jurisdiction.

Regarding coordination and notice more broadly and consistent with the Urban Planning Area Agreement, notice, opportunity to comment, and/or direct coordination of the Cooper Mountain Transportation Analysis and proposed Community Plan occurred during the planning process. The Technical Advisory Committee included Washington County, Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation. On August 22, 2024, Beaverton also provided Washington County draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments (see Exhibit 14).

Overall Response to (4): This criterion is met through intergovernmental agreements, significant involvement of area local governments and partner agencies and multiple opportunities to review the proposed amendments.

(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.

Response: The analysis relies on existing and planned transportation facilities. Most existing roads in the study area are currently rural. DKS prepared a Cooper Mountain Transportation Analysis dated February 16, 2023 (see Exhibit 21), which assumed urban upgrades consistent with adopted Transportation System Plans.

(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.

Response: The Cooper Mountain Transportation Analysis assumed facilities consistent with (b)(A-C), which are shown in Tables 2, 3, and 4 of the Cooper Mountain Transportation Analysis. The proposed amendments include adding the arterials, collectors and neighborhood routes within the Cooper Mountain Community Plan area to the city's Transportation System Plan.

(c) Within interstate interchange areas, the improvements included in paragraphs (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.

Response: There are no interstate interchange areas in the project area. This criterion is 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.

Response: There are no interstate interchange areas in the project area. This criterion 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).

Response: The Cooper Mountain Transportation Analysis uses planned transportation facilities, improvements, and services to determine whether there is a significant effect. The city is not submitting a written statement pursuant to paragraphs (b)(D), (b)(E), or (c)(A).

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 and 660-004-0028.

Response: The proposed plan does not include an exception to allow development on rural lands.

(6) If a local government is determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2) using a performance standard based on projected levels of motor vehicle traffic, then the local government 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);

(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 percent 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 percent reduction allowed for by this subsection shall be available only if uses that 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 percent reduction required in subsection (a);

(c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b), it shall ensure 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(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 OAR 660-012-0045(3) and (4) or through conditions of approval or findings adopted with the plan amendment that ensure 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 that 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). 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 that provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.

Response: The area in Cooper Mountain that qualifies as “mixed-use, pedestrian-friendly centers, and neighborhoods” is described in OAR 660-012-0060(8) below. No reductions in motor vehicle trips were assumed in the Cooper Mountain Transportation Analysis. In certain areas, the full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods.

Regarding (a), many uses that rely solely on automobile trips are prohibited within the Cooper Mountain – Community Service (CM-CS) and Cooper Mountain – High Density Residential (CM-HDR) zoning districts. Although many commercial uses are allowed in these districts, the following are not:

- Drive Up Window Facilities, which are defined as “A facility, whether it be a primary or accessory use, other than automobile service station, which is designed to allow patrons to make purchases or receive services at a window or service area while remaining in their motor vehicles.”
- Self-Storage Facilities
- Cold Storage Plants
- Storage Yards
- Storage Yards for Building Materials
- Auto, Truck and Trailer Rental
- Automotive Service, Major, which is defined as: “Service or repair to motorized vehicles, which affect the body or frame. This term includes: painting, bodywork, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical car washes that are used by and open to the general public.”
- Automotive Service, Minor. This is not allowed in CM-HDR but is allowed in CM-CS. It is defined as: “Service or repair to motorized vehicles, which do not

affect the body or frame. This term includes: retail and wholesale fuel sales; tire sales or installation, glass installation, oil changes and lubrications, general engine maintenance and repair, radiator repair, detail shops, mechanical car washes solely used by on-site employees as part of retail vehicle sales, or other similar service or repair.” These uses are allowed in CM-CS because parts of the Cooper Mountain Community Plan are a significant distance from other commercial areas and allowing these uses nearby will be important for residents, workers and visitors in Cooper Mountain.

- Bulk Fuel Dealerships
- Vehicle Sales or Lease
- Trailer, Recreational Vehicle or Boat Storage
- Trailer Sales or Repair
- Vehicle Storage Yard.

Motels are allowed because they are in the Temporary Living Quarters category, which has the following definition: “Temporary living accommodations that can be rented out for an increment of less than 30 days, such as: Hotels, Motels, Extended-Stay Hotels, Single-Residency Occupancy Hotels, Bed and Breakfasts, or Boarding, Rooming or Lodging House. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.” The city chooses not to treat motels differently from hotels because they often provide a lower cost option for people in need of lodging and the city does not want to eliminate that option for lower income, underserved, or underrepresented communities.

Given that (a) says “uses that rely solely on auto trips, **such as** (emphasis added) gas stations, car washes, storage facilities, and motels are prohibited,” it is clear that those four uses are not all required and is not an exhaustive list of “uses that rely solely on auto trips.” Given the long list of uses that rely solely on auto trips provided above that are prohibited in CM-CS and CM-HDR, criterion (a) is met.

Regarding (b), the city does not have detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development and will not seek a reduction greater than the 10 percent reduction. This criterion is not applicable.

Regarding (c), the existing Beaverton Development Code and the proposed amendments address:

- Bicycle parking requirements for multi-unit residential buildings, new retail, office, institutional developments, and transit centers. (Beaverton Development Code Table 60.30.10.5.B)

- On-site and off-site circulation requirements for safe and convenient pedestrian and bicycle access from within new subdivision, multi-unit developments, planned developments, shopping centers, and commercial districts to adjacent residential areas, transit stops, and neighborhood activity centers. This includes development rules for private property Beaverton Development Code Section 60.05.20 related to connections to the public street system; pedestrian circulation; parking area landscaping and circulation; sidewalks along streets; and connections between buildings on sites. Section 60.30.15 also includes parking lot design standards. It also includes street standards in Beaverton's Engineering Design Manual that include sidewalks and bicycle facilities. The facilities on public streets are free from hazards as maintained by Washington County or the city; provide accessible and reasonably direct routes because they are part of the County's and city's connected road systems; and meet the travel needs of cyclists and pedestrians because they are part of the connected road system. The facilities on private property are free from hazards as maintained by the property owners. They are required to be direct by the Beaverton Development Code, which also requires adequate widths and design features to meet the travel needs of cyclists and pedestrians.
- Bikeways are required on all arterials and collectors in Beaverton's Engineering Design Manual. Sidewalks are required on arterials, collectors, and local streets.
- Cul de sacs and dead-end streets are allowed in some circumstances, but Beaverton's Development Code includes street connectivity and maximum block length standards to promote a connected and walkable city.
- Beaverton's Engineering Design Manual establishes maximum intersection spacing to ensure blocks are small enough to ensure walkability and prevent overly long routes to destinations. They are shown in Table 14. For example, the distance between intersections along local streets cannot be greater than 530 feet. The minimum is 100 feet. In the highest density mixed use development areas, local streets shall be no more than 330 feet. In addition, Beaverton Development Code Section 60.55.25.9 requires pedestrian accessways in between if street intersections are too far apart because a street is not feasible.

Table 14. Beaverton Engineering Design Manual Intersection Spacing Standards

E. Intersection Spacing Along Streets. The minimum and maximum distance between streets shall be as follows:

STREET FUNCTIONAL CLASSIFICATION*:	DISTANCE BETWEEN INTERSECTIONS ALONG THE STREET SHALL BE AT LEAST:	DISTANCE BETWEEN INTERSECTIONS ALONG THE STREET SHALL NOT EXCEED:
Arterial	600 feet	1000 feet
Collector	200 feet	530 feet
Neighborhood Route	100 feet	530 feet
Local	100 feet	530 feet

* Street Functional Classifications are identified in the *Comprehensive Plan Transportation Element* Figure 6.4.

1. Distance between streets is measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street.
 2. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density mixed-use development.
- Any off-site improvements required as a condition of development approval would be required to accommodate convenient pedestrian and bicycle travel by providing bike lanes and sidewalks on arterials and major collectors consistent with Beaverton’s Engineering Design Manual.
 - Internal pedestrian circulation within new office parks and commercial developments are provided because accessways are required between structures on the site by the Beaverton Development Code.
 - Beaverton Development Code and engineering standards allow transit routes to include options like bus stops, pullouts, shelters, optimum road geometrics, on-road parking restrictions and similar facilities. The City of Beaverton already contains these transit features on other transit routes within the city. Transit facilities are specifically allowed in Development Code Section 60.55.40 and include passenger landing pads, accessways to the transit stop location, shelters, and shelter pads.
 - Development Code Section 60.55.40 requires major industrial, retail, and office developments to provide either a transit stop or a pedestrian connection to a transit stop adjacent to the site. Accessible walkways connecting from the right of way to building entrances on the site are required by Development Code Section 60.05.20, which includes circulation standards and parking lot standards and requires connections to the public street system. Section 60.05.20.3.B requires: “A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.”

- Accessible pedestrian facilities are required to connect to neighboring properties through Beaverton Development Code:
 - Section 60.05.20 Circulation and Parking Design Standards
 - Section 60.55.25.4, which says: “Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development’s streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.”
 - Section 60.55.25.7, which says: “Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.”
- Related to OAR 660-012-0045(4)
 - The proposed amendments require commercial and mixed-use buildings in CM-HDR to occupy 50 percent of the abutting primary public street frontage. In both the CM-CS and CM-HDR zones, parking lots are not allowed between the longest public street-facing building elevation and the street. In addition, upcoming Development Code changes to comply with Climate Friendly and Equitable Communities administrative rules that are not part of these proposed amendment will strengthen these urban form rules sometime in 2026. That means building are more likely to be within 20 feet of a transit stop. The proposed amendments also require open space with commercial development and allow pedestrian pads near transit stop to provide people with places to wait for the next transit vehicle.
 - As mentioned earlier in these findings, connections are required between building entrances and transit stops.
 - All sidewalks, accessways, and pedestrian pads are required to be accessible to people with disabilities.
 - The city can choose to provide an easement or dedication for a passenger shelter if the city has control of the land where the transit shelter will be established.

- Lighting is required at transit stops in the right of way because lighting is required in the right of way.
- Beaverton’s Development Code (Section 60.30.10.12) requires industrial, institutional, office, and government developments with more than 50 employee parking spaces to provide carpool/vanpool spaces and requires them to be close to the building entrance normally used by employees.
- All properties in Beaverton may redevelop existing parking areas for transit-oriented uses because Beaverton has no minimum parking requirements.
- Road systems for new development can adequately be served by transit and pedestrian connections are required to transit stops, as described above in the findings.
- The proposed amendments provide the types and densities of uses to support transit. Although the future transit routes are not known, one of the most likely transit routes is along 175th Avenue. Other possible routes are along the Tile Flat/Grabhorn route and along the east-west collector that runs from Tile Flat in the southwest corner of the Cooper Mountain Community Plan area to the east to reach 175th at about Siler Ridge. These routes all include a mix of allowed or required uses, including residential (single-detached, plexes that include two to six units, cottage clusters, townhomes, and apartments), mixed use (retail, office, service, professional serve, etc.), and recreation (parks and trails). That provides many different kinds of destinations for transit riders. Table 15 provides information about zoning districts established in the proposed amendments. The types and densities of uses and the projected 5,000 residents expected in Cooper Mountain are supportive of transit.

Table 15. Uses and Densities in Cooper Mountain Zones

Zones	Uses	Minimum density	Maximum density
CM-CS	Residential Commercial (some required) Limited industrial Other, including parks, recreation, social organizations	34 units per net acre	Maximum floor area of 2.0

Zones	Uses	Minimum density	Maximum density
CM-HDR	Residential Commercial (not required) Limited industrial Other, including parks, recreation, social organizations	34 units per net acre	Maximum floor area of 2.0
CM-MR	Apartments Townhomes Denser middle housing	34 units per net acre	Maximum floor area of 1.5
CM-RM	Single-detached homes Plexes (two to six units) Townhomes Cottage clusters Small-scale commercial uses near parks, CM-MR zones, and along neighborhood routes	10 units per net acre	No maximum

(7) Amendments to acknowledged comprehensive plans and land use regulations that meet all of the criteria listed in subsections (a)–(c) 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(2)(b) and 660-012-0045(3):

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

Response: Commercial development is a project goal. The proposed zoning map for Cooper Mountain shows commercial development allowed on approximately 50 acres.

(b) The local government has not adopted a TSP or local street plan that complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro’s requirement for street connectivity as contained in Title 1, Section 3.08.110 of the Regional Transportation Functional Plan; and

Response: The City of Beaverton has adopted a Transportation System Plan and has complied with Metro’s requirement for street connectivity in the Regional Transportation Functional Plan. The proposal does not meet the “has not adopted” part of this criterion. Current City regulations comply with Title 1, Section 3.08.110 of

the Regional Transportation Functional Plan, as evidenced in the adoption findings for the Beaverton's 2010 Transportation System Plan and partially in the findings to 660-012-0060 (6) above. The findings regarding the Regional Transportation Functional Plan in this staff report are incorporated here by reference.

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

Response: The proposed amendment would significantly affect a transportation facility. See section 660-012-0060(1) findings.

Overall response to (7): This section is not applicable because not all the referenced subsections are met, as noted in subsection (b). The proposed amendments also provide extensive guidance to future street connectivity for Cooper Mountain. This criterion is not applicable.

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

(a) Any one of the following:

(A) An existing central business district or downtown;

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

(C) An area designated in an acknowledged comprehensive plan as a transit-oriented development or a pedestrian district; or

(D) An area designated as a special transportation area as provided for in the Oregon Highway Plan.

Response: The Cooper Mountain Community Plan (Exhibit 1) identifies two areas as Neighborhood Centers in the Preferred Approach Concept Map (Community Plan, Figure 2). These two areas constitute transit-oriented (or transit-ready until transit is added to this area) and pedestrian areas. The “Neighborhood Center” designation is not a Metro 2040 designation but rather the plain language term used to describe the desired outcomes to community members. The proposed Comprehensive Plan Land Use Map designates these areas with Cooper Mountain Commercial and Cooper Mountain Mixed Use land use designations. The proposed amendments in the Cooper Mountain Comprehensive Plan Volume 1, Chapter 3 Land Use Element, contain Goal 3.6.6: Cooper Mountain Mixed Use Corridor and Goal 3.7.4. They both include policies that say the city should “Ensure commercial uses and residential development intensity are established in areas where ‘Neighborhood Center’ is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map.” They also say the city should “Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high

densities to create vibrant, walkable areas.” The city considers these transit-oriented and/or pedestrian areas.

Functionally, the areas proposed to be zoned Cooper Mountain Community Service and Cooper Mountain High Density Residential on the Zoning Map within 1,000 feet of Tile Flat Road and along 175th between the Kemmer Road roundabout and Weir Road are the transit-oriented and/or pedestrian districts.

OAR 660-012-0000(33) provides the following definition of Pedestrian district:

“Pedestrian District” means a comprehensive plan designation or implementing land use regulations, such as an overlay zone, that establish requirements to provide a safe and convenient pedestrian environment in an area planned for a mix of uses likely to support a relatively high level of pedestrian activity. Such areas include but are not limited to:

- (a) Lands planned for a mix of commercial or institutional uses near lands planned for medium to high-density housing; or
- (b) Areas with a concentration of employment and retail activity; and
- (c) That have, or could develop, or have planned a network of streets and accessways that provide convenient pedestrian circulation.

The findings here meet the definition of pedestrian district because a combination of the Comprehensive Plan Designation and implementing zoning regulations establish requirements for a mix of uses; a safe and convenient pedestrian environment; and set the table for an area to support a high level of pedestrian activity. This includes land use regulations that provide nearby open space that provide recreational opportunities as well as multi-use paths or other bike/pedestrian facilities separated from cars that will connect nearby residents to these areas and vice versa. In addition, both these areas have a requirement for commercial development that will provide employment and retail activity. As stated in other sections of the findings related to OAR 660-012, the city’s current development regulations and the proposed amendments also will require a network of streets and accessways that provide multi-modal movement throughout these areas and will provide convenient pedestrian circulation. The same characteristics and the allowed densities within these areas also will meet the definition of transit-oriented Development when transit is provided in the future.

Overall response to (8): The proposed Comprehensive Plan, Zoning Map, and Development Code amendments designate the geographics described above as a mixed-use center and include regulations that meet the definition of “Pedestrian District” and will meet the definition of “Transit-Oriented Development” once transit is provided in the future. This proposed amendments meet the definition in Criterion (8)(a)(C).

(b) An area other than those listed in subsection (a) which includes or is planned to include the following characteristics:

(A) A concentration of a variety of land uses in a well-defined area, including the following:

(i) Medium to high density residential development (12 or more units per acre);

(ii) Offices or office buildings;

(iii) Retail stores and services;

(iv) Restaurants; and

(v) Public open space or private open space that is available for public use, such as a park or plaza.

(B) Generally include civic or cultural uses;

(C) A core commercial area where multi-story buildings are permitted;

(D) Buildings and building entrances oriented to streets;

(E) Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;

(F) A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;

(G) One or more transit stops (in urban areas with fixed route transit service); and

(H) Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.

Response: The proposed amendments for CM-CS and CM-HDR zoning districts allow offices, office buildings, retail stores, services, restaurants. High-density residential development is required, with a minimum density of 34 units per net acres. The Parks Overlay requires open space to be provided adjacent to the CM-CS and CM-HDR zones, and the proposed amendments include open space requirements in both multiple-use and commercial projects.

Civic and cultural uses are allowed in CM-CS and CM-HDR.

Multi-story buildings up to 65-feet tall are permitted in CM-CS and CM-HDR, which both could serve as core commercial areas. CM-CS in particular will have

the commercial focus because some commercial square footage is required in that zone.

The proposed amendments require building frontage be at or near the sidewalk, and building entrances are required to be oriented to the street. The city's existing street connectivity standards and Engineering Design Manual provisions require safe and convenient street connections and crossing. The proposed amendments also have active transportation corridors (trails/paths) that connect the commercial/mixed-use areas to the rest of the Cooper Mountain Community Plan area and the city. City rules also contain provisions consistent with Climate Friendly and Equitable Communities rules that require well-designed sites and parking lots. The city's existing and proposed rules also that street trees, pedestrian-scale lighting, and on-street parking.

Future transit stops will be determined by TriMet, Beaverton's transit provider. The Cooper Mountain Community Plan area was planned with future transit in mind. The proposed amendments include denser development along potential future transit corridors, including 175th, the internal planned collector streets, and the Tile Flat/Grabhorn corridor. The CM-CS zones also are proposed to be at major intersections along 175th and Tile Flat/Grabhorn, which are ideal locations for transit stops.

The proposed amendments do not allow most industrial uses, automobile sales and services, and drive-through services. Industrial uses allowed are limited to complement and fit into commercial and mixed-use areas.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments also include networks of collector roads and neighborhood routes along with intersection spacing and connectivity standards for local streets that include roads, bicycles connections, and pedestrian ways that are focused on the mixed-use areas in a manner that will support transit use once transit is provided to this new urban growth boundary expansion area. The Cooper Mountain Community Plan area in general and the CM-CS and CM-HDR zones in particular include two larger mixed-use centers along 175th Avenue and Tile Flat Road as well as smaller mixed-use areas along or near 175th and Grabhorn Road. The proposed Comprehensive Plan amendments show trails/paths that will lead into these areas and connect them to the rest of Cooper Mountain and other city neighborhoods. Existing and proposed street standards will provide strong active transportation connections between future transit stops and future development.

(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;
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and
- (c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Response: As explained in the findings, above, the city has found that the proposed amendments will significantly affect existing and planned transportation facilities and has proposed measures to address the significant affects. This criterion is not applicable.

(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.

(a) A proposed amendment qualifies for this section if it:

(A) Is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and

(B) Is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.

...

Response: The proposed plan is not within a multimodal mixed- use area (MMA) and the City is not proposing to designate the Community Plan Area as such. This criterion 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.

(A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

(B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

(C) For the purpose of this section:

...

Response: This rule addresses industrial employment centers and is not applicable to the Cooper Mountain area. This criterion is not applicable.

Conclusion: The proposed Comprehensive Plan, Zoning Map, and Development Code amendments comply with the applicable criteria within OAR 660-012-0060.

660-012-0105 Transportation System Plan Updates

(4) A city or county making a minor update to a transportation system plan shall, at a minimum:

- (a) Update core transportation system plan elements provided in OAR 660-012-0100(2) that are applicable to the scope of the minor update;**
- (b) Comply with the engagement requirements of OAR 660-012-0120; and**
- (c) Identify areas with concentrations of underserved populations as provided in OAR 660-012-0125 using best available data; and**
- (d) Conduct an engagement-focused equity analysis as provided in OAR 660-012-0135.**

Response: Regarding (4)(a), the core transportation system plan elements in OAR 660-012-0100(2) include:

- (2) A transportation system plan shall include the following core elements:**
 - (a) The base and planning horizon years as provided in section (3) of this rule;
 - (b) The land use assumptions as provided in OAR 660-012-0340;
 - (c) A list of all elements of the plan, and the date of adoption or amendment of each;
 - (d) The coordinated land use and transportation system planning policies in the comprehensive plan;
 - (e) The local transportation system plan goals and policies;
 - (f) Areas with concentrations of underserved populations as provided in OAR 660-012-0125, identified using best available data;

- (g) A record of the engagement, involvement, and decision-making processes used in development of the plan, as provided in OAR 660-012-0130;
- (h) A major equity analysis as provided in OAR 660-012-0135 or an engagement-focused equity analysis as provided in OAR 660-012-0135 for urban areas under 5,000 in population; and
- (i) The dates of each report made to the director as provided in OAR 660-012-0900, including all applicable city and county reports for the planning area.

The core elements relevant to this Beaverton minor amendment include:

- The base and horizon year. The base year is the year when the Cooper Mountain Transportation Analysis was conducted, which was 2022 (with revisions to the document in 2023). The horizon year is 2035 because that is the date of the city's current TSP, although the TIA looked at a horizon year of 2040 to incorporate a nearly 20-year look at traffic conditions but used 2035 for three intersections.
- The land use assumptions as provided in OAR 660-012-0340 were included in the Cooper Mountain Transportation Analysis.
- A list of all elements of the plan, and the date of adoption or amendment of each. All the elements of the TSP are not relevant to the proposed amendments, but the portions of the Transportation System Plan that are being amended are included in the proposed amendments. The city's current TSP was adopted in 2010.
- The local transportation system plan goals and policies. The entirety of the local transportation system plans goals and policies are not relevant to this minor update, but modifications to the goals and policies were included in the proposed amendments. In addition, any relevant policies are addressed in these findings.
- Areas with concentrations of underserved populations. These were identified and are included in the public engagement summary (Exhibit 14).
- A record of the engagement, involvement, and decision-making processes used in development of the plan, as provided in OAR 660-012-0130. The record of engagement was included in the public engagement summary (Exhibit 14).
- A major equity analysis as provided in OAR 660-012-0135 or an engagement-focused equity analysis as provided in OAR 660-012-0135 for urban areas under 5,000 in population (Exhibit 14). The Cooper Mountain Community Plan Project included the elements of an engagement-focused equity analysis, which is required when a city conducts a minor TSP update.

Conclusion: The proposed Comprehensive Plan, Zoning Map, and Development Code amendments comply with the applicable criteria within OAR 660-012-0105.

660-012-0115 Funding Projections

(1) Cities and counties must include funding projections in the transportation system plan. Funding projections must include the list of funding sources and amount of funding available, as provided in this rule.

Response: The proposed amendment includes an estimate of revenue through 2035 (Table 6-4 of the TSP). Revenue sources include city, county, state, and federal programs, funds, and fees including the State Highway Trust Fund, HB 2001, franchise fees, and Federal and Local MSTIP. Table 6-4 of the Transportation System Plan identifies \$185 million in funding available for capital projects during the planning period that ends in 2035.

660-012-0140: Transportation System Planning in the Portland Metropolitan Area

(2) Cities and counties shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with Metro’s regional transportation system plan. Consistent means city and county comprehensive plans and implementing ordinances conform with the policies and projects in the regional transportation system plan. If Metro finds a local transportation system plan is consistent with the Regional Transportation Functional Plan, the transportation system plan shall be deemed consistent with the regional transportation system plan.

Response: The findings for the Regional Transportation Functional Plan within this staff report are incorporated here by reference. This criterion is met.

660-012-0170 Unconstrained Project List

This section describes how to develop an unconstrained project list and what needs to be in it.

Response: The city’s unconstrained transportation project list is Table 6-1 of the Transportation System Plan. The proposed amendment will add a Cooper Mountain Transportation Project List as Volume IV Appendix O (Exhibit 8). The list adds 29 projects to the unconstrained project list. When the Transportation System Plan is updated in the next couple years, these projects will be evaluated and prioritized in conjunction with the projects on the city’s unconstrained project list. The proposed amendment includes the estimated cost for each identified project. The Cooper Mountain Infrastructure Funding Plan (Exhibit 1, Appendix C) identifies a total project cost of \$195.2 million and two potential scenarios for funding the project list as development progresses through the plan area.

Conclusion: The proposed amendments are consistent with OAR 660-012. This criterion is met.

OAR 660-016 – REQUIREMENTS AND APPLICATION PROCEDURES FOR COMPLYING WITH GOAL 5

660-016-0000 Inventory Goal 5 Resources

- (1) The inventory process for Statewide Planning Goal 5 begins with the collection of available data... . Based on the evidence and local government’s analysis of those data, the local government then determines which resource sites are of significance and includes those sites on the final plan inventory.
- (2) A “valid” inventory of a Goal 5 resource under subsection (5)(c) of this rule must include a determination of the location, quality, and quantity of each of the resource sites... .
- (3) The determination of quality requires some consideration of the resource site’s relative value, as compared to other examples of the same resource in at least the jurisdiction itself. A determination of quantity requires consideration of the relative abundance of the resource (of any given quality).
- (4) The inventory completed at the local level, including options in subsections (5)(a), (b), and (c) of this rule, will be adequate for Goal compliance unless it can be shown to be based on inaccurate data, or does not adequately address location, quality or quantity. The issue of adequacy may be raised by the Department or objectors, but final determination is made by the Commission or the Land Use Board of Appeals as provided by law.
- (5) Based on data collected, analyzed and refined by the local government, as outlined above, a jurisdiction has three basic options: (a) Do not Include on Plan Inventory: ... (b) Delay Goal 5 Process: ... (c) Include on Plan Inventory: When information is available on location, quality and quantity, and the local government has determined a site to be significant or important as a result of the data collection and analysis process, the local government must include the site on its plan inventory and indicate the location, quality and quantity of the resource site (see above). Items included on this inventory must proceed through the remainder of the Goal 5 process.

Response: In 2005, the Metro conducted a habitat inventory and adopted a Regionally Significant Fish and Wildlife Habitat Inventory Map and the underlying GIS data that the map represents. The map identifies the areas that have been determined to contain regionally significant fish and wildlife habitat. When adopting Title 13 (effective date of Dec. 28, 2005), the Metro Council designated as “Habitat Conservation Areas (HCA)” regionally significant riparian habitat (Class I and II) that was within the Metro boundary at that time. The Metro Council also determined that regionally significant upland wildlife habitat (Class A and B) that was outside of the Metro UGB at that time would be

designated as HCA when those areas were brought within the Metro UGB. This requirement is applicable to Cooper Mountain Community Plan area.

The Cooper Mountain Community Plan, Natural Resources Report, dated August 2024 (Exhibit 1, Appendix B) includes an updated inventory and determination of significance for Goal 5 resources as follows:

- **Wetlands:** The Cooper Mountain Community Plan area’s wetlands are documented in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Department of State Lands requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. Wetlands inventoried in the LWI are subject to regulation by Clean Water Services and the DSL (contingent upon further site-specific delineations by property owners) and are therefore determined to be significant for the purposes of City’s Goal 5 regulations and included in the plan inventory.
- **Riparian Habitat Area:** Riparian Habitat Areas (Class I and Class II in the Cooper Mountain area) are acknowledged Goal 5 resources and protected through the Tualatin Basin Plan, implemented by Clean Water Services. They provide valuable ecological services for the local flora and fauna and have environmentally beneficial impacts much further downstream. Therefore, Riparian Class I and Class II Habitat Areas are significant regional resources and included in the plan inventory.
- **Upland Habitat Area:** In the Cooper Mountain area, upland habitat Class A and Class B represent land with substantial ecological value today or potentially substantial ecological value in the future if protected through land use regulations. These areas were identified by Metro as regionally significant resources when occurring on lands added to the Urban Growth Boundary after December 28, 2005. Upland Class C in the Cooper Mountain area is significantly degraded through development or agricultural use and not along priority drainages. Therefore, Upland Habitat Class A and Class B resources in the Cooper Mountain Community Plan area are determined to be significant and included in the plan inventory, and Upland Habitat Class C is not included.
- **Wildlife Corridors:** As described in the “Wildlife Corridors” section of the Cooper Mountain Natural Resources report, the wildlife corridors in the Cooper Mountain area are generally coincident with riparian and upland habitat and will be subject to land use regulation and environmental protection through federal, state, and local law. The limited number of habitat connections that lie outside of protected Riparian/Upland Habitat areas are not specific to an individual location but represent focus areas for further study. For this reason, those wildlife corridors outside of

inventoried riparian/upland habitat areas are not determined to be significant resources for the purposes of establishing a Goal 5 Inventory.

- Cultural Areas: The City of Beaverton has not found any evidence of cultural or archeological resources in the Cooper Mountain Area. More information can be found in Exhibit 26 memorandum regarding Cooper Mountain’s cultural history and oldest buildings dated 9/4/2024.

660-016-0005 Identify Conflicting Uses

- (1) It is the responsibility of local government to identify conflicts with inventoried Goal 5 resource sites. This is done primarily by examining the uses allowed in broad zoning districts established by the jurisdiction (e.g., forest and agricultural zones). A conflicting use is one which, if allowed, could negatively impact a Goal 5 resource site. These impacts must be considered in analyzing the economic, social, environmental and energy (ESEE) consequences:**
- (2) Preserve the Resource Site: If there are no conflicting uses for an identified resource site, the jurisdiction must adopt policies and ordinance provisions, as appropriate, which ensure preservation of the resource site.**
- (3) Determine the Economic, Social, Environmental, and Energy Consequences: If conflicting uses are identified, the economic, social, environmental and energy consequences of the conflicting uses must be determined. Both the impacts on the resource site and on the conflicting use must be considered in analyzing the ESEE consequences. The applicability and requirements of other Statewide Planning Goals must also be considered, where appropriate, at this stage of the process. A determination of the ESEE consequences of identified conflicting uses is adequate if it enables a jurisdiction to provide reasons to explain why decisions are made for specific sites.**

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. This group, the Tualatin Basin Partners, conducted a Goal 5 ESEE analysis of the portion of Metro’s Inventory for Washington County located near and within the Urban Growth Boundary (UGB), including all waterways that feed the Tualatin River. In addition, the Cooper Mountain Nature Park was identified as a regionally significant resource. The Tualatin Basin ESEE addresses Riparian Habitat and Upland Habitat. The proposed amendments do not change the resource designations or ESEE analysis conducted by the Tualatin Basin Partners for regionally significant resources.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). Within the Cooper Mountain Community Plan area, the resources that are the subject of the ESEE analysis are the

wetlands identified through the Local Wetlands Inventory and the area surrounding Cooper Mountain Nature Park.

Based on an evaluation of three conflicting use scenarios (Prohibit, Limit, or Allow), the ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social, and energy benefits of private development on the remaining land.

660-016-0010 Develop Program to Achieve the Goal

Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must “develop a program to achieve the Goal.” Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to “resolve” conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan’s overall ability to protect and conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2), and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

- (1) Protect the Resource Site:** Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-016-0000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (2) Allow Conflicting Uses Fully:** Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (3) Limit Conflicting Uses:** Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some

desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. The Tualatin Basin Program outlines the program to protect and conserve riparian habitat and upland habitat resources, identifying whether resource areas should be protected. The proposed amendments do not propose changes to the Tualatin Basin Program.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP, Title 13 below, and are incorporated here by reference.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land.

Proposed Development Code Table 20.22.15 defines a 25-foot minimum setback for rear and side yards abutting the Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of the Section 60.05.25, 60.05.60, or 60.05.65, as applicable to the proposed development. The proposed lighting standards also include provisions to reduce light and glare within and adjacent to Natural Areas and add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park.

660-016-0020 Landowner Acknowledgement

- (4) The development of inventory data, identification of conflicting uses and adoption of implementing measures must, under Statewide Planning Goals 1 and 2, provide opportunities for citizen involvement and agency coordination. In addition, the adoption of regulations or plan provisions carries with it basic legal notice requirements.**
- (5) As the Goal 5 process progresses and more specificity about the nature of resources, identified conflicting uses, ESEE consequences and implementing measures is known, notice and involvement of affected parties will become more meaningful. Such notice and landowner involvement, although not identified as a Goal 5 requirement is in the opinion of the Commission, imperative.**

Response: The development of the natural resources inventory included community involvement, agency coordination, and landowner notification, as outlined in the findings for Statewide Planning Goal 1 and Statewide Planning Goal 2 and incorporated here by reference. This included specific mail and email communication with property owners– as well as opportunities for interested parties to participate in open-house information sessions and Planning Commission work sessions – regarding the Cooper Mountain Community Plan (including the Natural Resources Report); Resource Overlay mapping and approach; and the proposed amendments to the Comprehensive Plan, Development Code, and Zoning Map.

Conclusion: The requirements of OAR 660-016 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of Goal 5 resource. This criterion is met.

OAR 660-018 – POST-ACKNOWLEDGEMENT AMENDMENTS

660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department’s Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.**

Response: Staff submitted a post-acknowledgement plan amendment (PAPA) online to DLCD on September 6, 2024, which is more than 35 days before the first evidentiary hearing on adoption of the proposed changes.

- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:
- (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;
 - (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;
 - (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

Response: The online PAPA submittal to DCLD on September 6, 2024, included:

- Comprehensive Plan updates
 - Volume I. Updates to Chapter 1: Procedures, Chapter 3: Land Use, Chapter 5: Public Facilities and Services, Chapter 6: Transportation, Chapter 7: Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources, and Chapter 8: Environmental Quality and Safety.
 - Volume I Chapter 3 updates also include the proposed Land Use Map. The existing land use map is also included for comparison.
 - Volume III Statewide Planning Goal Five Resource Inventory. Add a Local Wetland Inventory map and Goal Five Resource Inventory map for the Cooper Mountain Community Plan area.
 - Volume IV Transportation System Plan. Updates to Chapter 2 (TSP Goals and Policies) and Chapter 4 (TSP Future Needs/Improvements Plans), and the addition of Appendix O (Cooper Mountain Transportation Project List).
 - Volume V. Add the Cooper Mountain Community Plan and Cooper Mountain Infrastructure Funding Plan.
- Development Code updates

- Development Code updates to Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90- Definitions)
- Development Code updates also include the proposed Zoning Map with four new Cooper Mountain zoning districts. The existing zoning map is also included for comparison.
- A list of taxlots in the Cooper Mountain Community Plan area;
- A public hearing notice that includes a narrative summary of the proposed changes, the date of the first evidentiary hearing (October 16, 2024), a description of when the staff report will be available, and details for how a copy may be obtained;
- And exhibits that will be in the final staff report, including the Buildable Lands Inventory, Existing Conditions Report, Natural Resources Report, Market Analysis, Transportation Analysis and Transportation Needs Memo.

The notice required under ORS 197.763 (renumbered to ORS 197.797 in 2021) by OAR 660-018-0020(2)(e) is not required because the proposed amendments will be considered for approval at a legislative hearing.

(3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.

Response: In the online PAPA submittal to DCLD on September 6, 2024, the Comprehensive Plan updates and Development Code updates listed in findings for OAR 660-018-0020 above includes proposed wording to be added or deleted. The PAPA submittal also includes Land Use Maps that illustrate proposed and existing land use designations, as well as Zoning Maps that illustrate proposed and existing zoning designations for the Cooper Mountain Community Plan area.

Regarding the Land Use Map and Zoning Map, proposed amendments only apply to the Cooper Mountain Community Plan area that will be inside city limits after annexation. The online PAPA submittal does not include proposed zoning changes to any land outside the Cooper Mountain Community Plan area. Additional information about proposed land use designations and zoning districts is included the staff report, Comprehensive Plan Volume I Chapter 3 (Land Use), and Beaverton Development Code Chapters 10 (General Provisions) and 20 (Land Use).

A goal exception is not included in the proposed amendments.

- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:
- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.

Response: The proposed amendments are not responding to a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals.

- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been “submitted” on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Response: City staff submitted the post-acknowledgement plan amendment online on September 6, 2024, and received confirmation that DLCD received the submission.

660-018-0040 Submittal of Adopted Change

- (1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation it shall submit the decision to the department, with the appropriate notice forms provided by the department, within 20 days.

Response: The City Council hearing to consider adoption of the proposed amendment is on December 3, 2024. Staff will submit the adopted amendments to DLCD online by within 20 days of the Council’s decision.

- (2) For purposes of the 20-day requirement under section (1) of this rule, the proposed change is considered submitted to the department:
- (a) On the day the applicable notice forms and other required documents are received by the department in its Salem office, if hand-delivered or submitted by electronic mail or similar electronic method, or
 - (b) On the date of mailing if the local government mails the forms and documents.

Response: City staff will submit the adopted amendments to DLCDC online within 20 days of the Council's decision.

(3) The submission to the department must be in a format acceptable to the department and include all of the following materials:

- (a) A copy of final decision;**
- (b) The findings and the text of the change to the comprehensive plan or land use regulation;**
- (c) If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - (A) A map showing the area changed and applicable designations; and**
 - (B) Electronic files containing geospatial data showing the area changed, as specified in section (5) of this rule, if applicable.****
- (d) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under OAR 660-018-0020 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and**
- (e) A statement by the individual transmitting the decision identifying the date of the decision and the date the submission was mailed to the department.**

Response: City staff will submit the adopted amendments to DLCDC online in the format described above. The package will include a copy of the final decision; a staff report with findings; a map and description of any changes to the proposed land use or zoning map; a brief narrative summary of the decision, including a summary of substantive differences compared to the September 6, 2024, PAPA submittal; and a statement from city staff identifying the date of the decision and the date that the final amendments were submitted online to DLCDC.

(4) Where amendments or new land use regulations, including supplementary materials, exceed 100 pages, a summary of the amendment briefly describing its purpose and requirements shall be included with the submittal to the director.

Response: The proposed amendments will exceed 100 pages; therefore, city staff will include a summary of the proposed amendments in the final submittal to DLCDC.

(5) For local governments that produce geospatial data describing an urban growth boundary (UGB) or urban or rural reserve that is created or altered as part of an adopted change to a comprehensive plan or land use regulation, the submission must include electronic geospatial data depicting the boundary change. Local governments that create or alter other zoning or comprehensive plan maps as geospatial data are encouraged but not required to share this data with the department. Geospatial data

submitted to the department must comply with the following standards endorsed by the Oregon Geographic Information Council:

- (a) Be in an electronic format compatible with the State's Geographic Information System software standard described in OAR 125-600-7550; and
- (b) Be accompanied by metadata that meets at least the minimum requirements of the federal Content Standard for Digital Geospatial Metadata.

Response: The proposed amendments implement the Cooper Mountain Community Plan, which encapsulates the planning efforts for the urban expansion area formerly known as Urban Reserve 6B, and now known as the Cooper Mountain Community Plan area, which has already been acknowledged by DLCDC. If needed, staff will provide DLCDC with additional geospatial data upon request.

- (6) Local government must notify the department of withdrawals or denials of proposals previously sent to the department under requirements of OAR 660-018-0020.

Response: Staff will notify DLCDC of any withdrawals or denial of proposals submitted to DLCDC relating to the PAPA submittal transmitted on September 6, 2024..

660-018-0045 Alterations to a Proposed Change

- (1) If, after initially submitting the notice and accompanying materials under OAR 660-018-0020, a proposed change to an acknowledged comprehensive plan or land use regulation is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must, at least 10 days before the final evidentiary hearing on the proposal:

- (a) Notify the department of the alterations to the proposed change, and
- (b) Provide a summary of the alterations along with any alterations to the proposed text or map and other materials described in OAR 660-018-0020.

Response: If the proposed amendments change significantly after the notice is submitted, staff will notify DLCDC of the proposed changes and provide a summary of the proposed changes at least 10 days before the final evidentiary hearing.

660-018-0050 Notice to Other Parties of Adopted Changes

- (1) Notice of an adopted change to a comprehensive plan or land use regulation to persons other than the department is governed by ORS 197.615(4) and (5), which require that on the same day the local government submits the decision to the director the local government shall mail or otherwise deliver notice of the decision to persons that:

- (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and

(b) Requested in writing that the local government provide them with notice of the change to the acknowledged comprehensive plan or the land use regulation.

Response: In the Comprehensive Plan, Section 1.7.1.C of Volume I Chapter 1 (Amendment Procedures) indicates that within five working days from the date that the City Council adopts a final order, the Community Development Director shall cause the order to be signed, dated, and mailed to the applicant, the property owner, the Neighborhood Association Committee or County Participation Organization in which the subject property is located, and other persons who appeared orally or in writing before the public record closed. In this case, the final order relating to CPMA42024-00679 shall be accompanied by a written notice which shall include the following information:

1. A statement that the City Council decision is final but may be appealed to the Land Use Board of Appeals as provided in Oregon Revised Statutes (ORS 197.805 through 197.860) or to the Land Conservation and Development Commission as provided in Oregon Revised Statutes (ORS 197.633), in the case of Periodic Review Amendments.
2. A statement indicating the Amendment application number, date, and brief summary of the decision. The statement shall list when and where the case file is available and the name and telephone number of the City representative to contact for information about the proposal.
3. A statement of the name and address of the applicant.
4. If applicable, an easily understood geographic reference to the subject property and a map.

In the Beaverton Development Code, Section 50.50.15 indicates that not more than seven calendar days after the date of the adoption of an ordinance, the Director shall mail or otherwise submit notice to persons who testified orally or in writing to the Planning Commission or City Council while the public record was open regarding the proposed ordinance. In this case, the notice relating to TA42024-00680 and ZMA42024-00681 shall include at least the following information:

1. A brief summary of the ordinance.
2. The date of the decision on the ordinance.
3. The place where and the time when the ordinance and related findings may be reviewed.
4. A summary of the requirements for appealing the City decision on the ordinance under ORS 197.830 to 197.845.

City staff will follow the standardized process described above and share the final order and written notice with DLCDC and all required parties within five working days from the date that the City Council adopts a final order.

(2) The notice to persons who participated and requested notice as required by section (1) of this rule must clearly describe and state the date of the decision; indicate how and where the materials may be obtained; include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice; list the locations and times at which the public may review the decision and findings; and explain the requirements for appealing the land use decision under ORS 197.830 to 197.845.

Response: In the notice to persons who participated and requested notice as required by section (1), city staff will include all of the elements described in OAR 660-018-0050(2).

Conclusion: Staff finds the city has provided adequate notice and submitted all required materials consistent with OAR 660-018. This criterion is met.

OAR 660-023 – PROCEDURES AND REQUIREMENTS FOR COMPLYING WITH GOAL 5

Response: OAR 660, Division 23 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

OAR 660-023-0020 defines the standard Goal 5 process that should be followed for each of the resources listed in OAR 660-023-0090 through 660-023-0230 and also explains the optional “safe harbor” course of action available for some of the listed resources. The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, includes:

- conducting an inventory of significant Goal 5 resources,
- conducting an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use, and
- adopting programs to achieve Goal 5, including comprehensive plan provisions and land use regulations to implement the decisions made through the ESEE analysis.

OAR 660-023-0080, part (3) states the following:

(6) Metro may adopt one or more regional functional plans to address all applicable requirements of Goal 5 and this division for one or more resource categories and to provide time limits for local governments to implement the plan. Such functional plans shall be submitted for acknowledgment under the provisions of ORS 197.251 and 197.274. Upon acknowledgment of Metro’s regional resource functional plan, local governments within Metro’s jurisdiction shall apply the requirements of the functional plan for regional resources rather than the requirements of this division.

In 2005, the Metro Council voted to approve a regional Nature in Neighborhoods program (including Title 13 of the Urban Growth Management Functional Plan (UGMFP), effective

date of December 28, 2005) to meet the requirements of Goal 5 for Riparian Corridors and Wildlife Habitat. This means that for regionally significant Riparian Corridors (OAR 660-023-0090) and Wildlife Habitat (OAR 660-023-0110) within Metro's boundary, the City of Beaverton must comply with the Metro UGMFP rather than the standard provisions of the Goal 5 rule.

For natural resources which have not been identified in the UGMFP as regional resources or where the City is proposing regulations that would be more protective of a resource than is required by Title 13, the city has developed an ESEE consistent with the requirements of OAR 660-023-0030 through 660-023-0050. The ESEE decisions and resulting program for each resource in OAR 660-023-0090 through 660-023-0230 are outlined below.

- 0090 Riparian Corridors: Protections for Riparian Corridors are included in Metro's Urban Growth Management Functional Plan, Title 3 and Title 13. See the discussion of Title 3 and Title 13 compliance below.
- 0100 Wetlands: Cooper Mountain Community Plan area wetlands are identified in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Division of State Lands (DSL) requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant. In accordance with OAR 660-023-0100(4)(a), the city has completed the Goal 5 process for significant wetlands (all wetlands in the planning area). The city has prepared ESEE analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in wetlands and their impact areas. The city's program to achieve Goal 5 includes wetland protections through CWS standards for the Vegetated Corridor. CWS Design and Construction standards, Section 3.04 and 3.05 limits activities in Sensitive Areas (including all wetlands) and the Vegetated Corridor (including the impact areas around wetlands). When development activities are allowed in these areas, the activity must be minimized through choice of mode, sizing, and placement. Mitigation is required per the rules and regulations from the Department of State Lands and the US Army Corps of Engineers.
- 0110 Wildlife Habitat: Protections for Upland Wildlife habitat are included in Metro's Urban Growth Management Functional Plan, Title 13. See the discussion of Title 13 compliance below. In addition, the Cooper Mountain Natural Resources Report

(Exhibit 1, Appendix B) concluded that wildlife corridors in the Cooper Mountain area are generally coincident with riparian and upland habitat and will be subject to land use regulation and environmental protection through federal, state, and local law. The limited number of habitat connections that lie outside of protected Riparian/Upland Habitat areas are not specific to an individual location but represent focus areas for further study. For this reason, those wildlife corridors outside of inventoried riparian/upland habitat areas are not determined to be significant resources for the purposes of Goal 5.

- 0115 Greater Sage-Grouse: This requirement is not applicable. Sage-Grouse habitat is only present in Baker, Crook, Deschutes, Harney, Lake, Malheur and Union Counties.
- 0120 Federal Wild and Scenic Rivers: This requirement is not applicable. There are not any federal Wild and Scenic Rivers or associated corridors identified in the planning area.
- 0130 Oregon Scenic Waterways: This requirement is not applicable. There are not any Oregon Scenic Waterways or associated corridors identified in the planning area.
- 0140 Groundwater Resources: This requirement is not applicable. There are not critical groundwater resources designated by the Oregon Water Resources Commission in the planning area. In addition, the planning area does not include significant wellhead protection areas designated by the city or other local agency. The city's existing Water System Master Plan (June 2019) has not designated wellhead protection areas that provide a primary or secondary source of drinking water for an area of over 10,000 people or more than 3,000 service connections.
- 0150 Approved Oregon Recreation Trails: This requirement is not applicable. There are not approved Oregon Recreation Trails designated by the Oregon Parks and Recreation Commission in the planning area.
- 0160 Natural Areas: This requirement is not applicable. The planning area does not include any areas listed on the Oregon State Register of Natural Heritage Resources.
- 0170 Wilderness Areas: This requirement is not applicable. There are not federally designated wilderness areas in the planning area.
- 0180 Mineral and Aggregate Resources: This requirement is not applicable. Washington County has developed an inventory of significant natural resource areas that includes significant mineral and aggregate resources. The planning area does not include significant mineral or aggregate resources.
- 0190 Energy Sources: This requirement is not applicable. The planning area does not include energy sources applied for or approved through the Oregon Energy Facility Siting Council or the Federal Energy Regulatory Commission.

- **0200 Historic Resources:** This requirement is not applicable. The planning area does not include locally designated significant historic resources or buildings, structures, objects, sites, or districts listed in the National Register of Historic Places (Exhibit 26).
- **0220 Open Space:** Cooper Mountain Nature Park has been identified as a regionally significant resource through Metro’s Title 13 Inventory. See the discussion of Title 13 compliance below. The proposed amendments add open space and landscaping requirements for the Cooper Mountain Community Plan area. The proposed Development Code requires open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres and larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.
- **0230 Scenic Views and Sites:** This requirement is not applicable. OAR 660-023-0230(2) states that local governments are not required to amend acknowledged comprehensive plans in order to identify scenic views and sites. The proposed amendments do not include an inventory of significant scenic views or sites in the planning area.

OAR 660-023-0060 requires that local governments shall provide timely notice to landowners and opportunities for citizen involvement during the inventory and ESEE process.

Response: The development of the natural resources inventory and ESEE process involved significant opportunity for landowner and community involvement as described below.

Natural Resources Inventory Process. Below is a sample of key dates where landowners received notifications regarding the inventory process.

- **June 2019.** City staff sent letters inviting landowners to an in-person open house where they could learn about the project goals, which included a discussion of upcoming natural resources work.
- **Early 2020.** Project team initiated the natural resources inventory.
- **March 2020.** City staff sent letters requesting property access to investigate natural resources on each property.
- **2021-2022.** City staff conducted public engagement on plan concepts, alternatives and the preferred approach. Materials for each phase included a proposed boundary of the resource protection area, which was updated as more detailed information became available to the project team.

- **March 2023.** City staff sent letters to landowners, which included the draft Cooper Mountain Community Plan Concept Map with a proposed boundary of the resource protection area.
- **December 2023.** City staff sent letters to property owners to share changes in where natural resource protections are proposed to apply in Cooper Mountain.
- **January 2024.** City staff held an in-person open house to answer questions about the Cooper Mountain draft development rules. One station provided large maps of the proposed resource areas and included information about the potential development rules related to the resource mapping.
- **March 2024.** City staff sent email to property owners to answer questions received about natural resources mapping in the Cooper Mountain Community Plan. Staff shared some steps for property owners who would like to clarify the locations of wetlands and waters on their properties.

In addition, the community also received notifications about opportunities to participate and provide comments during the inventory process. See Exhibit 14 for a full list of public engagement activities.

ESEE Analysis. At each project phase, staff requested feedback from the community on the ESEE consequences that could result from a decision to allow, limit, or prohibit a conflicting use in the plan area. Below is a list of project phases and Goal 5 resource issues and considerations that were discussed:

- **Identifying issues and opportunities.** Public engagement activities focused on issues and opportunities related to natural resource protection and enhancement, resilient hillside development, buildable lands analysis and stormwater management.
- **Developing “plan concepts” to study different ideas.** Public engagement activities focused on introducing concepts such as equitable access to nature for all neighborhoods and connecting significant habitats.
- **Creating and evaluating alternatives.** Public engagement activities focused on three alternatives that show different options for how the city could plan for housing, commercial uses, transportation, parks, and natural resource protection. Each alternative provided a different total number of housing units allowed and different levels of protections for habitat and wildlife corridors.
- **Selecting a preferred approach.** Public engagement activities focused on selecting a preferred approach, which is a hybrid of the alternative attributes discussed above. The outcome was to allow more housing than required by Metro, but also limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors.

- **Finalizing a community plan.** Public engagement activities focused on the goals and policies that express the vision and desired outcomes for the area’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection.

For each phase above, timely notice for opportunities to provide feedback was provided in the following ways:

- **Landowners.** City staff sent letters and emails to promote in-person open houses, listening sessions, surveys, and/or City Council work sessions. If requested, staff also met with landowners and their developers, engineers, and attorneys to discuss Goal 5 resources. City staff also requested feedback at Community Advisory Committee meetings, which included Cooper Mountain landowners. Notification regarding CAC meetings was typically sent at least one week in advance.
- **Community involvement.** City staff conducted stakeholder listening sessions for community advocate and government agencies; presented at city advisory boards, NACs and CPOS; released surveys; held in-person and online open houses; and facilitated Planning Commission work sessions (11 work sessions on natural resources) and City Council work sessions (11 work sessions on natural resources). With the exception of stakeholder listening sessions, which are typically by invitation, city staff promoted each event through project email notifications, project website updates, citywide newsletters (print and digital) or social media. If requested, staff also met with natural resources advocates, including volunteers from the Friends of Cooper Mountain Nature Park and Treekeepers of Washington County.

City staff continued to involve landowners and the community through the same methods described above while creating the program to achieve Goal 5. This included implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

See Exhibit 14 for a full list of public engagement activities from 2019-2024.

660-023-0070 is superseded by the requirements of ORS 197A.350 (formerly ORS 197.296).

Conclusion: The requirements of OAR 660-023 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro, DSL, and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of natural resource. The outcome was to allow more housing than required by Metro and limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors. The proposed Development Code rules implement the program to

protect, allow, or limit conflicting uses for each type of natural resource. This criterion is met.

OAR 660-034 – STATE AND LOCAL PARK PLANNING

660-034-0000 Purpose

(1) The purpose of this division is to establish policies and procedures for the planning and zoning of state and local parks in order to address the recreational needs of the citizens of the state. This division is intended to interpret and carry out requirements of Statewide Planning Goal 8 and ORS 195.120 to 195.125.

(2) In general, this division directs local government planning and zoning activities regarding state and local park master plans. OAR chapter 736, division 18, directs the Oregon Parks and Recreation Department (OPRD) with respect to state park master planning, and does not apply to local governments except where specified by this division.

Response: Compliance with Statewide Planning Goal 8 is addressed previously in these findings. The findings for State Planning Goal 8 are incorporated here by reference.

OAR 660-034-0035 address state parks planning, allowable uses, coordination, and dispute resolution. The plan area does not include any state parks or state park master plans. Therefore, OAR 660-034-0015 through OAR 660-034-0035 do not apply.

660-034-0040 Planning for Local Parks

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

(a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and

(b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.

Response: The plan area is fully within the boundary of the Tualatin Hills Park & Recreation District service planning area. THPRD’s Comprehensive Plan (2023) includes planning for parks and recreation facilities and services across the plan area. THPRD’s planning documents include the Comprehensive Plan (2023), Parks Functional Plan (2019), Trails

Functional Plan (2016), Natural Resources Functional Plan (2014), Athletic Facilities Functional Plan (2016), and Programs Functional Plan (2023). Each plan identifies existing conditions, future conditions, and standards for developing new parks, trails, facilities, and services. The proposed amendments do not propose changes to the existing local park master plans.

Comprehensive Plan Goal 5.8.1 is “Cooperate with THPRD in implementation of its 20-Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.” Findings related to Comprehensive Plan Goal 5.8.1 are included below and are incorporated here by reference.

The proposed amendments add a Parks Overlay to portions of the plan area that have been identified for future community parks and neighborhood parks. The proposed amendments also add open space and landscape requirements for the Cooper Mountain Community Plan area. In addition, the proposed Development Code Section 2.22.20 lists public parks, public dog parks or dog runs, and community gardens as a permitted uses in all proposed Cooper Mountain zoning districts. Public and private recreational facilities are permitted uses in the CM-CS, and CM-HDR zone and conditional uses in the CM-MR and CM-RM zone.

Conclusion: While this criterion does not require the city to consider develop or amend a parks master plan, the Cooper Mountain Community Plan project overall includes planning for local parks. Additional findings related to the recreational needs are addressed in the findings for State Planning Goal 8 and incorporated here by reference.

OAR 660-046 – MIDDLE HOUSING IN MEDIUM AND LARGE CITIES

660-046-0010 Applicability

- (1) A local government that is a Medium City or Large City must comply with this division.**
- (2) Notwithstanding section (1), a Medium or Large City need not comply with this division for:**
 - (a) Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;**
 - (b) Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and**
 - (c) Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land’s potential for planned urban development.**
- (3) A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged**

pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.

- (a) **Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.**
 - A. **Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through OAR 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5...**
 - B. **Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing...**
- (b) **Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.**
- (c) **Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7**

apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:

- A. Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and
 - B. Other hazard areas identified in an adopted comprehensive plan or development code, provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard
- (d) **Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.**
- (e) **Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.**

Response: Compliance with OAR 660-046-0010 is described below in findings for OAR 660-046-0010 in the T42024-00680 section, which addresses how the City of Beaverton (a Large City) will adopt regulations implementing the statewide planning goals above, if relevant, and how these regulations shall be implemented in relation to allowing middle housing. Those findings are incorporated here by reference.

660-046-0030 Implementation of Middle Housing Ordinances

- (1) **Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the local government must submit the proposed amendment to the Department for review and comment pursuant to OAR chapter 660, division 18.**

Response: The proposed Comprehensive Plan amendment (CPMA42024-00679) complies with OAR 660-046-0030, which requires the city to allow middle housing in

residential districts that allow single-detached homes. Consistent with procedures outlined in the Beaverton Development Code, staff submitted the Post-Acknowledgement Plan Amendment (PAPA) to DLCD on September 6, 2024, more than 35 days before the initial hearing. DLCD acknowledged receiving the PAPA via email on September 6, 2024.

(2) In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:

- (a) Waiving or deferring system development charges;**
- (b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and**
- (c) Assessing a construction tax under ORS 320.192 and ORS 320.195.**

Response: Compliance with OAR 660-046-0030(2) is described below in findings for OAR 660-046-0030(2) in the T42024-00680 section, which addresses methods to increase the affordability of middle housing through ordinances and policies, and are incorporated here by reference.

(3) When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

Response: While this criterion does not require the city to consider whether the amendments significantly affect an existing or planned transportation facility, the Cooper Mountain Community Plan project overall considers transportation needs and improvements to the transportation system. See findings for Statewide Planning Goal 12 Transportation, OAR 660-012, and Metro’s Regional Transportation Functional Plan.

METRO UGMFP TITLE 1 – HOUSING CAPACITY

- (a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).**
- (b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.**

(g) A city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The authorization may be subject to reasonable regulation for siting and design purposes. [Ord. 97-715B, Sec. 1. Ord. 02-972A, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 07-1137A, Sec. 1. Ord. 10-1244B, Sec. 2. Ord. 15-1357.]

Response: The proposed amendments would not reduce density in a Regional Center, Town Center, Corridor, Station Community, or Main Streets. Sub-section (a) is not applicable. Sub-sections (c) through (f) are not applicable because the proposed amendments do not include reduction of density in any zone or transfer of density to other jurisdictions.

Regarding sub-section (b), the proposed amendments establish a minimum dwelling unit density for each zone where dwelling units are authorized that are not mixed-use zones. The minimum density for the Cooper Mountain – Multi-unit Residential zone is 34 units per net acre. The minimum density for the Cooper Mountain – Residential Mixed zone is 10 units per acre. It is not possible to zone the minimum density at least 80 percent of maximum density because the State of Oregon no longer allows maximum density in zones where single-detached dwellings are allowed. The minimum residential density for residential-only projects in the two mixed-use zones, Cooper Mountain – Community Service and Cooper Mountain – High Density Residential, is 34 units per acre. Mixed-use projects within those zones are subject to minimum floor-area ratio requirements.

Regarding sub-section (g), Beaverton’s existing Development Code and the proposed amendments allow one accessory dwelling unit for each detached single-family dwelling, referred to in the code as Single-detached Dwellings.

Conclusion: This criterion is met.

METRO UGMFP TITLE 3 – WATER QUALITY AND FLOOD MANAGEMENT

3.07.330 Implementation Alternatives for Cities and Counties

Section 3.07.330(a) provides multiple pathways for the city to comply with Title 3 through existing or amending comprehensive plans and ordinances to substantially comply with the performance standards in Section 3.07.340 and the intent of Title 3. The City of Beaverton already has a city-wide program of flood management and water quality standards that is substantially compliant with the performance standards in Section 3.07.340.

The findings for Section 3.07.340(e) describe the city’s approach to identifying Title 3 resources in the planning area, which will be subject to the existing protection programs.

Section 3.07.330(b) Cities and counties shall hold at least one public hearing prior to adopting comprehensive plan amendments, ordinances and maps implementing the performance standards in Section 3.07.340 of this title or demonstrating that existing city or county comprehensive plans and implementing ordinances substantially comply with Section 3.07.340, to add Protected Water Features, and wetlands which meet the criteria in Section 3.07.340(e)(3), to their Water Quality and Flood Management Area map. The proposed comprehensive plan amendments, implementing ordinances and maps shall be available for public review at least 45 days prior to the public hearing.

Information about the city's land use planning process and procedures to adopt comprehensive plan amendments, including public hearing processes, is described in Section 1.5 (Statewide Planning Goal 2) and incorporated here by reference. Staff mailed a public hearing notice to property owners on September 12, 2024. The notice included a summary of the proposed amendments, implementing ordinances, and maps. The proposed amendments were posted on the city's website for public review at that time. Additional opportunities for public review of the proposed amendments were offered throughout the planning process, as described in the public engagement summary in Exhibit 14.

Section 3.07.330(c) requires the city to conduct a review of the water quality and flood management areas during the local periodic review required under ORS 197.629. This section does not apply to the proposed amendments. **Section 3.07.330(d)** states that the city is not required to establish Protected Water Features, Water Quality Resource Areas and Flood Management Areas in areas that were previously examined by Metro and then not included on Water Quality and Flood Management Areas maps adopted by the Metro Council.

3.07.340 Performance Standards

Section 3.07.340(a) outlines the flood management performance standards. The proposed amendments do not change the city-wide approach to flood management that will also apply to the planning area after annexation.

Section 3.07.340(b) outlines the water quality performance standards. The proposed amendments do not change the city-wide approach to water quality standards. The city's program to protect water quality follows the Clean Water Services standards for the Vegetated Corridor. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." CWS Design and Construction Standards, Table 3-1 defines the extent of the Vegetated Corridor, which includes existing and created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies; natural lakes, ponds, and in-stream impoundments; intermittent and perennial springs; intermittent streams draining more than 10 acres; and perennial streams. CWS Design and Construction standards, Section 3.04 and 3.05 limits activities in Sensitive Areas (including all wetlands) and the Vegetated Corridor

(including the impact areas around wetlands). When development activities are allowed in these areas, the activity must be minimized through choice of mode, sizing, and placement. Mitigation is required per the rules and regulations from the Department of State Lands and the US Army Corps of Engineers.

Section 3.07.340(c) outlines erosion and sediment control performance standards. The proposed amendments do not change the city-wide approach to erosion and sediment control that will also apply to the planning area after annexation.

Section 3.07.340(d) outlines implementation tools to protect water quality and flood management areas. As stated above, the proposed amendments do not change the city's approach to implementing water quality and flood management protections.

Section 3.07.340(e) includes the requirements for map administration. Subsection (e)(3) requires the city to add Title 3 wetlands to the water quality and food management area maps when the city receives significant evidence that a wetland meets any one of a list of criteria.

Cooper Mountain Community Plan area wetlands are identified in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Division of State Lands (DSL) requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant and added to the city's inventory of natural resources.

Conclusion: The proposed amendments are consistent with Metro UGMFP Title 3. This criterion is met.

METRO UGMFP TITLE 7 – HOUSING CHOICE

3.07.730 Requirements for Comprehensive Plan and Implementing Ordinance Changes

Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

(a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing. [Ord. 97-715B, Sec. 1. Ord. 00-882, Sec. 2. Ord. 03-1005A, Sec. 1. Ord. 06-1129B, Sec. 2.]

Response: The Beaverton Comprehensive Plan includes a Housing Element that includes policies that the city should provide an adequate supply of housing to meet future needs; provide a variety of housing types that meet the needs and preferences of residential; and encourage the development and preservation of fair and affordable housing. The latest revisions to the Comprehensive Plan regarding housing were completed as Beaverton adopted its latest Housing Needs Analysis in the fall of 2023.

At the same time, the City of Beaverton approved its Housing Production Strategy in compliance with state administrative rules that lists and prioritizes implementation measures the city will take to promote housing, including affordable housing. Both the Housing Needs Analysis and Housing Production Strategy were acknowledged by the Department of Land Conservation and Development.

The proposed amendments include the adoption of the Cooper Mountain Community Plan (Exhibit 1) that includes housing policies, including a goal to provide 450 regulated affordable housing units within the plan area.

In addition, the proposed amendments would establish zoning for Cooper Mountain that provides at least 4,469 homes on 373 buildable acres, with 42.9 percent of those homes anticipated to be single-detached homes, 32.8 percent anticipated to be middle housing, and 24 percent of those anticipated to be multi-dwellings (apartments with five or more units).

The proposed amendments also require a variety of housing types for development sites that are at least 3 acres in size and a variety of housing types are allowed on all lots within Cooper Mountain.

Conclusion: This criterion is met.

METRO UGMFP TITLE 8 – COMPLIANCE PROCEDURES

3.07.820 Review by the Chief Operating Officer

- (a) A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to the COO at least 35 days prior to the first evidentiary hearing on the amendment. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the functional plan. If the COO submits comments on the proposed amendment to the city

or county, the comment shall include analysis and conclusions on compliance and a recommendation with specific revisions to the proposed amendment, if any, that would bring it into compliance with the functional plan. The COO shall send a copy of comment to those persons who have requested a copy.

Response: The city submitted the proposed amendments to the COO on August 30, 2024, which is more than 35 days prior to the Oct. 16 Beaverton Planning Commission hearing, the first evidentiary hearing on the amendment.

On September 3, 2024, Metro submitted a letter confirming that they will update the inventory of regionally significant fish and wildlife habitat to incorporate proposed updates for the subject area inventoried through the Cooper Mountain Community Plan process. Findings for these updates are described in CPMA42024-00679 (Exhibit 17).

On September 11, 2024, Metro submitted a letter indicating that proposed Development Code updates for the Cooper Mountain Community Plan area would satisfy Metro Title 13 requirements. Findings for these updates are described in Metro UGMFP Title 13 – Nature in Neighborhoods in the TA42024-00680 section (Exhibit 18).

3.07.830 Extension of Compliance Deadline

Response: The city is not seeking an extension of compliance, so this criterion is not applicable.

3.07.840 Exception from Compliance

Response: The city is not seeking an exception from compliance, so this criterion is not applicable.

Conclusion: Therefore, all criteria in Metro UGMFP Title 8 are met or not applicable.

METRO UGMFP TITLE 11 – PLANNING FOR NEW URBAN AREAS, INCLUDING METRO UGB EXPANSION CONDITIONS OF APPROVAL

3.07.1120 Planning for Areas Added to the UGB

- (a) The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.

Response: The Metro ordinance that added the Cooper Mountain Community Plan area to the UGB (Ordinance No. 18-1427) identifies the City of Beaverton as the local jurisdiction to adopt comprehensive plan provisions and land use regulations for the area to authorize urbanization. The city is approving the Comprehensive Plan amendments after the date specified in the urban growth boundary expansion conditions of approval with the consent of Metro.

- (b) If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.**

Response: The City of Beaverton was the only local government assigned planning responsibility for the Cooper Mountain area. This is not applicable.

- (c) Comprehensive plan provisions for the area shall include:**

- (1) Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB;**

Response: Metro Ordinance 18-1427 conditions of approval designate Cooper Mountain as the “Neighborhoods” 2040 Growth Concept map design type. The Metro description of the Neighborhoods indicates they can have residential with a mix of housing types and mixed uses.⁵ The Comprehensive Plan amendments include proposed amendments to apply three land use designations to Cooper Mountain:

- Cooper Mountain Residential
- Cooper Mountain Mixed Use Corridor
- Cooper Mountain Commercial

All three of these land use designations allow zoning districts to be applied that would allow residential uses. The Cooper Mountain Residential land use designation would allow the Cooper Mountain – Residential Mixed zone, which allows single-detached homes, middle housing, and multi-dwellings (apartments) of up to six units.

The Cooper Mountain Mixed Use Corridor land use designation allows Cooper Mountain - Residential Mixed to be applied as well as Cooper Mountain – Multi-

⁵ The Nature of 2040: The region's 50-year plan for managing growth. Portland, 2000. PDF. <<https://www.oregonmetro.gov/sites/default/files/2014/05/09/natureof2040.pdf>>

dwelling Residential (CM-MR) and Cooper Mountain – High Density Residential (CM-HDR). CM-MR primarily allows multi-dwellings (apartments or condominiums), townhomes, and middle housing. CM-HDR allows residential uses similar to CM-MR and also allows commercial uses.

The Cooper Mountain Commercial land use designations allows the Cooper Mountain – Community Service (CM-CS) zone to be applied. CM-CS is nearly identical to the CM-HDR zone, with the exception that it allows commercial but also requires (rather than just allows) a small amount of commercial to be built.

CM-RM also allows small-scale commercial uses in limited locations. Most commercial uses within that district are limited to 1,500 square feet within buildings that would be similar in scale to the housing within that zoning district.

The Cooper Mountain Comprehensive Plan map and policies promote primarily residential uses in Cooper Mountain but allow a mix of uses to ensure that community members and visitors have access to goods, services, and employment opportunities within Cooper Mountain.

The boundary of Cooper Mountain also is consistent with the UGB expansion adopted in the Metro ordinance.

(2) Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Response: State law and city regulations, such as Development Code section 10.40, are already in place to facilitate annexations. The proposed amendments to Development Code Section 10.40 also clarify that city approval of zoning prior to annexation that is applied when annexation occurs is allowed. The city’s various service districts also have annexation procedures in place. Annexation to Tualatin Hills Park & Recreation District will be a condition of approval for property development in the city. Annexation likely will occur incrementally because of the limits on annexation procedures in state law as well as availability of infrastructure. The Beaverton City Council has decision-making authority regarding city annexations. And in all cases, annexation must occur before the city can regulate land, apply zoning, and enforce Development Code regulations.

(3) Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455(b)(2) of this chapter;

Response: Metro Ordinance 18-1427 conditions of approval require Beaverton to plan for at least 3,760 homes in the Cooper Mountain expansion area. Beaverton estimates the proposed Comprehensive Plan and Development Code amendments will facilitate at least 4,469 homes in Cooper Mountain in the future, as described in

Exhibit 22. That total likely will be larger because property owners can choose to exceed the minimum density, including on lots where middle housing is allowed. The city anticipates about 5,000 homes will eventually be built in the area.

(4) Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Response: Metro’s Title 7 includes Section 3.07.730: Requirements for Comprehensive Plan and Implementing Ordinance Changes. It says:

“Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

- (a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.
- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing...”

The Beaverton Comprehensive Plan includes a Housing Element that includes policies that the city should provide an adequate supply of housing to meet future needs; provide a variety of housing types that meet the needs and preferences of residential; and encourage the development and preservation of fair and affordable housing. The latest revisions to the Comprehensive Plan regarding housing were completed as Beaverton adopted its latest Housing Needs Analysis in the fall of 2023.

At the same time, the City of Beaverton approved its Housing Production Strategy in compliance with state administrative rules that lists and prioritizes implementation measures the city will take to promote housing, including affordable housing. Both the Housing Needs Analysis and Housing Production Strategy were acknowledged by the Department of Land Conservation and Development.

The proposed amendments include the adoption of a Community Plan (Exhibit 1) for Cooper Mountain that includes housing policies, including a goal to provide 450 regulated affordable housing units within the plan area.

In addition, the proposed amendments would establish zoning for Cooper Mountain that provides at least 4,469 homes on 373 buildable acres, with 42.9 percent of those homes anticipated to be single-detached homes, 32.8 percent anticipated to be middle housing, and 24 percent of those anticipated to be multi-dwellings (apartments with five or more units).

The proposed amendments also require a variety of housing types for development sites that are at least 3 acres in size and a variety of housing types are allowed on all lots within Cooper Mountain.

(5) Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

Response: Beaverton has adopted the Beaverton School District facilities plan. The eastern half of Cooper Mountain is within the Beaverton School District. Beaverton School District officials plan to serve Cooper Mountain students with existing facilities that already exist within the district, including Mountainside High School, which is nearby at 175th and Scholls Ferry Road. In addition, the school district owns land within South Cooper Mountain very close to its border with Cooper Mountain. That land can be used for future school buildings.

The western half of Cooper Mountain is within the Hillsboro School District. Hillsboro School District officials report that they plan to serve Cooper Mountain students with existing facilities or planned facilities consistent with the district’s facilities plan. Beaverton has not adopted the Hillsboro School District facilities plan because no part of the Hillsboro School District is currently within the city limits and adoption of the Hillsboro School District facilities plan is not currently required by state law.

(6) Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Response: Beaverton Comprehensive Plan Section 5.2 Public Facilities Plan states that the city’s Public Facilities Plan “consists of ... the most recent version of master plans adopted by providers of the following facilities and services in the City” and includes park and recreation in that list. Therefore, Tualatin Hills Park & Recreation District (THPRD) plans, including the Parks Functional Plan and Trails Functional Plan are included in the city’s Public Facilities Plan.

In addition, the proposed amendments address public park facilities in the following ways:

- Providing a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code text amendment, along with some of the Development Code standards regarding parks/open space.

- Requiring open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.
- Requiring park amenities for open space within the Parks Overlay. Outside the Parks Overlay, tree planting that would produce a 50 percent tree canopy at maturity is required.
- Including code incentives for open space to be dedicated to THPRD by:
 - Not requiring the park amenities to be built if the land is dedicated to THPRD.
 - Giving 150 percent credit toward open space requirements for open space land dedicated to THPRD.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

(7) A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Response: The proposed amendments provide a conceptual map of arterials, collectors, and neighborhood routes within the Cooper Mountain Plan Area in modifications to Comprehensive Plan Volume 1, Chapter 6. Beaverton's Engineering Design Manual also contains intersection spacing and other connectivity rules to ensure a logical, direct, and connected system of streets and limit closed-end streets and the length of closed-end streets. Local streets are not identified specifically in the conceptual map because the location and connections of those streets will be determined during development and shall be consistent with city Development Code and Engineering Design Manual standards. The conceptual map in the proposed amendments provides direct routes and preserves the region's arterial system by coming as close as is practical to meeting arterial and collector spacing standards in the Metro Regional Transportation Plan as described in the findings within Section 3.08.510A, which are incorporated here by reference.

Additional findings also can be found in the findings within this staff report related to the Metro Regional Transportation Functional Plan and Regional Transportation Plan, which are incorporated here by reference.

(8) Provision for the financing of local and state public facilities and services; and

Response: The Infrastructure Funding Plan that is included as an appendix to the Cooper Mountain Community Plan (Exhibit 1, Appendix C) identifies funding sources and strategies for each category of infrastructure and whether resources are expected to be available to cover the estimated costs. Services are provided by the city as well as service providers, including Clean Water Services (stormwater and sewer), Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, Tualatin Hills Water District, Metro, Washington County, and Beaverton School District. Each of those agencies have capital improvement plans, capital budgets, and funding sources for ongoing service provision as well as financing public facility capital investments. Beaverton Comprehensive Plan Section 5.2 Public Facilities Plan states that the city’s Public Facilities Plan “consists of ... the most recent version of master plans adopted by providers of the following facilities and services in the City” and includes storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation on that list.

(9) A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Response: There are no existing or planned state highway interchanges in the Cooper Mountain Community Plan area, and operations at the nearest highway interchange (SR 217 at Scholls Ferry Road) was not evaluated as part of the transportation analysis. The SR 217 at Scholls Ferry Road interchange was evaluated during the 2014 South Cooper Mountain Concept Plan, which included assumptions for the Cooper Mountain Community Plan area. The performance of the interchange was determined to be acceptable at that time.

(d) The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using a method consistent with a Goal 14 analysis, within 30 days after adoption of new land use regulations for the area

Response: The city as part of the Cooper Mountain Community Plan project conducted a draft Buildable Land Inventory in 2020, which was updated with new information in the spring of 2024. The Building Land Inventory and attached addendum (Exhibit 22) provide the determination of residential capacity of the zoned areas within Cooper Mountain. The proposed Comprehensive Plan, Zoning Map, and Development Code text amendments combined would establish zoning for Cooper Mountain that provides at least 4,469 homes on 373 buildable acres, with 42.9 percent of those homes

anticipated to be single-detached homes, 32.8 percent anticipated to be middle housing, and 24 percent of those anticipated to be multi-dwellings (apartments with five or more units). This determination is being provided as part of the findings for the document and was shared with Metro in advance of the first evidentiary hearing. The information also will be provided within 30 days of adoption of the proposed amendments. The proposed amendments require a minimum of 10 units per acre for CM-RM and 34 units per acre for CM-MR, CM-HDR, and CM-CS. The code does not limit maximum residential densities in these zones. The actual buildout likely will include more residential units because property owners will decide to exceed minimum density, including on lots zoned to allow middle housing.

Conclusion: The proposed amendments are consistent with Metro Urban Growth Management Functional Plan Section 3.07.1120 as described in the findings above. This criterion is met.

2018 Metro UGB Expansion Conditions of Approval

A. Comprehensive Planning in the four UGB Expansion Areas

- 1. Within four years after the date of this ordinance, the four cities shall complete comprehensive planning consistent with Metro code section 3.07.1120 (Planning for Areas Added to the UGB).**

Response: Ordinance 18-1427 was enacted on December 13, 2018. The City of Beaverton began the process of comprehensive planning for the Cooper Mountain Community Plan area in 2019 and expects adoption in December 2024. The city is approving the Comprehensive Plan amendments after the date specified in the urban growth boundary expansion conditions of approval with the consent of Metro.

- 2. The four cities shall allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit single family housing in the expansion areas.**

Response: Residential zoning designations for the Cooper Mountain Community Plan area include Cooper Mountain Residential Mixed (CM-RM), Cooper Mountain Multi-Unit Residential (CM-MR), and Cooper Mountain High-Density Residential (CM-HDR). New single-detached housing is allowed in the CM-RM zone, which also permits townhomes, duplexes, triplexes, and fourplexes, as shown in Beaverton Development Code 20.22.20 (included in Exhibit 10). The CM-RM zone also allows five-plexes and six-plexes. The proposed amendments exceed the minimum requirements of this condition.

- 3. The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.**

Response: Housing variety and allowing accessory dwelling units has been a priority for the Beaverton. The city’s current code already allows accessory dwelling units citywide where single-detached homes are allowed. The proposed amendments will also allow them in Cooper Mountain zoning districts where single-detached dwellings are allowed.

In addition, the current code allows an ADU to be as close as five feet from the rear lot line if it is a one-story building (maximum height of 15 feet). And the current code indicates that ADU can also be a manufactured home.

4. As the four cities conduct comprehensive planning for the expansion areas, they shall address how their plans implement relevant policies adopted by Metro in the 2014 regional Climate Smart Strategy regarding:

(a) concentrating mixed-use and higher density development in existing or planned centers;

Response: The Cooper Mountain Community Plan area does not contain an existing or planned center per the Metro 2040 Growth Concept. The Community Plan area includes "Neighborhood" and "Parks and natural areas" designations. However, as noted below, to facilitate a walkable community, “neighborhood centers” are proposed within the Metro 2040 “Neighborhood” designation. The “neighborhood center” designation is not a Metro 2040 designations but rather the plain language term the city used to describe the desired outcomes to community members. Elsewhere in the City of Beaverton, designations of Regional Center, Station Communities, and Corridors apply.

The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both commercial and residential are allowed but there is no minimum commercial requirement.

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

(b) increasing use of transit; and

Response: TriMet transit service does not currently serve the Cooper Mountain Community Plan area but has plans to extend Route 56 service to Mountainside High School in the near future.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments support transit use by ensuring Cooper Mountain is transit-ready. The proposed Comprehensive Plan, Zoning Map, and Development Code text amendments support transit by:

- Requiring a network of arterials, collectors, neighborhood routes, and local streets with intersection spacing and connectivity standards, many of which are in the existing Development Code or the city's Engineering Design Manual.
- Proposing zoning that provides many destinations and different types of destinations along major travel routes. The zoning map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The corridors mentioned above are the most likely to support transit because they provide connections through Cooper Mountain and because of the mix of uses, number of households, and variety of destinations along those corridors.

(c) increasing active transportation options.

Response: A robust active transportation system is a central component of the Cooper Mountain Community Plan. The proposed amendments in the

Comprehensive Plan Volume 1, Chapter 6 provide a well-connected hierarchy of streets: arterials, collectors, and neighborhood routes (Figure 13) as well as a network of pedestrian routes, bike paths, and trails (Figure 14).

The city's existing Engineering Design Manual standards require bicycle and pedestrian facilities on streets within the city. In addition, the proposed amendments to Beaverton Transportation System Plan include policies that call for facilities "designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the 'interested but concerned' user category" on all arterials, collectors, and neighborhood routes. The proposed amendments in Comprehensive Plan Volume 1, Chapter 6 also include a complete multi-use path system in Cooper Mountain that will provide an alternative system of travel largely separated from automobiles. This includes a multi-use path connecting Grabhorn Road and the future neighborhoods adjacent to Grabhorn Road to the rest of the Cooper Mountain Community Plan area (and vice versa) with a path through the Resource Overlay over McKernan Creek to ensure a comfortable, direct, and easy active transportation (walking, biking, rolling) connection. The proposed text amendments in Development Code Section 60.55.35 also would limit vehicle access to private property along Neighborhood Routes to facilitate relatively uninterrupted, physically protected (with vertical physical barriers) bicycle facilities and ensure those routes complement the planned protected bicycle facilities on collectors and arterials as well as the comfortable bicycle environments on local streets. Through a separate effort, the city is working to create new street design cross-sections for Cooper Mountain that are intended to be adopted into the City's Engineering Design Manual. These will implement the transportation goals and policies in the proposed amendments and set expectations for street construction of public streets. In addition, existing and proposed street standards will provide strong active transportation connections between future transit stops and future development.

The cities shall coordinate with the appropriate county and transit provider regarding identification and adoption of transportation strategies.

Response: The City of Beaverton has been in close coordination with Washington County and TriMet on the topic of transit and transportation strategies in the area. Regarding coordination and notice more broadly and consistent with the Urban Planning Area Agreement, notice, opportunity to comment, and/or direct coordination of the Cooper Mountain Transportation Analysis and proposed Community Plan occurred during the planning process. The Technical Advisory Committee (TAC) included Washington County, Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School

District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation. A detailed list of TAC meeting dates, and other examples of coordination with Washington County and TriMet is in Exhibit 14.

On August 22, 2024, Beaverton also provided Washington County draft amendments prior to finalizing and allowed at least 55 days before the initial public hearing to provide comments.

More complete findings regarding coordination are provided in this staff report in response to OAR 660-012-0060(4) and are incorporated here.

- 5. As the four cities conduct comprehensive planning for the expansion areas, they shall regularly consult with Metro Planning and Development staff regarding compliance with these conditions, compliance with the Urban Growth Management Functional Plan, compliance with the state Metropolitan Housing Rule, and use of best practices in planning and development, and community engagement. To those ends, cities shall include Metro staff in advisory groups as appropriate.**

Response: The Cooper Mountain Community Plan process included a Community Advisory Committee (CAC) and Technical Advisory Committee (TAC). The TAC included Tim O'Brien, Metro Principal Regional Planner, who provided detailed comments on work products and helped direct the effort. In addition, city staff consulted with Metro staff regarding Title 13 natural resources issues; transportation issues; parks and natural area planning; and other issues. A detailed list of TAC meeting dates, and other examples of coordination with Metro Planning and Development staff is in Exhibit 14.

- 6. At the beginning of comprehensive planning, the four cities shall develop – in consultation with Metro – a public engagement plan that encourages broad-based, early and continuing opportunity for public involvement. Throughout the planning process, focused efforts shall be made to engage historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth.**

Response: The public engagement plan is included in Exhibit 13. It describes the City of Beaverton's approach to engagement for this effort. This engagement plan was the subject of review and comment from the project's Technical Advisory Committee, which included Metro representation, as well as the Community Advisory Committee, and appointed and elected officials. The Public Engagement Plan describes the following objectives:

- Advance racial equity and ensure Cooper Mountain is inclusive and welcoming to all communities.

- Recruit diverse and historically marginalized community members to serve on the community advisory committee and ensure feedback from multicultural engagement is integrated into project. (Please note: all outreach activities will Comply with Civil Rights Act of 1964 Title VI, which states that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.)
- Communicate complete, accurate, understandable, and timely information to the public throughout the project.
- Help the public understand the benefits of creating a community plan for the Cooper Mountain area.
- Actively seek public input from a broad, diverse audience at key project milestones to understand the needs and desires of the community.
- Involve the community with identifying issues, developing solutions, and evaluating alternatives.
- Provide meaningful public involvement opportunities and demonstrate how input has influenced the process.
- Seek participation of potentially affected and/or interested individuals, neighborhoods, businesses, and organizations.
- Implement the City’s adopted Diversity, Equity, and Inclusion (DEI) Plan to:
 - Build proactive, long-term relationships with historically underrepresented communities to reduce barriers, increase trust, and promote civic engagement.
 - Expand partnerships with community-based organizations to support outreach.
 - Offer meaningful engagement opportunities to historically underrepresented youth and expose them to networks and opportunities to influence their community beginning at a young age.
 - Promote community service, civic engagement, and other learning opportunities for youth.
 - Ensure that the public involvement process is consistent with applicable state and federal laws, requirements, and local policies.

Throughout the planning process, city staff continued engaging historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth. These efforts are documented in the Public Engagement Plan

Update (Exhibit 13), which communicates what project staff had learned from engagement as of June 2021 and described how staff would conduct additional public engagement activities for subsequent phases.

A summary of all engagement activities for the entire project is in the Cooper Mountain Community Plan Public Engagement Summary (September 2024) (Exhibit 14). The Public Engagement Summary demonstrates how community feedback meaningfully influenced the process and project outcomes for each phase of the project and includes tables with all engagement activities between 2019-2024.

B. Citywide Requirements (for the four cities)

- 1. Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units. In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling units be owner occupied and shall not require off street parking when street parking is available.**

Response: Exhibit 16 includes the annual compliance letters required by this condition for the years 2019, 2020, 2021, 2022, and 2023. The letter dated December 21, 2020, notes that the City updated its Development Code to remove minimum parking and occupancy requirements for Accessory Dwelling Units, as required by this condition of approval.

- 2. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.**

Response: Exhibit 16 includes the annual compliance letters required by this condition for the years 2019, 2020, 2021, 2022, and 2023. The letters dated 2020, 2021, and 2022 note the City's efforts to adopt code changes ensuring future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting housing types or density. The city's existing Development Code Section 10.18.3 says: "Recorded instruments affecting real property shall comply with, and be enforceable only as provided by, Section 13, Chapter 639, Oregon Laws 2019." The city's existing Development Code Section 10.18.4 says: "All recorded instruments that create a homeowners association, or include covenants, conditions, or restrictions for real property zoned for residential use, shall include the following statement in all capital letters on the first page of the recorded instrument: THIS PROPERTY IS SUBJECT TO SECTION 13, CHAPTER 639, OREGON LAWS 2019, AND ANY RECORDED DOCUMENT FOR THIS PROPERTY

SHALL NOT REGULATE HOUSING TYPES ALLOWED BY STATE LAW OR REQUIRE ACCESSORY DWELLING UNITS TO BE OWNER OCCUPIED. ANY PROVISION IN THIS DOCUMENT THAT VIOLATES THIS PARAGRAPH IS UNENFORCEABLE. ALL RECORDED REVISIONS OF THIS DOCUMENT MUST INCLUDE THIS STATEMENT ON THE FIRST PAGE, UNLESS OTHERWISE APPROVED BY THE CITY OF BEAVERTON IN WRITING.” Section 13 of Chapter 639, Oregon Laws 2019 declared unenforceable any recorded instrument affecting real property that would prohibit middle housing or accessory dwelling units on a lot that would allow the development of a single-family dwelling.

The city’s existing Development Code requires recorded instruments affecting real property comply with the law and Chapter 639 and not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.

- 3. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.**

Response: The response to B.2., incorporated by reference here, also addresses this criterion because the Development Code states that accessory dwelling units shall not require owner occupancy.

- 4. The four cities shall continue making progress toward the actions described in Metro Code section 3.07.620 (Actions and Investments in Centers, Corridors, Station Communities, and Main Streets).**

Response: The City of Beaverton plans to establish a boundary for the Sunset Transit Town Center/Station Community as part of the Designing Walkable Places project, which is under way. The city expects to adopt Comprehensive Plan amendments regarding that effort in 2025. This will allow the city to continue to make progress toward the actions in Section 3.07.620. The City of Beaverton also working on a Transportation System Plan update that will identify policy updates, actions, and investments related to transportation in that area. The Transportation System Plan update also will incorporate the city’s Complete Streets Policy, which prioritizes active transportation options over single occupancy vehicles, enabling safe access for all people who use them. The Cooper Mountain Community Plan area does not include any centers, corridors, station communities, or main streets.

- 5. Cities shall engage with service providers to consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters.**

Response: The City of Beaverton evaluated strategies to reduce housing costs, including the adoption of variable system development charges, through the Housing Options Project, noted in the annual compliance letters in Exhibit 16. The Housing Options Project’s Public Engagement Summary for Alternatives (July 2021) notes discussion regarding variable system development charges.

Tualatin Hills Park & Recreation District already has variable system development charges based on the size of the home. Its lowest rate is for homes under 1,500 square feet. The largest non-city water district, Tualatin Valley Water District, also charges variable rates by the meter size, with the lowest fees for five-eighths-inch meters. Generally, larger meter sizes are needed for larger homes with more water use/larger number of fixtures.

Sewer SDCs are determined with Clean Water Services and based on the type of dwelling unit. The city contacted CWS to ask if the district is considering variable SDCs to reduce the costs of building smaller homes. CWS staff says the district plans to update its SDC methodology and rates in the next year or two. During that process, affordable housing and development types will be factors evaluated as the methodology and rates are updated.⁶

Stormwater SDCs are determined based on impervious surface area. This is likely to be less for smaller structures with a smaller footprint, but it also depends on whether the amount of impervious area those structures provide and how much additional impervious area, such as pavement, is present on the site.

Service providers either already have variable system development charges or were engaged by the city regarding that approach.

- 6. For at least six years after this UGB expansion, the four cities shall provide Metro with a written annual update on compliance with these conditions as well as planning and development progress in the expansion areas. These reports will be due to the Metro Chief Operating Officer by December 31 of each year, beginning December 31, 2019.**

Response: Exhibit 16 includes the five annual compliance letters required by this condition for the years 2019, 2020, 2021, 2022, and 2023. The sixth and final letter for the year 2024 is expected to be submitted following the adoption of the Cooper Mountain Community Plan.

⁶ Email communication from Kathleen Leader, Clean Water Services Chief Financial Officer, Aug. 15, 2024.

C. Beaverton:

- 7. Beaverton shall plan for at least 3,760 homes in the Cooper Mountain expansion area.**

Response: Beaverton estimates the proposed Comprehensive Plan and Development Code amendments will facilitate at least 4,469 homes in Cooper Mountain in the future, as described in Exhibits 1-11. That total likely will be larger because property owners can choose to exceed the minimum density, including on lots where middle housing is allowed. The city anticipates about 5,000 homes will eventually be built in the area.

- 8. The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.**

Response: The area has been designated as Neighborhood on the 2040 Growth Concept Map (Exhibit 12). This condition is met.

- 9. The city may propose the addition of Corridors for depiction on the 2040 Growth Concept map as an outcome of comprehensive planning for the area.**

Response: The City has not proposed the addition of Corridors through this planning effort. The Cooper Mountain Community Plan area has been designated as Neighborhood on the 2040 Growth Concept Map (Exhibit 12). This condition is met.

Conclusion: The proposed amendments are consistent with Metro conditions of approval as described in the findings above. This criterion is met.

METRO UGMFP TITLE 12 – PROTECTION OF RESIDENTIAL NEIGHBORHOODS

3.07.1210 Purpose and Intent

Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services. [Ord. 02-969B, Sec. 3.]

Response: The Cooper Mountain Community Plan area is an urban growth boundary expansion area with largely rural development. Section 3.07.1210 states that Title 12’s purpose is to protect “existing residential neighborhoods.” Although there are some homes within the plan area, the Cooper Mountain Community Plan area was not within the urban growth boundary when the Title 12 was adopted, and the proposed amendments were

drafted to allow urban development and allow new neighborhoods within this 1,200-plus acre urban growth boundary expansion area. Title 12 is not applicable to the proposed amendments. If it were, the proposed amendments are not proposing any Neighborhood Centers (3.07.1230), and access to parks and schools are addressed through the city's Public Facilities plans and executed by the Tualatin Hills Park & Recreation District, the Beaverton School District, and, in the case of the western part of the Cooper Mountain Community Plan area, the Hillsboro School District.

Conclusion: Metro Urban Growth Management Functional plan Title 12 is not applicable to the proposed amendments. If it were, Title 12 would be met through the provision of park, greenspace, and school access through the city's partners, the city's Public Facilities Plan, and intergovernmental agreements with Tualatin Hills Park & Recreation District.

METRO UGMFP TITLE 13 – NATURE IN NEIGHBORHOODS

3.07.1330 Implementation Alternatives for Cities and Counties

Section 3.07.1330(a) requires cities and counties wholly or partly within the Metro boundary to apply the requirements of Title 13 to regionally significant riparian and upland habitat areas. The City of Beaverton already has a program for compliance with Title 13 for riparian and upland areas across the city. These findings are specific to the sections of Title 13 that apply to areas that were added to the UGB after December 28, 2005. Those are the sections of Title 13 that apply to the Cooper Mountain Community Plan area, which was added to the UGB on December 13, 2018.

Section 3.07.1330(a) includes a series of exceptions to using Title 13 for compliance with OAR 660-023. **Subsection (a)(1)** says that the city must follow the Goal 5 process in OAR 660-023 to adopt regulations that will limit development in areas that are not identified as riparian habitat or upland wildlife habitat on the Metro Inventory Map. The city prepared an ESEE Analysis, dated August 2024 (Exhibit 19) that documents the Goal 5 process to apply development regulations for wetlands and probable wetlands identified in the planning area. The ESEE concluded that conflicting uses should be limited in areas around wetlands and probable wetlands.

Subsection (a)(3) says that the city must follow the Goal 5 Process in OAR 660-023 to apply greater limits on development than those that are substantially compliant with the requirements of Title 13. As such, the ESEE documents the Goal 5 process to consider development regulations for the impact area around Cooper Mountain Nature Park. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain

Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land.

Section 3.07.1330(b) outlines five alternative approaches for cities and counties to amend the comprehensive plan and implementing ordinances to protect regionally significant natural resources. As a member of the Tualatin Basin Natural Resources Coordinating Committee (TBNRCC), the City of Beaverton follows the fifth approach, listed in Section 3.07.1330(b), subsections (5)(a) through (5)(g).

- 5. For a city or county that is a member of the [TBNRCC], ... amend its comprehensive plan and implementing ordinances to comply with the maps and provisions of the TBNRCC Goal 5 Program . . . adopted by the TBNRCC on April 4, 2005 (the “Tualatin Basin Program”), subject to the intergovernmental agreement entered into between Metro and the TBNRCC. All other provisions of this Metro Code Section 3.07.1330, as well as Metro Code Section 3.07.1360, shall still apply to each city and county that is a member of the TBNRCC.**

Section 3.07.1330(b), Subsections 5(a) through 5(e) address implementation of the Tualatin Basin Program, protections for riparian habitat areas, and partnerships between members of the TBNRCC, including the City of Beaverton and Clean Water Services (CWS).

The proposed amendments do not include changes to the city’s program for protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by designating those areas as part of the regulated “Vegetated Corridor.” The Vegetated Corridor includes existing and created wetlands, rivers, streams, and springs, natural lakes, ponds, and in-stream impoundments and a protected buffer width on each side of those features. The Vegetated Corridor width depends on the type of water feature and presence of adjacent slopes greater than 25%. The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat. The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Specific to Cooper Mountain upland wildlife habitat areas, Section 3.07.1330(b)(5)(f) requires the following:

- f. The city or county complies with the provisions of Metro Code Section 3.07.1330(b)(1) to (b)(3) as those provisions apply to upland wildlife habitat in territory added to the Metro urban growth boundary after December 28, 2005. For example, (1) each city and county shall either adopt and apply Metro’s Title 13 Model Ordinance to upland wildlife habitat in new urban areas, (2) substantially comply with Metro Code Section 3.07.1340 as it applies to upland wildlife habitat in new urban areas, or (3) demonstrate that it has implemented an alternative program that will achieve protection and enhancement of upland wildlife habitat in new urban areas comparable with the protection and restoration that would result from one of the two previous approaches described in this sentence. . . .**

The city is following pathway (2) from Section 3.07.1330(b)(5)(f) to adopt Development Code updates for the Cooper Mountain Community Plan area that substantially comply with the performance standards in Metro Code Section 3.07.1340. Findings related to compliance with Metro Code Section 3.07.1340 are described below.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states:

“[T]he proposed Development Code updates for the Cooper Mountain area would satisfy Example (2) [of UGMFP Subsection 3.07.1330(b)(5)(f)], with the referenced proposed updates substantially complying with Subsection 3.07.1340, Performance Standards and Best Management Practices for Habitat Conservation Areas, as they apply to upland wildlife habitat in new urban areas (i.e., the Cooper Mountain area added to the UGB in 2018).”

Section 3.07.1330(c) requires comprehensive plan and implementing ordinances to rely on clear and objective standards, such as a fixed numerical standard, nondiscretionary requirement, or a performance standard with an outcome based on objective criteria.

Section 3.07.1330(d) allows the comprehensive plan and implementing ordinances for protection of riparian and upland resources to include an alternative, discretionary approval process.

The proposed Development Code updates include clear and objective standards and an alternative, discretionary approval process to apply the requirements of Title 13 to regionally significant riparian and upland habitat areas. Development code compliance with Title 13 is described in the findings for TA-42024-00680. Those findings are incorporated here by reference.

Section 3.07.1330(e) requires the city to allow habitat friendly development practices in regionally significant fish and wildlife habitat areas.

The proposed amendments do not change the city’s approach related to Habitat Friendly Development Practices. The city previously adopted code provisions (Beaverton Development Code 60.12 Habitat Friendly Development Practices) to allow and encourage Habitat Friendly Development Practices across the city. The use of habitat friendly development practices is voluntary. Beaverton Development Code 60.12.25 offers development credits when projects apply specific techniques, such as preserving Habitat Benefit Areas and utilizing Low Impact Development Techniques. Those credits will still be available outside the Cooper Mountain Community Plan area.

Section 3.07.1330(f) states:

Cities and counties shall hold at least one public hearing prior to adopting comprehensive plan amendments, implementing ordinances, and maps implementing this title or demonstrating that existing city or county comprehensive plans, implementing ordinances, and maps substantially comply

with this title. The proposed comprehensive plan amendments, implementing ordinances, and maps shall be available for public review at least 45 days prior to the public hearing.

Information about the city's land use planning process and procedures to adopt comprehensive plan amendments, including public hearing processes, is described in Section 1.5 (Statewide Planning Goal 2) and incorporated here by reference. Staff mailed a public hearing notice to property owners on September 12, 2024. The notice included a summary of the proposed amendments, implementing ordinances, and maps. The proposed amendments were posted on the city's website for public review at that time. Additional opportunities for public review of the proposed amendments were offered throughout the planning process, as described in the public engagement summary in Exhibit 14.

Section 3.07.1330(g) states:

The comprehensive plan provisions and implementing ordinances that each city or county amends, adopts, or relies on to comply with this title shall provide property owners with a reasonable, timely, and equitable process to verify the specific location of habitat areas subject to the provisions of the city's or county's comprehensive plan and implementing ordinances. It is the intent of this requirement that, in the majority of cases, the process be as simple and straightforward as possible and not result in a change that would require an amendment to the city's or county's comprehensive plan.

The proposed amendments include development code rules to define the boundary of the Resource Overlay, which includes riparian and upland habitat areas that a subject to development rules to implement the performance standards in Section 3.07.1340. The city has prepared a Natural Resources Report (Exhibit 1, Appendix B) that includes mapping of riparian and upland habitat areas. The significant resource inventory in the Natural Resources Report was used to develop the Resource Overlay (Figure 4). The city will maintain an online GIS map of the boundary of the Resource Overlay. The simple, default approach for is for property owners to use the city's Natural Resources Report and the city's online GIS map to verify the location of the Resource Overlay on their property. The proposed development code also includes a pathway for property owners to present detailed documentation to request a modification to the mapping of resources on their property. Adjustments to the mapping of the Resource Overlay can be made through a Type 1 application and do not require an amendment to the Comprehensive Plan.

Section 3.07.1330(h) applies to properties that were within the Metro UGB prior to January 1, 2002. This section does not apply.

3.07.1340 Performance Standards and Best Management Practices for Habitat Conservation Areas

Section 3.07.1340(a) describes the requirements for city and county comprehensive plans and implementing ordinances. The specific section that applies to the Comprehensive Plan amendments for the Cooper Mountain Community Plan area is Section 3.07.1340(a)(8), which states the following, in pertinent part:

- 8. [W]hen a city or county exercises its discretion to approve zoning changes to allow a developed property that contains a Habitat Conservation Area to . . . (2) increase the type or density and intensity of development in any area, then the city or county shall apply the provisions of Metro Code Section 3.07.1340, or provisions that will achieve substantially comparable habitat protections and restorations as the provisions of this section. This provision will help to insure that, when developed areas are redeveloped in new ways to further local and regional urban and economic development goals, property owners should restore regionally significant fish and wildlife habitat as part of such redevelopment.**

Response: The proposed amendments will modify the zoning for properties across the planning area. The proposed zoning would allow increased density and intensity of development on properties that include HCAs. Those HCAs are the regionally significant riparian and upland habitat areas as identified in the Cooper Mountain Natural Resources Inventory (Exhibit 1, Appendix B).

Section 3.07.1340(b) outlines the review standards that are applicable to development in Habitat Conservation Areas (HCAs). **Section 3.07.1340(c)** requires the city to consider claims of hardship variances for any property that is converted to an unbuildable lot through application of these regulations.

Response: The city is implementing performance standards and best management practices for development near and within natural resource areas through adoption of Development Code rules. Findings related to the Development Code compliance with 3.07.1340(b) and 3.07.1340(c) are included in the findings for TA-42024-00680, for Metro UGMFP Title 13, Section 3.07.1340 and are incorporated here by reference.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states:

“[T]he proposed Development Code updates for the Cooper Mountain area would satisfy Example (2) [of UGMFP Subsection 3.07.1330(b)(5)(f)], with the referenced proposed updates substantially complying with Subsection 3.07.1340, Performance Standards and Best Management Practices for Habitat Conservation Areas, as they apply to upland wildlife habitat in new urban areas (i.e., the Cooper Mountain area added to the UGB in 2018).

“The proposed Development Code updates . . . contain review standards applicable to development in all proposed Habitat Conservation Areas (HCAs) of the Cooper Mountain area that appropriately include:

- Clear and objective development approval standards consistent with UGMFP Subsection 3.07.1330(c) that protect HCAs but allow limited development within High HCAs, slightly more development in Moderate HCAs, and even more development in Low HCAs;
- Allowances for property owners to use habitat friendly development practices, as well as requirements that development in HCAs be mitigated to restore the ecological functions that are lost or damaged as a result of the development;
- Discretionary development approval standards consistent with UGMFP Subsection 3.07.1330(d) that comply with Subsections 3.07.1340(b)(2)(A)-(C);
- Provisions related to mitigation for development occurring within delineated wetlands that are consistent with state and federal law; and
- Procedures to consider claims of hardship and to grant hardship variances for any property demonstrated to be converted to an unbuildable lot by application of any provisions implemented by the City to comply with the requirements of Title 13.”

Section 3.07.1340(d) outlines the process to administer the map of HCAs and provide site-level verification of the locations of riparian areas and upland habitat.

Response: The city worked with Metro to update the inventory of Regionally Significant Fish and Wildlife Habitat. The mapping methodology and resulting inventory of natural resources have been documented in the Cooper Mountain Community Plan Natural Resources Report (Exhibit 1, Appendix B). A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. During development, applicants must locate the Resource Overlay on their properties, further confirming the location of significant resources. The city will maintain a GIS-based map of the Resource Overlay and make adjustments to reflect approved modifications based on site-specific map verification.

Additional findings related to the map compliance with Section 3.07.1340(d) are included in Section 3.07.1370 and in the findings for TA-42024-00680, for Metro UGMFP Title 13, Section 3.07.1340 and are incorporated here by reference

3.07.1370 Future Urban Growth Boundary Expansion Areas

The Metro Inventory Map identifies regionally significant fish and wildlife habitat within the entire Metro boundary, including areas outside of the Metro UGB at the time this title was adopted. As described in Metro Code Section 3.07.1320, the Metro Council has designated as Habitat Conservation Areas the regionally significant fish and wildlife habitat that has been identified as riparian Class I and II habitat within the Metro boundary. In addition, the Metro Council has also determined that the regionally significant fish and wildlife habitat identified as upland wildlife Class A and B habitat that is currently outside of the Metro UGB shall be designated as Habitat Conservation Areas at such time that those areas are brought within the Metro UGB. Territory where the Metro UGB may expand includes both areas within the current Metro boundary and areas outside of the current Metro boundary.

Section 3.07.1340(a) and (b) both state, “At the time such territory is brought within the Metro UGB, consistent with Title 11 of this functional plan, Metro Code Sections 3.07.1110 et seq., Metro shall update its inventory of regionally significant fish and wildlife habitat for such territory using the same methodology used by Metro to establish the Metro Inventory Map. Based on the updated Metro Inventory Map, Metro shall prepare a Habitat Conservation Areas Map for such new territory, as described in Metro Code Section 3.07.1320(c), using the 2040 Design Types that are assigned to such territory to determine the area’s urban development value.”

Response: The Cooper Mountain Community Plan area was added to the UGB on December 13, 2018. In 2020, the City of Beaverton received a grant from Metro to develop the Cooper Mountain Community Plan, including development of an updated inventory of natural resources. The city worked with MIG, Inc. and David Evans and Associates Inc. to develop the Cooper Mountain Community Plan, Natural Resources Report, August 2024 (Exhibit 1, Appendix B) and corresponding map of riparian and upland wildlife habitat areas.

Riparian Habitat – UGMFP Section 3.07.1340(d)(4)(A) outlines a 5-step process to determine the boundaries and functional class of riparian habitat. The process is consistent with the habitat boundary verification criteria outlined in Metro’s Title 13 model ordinance, Section 9.G.4.a, for mapping riparian habitat. UGMFP Section 3.07.1320 describes the data and maps that form the basis of Metro’s fish and wildlife habitat protection and restoration program, identifying that riparian Class I and Class II habitat areas should be designated as Habitat Conservation Areas.

The city worked with Oregon Department of State Lands (DSL) to develop a Local Wetlands Inventory (LWI) for wetlands and streams. Riparian resources were mapped following the Clean Water Services (CWS) standards for determining buffer widths for vegetated corridors. Riparian habitat class determination was based on Metro’s method to account for ecological functions. As a result, Riparian Habitat Class I and Class II are included in the inventory of significant natural resources.

Upland Habitat – UGMFP Section 3.07.1340(d)(4)(B) outlines the process to determine the boundaries and functional class of upland wildlife habitat. The process is consistent with the habitat boundary verification criteria outlined in Metro’s Title 13 model ordinance, Section 9.G.4.b, for mapping upland wildlife habitat. UGMFP Section 3.07.1320 identifies that Upland Wildlife Class A and Class B habitat areas should be designated as Habitat Conservation Areas.

For upland wildlife habitat, UGMFP Section 3.07.1340(d)(4)(b) requires an assessment of habitat conditions at the time the property was brought into the UGB. For the Cooper Mountain Community Plan area, that date is December 13, 2018.

Evaluating whether areas were forested prior to the area’s inclusion in the Metro UGB was determined by analyzing aerial photography captured in summer leaf-on conditions between June 29, 2019, and August 5, 2019. The Natural Resources Report outlines the methodology to determine upland habitat classifications. Upland Wildlife Habitat Class A and Class B are included in the inventory of significant natural resources.

Metro is updating the inventory of regionally significant fish and wildlife habitat and publishing a revised Metro Inventory Map that is consistent with the City’s Natural Resources Report.

A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

Conclusion: The proposed amendments are consistent with Metro UGMFP Title 13. This criterion is met.

METRO REGIONAL TRANSPORTATION PLAN

Regional Transportation Functional Plan Section 3.08.010(C) says: “The RTFP is intended to be consistent with federal law that applies to Metro in its role as a metropolitan planning organization, the Oregon Transportation Plan, and Statewide Planning Goal 12 (Transportation) and its Transportation Planning Rule (TPR). If a TSP is consistent with this RTFP, Metro shall deem it consistent with the RTP.”

Response: The proposed amendments are consistent with Metro Transportation Functional Plan. Pursuant to Section 3.08.010(C) above. Therefore, the proposed amendments are consistent with the Regional Transportation Plan.

Conclusion: This criterion is met.

METRO REGIONAL TRANSPORTATION FUNCTIONAL PLAN (RTFP)

On Aug. 12, 2024, Metro issued an “Administrative Interpretation of Regional Transportation Functional Plan 2024-1: Guidance for Transportation System Plans, Community Plans, Concept Plans and Corridor Plans on outdated Regional Transportation Plan references in the Regional Transportation Functional Plan”.

It provided a crosswalk for outdated references in the Regional Transportation Plan and Regional Transportation Functional Plan, which is shown in Table 16.

Table 16: Updated Metro References

2010 RTP Reference	2023 RTP Reference
2035 RTP	The most recent adopted RTP
Chapter 2	Chapter 3
Figure 2.15	Figure 3.24
Table 2.6	Table 3.6 and Table 3.8
Section 2.5.2	Section 3.3.3
Figure 2.12	Figure 3.21
Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002) and Trees for Green Streets: An Illustrated Guide (2002)	Designing Livable Streets and Trails Guide (2019)
Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002)	Designing Livable Streets and Trails Guide (2019)

Findings below will address the “2023 RTP Reference” information where applicable.

METRO RTFP TITLE 5 – AMENDMENT OF COMPREHENSIVE PLANS

3.08.510 Amendments of City and County Comprehensive and Transportation System Plans

A. When a city or county proposes to amend its comprehensive plan or its components, it shall consider the strategies in subsection 3.08.220A as part of the analysis required by OAR 660-012-0060.

Response:

Metro Regional Transportation Functional Plan 3.08.220A says:

- A. Each city and county shall consider the following strategies, in the order listed, to meet the transportation needs determined pursuant to section 3.08.210 and performance targets and standards pursuant to section 3.08.230. The city or county shall explain its choice of one or more of the strategies and why other strategies were not chosen:
1. TSMO strategies, including localized TDM, safety, operational and access management improvements;
 2. Transit, bicycle and pedestrian system improvements;
 3. Traffic-calming designs and devices;

Cooper Mountain Transportation Needs were identified in the Dec. 8, 2020, Transportation Needs & Improvements memo prepared by DKS Associates (Exhibit 9) as well as in the Cooper Mountain Transportation Analysis (Exhibit 21). The needs information in those documents is incorporated here by reference and addresses Section 3.08.210A(1) and (2).

Beaverton considered the following strategies to meet its needs and performance standards.

1. Transportation system management and operations (TSMO) strategies are programs and strategies that will allow the region to more effectively and efficiently manage existing and new multi-modal transportation facilities and services to preserve capacity and improve safety, security and reliability. TSMO has two components: (1) transportation system management, which focuses on making facilities better serve users by improving efficiency, safety and capacity; and (2) transportation demand management, which seeks to modify travel behavior in order to make more efficient use of facilities and services and enable users to take advantage of everything the transportation system offers.

The proposed amendments and Beaverton's existing Development Code and Engineering Design Manual include transportation system management and operations strategies, including plans for upgrades to existing/future Washington County arterials (175th, Tile Flat/Grabhorn, Kemmer); a network of new collectors, neighborhood routes, and local streets to serve new neighborhoods; and a multi-use path active transportation network. The proposed Comprehensive Plan amendments show the new road network and include complete streets policies related to these improvements. The Cooper Mountain Transportation Analysis (Exhibit 21) and Cooper Mountain Infrastructure Funding Plan (Exhibit 1, Appendix C) provide information about the networks and include both projects in Cooper Mountain and intersection improvements outside Cooper Mountain that will provide safety, efficiency, and capacity. Additional evidence for TSMO is in the Cooper Mountain Transportation Analysis and is incorporated here by reference. Regarding Transportation Demand Management strategies, the city's Transportation System

Plan calls for an “An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.” Actions under that policy including the city implementing trip reduction strategies developed regionally, including employment, tourist, and recreation trip reduction programs; limiting the provision of parking to meet regional and state standards; managing parking in the Downtown Regional Center; supporting mixed-use development; and coordinating with TriMet to implement transit improvements current with roadway improvements, improve transit frequency, improve transit access, provide transit center parking as appropriate, and encourage development of high-capacity transit. The city’s existing Development Code has no minimum parking requirements for any use on any lot within the city and has maximum parking requirements consistent with the state’s Climate Friendly and Equitable Communities rules. The city also is a member and has a board representative on the Westside Transportation Alliance, a 501(c)(6) nonprofit that works with its member organizations to offer workplace services and programs that encourage their employees to commute to work by transit, carpool, vanpool, bicycling, teleworking, and walking.

2. Transit, bicycle and pedestrian system improvements.

Response: The city’s existing Engineering Design Manual standards require bicycle and pedestrian facilities on streets within the city. In addition, the proposed amendments to Beaverton Transportation System Plan include policies that call for “Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the ‘interested but concerned’ user category” on all arterials, collectors, and neighborhood routes. The proposed amendments in Comprehensive Plan Volume 1, Chapter 6 also include a complete multi-use path system in Cooper Mountain that will provide an alternative system of travel largely separated from automobiles. This includes a multi-use path connecting Grabhorn Road and the future neighborhoods adjacent to Grabhorn Road to the rest of the Cooper Mountain Community Plan area (and vice versa) with a path through the Resource Overlay over McKernan Creek to ensure a comfortable, direct, and easy active transportation (walking, biking, rolling) connection. The proposed text amendments in Development Code Section 60.55.35 also would limit vehicle access to private property to facilitate relatively uninterrupted, physically protected (with vertical physical barriers) bicycle facilities on Neighborhood Routes and ensure those routes complement the planned protected bicycle facilities on collectors and arterials as well as the comfortable bicycle environments on local streets. Through a separate effort, the city is working to create new street design cross-sections for Cooper Mountain that are intended to be adopted into the City’s Engineering Design Manual. These will implement the transportation goals and policies in the proposed amendments and set expectations for street construction of public streets. Regarding transit, overall the proposed

Comprehensive Plan amendments and Development Code text amendments also include networks of collector roads and neighborhood routes along with intersection spacing and connectivity standards for local streets that include roads, bicycle connections, and pedestrian ways that are focused on the mixed-use areas in a manner that will support transit use once transit is provided to this new urban growth boundary expansion area. The Cooper Mountain Community Plan area in general and the CM-CS and CM-HDR zones in particular include two larger mixed-use centers along 175th Avenue and Tile Flat Road as well as smaller mixed-use areas along or near 175th and Grabhorn Road. The proposed Comprehensive Plan amendments show trails/paths that will lead into these areas and connect them to the rest of Cooper Mountain and other city neighborhoods. Existing and proposed street standards will provide strong active transportation connections between future transit stops and future development.

3. Traffic-calming designs and devices.

Response: The city's existing Engineering Design Manual includes traffic-calming solutions that can be applied to Cooper Mountain. These include curb extensions, speed humps, speed tables, median islands, and traffic circles.

Specifically with regard to Section 3.08.210 and the performance standards in Section 3.08.210 as mentioned in 3.08.510A, the findings below address those sections.

Section 3.08

4. Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230;

Response: OAR 660-012-0035(2) does not include land use strategies. That OAR sub-section appears to have been revised in 2022. So there are no applicable land-use strategies the city could apply to comply with this section, so this requirement is not applicable. The 2017 edition of the Oregon Administrative rules lists increasing density near transit and regional employment and shopping centers; increasing allowed density in commercial office and retail development in community centers; designated land for neighborhood shopping centers within convenient walking and cycling distance of residential areas, and designating land uses to provide a better balance between jobs and housing. Although Cooper Mountain does not have any existing transit lines or major employment or shopping centers, the proposed amendments include two mixed-use zones and two residentially focused zones (including one where small-scale commercial uses are allowed) arranged to ensure Cooper Mountain residents and visitors have convenient walking and cycling access to shopping and employment locations. The background section of this staff report provides additional information about the proposed zoning for the area and that information is incorporated here by reference. In addition, the proposed

amendments to Comprehensive Plan Volume 1, Chapter 6, include the transportation network, including the active transportation network, that provide convenient multi-modal access throughout Cooper Mountain along with connections to the rest of the city. Beaverton also has adopted performance standards consistent with Table 3.08-2. The proposed amendments comply with those performance standards as described in this staff report's findings related to Oregon Administrative Rule 660-012-0060, which are incorporated here by reference.

5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classifications in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit; and

Response: The city's proposed amendments to Comprehensive Plan Volume 1, Chapter 6 (Transportation Element) show collectors that run from Kemmer Road in the north to Tile Flat Road in the south, providing a parallel system to the north-south arterial corridors already established by 175th and the Tile Flat-Grabhorn combination. The proposed amendments also show an east-west collector that runs east-west from 175th to Tile Flat Road. This provides a parallel system to the current east-west arterial of Scholls Ferry Road as well as Kemmer Road to the north and Barrows Road to the south. In addition, Neighborhood Routes provide parallel connections in various places, including parallel to Grabhorn, parallel to 175th east of 175th, and parallel to Scholls Ferry Road and Barrows Road (SW Alvord Road continued). All of these streets will, consistent with city Complete Streets policies, will include bike facilities that provide a safe and comfortable environment for pedestrians and bicycle users (as well as people using other mobility devices). Regional Transportation Functional Plan Table 3.6 only lists design components for arterials. The city's proposed Transportation Element amendments and existing Engineering Design Manual standards for arterials include designs that include the components in Table 3.6 and 3.8, including two to four lanes; medians/turn lanes; zones that can accommodate parking or transit stops; and other features.

Section 3.08.110(C) says Beaverton "shall incorporate into its TSP, to the extent practicable, a network of major arterial streets at one-mile spacing and minor arterial streets or collector streets at half-mile spacing" considering topography; rail lines; freeways; pre-existing development; leases, easements or covenants; the requirements of Title 3 and Title 13 of the Urban Growth Management Functional Plan, arterial design concept in Table 2.6 and Figure 2.11 of the RTP, and best practices and designs in several Metro transportation documents.

Existing arterial roads (including Kemmer which is planned to be an arterial in the future) have the following spacing:

- Scholls Ferry to Kemmer Road: North-south spacing of about 1.5 miles.
- 175th and Tile Flat-Grabhorn: East-west spacing of about 1.35 miles

The spacing exceeding 1 miles was present before the Cooper Mountain Urban Growth Boundary expansion was approved by Metro and work began on the Cooper Mountain Community Plan.

Existing east-west collectors in the area are both in South Cooper Mountain. Barrows Road, when completed, will run east-west through South Cooper Mountain, about 0.3 miles to 0.55 miles from the planned east-west collector proposed for Cooper Mountain that runs from 175th to the Tile Flat-Grabhorn arterial corridor. Mountainside Way runs east-west about .4 miles south of Barrows but turns north as it heads west and, when completed, will enter somewhat near Cooper Mountain near Kobbe Drive.

There is one north-south collector proposed for Cooper Mountain, which starts at Kemmer at about 180th Avenue and heads south and then southwest to eventually intersect with Tile Flat west of Kobbe Drive.

The Cooper Mountain proposed amendments meet the standards to the extent practical. However, numerous factors make it impractical to meet the stated 1 mile and one-half mile standards. Although the collector and neighborhood route system proposed in amendment to the Comprehensive Plan Volume 1, Chapter 6 provide high-quality feasible connections, connections not made include putting arterial, collector or neighborhood route connections through the Cooper Mountain Nature Park, across the Summer Creek canyon in the northeast corner of the plan area, and across McKernan Creek and its abutting significant natural resources in the southwest part of the plan area. A multi-use path is proposed for the McKernan Creek crossing. The future developments around the Summer Creek canyon have or will have easy access to Weir Road and 175th Avenue and have relatively less developable land and are in the Cooper Mountain Residential Mixed zone, which has the lowest minimum density.

- 3.08.110C(1) Existing topography. The lowest elevation in Cooper Mountain is about 230 feet above sea level near the Tile Flat-Grabhorn intersection. The highest elevation is 790 feet along Kemmer Road. In addition, there are several canyons, such as the one along Summer Creek, that make full street connectivity expensive, difficult, and impactful to significant natural resources.
- 3.08.110C(2) Rail lines. No rail lines are existing or planned for the Cooper Mountain Community Plan area.
- 3.08.110C(3) Freeways. No freeways exist or are planned for the Cooper Mountain Community Plan area.

- 3.08.110C(4) Pre-existing development. Cooper Mountain Nature Park is owned by Metro and operated by Tualatin Hills Park & Recreation District. It has been developed and is operated as a popular nature park. Paul and Verna Winkelman Park is owned and operated by THPRD. Beaverton owns the Cooper Mountain reservoir along Kemmer Road. These existing developments cover large areas between 175th and Grabhorn Road, leaving little room for new arterial or collector roads in between Grabhorn and 175th. The proposed amendments include a collector through one of the two gaps available to reach Kemmer between these features. In addition, South Cooper Mountain development and existing or already approved road layouts dictate where streets in Cooper Mountain can connect to the south. No north-south arterial connection is available for a new arterial through South Cooper Mountain. The only available collector connection in a north-south orientation from South Cooper Mountain is Mountainside Way, which is on the west side of Cooper Mountain and is directly south of the Cooper Mountain Nature Park. The proposed amendments propose a north-south Cooper collector to intersect with Mountainside Way.
- 3.08.110C(5) Leases, easements, or covenants. The city is not aware of leases, easements, or covenants that would make the road network impractical, although the Cooper Mountain Nature Park and Winkelman Park are in public ownership as park space/natural area.
- 3.08.110C(6) The requirements of Titles 3 and 13 of the Urban Growth Management Functional Plan.
 - Title 3 of the Metro UGMFP requires the city to develop a program that limits or mitigates the impacts from development to Water Quality Resource Areas. In the planning area, Water Quality Resource areas include the vegetated corridor, which includes wetlands, streams, and riparian areas. The Cooper Mountain Natural Resources Report (Exhibit 1, Appendix B) identifies riparian areas, including McKernan Creek and multiple tributaries that cover large portions of the planning area. There is little opportunity to locate collector roads in the desired spacing, without creating direct impacts to multiple riparian corridors. The proposed amendments identify the preferred collector road locations that would require only one major crossing of a McKernan Creek tributary.
 - Title 13 of the Metro UGMFP requires the city to develop a program to protect significant natural resource areas. The natural resources inventory mapping adopted with Title 13 in 2005 identified large areas of regionally significant riparian and upland habitat areas across the planning area. In addition, all of Cooper Mountain Nature Park is

identified as a regionally significant resource area. The Cooper Mountain Natural Resources Report (Exhibit 1, Appendix B) shows the location of the significant natural resource areas and their relationship to existing transportation corridors. There is little opportunity to locate collector roads at the desired spacing without crossing and disturbing large areas of regionally significant natural resources.

- 3.08.110C(7) Arterial design concepts in Table 2.6 and Figure 2.11 of the RTP. Regional Transportation Functional Plan Table 3.6 only lists design components for arterials. The city’s proposed Transportation Element amendments and existing Engineering Design Manual standards for arterials include designs that include the components in Table 3.6 and 3.8, including two to four lanes; medians/turn lanes; zones that can accommodate parking or transit stops; and other features.
- 3.08.110A and 3.08.110C(8) Best practices and designs as set forth in Green Streets: Innovative Solutions for Stormwater, Street Crossings (2002) and Trees for Green Streets: An Illustrated Guide (2002), Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002), and state or locally adopted plans and best practices for protecting natural resources and natural areas. Metro’s administrative interpretation requires this response to be to the “Designing Livable Streets and Trails Guide (2019)” rather than the Metro documents cited above. Beaverton’s Transportation System Plan was updated in 2010 and was found consistent with Metro requirements at that time. In addition, Beaverton development regulations have been found to be consistent with Metro requirements. Beaverton is in the process of updating its Transportation System Plan to comply with more recent Metro requirements and the city’s Complete Streets policies. The proposed amendments reflect a minor update of Beaverton’s Transportation System Plan and cannot address every element of the 186-page Designing Livable Streets and Trails Guide.” The proposed amendments include the following:
 - A Cooper Mountain Community Plan document that describes the transportation and land use future of Cooper Mountain.
 - Changes to Section 6.2.9 of Volume 1, Chapter 6, of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit. The functions and intended outcomes for

each street type in the Community Plan are described below. All roads and streets will be designed as complete streets.

- Volume 1, Chapter 6, of the Comprehensive Plan includes Figure 6.2b, which is the planned bicycle and pedestrian network for Cooper Mountain, which includes active transportation connections to designations within Cooper Mountain and connections to the McKernan Creek regional trail and other pedestrian ways and bike ways that surround Cooper Mountain.

In addition, the city's existing Development Code and Engineering Design Manual include standards that require or allow elements within the Metro design guide including sidewalks, frontage zones, street trees, lighting, corner radii, curb extensions, flex zones (lanes that can be used for parking, transit, deliveries, parklets, etc.), motor vehicle travel lanes, access management, medians, left-turn lanes, access management (such as driveway/intersection limitations on arterial and collector roads), speed management techniques, stormwater management, bicycle facilities, transit stops, signalized intersections, unsignalized intersections, midblock crossings, and trails/multi-use paths.

The proposed amendments include the Cooper Mountain Community Plan and its Natural Resources Report, which both count as locally adopted plans for the purposes of this criterion. The Cooper Mountain Community Plan says it "aims to focus development outside of the green framework. The resultant buildable areas comprise the neighborhoods where residential, commercial, and public land uses will be located. The transportation connections of the plan are designed to connect neighborhoods, while minimizing impacts and providing access to natural resources." The plan shows lower McKernan Creek and its tributaries that head north into Cooper Mountain as primary wildlife corridors. Policies include:

- Goal 3, Policy a): Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.
- Goal 6, Policy c): Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.
- Goal 6, Policy f): In collaboration with THPRD, plan, design, and implement a pedestrian-bike bridge to connect the Cooper Lowlands and Grabhorn Meadow neighborhoods, applying the following principles:

- Minimize impact to McKernan Creek and riparian habitat.
 - Provide passage for deer and other large mammals, such as by elevating the bridge to allow animals to pass underneath.
 - Work with natural resource stakeholders during the design process.
 - Coordinate bridge design and construction with THPRD’s Trails Functional Plan, and where feasible, with the Cooper Mountain Utility Plan.
- Goal 6, Policy q): Cooper Mountain streets shall connect to South Cooper Mountain streets and other abutting existing streets or streets planned for in the TSP except where the city concludes the connections are not feasible or desirable because of significant natural resources.

In addition, the Cooper Mountain Natural Resources Report finds that the route where a collector to Grabhorn would follow includes McKernan Creek, a primary wildlife corridor, tree canopy (including Oregon white oak), wetlands, and the following habitats: Riparian Class I, Upland Class A, and Upland Class B. The Cooper Mountain Community Plan, based on findings in the Natural Resources Report and City Council policy direction, directs that a collector road connection through the McKernan Creek significant natural resources is not consistent with Cooper Mountain Community Plan goals and policies. A collector connection is not shown in the proposed Transportation System Plan amendments or the amendments to Volume I, Chapter 6 (Transportation Element) of the Comprehensive Plan. Instead, a multi-use path connection with a bridge over the creek to facilitate wildlife passage is proposed instead to provide transportation connections consistent with the plan while ensuring adequate protection for natural resources and wildlife habitat/corridors.

3.08.110(D): The proposed amendments provide a conceptual map of arterials, collectors, and neighborhood routes within the Cooper Mountain Plan Area in modifications to Comprehensive Plan Volume 1, Chapter 6. Beaverton’s Engineering Design Manual also contains intersection spacing and other connectivity rules to ensure a logical, direct, and connected system of streets and limit closed-end streets and the length of closed-end streets. Local streets are not identified specifically in the conceptual map because the location and connections of those streets will be determined during development and shall be consistent with city Development Code and Engineering Design Manual standards. The conceptual map in the proposed amendments provides direct routes and preserves the region’s arterial system by coming as close as is practical to meeting arterial and collector

spacing standards in the Metro Regional Transportation Plan as described in the findings within Section 3.08.510A, which are incorporated here by reference.

3.08.110(E) Beaverton's existing Development Code requires a Traffic Management Plan (Section 60.55.15) and, for projects with more than 300 vehicle trips per day, a Traffic Impact Analysis (Section 60.55.20). Section 60.55.25 requires applicants to use figures and tables within Volume 1, Chapter 6 (Land Use Element) of the Comprehensive Plan to "identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel." The proposed amendments add relevant maps describing the future transportation system within the Cooper Mountain Community Plan area, including a map showing a conceptual streets with functional classifications and well as a map showing a network of multi-use paths. Beaverton's Engineering Design Manual requires maximum intersection spacing for local streets, neighborhood routes, and collectors (as described in the findings below responding to Metro Transportation Functional Plan Section 3.08.510A) to not exceed 530 feet. Beaverton Development Code and Engineering Design Manual allow developments to exceed those standards when natural resources, including Title 3 water features, are present. Beaverton Development Code Section 60.55.25.9 requires accessways or walkways (pedestrian connections) including in cases where physical or topographic conditions make other connections, such as full street connections, impracticable, such as steep slopes, wetlands, or other bodies of water prevent full street connections. The proposed amendments do not address street connections in centers. The city's current Development Code and Engineering Design Manual limit cul de sacs and other closed-end streets to circumstances where barriers prevent full street extensions and limit the lengths to 200 or less and the number of dwellings along the street to no more than 25. The city's standards also address street cross-sections and right of way dimensions, as well as maximum speed. The city's land division, design review and other relevant applications require applicants to provide information in their submittals that provide evidence that the proposal complies with the Development Code and the Engineering Design Manual, the city requires all the information described in this sub-section E.

3.08.110(F) Contiguous lots and parcels less than 5 acres that require construction of new streets follow the same rules in the Development Code and the Engineering Design Manual. The rules that are relevant for a smaller site would apply.

3.08.110(G) The proposed amendments do not apply to areas near highway interchanges.

6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.

Response: Motor vehicle capacity improvements are indicated in the proposed amendments as reflected in the proposed amendments to Comprehensive Plan Volume I, Chapter 6 (Exhibit 2) Figures 6.4b and 6.6b; Comprehensive Plan Volume IV, Chapter 4 (Exhibit 7) Figure 4-11a and Appendix O (Exhibit 8); and the Cooper Mountain Transportation Analysis (Exhibit 21). They are planned along with the multi-use path network shown in Comprehensive Plan Volume I, Chapter 6 Figure 6.2b and will be implemented consistent with the complete streets policies within Chapter 6.

Metro's administrative interpretation requires the city to make findings regarding Tables 3.6 and 3.8 and Section 3.3.3 of the Regional Transportation Plan. The proposed amendments and Beaverton's existing regulations were found to be consistent with Tables 3.6 and 3.8 in the findings to Section 3.08.510A.5 above.

RTP Section 3.3.3 includes the following policies relevant to the proposed amendments:

Motor Vehicle Policy 1: Preserve and maintain the region's motor vehicle network in a manner that improves safety, security and resiliency while minimizing life cycle cost and impact on the environment.

Motor Vehicle Policy 2: Use the Congestion Management Process, Regional Mobility Policy, safety and bike and pedestrian network completion data to identify motor vehicle network needs and solutions.

Motor Vehicle Policy 5: Prior to adding new throughway capacity beyond the planned system of motor vehicle through lanes, demonstrate that system and demand management strategies, including access management, transit and freight priority, pricing, transit service and multimodal connectivity improvements cannot adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.

Motor Vehicle Policy 7: Actively manage and optimize arterials according to their planned functions to improve reliability and safety and maintain mobility and accessibility for all modes of travel.

Motor Vehicle Policy 8: Complete a well-connected network of arterial streets ideally spaced at approximately 1-mile apart and planned for up to four travel lanes to maintain transit and freight mobility and accessibility and

prioritize safe pedestrian, bicycle and transit access for all ages and abilities using Complete Street design approaches.

Motor Vehicle Policy 9: Complete a well-connected network of collector and local streets that provide for local circulation and direct vehicle, bicycle and pedestrian access to adjacent land uses and to transit for all ages and abilities.

Motor Vehicle Policy 10: Prior to adding new arterial street capacity beyond the planned system of motor vehicle through lanes, demonstrate that system and demand management strategies, including access management, transit and freight priority, transit service, and multimodal connectivity improvements cannot adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.

The proposed amendments do not address freeways or highways, so policies related to those facilities are not addressed. The “Regional Motor Vehicle Network” in the RTP related to Cooper Mountain includes only 175th Avenue and the Tile Flat/Grabhorn arterial corridor. Those are both facilities owned and maintained by Washington County. Policy 1 relates to maintenance and design of arterial streets. The proposed amendments include Complete Streets policies related Cooper Mountain arterials, although Washington County also has policies and standards related to arterials. Motor vehicle needs and solutions were identified in the Cooper Mountain Transportation Needs and Improvements memo (Exhibit 9) and the Cooper Mountain Transportation Analysis (Exhibit 21). This addresses Policies 2 and 5. Findings related to Policies 7, 8, and 9 were addressed in the findings for Section 3.08.220A(5) and Oregon Administrative Rules 660-012-0060, which are incorporated here. The proposed amendments come as close as is practical to the 1 mile arterial and one-half mile collector spacing while determining that crossing of Summer Creek and McKernan creek are impractical or involve unnecessary and environmentally damaging impacts on significant natural resources.

The proposed amendments to transportation policies listed above are consistent with providing a well-connected network of complete street, including complete streets policies that prioritize safe and convenient pedestrian and bicycle access. Beaverton’s Engineering Design Manual standards also promote safe and convenient pedestrian and bicycle access, both through intersection spacing standards consistent with Metro’s Regional Transportation Functional Plan and engineering design standards. Beaverton also manages its streets to maximize operations.

The proposed amendments do not include adding arterial motor vehicle capacity beyond the planned system of motor vehicle through lanes, so Policy 10 is not applicable.

Overall response to 3.08.510A: The proposed amendments considered strategies in subsection 3.08.220A as part of the analysis required by OAR 660-012-0060. Some of the strategies have been incorporated as noted above. The Cooper Mountain Transportation Analysis, findings of which are incorporated here, and the staff report findings that address OAR 660-0120-0060 provide additional findings related to this Metro Regional Transportation Functional Plan section.

Among the proposed amendments are a network of Collector streets and Neighborhood Routes (as well as arterial improvements) identified in the proposed changes to Comprehensive Plan Volume 1, Chapter 6.

The proposed amendments in Section 6.2.9 of Volume 1, Chapter 6 of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit, as shown in Figure 15.

Existing city standards in the Beaverton Development Code and Engineering Design Manual establish safety, operational, and access management standards for transportation networks within the city. These will be applied to Cooper Mountain upon annexation. Beaverton’s Engineering Design Manual establishes maximum intersection spacing to ensure blocks are small enough to ensure walkability and prevent overly long routes to destinations. They are shown in Figure 17. For example, the distance between intersections along local streets cannot be greater than 530 feet. The minimum is 100 feet. In the highest density mixed use development areas, local streets shall be no more than 330 feet. In addition, Beaverton Development Code Section 60.55.25.9 requires pedestrian accessways in between if street intersections are too far apart because a street is not feasible.

Figure 17. Beaverton Engineering Design Manual Intersection Spacing Standards

E. Intersection Spacing Along Streets. The minimum and maximum distance between streets shall be as follows:

STREET FUNCTIONAL CLASSIFICATION*:	DISTANCE BETWEEN INTERSECTIONS ALONG THE STREET SHALL BE AT LEAST:	DISTANCE BETWEEN INTERSECTIONS ALONG THE STREET SHALL NOT EXCEED:
Arterial	600 feet	1000 feet
Collector	200 feet	530 feet
Neighborhood Route	100 feet	530 feet
Local	100 feet	530 feet

* Street Functional Classifications are identified in the *Comprehensive Plan Transportation Element* Figure 6.4.

1. Distance between streets is measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street.
2. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density mixed-use development.

Response: Criterion 3.08.510A has been met.

B. If a city or county adopts the actions set forth in subsection 3.08.230E and Title 6 of the UGMFP, it shall be eligible for the automatic reduction provided in Title 6 below the vehicular trip generation rates reported by the Institute of Transportation Engineers when analyzing the traffic impacts, pursuant to OAR 660-012-0060, of a plan amendment in a Center, Main Street, Corridor or Station Community.

Response: Cooper Mountain is not within a Title 6 area, so this criterion is not applicable.

C. If a city or county proposes a transportation project that is not included in the RTP and will result in a significant increase in SOV capacity or exceeds the planned function or capacity of a facility designated in the RTP, it shall demonstrate consistency with the following in its project analysis:

1. The strategies set forth in subsection 3.08.220A (1) through (5);
2. Complete street designs adopted pursuant to subsection 3.08.110A and as set forth in *Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002)* or similar resources consistent with regional street design policies; and
3. Green street designs adopted pursuant to subsection 3.08.110A and as set forth in *Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002)* and *Trees for Green Streets: An Illustrated Guide (2002)* or similar resources consistent with federal regulations for stream protection.

Response: The city’s findings related to 3.08.220A (1) through (5) are found above, as are findings related to the “*Designing Livable Streets and Trails Guide (2019)*,” which superseded the documents mentioned in (2) and (3) above.

Conclusion: Therefore, this criterion is met.

D. If the city or county decides not to build a project identified in the RTP, it shall identify alternative projects or strategies to address the identified transportation need and inform Metro so that Metro can amend the RTP.

Response: The proposed amendments do not include a decision not to build a project identified in the RTP.

Conclusion: Therefore, this criterion is not applicable.

E. This section does not apply to city or county transportation projects that are financed locally and would be undertaken on local facilities.

Response: The proposed amendments includes projects that are listed in the RTP and likely to be financed with non-local funding. The RTP projects in the proposed Appendix O to the Beaverton Transportation System Plan are:

- No. 1: Grabhorn Road at Stonecreek Drive
- No. 2: Grabhorn Road, southern curve
- No. 3: Grabhorn/Tile Flat intersection
- No. 4: 175th Avenue between Outlook Lane and Cooper Mountain Lane
- No. 6a: McKernan Collector, south of Kemmer Road
- No. 13: Tile Flat Road, Barrows to Grabhorn
- No. 14a: Grabhorn Road, north of Tile Flat Road
- No. 14b: Grabhorn Road, south of Stonecreek
- No. 15a: 175th Avenue, Barrows to Cooper Mountain Land
- No. 15a: 175th Avenue, Outlook Lane to Kemmer
- No. 20: Grabhorn/Gassner

This section is applicable to project listed above.

The remaining projects in Appendix O are expected to be financed locally and are local facilities. This section is not applicable to them.

Conclusion: Therefore, this criterion establishes the limited applicability of this the functional plan section.

METRO RTFP TITLE 6 – COMPLIANCE PROCEDURES

3.08.610 Metro Review of Amendments to Transportation System Plans

A. At least 45 days prior to the first public hearing on a proposed amendment to a TSP, the city or county shall submit the proposed amendment to the COO. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the RTFP. Within four weeks after receipt of the notice, the COO shall submit to the city or county a written analysis of compliance of the proposed amendment with the RTFP, including recommendations, if any, that would bring the amendment into compliance with the RTFP. The COO shall send a copy of its analysis to those persons who have requested a copy.

Response: Staff mailed a public hearing notice to Metro on August 30, 2024, which is more than 45 calendar days prior to the October 16 Planning Commission hearing.

Conclusion: This criterion is met.

Regional Transportation Functional Plan conclusion: The proposed amendments meet the criterion in Titles 5 and 6.

COMPREHENSIVE PLAN GOALS – CHAPTER 2 COMMUNITY INVOLVEMENT

Comprehensive Plan Goal 2.1.1

Goal 2.1.1: The Planning Commission, Council, and other decision making bodies shall use their best efforts to involve the public in the planning process.

Response: In Volume I of the Comprehensive Plan, Chapter 1 – Amendment Procedures was based on and has been found consistent with the Community Involvement Element. Those findings are incorporated here by reference. Approval procedures include a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance.

The City Council had 13 public work sessions between 2019-2024 to discuss the project prior to the October 16, 2024 Planning Commission hearing. The Planning Commission also had 14 public work sessions to discuss the project and the proposed amendments prior to the October 16, 2024 Planning Commission hearing. Public comment was accepted at every Planning Commission work session, and written public testimony was often submitted too. Community members were notified about how to provide public comment at each work session through email notifications that were sent out to community members who opted in for project updates. A complete list of work sessions and presentations for the Cooper Mountain Community Plan project is in Exhibit 14.

Section 1.4.1 of the Comprehensive Plan also establishes public hearing notice requirements for legislative amendments. Findings for Section 1.4.1, which describe how noticing requirements were completed, are incorporated here by reference.

Comprehensive Plan Goal 2.4.1

Goal 2.4.2: Make a concerted effort to include and recruit individuals of all ethnic, racial, age, cultural backgrounds, and sexual orientations in City boards, commissions, and public processes as to reflect and correspond to the City’s demographic profile.

Response: Recruiting community members for the Cooper Mountain Community Plan Community Advisory Committee (CAC) and Beaverton’s Inclusive Housing Cohort (IHC) involved extensive outreach with diverse and historically marginalized community members. In the CAC and IHC, membership included Black, Indigenous and people of color; immigrants; people with limited English proficiency; people who are experiencing or who have experienced homelessness; persons with disabilities; low- and moderate-income renters and homeowners; elderly; single parents; and people from the lesbian, gay, bisexual, transgender, queer, intersex, asexual, or two-spirit community. Many of

these committee members currently live or have lived in socially vulnerable areas with historic and existing inequities.

For CAC meetings, meeting materials were translated into Spanish and Spanish interpretation was provided at every meeting. As for Beaverton's IHC meetings, the project team provided translation and interpretation services in multiple languages for each meeting, as well as childcare and food or resources to obtain those things individually during the pandemic. In addition, all IHC meetings included a virtual meeting option, allowing people with disabilities who could not travel to participate, and a call-in option, allowing people without internet access or traveling between jobs to participate in meetings.

A complete list of CAC and IHC meetings, as well as other multicultural engagement opportunities for the project, is described in Exhibit 14.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 2: Community Involvement Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 3 LAND USE

Comprehensive Plan Goal 3.1.1

Goal 3.1.1: Encourage development and land use patterns that support a variety of transportation options

- Policy a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.**
- Policy b) Encourage development and programs that reduce the need for vehicle use and ownership.**
- Policy c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.**
- Policy d) Apply land use designations and development regulations that support high-density development near transit and services, in order to provide greater opportunities to live, work, and meet daily needs near transit.**
- Policy f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.**
- Policy g) Encourage providing amenities for transit users at transit stops or stations, such as food carts and coffee stands, covered benches, trash/recycling receptacles, and lighting.**

Policy I) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.

Response: Findings in response to Comprehensive Plan Goal 6.2.2 and its policies address the transportation system and are incorporated here by reference to address the Cooper Mountain transportation goals and policies, which emphasize Complete Streets policies and designs to address safety. The proposed Comprehensive Plan amendments related to transportation emphasize pedestrian convenience through a network of streets with safe and comfortable pedestrian facilities. The city's existing Development Code also requires street connectivity and reasonably sized block sizes to ensure convenient transportation. The proposed Volume 1, Chapter 6 amendments also contain a multi-use path and trail network for pedestrians and bicycles that ensure walkability throughout Cooper Mountain and connections to facilities abutting Cooper Mountain.

The Volume I, Chapter 6 proposed amendments address Goal 3.1.1. and its policies, specifically proposed:

- Goal 6.2.9 and its policies, which include Complete Streets policies.
- Figure 6.4a, which provides a network of streets and their functional classifications for Cooper Mountain.
- Figure 6.2b, which provides the planned bicycle and pedestrian network for Cooper Mountain.

Those proposed Comprehensive Plan amendments will reduce vehicle use and ownership by providing a mix of uses and destinations; multi-modal connections; and Complete Streets with comfortable, safe pedestrian and bicycle facilities. Beaverton's Development Code also does not require minimum off-street parking for any use on any lot in the city. Not requiring excessive, unnecessary parking areas means uses can be closer together and makes non-automobile trips safe and more convenient.

The proposed Zoning Map and Development Code amendments include 53 acres of mixed-use zoning where commercial is allowed. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both commercial and residential are allowed but there is no minimum commercial requirement.

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersect with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with

parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

Although Cooper Mountain currently does not have fixed bus routes, the proposed amendments will make the area transit-ready in the following ways:

- Proposing zoning that provides many destinations and different types of destinations. The Zoning Map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road.
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The city coordinated with TriMet during the project. The same elements of the proposed amendments that address providing for multi-purpose trips above also apply to making Cooper Mountain transit-ready. The city's existing street standards also support transit provision. TriMet currently is working on an updating transit service plan that will address needs in the area.

The city's existing Development Code and the proposed amendments require pedestrian connections within sites and connections from private property to the streets, including to transit stops and stations. The city's existing Development Code and Engineering Design Manual also allow amenities for transit users at transit stops and stations. These amenities are already found throughout the city and will continue to be allowed.

The city's existing Development Code and the proposed amendments also have requirements that parking, if property owners choose to provide it, is located in general behind or beside buildings so buildings are near the street, which makes pedestrian access easier and more desirable. The existing and proposed development rules also

require pedestrian connections between the sidewalks in the right of way and primary building entrances on private property.

Comprehensive Plan Goal 3.3.1

Goal 3.3.1: Promote sustainable development, resilience, and resource protection

Policy a) Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

Response: Beaverton in 2018 applied for an expansion of Metro’s Urban Growth Boundary (UGB) to meet significant housing needs for the city and region. The Metro regional government approved the expansion in 2018, and the Cooper Mountain Community Plan was developed to establish how new housing could be allowed in the plan area, while protecting natural resources in Cooper Mountain neighborhoods.

Currently, all land inside the Cooper Mountain Community Plan area is in unincorporated Washington County and zoned as FD-20. Upon annexation, all properties that were zoned as FD-20 (county land use zoning) will be assigned one of four Cooper Mountain zoning districts. The proposed amendments apply urban zoning across the plan area, while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan.

Policy b) Conserve, protect and enhance natural resources identified in the city’s adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.

Response: The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

Policy c) Encourage and incentivize sustainable building and site design approaches that minimize environmental impacts of the built environment while creating healthy, safe places for people to live, work and play through: i.

Energy conservation and renewable energy, ii. Reducing resource consumption and waste, iii. Reducing water consumption and wastewater generation, including use of non-potable water systems where appropriate, iv. Integration of storm water and natural systems, v. Protecting and supporting human health, vi. Designing for adaptability over time.

Response: The proposed amendments do not change the city’s existing programs or approaches to sustainable building and site design or creating healthy safe places, which are included in the Building Code and Engineering Design Manual.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay, requiring site design approaches that place the majority of the Resource Overlay in protected tracts. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. The code incentivizes the protection and planting of mature trees and native trees. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

The Cooper Mountain Utility Plan (Exhibit 24) evaluated alternatives and presents a recommended approach to utility planning that incorporates sustainable design approaches. The Utility Plan identifies the neighborhoods where it would be appropriate to incorporate non-potable water systems. Non-potable water systems are recommended in lower elevation neighborhoods that can be connected to the city’s existing non-potable water supply, without requiring booster pump stations.

The Utility Plan evaluated alternatives for stormwater management and recommends regional stormwater management ponds, designed to be integrated with the natural surroundings. The proposed Development Code allows construction of stormwater management facilities within the Resource Overlay when the facilities are landscaped with native plants to further enhance natural systems.

Additional findings related to reducing resource consumption, including the use of solar energy and other renewable energy resources, were addressed in Goal 13 findings in the CPMA4024-00679 section of this staff report and are included here by reference.

Policy d) Wherever possible, allow resource areas to serve multiple purposes and acknowledge their multiple benefits.

Response: The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. The Natural Resources Report (Exhibit 1, Appendix B) describes

the purposes and benefits riparian and upland habitat areas and acknowledges the multiple benefits of natural resource areas.

Comprehensive Plan Goal 3.4.1

Goal 3.4.1: Provide effective and inclusive planning and development review services

Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.

Response: The existing Comprehensive Plan policies and Land Use Map provide guidance on the long-term growth and development of the city to promote walkable neighborhoods that support a variety of transportation options, access to goods and services. CPMA42024-00679 proposes changing the Comprehensive Plan by adding the Cooper Mountain Community Plan to Volume V, and also updating Volumes I through IV to implement Cooper Mountain Community Plan goals and policies as well as citywide goals and policies. The proposed amendments are consistent with the city's existing long-range land use goals and policies, and they provide additional policy guidance by addressing place-specific needs that honor the unique landscape of Cooper Mountain.

The proposed amendments to Volume V – the Cooper Mountain Community Plan – are also consistent with the proposed amendments to Volumes I through IV. For example, the Cooper Mountain Community Plan includes a Concept Map, which illustrates the goals and desired outcomes for the area. The Concept Map provided the direction for updates to the Land Use Map in Volume I Chapter 3 (Land Use), which proposes three new land use designations: Cooper Mountain Commercial, Cooper Mountain Mixed Use Corridor, and Cooper Mountain Residential (Table 10). The Land Use Map determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations. The proposed amendments also includes updates to the policies in Volume I Chapter 3 (Land Use) that are consistent with the proposed policies in the Community Plan.

Table 17: Comprehensive Plan Land Use Designation and Implementing Zoning Districts

Land Use Designation	Implementing Zoning Districts
Cooper Mountain Commercial	CM-CS – Cooper Mountain - Community Service
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential CM-MR – Cooper Mountain - Multi-dwelling Residential CM-RM – Cooper Mountain - Residential Mixed
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed

Additional information on how proposed Comprehensive Plan amendments are consistent with existing and other proposed Comprehensive Plan amendments is described in the findings for Comprehensive Plan Chapters 5 through 10 in this section.

As stated in the Background section, the goals and policies in the Cooper Mountain Community Plan also guided the development regulations proposed through ZMA42024-0068 and TA42024-00679, as did relevant existing city goals and policies in the Comprehensive Plan. The findings for how ZMA42024-0068 and TA42024-00679 amendments are consistent with the Comprehensive Plan are found in the findings for each respective section.

Policy b) Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

Response: The public engagement plan is included in Exhibit 13. It describes the City of Beaverton's approach to engagement for this effort. The Public Engagement Plan describes the following objectives:

- Advance racial equity and ensure Cooper Mountain is inclusive and welcoming to all communities.
- Recruit diverse and historically marginalized community members to serve on the community advisory committee and ensure feedback from multicultural engagement is integrated into project.
- Communicate complete, accurate, understandable, and timely information to the public throughout the project.
- Help the public understand the benefits of creating a community plan for the Cooper Mountain area.
- Actively seek public input from a broad, diverse audience at key project milestones to understand the needs and desires of the community.
- Involve the community with identifying issues, developing solutions, and evaluating alternatives.

- Provide meaningful public involvement opportunities and demonstrate how input has influenced the process.
- Seek participation of potentially affected and/or interested individuals, neighborhoods, businesses, and organizations.
- Implement the City’s adopted Diversity, Equity, and Inclusion (DEI) Plan to:
 - Build proactive, long-term relationships with historically underrepresented communities to reduce barriers, increase trust, and promote civic engagement.
 - Expand partnerships with community-based organizations to support outreach.
 - Offer meaningful engagement opportunities to historically underrepresented youth and expose them to networks and opportunities to influence their community beginning at a young age.
 - Promote community service, civic engagement, and other learning opportunities for youth.
 - Ensure that the public involvement process is consistent with applicable state and federal laws, requirements, and local policies.

Throughout the planning process, city staff engaged historically marginalized populations, including people of color, people with limited English proficiency and people with low incomes, as well as people with disabilities, older adults and youth. These efforts are documented in the Public Engagement Plan Update (Exhibit 13), which communicates what project staff had learned from engagement as of June 2021 and described how staff would conduct additional public engagement activities for subsequent phases.

A summary of all engagement activities for the entire project is in the Cooper Mountain Community Plan Public Engagement Summary (September 2024) (Exhibit 14). The Public Engagement Summary demonstrates how community feedback meaningfully influenced the process and project outcomes for each phase of the project and includes tables with all engagement activities between 2019-2024.

Policy c) Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city’s language access practices.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy c) was described above in findings for Comprehensive Plan Goal 2.4.1 and in findings for Comprehensive Plan Goal 3.4.1 policy a). Those findings, which describe the public engagement plan objectives, racial equity considerations, recruitment for committees, engagement

opportunities for each project phase, and translation and interpretation services, are incorporated here by reference.

Policy d) Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix... ; and the following policies.

i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy d.i) was described above in findings for the Comprehensive Plan Goal 3.4.1 policy a). Those findings, which describe how the four new zoning districts are consistent with the Community Plan and other Comprehensive Plan updates, are incorporated here by reference.

iii. Area-specific zoning districts (as indicated in the Comprehensive Plan and Zoning District Matrix) shall be applied only in locations consistent with the title and purpose statement of the zone, applicable Community Plan policies or Metro Title 6 designations.

Response: ZMA42024-00681 proposes four new zoning districts that can only be applied in the Cooper Mountain Community Plan Area. The Comprehensive Plan and Zoning District Matrix in Volume I Chapter 3 (Land Use) of the Comprehensive Plan indicates that the Cooper Mountain-specific zoning districts shall only be applied in areas with Cooper Mountain-specific Comprehensive Plan land use designations.

Comprehensive Plan Goal 3.4.2

Goal 3.4.2. Coordinate with Washington County on planning for the Urban Planning Area

Policy a) Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.

Response: The City of Beaverton has been in close coordination with Washington County throughout the entire planning process for the Community Plan.

- Washington County served on the project Technical Advisory Committee (TAC), along with Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation.

- Staff presented project updates to county staff and/or elected leaders between 2020-2024 at a Washington County Board of Commissioners meeting, Washington County Planning Directors meeting, Metro Policy Advisory Committee meeting and a Metro Technical Advisory Committee.
- City staff and county staff regularly had meetings to coordinate on the approach to Goal 5 and Title 13 compliance, transportation planning and funding plan scenarios. More complete findings regarding coordination on transportation planning is provided in this staff report in response to OAR 660-012-0060(4) and are incorporated here.
- A detailed list of all TAC meeting dates and topics, presentations and city-county coordination meetings is in Exhibit 13.

On August 22, 2024, the city also provided Washington County draft amendments prior to finalizing, which allowed 55 days before the initial hearing to provide comments. Compliance with the requirement to send a public hearing notice to the county regarding the adoption of proposed legislative amendments is described in Section 1.4.1.A (Legislative Amendments) in this section and is incorporated here by reference.

Furthermore, no update to the Urban Planning Area Agreement (UPAA) is required prior to these amendments because the UPAA contemplates in Section III.E that a Metro UGB expansion is added to the Urban Planning Area automatically. The UPAA reads:

Upon completion and acknowledgement of the concept plan by the CITY and COUNTY, and the addition of the area into the UGB by Metro, the affected portion of the URPA shall be designated as part of the Urban Planning Area, as described above. Inclusion in the Urban Planning Area is automatic and does not require an amendment to this Agreement.

Regarding UPAA Section IV (Comprehensive Planning and Development Responsibilities for Urban Areas):

- The proposed road system and Transportation System Plan amendments are consistent with the South Cooper Mountain Concept Plan because the collector road from South Cooper Mountain connects to the Tile Flat/Grabhorn arterial corridor in a fashion that is consistent with, if not exactly, the same route as in the Concept Plan. It is as close as is practical considering the environmental issues. The Comprehensive Plan amendments do not include changes to the Concept Plan.
- The city completed the City of Beaverton Cooper Mountain Utility Plan, which is included in the Public Facilities Plan in Volume I Chapter 5 (Public Facilities and Services Element) of the Comprehensive Plan.

Regarding UPAA Section V (Annexations), Section V.B reads:

Upon annexation. . . If a property is subject to a concept, neighborhood, or community plan adopted by the CITY, the CITY shall apply the applicable CITY comprehensive plan and zoning designations to the property upon annexation. In addition, the COUNTY shall advise the CITY of adopted policies that apply to the annexed areas.

Currently, all land inside the Cooper Mountain Community Plan area is in unincorporated Washington County and zoned as Future Development, 20-acre District (FD-20). The FD-20 District applies to the unincorporated urban lands added to the UGB by Metro through a Major or Legislative Amendment process after 1998.

Upon annexation, all properties that were zoned as FD-20 will be assigned one of four Cooper Mountain zoning districts described in the findings for ZMA42024-00681 consistent with the Cooper Mountain Community Plan and the Cooper Mountain Community Plan Land Use Map.

Policy b) Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.

Response: Since the Cooper Mountain Community Plan area is a “community plan” as referenced in the second part of Section V.B above, then zoning upon annexation will proceed as described in the findings above for Comprehensive Plan Policy 3.4.2.a).

When the city annexes taxlots into Cooper Mountain, then the city will also recognize planning work done by the county through evaluating the most recent Washington County Transportation System Plan and considering if county adopted policies are consistent with city proposed amendments, and if not, explore potential actions.

When a community plan, concept plan, or neighborhood does not apply, then the city recognizes planning work done by Washington County in other ways, as indicated in the UPAA and existing city procedures for non-discretionary map amendments.

Regarding UPAA Section V (Annexations), Section V.A reads:

The CITY and 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 the process in B, below.

In addition, Section V.B reads:

Upon annexation, the CITY shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the COUNTY. The CITY shall maintain a list of COUNTY land use designations and the corresponding CITY comprehensive plan and zoning designations. . .

The list referred to in Section V.B. is maintained in Volume I Chapter 1 Amendment Procedures, Table 1.5.2 Criteria for Non-Discretionary Map Amendments.

Policy c) Update city policies or create City of Beaverton Community Plans for newly annexed areas as needed to reflect changing conditions or where County plans offer little guidance.

Response: CPMA42024-00679 proposes amendments that include policies for the project area in the Cooper Mountain Community Plan (Volume V) and other Comprehensive Plan updates (Volume I and Volume IV).

Conclusion: The proposed amendments address the goal and its policies. This criterion is met.

Comprehensive Plan Goal 3.5.1

Goal 3.5.1: Recognize unique needs of different parts of the city through Community Plans

Policy a) Create and implement Community Plans to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted.

Policy b) Prioritize creation of Community Plans for areas where:

- i. Public facilities and/or physical improvements need to be addressed;**
- ii. Significant change is occurring or anticipated;**
- iii. Opportunities for substantial new development, infill or redevelopment are present or needed;**
- iv. Opportunities arise to influence site selection, development or major expansion of a single, large activity generator;**
- v. There is evidence of disinvestment, deteriorating housing, and/or high vacancy, unemployment and poverty rates;**
- vi. There is a need to coordinate private development and public investment; and/or**
- vii. The opportunity for development in conjunction with a transit station exists.**

Policy c) Ensure that Community Plans are created using an inclusive public process and include both analysis of place-specific needs and consideration of citywide needs and goals.

Policy d) Consider the needs of Beaverton's diverse cultural communities in developing Community Plans.

Response: The Cooper Mountain Community Plan area was added to the urban growth boundary in 2018. The 1,232-acre area is along Beaverton's southwestern city limits. In addition to forest and farmland, the area includes:

- Cooper Mountain Nature Park (southern portion)
- City of Beaverton water reservoirs
- Winkelman Park
- 140 homes (in 2020)
- 179 existing tax lots, with an average size of 6.75 acres (in 2020)

Cooper Mountain’s natural resources include nearly eight miles of streams, 23 acres of wetlands, and large areas of upland habitat. The 230-acre Cooper Mountain Nature Park is a key focal habitat conservation area for fish and wildlife.

The area primarily consists of rural lands that are bordered to the east, north, and south by development. The area to the west of the Community Plan area consists of rural landscape. The northern edge of the Community Plan area is situated along the top of Cooper Mountain, where topography is typically gently rolling, with slopes gradually steepening to the north and south to each side of the ridge top.

Slopes steepen quickly as one moves south within the Community Plan area, with several drainages flowing generally from northeast to southwest. These drainages typically occur in steep, forested V-shaped ravines, including McKernan Creek, which is the principal drainage. The slopes in the south and southwest tend to be gentler than in other parts of the area.

The headwater of Summer Creek is east of SW 175th Avenue and drains the easternmost portion of the Community Plan area.

Cooper Mountain currently has a limited rural road network that people inside and outside the neighborhood rely on for transportation. SW 175th Avenue and the Grabhorn/Tile Flat arterial corridors carry regional traffic, with significant segments containing two travel lanes with no sidewalks, bicycle facilities, or street trees.

Given that the purpose of this community plan is to provide a roadmap to transition this area from rural to urban, the plan was definitely needed to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted. This also was done for the South Cooper Mountain area, a similar urban growth boundary expansion planned almost 10 years ago that has an adopted Community Plan within Beaverton’s Comprehensive Plan.

The Community Plan was necessary to plan for significant change in the form of:

- About 5,000 new homes
- Two commercial areas and other opportunities for commercial and mixed-used development
- A network of streets, including collectors, neighborhood routes, and local streets.

- Utilities, including new water lines, sewer lines, reservoir, pump stations, stormwater facilities.
- Neighborhood parks, a community park, and a system of multi-use paths.
- Future transit.
- Other components to prepare for urban development where at least 10,000 residents are expected in the future.

Regarding Policy c) and Policy d), the Cooper Mountain Community Plan Public Engagement Plan (May 2020) included demographic data and racial equity considerations, listed target audiences and key stakeholders and described all anticipated public engagement activities, which included recruiting diverse and historically marginalized community members for project committees (Exhibit 13).

The Cooper Mountain Community Plan Public Engagement Summary (September 2024) provides an overview of how community feedback meaningfully influenced the process and project outcomes for each phase of the project (Exhibit 14). The Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

Conclusion: This criterion is met because the Cooper Mountain Community Plan was for this location consistent with policies a) and b) and the plan was conducted consistent with policies c) and d). This criterion is met.

Comprehensive Plan Goal 3.6.1

Goal 3.6.1: Support pedestrian-oriented mixed use areas

The following policies apply to all Mixed Use areas.

- Policy a) Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.**
- Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.**
- Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.**

Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:

- i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development**
- ii. Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks**
- iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)**

Response: The Cooper Mountain Mixed-Use Corridor land use designation includes three zoning districts that together provide a mix of commercial, residential, employment, and civic uses at relatively high densities. These include:

- Cooper Mountain High Density Residential, which is a mixed-use district that allows a wide range of commercial uses, residential uses, and civic uses. The minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Multi-unit Residential, which is a residential district with minimum residential density of 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Residential Mixed, which is a residential district with a minimum residential density of 10 units per acre. This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned Cooper Mountain Multi-unit Residential.

Proposed Comprehensive Plan policies allow zone changes among those districts, but Policy f) under Goal 3.6.6 says future zoning amendments should provide the same or similar number of housing units, housing variety, and equitable access to commercial opportunities.

The proposed amendments allow vertical or horizontal mixed use and generally allow a mix of uses within most neighborhoods to ensure different uses are within easy walking

distance of each other, both through application of zoning districts on the proposed Zoning Map and by allowing a variety of uses and/or housing types within each zoning district.

The proposed amendments would prohibit drive-throughs, auto sales, vehicle storage yards, storage yards (except for RV, boat, and trailer storage within a residential development or PUD) in all Cooper Mountain zoning districts. Minor auto repair is allowed only within the Cooper Mountain Community Service zoning district. This will enhance the pedestrian environment by reducing curb cuts for drive-through lanes, which will reduce the number of conflict points where driveways cross the sidewalk, and reducing the potential for large vehicle, equipment, or inventory storage areas within Cooper Mountain, which will leave more room for housing and businesses oriented toward pedestrian traffic.

Regarding pedestrian-oriented design, the city's existing Development Code combined with the proposed amendments to Section 60.05.15 and 60.05.20 requires a certain amount of building frontage along the street, requires a certain percentage of windows in ground-floor commercial spaces, and requires pedestrian circulation within development sites and connections to the public right of way. The Comprehensive Plan policies call for Complete Streets with comfortable and safe pedestrian and bicycle facilities for all ages and abilities, and the existing Engineering Design Manual and future updates will support these policies.

Conclusion: The city's existing goals, policies, and Development Code provisions and the proposed amendments are consistent with the goals and policies regarding pedestrian-oriented mixed-use districts. This criterion is met.

Proposed Comprehensive Plan Goal 3.6.6

Goal 3.6.6: Promote a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policy a) Apply the Cooper Mountain Mixed Use land use designation in areas:

- i. With high accessibility, such as along arterials, collectors, and neighborhood routes;**
- ii. Where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints;**
- iii. Near community or neighborhood parks; and**
- iv. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation. This includes but is not**

limited to areas near Cooper Mountain Commercial Land Use designations to provide additional locations where:

- i. Homes can be built so that residents can access goods, services, and community gathering places, and those residents can provide a customer base for those businesses; and
- ii. Additional commercial uses can be located to address demand not met by development in the Commercial Land Use designation.

Response: The proposed Land Use Map includes seven locations where the Cooper Mountain Mixed Use Corridor (CM-MUC) land designation is applied (Exhibit 3). Each CM-MUC land use designation is along an arterial or collector, sometimes both. Generally, each CM-MUC land use designation is also in areas with relatively flatter, more developable land with fewer identified natural resource constraints.

To ensure equitable access to parks, nature and commercial areas:

- All CM-MUC land use designations are adjacent to a Community Park or a Neighborhood Park, with the exception of one CM-MUC land use designation near the intersection of SW 175th Ave and SW Condor Lane, which is approximately 0.25 miles from the athletic fields of Mountainside High School.
- Most CM-MUC land use designations are also near significant natural resources, and if not, are still adjacent to a Neighborhood Park.
- The proposed Land Use Map includes two locations where the Cooper Mountain Commercial (CM-C) land use designation is applied. Each CM-C land use designation is clustered with CM-MUC land use designations.

Policy b) Ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and
- iii. Serve as priority locations for civic uses and regulated affordable housing.

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map.

- The neighborhood center just north of SW Tile Flat Road and east of SW Grabhorn Road.
- The neighborhood center west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.

The proposed Land Use Map establishes CM-MUC and CM-C land use designations in the areas designated as “Neighborhood Center” on the Concept Map. The perimeter of CM-MUC and CM-C land use designations in each neighborhood center largely overlaps with the perimeter of neighborhood center on the Concept Map. Where there are minor differences, the boundaries of CM-MUC and CM-C were adjusted to account for updated information on roads, parks and lot lines.

Proposed amendments in ZMA42024-00681 describe where commercial zoning would be required or allowed. This will provide shops, services, restaurants, and other businesses for nearby residents and passers-by as well as entrepreneurial opportunities.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-MUC and CM-C, with a focus on multi-unit residential.

Policy c) Apply zones that allow commercial uses or a mix of commercial and residential uses in areas:

- i. **Along or near arterials or collectors;**
- ii. **Along neighborhood routes with higher density multi-dwelling options; and**
- ii. **Near multi-use paths.**

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates which zoning district is an implementing zoning district for CM-MUC and CM-C, which are the two land use designations that provide for commercial services or promote a mix of commercial and residential services.

- CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the CM-C land use designation. The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied.
- CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the CM-MUC land use designation. The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed. Proposed amendments in ZMA42024-00681 describe where the CM-HDR zoning district is applied.

Policy d) Apply residential zones that have higher minimum densities in all developable subareas of the Cooper Mountain Community Plan area. Residential zones with higher minimum densities are most appropriate:

- i. Near land with Cooper Mountain Mixed Use land use designations;
- ii. Near Commercial and Mixed Use areas;
- iii. Along existing or planned transit routes;
- iv. Along collector streets;
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;
- vi. Near neighborhood and community parks; and
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Response: CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the CM-MUC land use designation. The CM-MR zoning district is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing. Since the CM-MUC land use designation is evenly distributed in all developable subareas of the Cooper Mountain Community Plan, this facilitates the equitable distribution of CM-MR as well. Proposed amendments in ZMA42024-00681 describe where the CM-MR zoning district is applied.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: As described above, CPMA42024-00679 indicates that the CM-CS, CM-HDR and CM-MR zoning districts are all implementing zoning districts for the CM-MUC land use designation. All three zoning districts either allow or require residential uses, primarily Multi-dwellings and Middle Housing. This facilitates clustering a combination of these three zoning districts in areas with the CM-MUC land use designation. Proposed amendments in ZMA42024-00681 describe where each zoning district is applied, and how the code provides flexibility for additional commercial, mixed-use, and multi-dwelling development and/or zoning map amendments.

Comprehensive Plan Goal 3.7.1

Goal 3.7.1: Enhanced Commercial Centers and Corridors

The following policies apply to all Commercial Centers and Corridors.

- Policy a) Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including**
- i. Improving pedestrian and bicycle connections within and between sites**
 - ii. Enhancing or creating multi-modal connections wherever feasible**
 - iii. Providing direct pedestrian connections to, and amenities near, transit stops**
 - iv. Providing a more visually engaging and appealing street frontage through the addition of buildings adjacent to the street, enhanced landscaping, more pedestrian scale signage, etc.**
 - v. Providing safe and convenient paths for pedestrians within large parking areas**

Response: Compliance with Comprehensive Plan Policy 3.7.1.a) is described above in findings for Comprehensive Plan Policy 3.1.1, which describes how proposed amendments to transportation policies and the Transportation System Plan will improve pedestrian and bicycle safety and connectivity, as well as create access to multi-modal options, for commercial areas in Cooper Mountain; and are incorporated here by reference.

Compliance with the requirement to provide a more visually engaging and appealing street frontage is addressed in findings for TA42024-00680.

- Policy b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city’s employment needs.**

Response: CPMA42024-00679 adds one new land use designation – Cooper Mountain Commercial (CM-C) – to the Commercial Centers and Corridors section of the Comprehensive Plan and Zoning District Matrix in Volume I Chapter 3 (Land Use). The CM-C land use designation is intended to provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities.

The CM-CS zoning district is the only implementing zoning district for the CM-C land use designation. As described in findings for ZMA42024-00681 and TA42024-00680, the CM-CS zoning district emphasizes commercial uses and requires a small amount of commercial square footage at the time of development. Compliance with site development standards and design requirements (such as limitations on ground floor uses) are also addressed in findings for TA42024-00680.

- Policy c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.**

Response: In addition to providing commercial services, the CM-C land use designation is intended for higher density residential development such as Multi-unit Dwellings and Middle Housing, thereby supporting integrated mixed-use developments. Compliance with site development standards and design requirements (such as buffers) are addressed in findings for TA42024-00680.

Proposed Comprehensive Plan Goal 3.7.4

Goal 3.7.4: Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

Policy a) Apply the Cooper Mountain Commercial land use designation in areas:

- i. Where commercial activity is necessary to ensure community members within the Cooper Mountain area and surrounding areas have access to goods, services, and community gathering places;**
- ii. Along or near arterial roads with relatively high visibility or near an intersection with an arterial; and**
- iii. Near existing or planned community parks.**

Response: The proposed Land Use Map includes two locations where the Cooper Mountain Commercial (CM-C) land use designation is applied (Exhibit 3).

- A CM-C land use designation is just west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.
- A CM-C land use designation is just north of SW Tile Flat Road and east of SW Grabhorn Road.

Each CM-C land use designation is along an arterial on one side and along a collector on a second side. Each CM-C land use designation is also in areas with relatively flatter, more developable land with fewer identified natural resource constraints.

The northernmost CM-C land use designation is between two parks, just north of the existing Winkelman Park and directly south of a neighborhood park. The Tile Flat CM-C land use designation is next to the proposed Community Park.

In addition, each CM-C land use designation is clustered with Cooper Mountain – Mixed Use Corridor land use designations, both of which encourage development intensity. Combined, higher density development, park access, and transportation access for a variety of modes promote vibrant places that support future commercial uses in CM-C land use designations.

Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map.

- One is west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.
- Another is just north of SW Tile Flat Road and east of SW Grabhorn Road.

The proposed Land Use Map establishes CM-C land use designations in the areas designated as “Neighborhood Center” on the Concept Map. The perimeter of each CM-C land use designation in each neighborhood center largely fits within the perimeter of neighborhood center on the Concept Map. Where there are minor differences, the boundaries of the CM-C land use designation were adjusted to account for updated information on roads, parks, and lot lines.

Proposed amendments in ZMA42024-00681 describe where commercial zoning would be required and allowed. This will provide shops, services, restaurants, and other businesses for nearby residents and passers-by as well as entrepreneurial opportunities.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-C, with a focus on multi-unit residential.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates which zoning district is an implementing zoning district for Cooper Mountain - Commercial. This matrix indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain - Commercial land

use designation. The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Proposed amendments in ZMA42024-00681 show where the CM-CS zoning district is applied.

In addition, the Cooper Mountain – Mixed Use Corridor land use designation allows a mix of commercial and residential services. The matrix indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain – Mixed Use Corridor land use designation. The CM-HDR District is intended to be primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses also are allowed. Proposed amendments in ZMA42024-00681 show where the CM-HDR zoning district is applied.

And last, the Cooper Mountain - Residential land use designation is also applied adjacent to the clusters of CM-C and CM-HDR. The CM-RM zoning district is an implementing zoning district for the Cooper Mountain - Residential land use designation. The CM-RM District is intended to allow a mix of housing types, including detached and attached housing. It also allows small-scale commercial uses in some locations. Since maximum density is generally not applicable in the CM-RM zoning district (or any other Copper zoning district), this supports moderate development intensity near higher-density commercial and mixed-use locations.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;**
- ii. Along neighborhood routes with higher density multi-dwelling options; and**
- iii. Near multi-use paths.**

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain - Commercial land use designation. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**

- iv. Along collector streets;
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;
- vi. Near neighborhood and community parks; and
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain - Commercial land use designation. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied. Future ZMAs proposed by a property owner or developer will need to be consistent with this policy, and all other relevant approval criteria for a ZMA to be approved.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.

Response: Proposed Comprehensive Plan Policy 3.7.4.f) is not applicable here because it is intended to be applied to future Zoning Map Amendments after the initial ZMA42024-00681 is approved by the Beaverton City Council. Reference findings for proposed Comprehensive Plan Policy 3.7.4.f) in the ZM42024-00681 section to see how property owners can benefit from flexibility provided by a ZMA.

Because of the addition of proposed polices for Comprehensive Plan Goal 3.7.4 (Cooper Mountain Commercial), the existing policies under Comprehensive Plan Goal 3.7.4 (Neighborhood Center) will be renumbered to Comprehensive Plan Goal 3.7.5.

Comprehensive Plan Goal 3.8.1

The following policies apply to all Neighborhoods.

Policy a) Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.

Policy b) Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

- i. **Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.**
- ii. **Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.**

Response: CPMA42024-00679 proposes adding the Cooper Mountain Community Plan to Volume V of the Beaverton Comprehensive Plan. The Community Plan includes Housing Policy b) The city will increase housing supply by establishing minimum densities as a tool to ensure the planned number of homes in the Community Plan is implemented. TA42024-00680 implements Housing Policy b) and Comprehensive Plan Goal 3.8.1 by establishing minimum density in each zoning district to ensure the efficient use of residential land and meet regional housing needs.

Furthermore, CPMA42024-00679 proposes updating Volume I Chapter 3 (Land Use) of the Comprehensive Plan by adding three new land use designations to the city's Land Use Map and corresponding policies for each designation that address density.

- Cooper Mountain Mixed Use Corridor: Proposed policies 3.6.6.b-e) establish expectations for where and how this land use designation should promote developments with higher minimum densities.
- Cooper Mountain Commercial: Proposed policies 3.7.4.b-e) establish expectations for where and how this land use designation should promote developments with higher minimum densities.
- Cooper Mountain Residential: Proposed policies 3.8.3.a) and d) establish expectations for where and how this land use designation shall promote lower density multi-dwellings.

Policy c) Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.

Response: In the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), Housing Policy d) calls for housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.

In proposed amendments to Chapter 3 Land Use (Volume I of the Comprehensive Plan), three new land use designations are proposed as described in in the findings for Comprehensive Plan Policy 3.8.1.a) and b) above. All three proposed land use designations have policies that promote housing variety.

The Cooper Mountain Mixed Use Corridor land use designation provides the most flexibility by allowing three very different zoning districts to be applied: CM-HDR, CM-MR and CM-RM. This was done to allow property owners flexibility about how those three zones could be applied on their property. This flexibility is desirable because:

- Property owners might have a different idea about where different uses are more physically feasible given site condition or financially feasible given real estate market conditions.
- The proposed zoning was established using imperfect information. City staff did not have access to all sites (because property owners need to provide permission to access their land and there are few public roads through the area).
- There is some uncertainty about where roads and other infrastructure will be built. Although they must follow city standards, developers will make many decisions about where roads are built, particularly local streets in neighborhoods. More detailed engineering studies also will sometimes result in route changes or modified street layouts.

All Cooper Mountain zoning districts allow and promote housing variety. CM-HDR and CM-MR zoning districts are intended for predominantly multi-dwelling and middle housing developments. The CM-RM zoning district is intended to allow a mix housing types, including detached and attached housing, at lower residential densities.

In addition, Comprehensive Plan Policy 3.6.6.f (Cooper Mountain Mixed Use Corridor) establishes policies for future zoning map amendments to provide even more flexibility, while ensuring that future zoning is still consistent with the intended Comprehensive Plan designation and zoning.

Policy e) Provide opportunities for a variety of housing types in all residential plan designations while maintaining a scale and character consistent with the intent of each plan designation.

Response: Compliance with Comprehensive Plan Goal 3.8.1.e), is described above in findings for Comprehensive Plan Goal 3.8.1.c) in this section, which describe how the proposed amendments provide for opportunities for a variety of housing types, and are incorporated here by reference.

Considering that Cooper Mountain is an expansion area expected to result in about 5,000 new homes, the context of existing neighboring developments is less of a consideration since this area will be transitioning from rural to urban uses. Most existing lots are large lots that will be subdivided for future development or might be vacant.

That said, TA42024-00680 includes some proposed changes that support maintaining scale and character consistent with the intent of each plan designation by adding site development standards in Section 20.22.15 and design requirements in Chapter 60 that

are largely based off similar districts in the city, except when additional flexibility is provided to protect natural resources.

Policy f) Facilitate development of housing that is affordable to a range of incomes, including low-income households.

Response: Compliance with Comprehensive Plan Goal 3.8.1.f), is described above in findings for Comprehensive Plan Goal 3.8.1.c) in this section, which describe how the proposed amendments add policies that provide for opportunities for a variety of housing types, which means that people with different household sizes or incomes will have more opportunities to reside where there are opportunities to live and work; and are incorporated here by reference.

Furthermore, the Cooper Mountain Community Plan Housing include policies aimed at facilitating development of housing that is affordable to a range of incomes:

- Equity Policy c) Support affordable housing and expand access for marginalized populations.
- Equity Policy d) Increase access to homeownership with a focus on eliminating disparities
- Housing Policy c) The city will promote affordable rental and home ownership housing choices in every neighborhood in a variety of housing types consistent with the city’s identified housing needs. The city should consider a target of at least 450 regulated affordable homes in Cooper Mountain.
- Housing Policy d) Include housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.

Proposed amendments in TA42024-00680 describe how the city intends to implement the equity and housing policies above.

Policy g) Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available.

Response: Compliance with Comprehensive Plan Goal 3.8.1.g), is described above in findings for Comprehensive Plan Goal 5.8.1, which describes how parks are integrated throughout all Cooper Mountain neighborhoods; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 3.8.1.g), is also described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how existing and proposed policies promote new developments that shall be designed to provide safe and convenient pedestrian and bicycle connections between destinations; and are incorporated here by reference.

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain TAC and shared feedback throughout the planning process (Exhibit 14). BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. Findings in the proposed amendments for TA42024-00680 describe how Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Policy i) Require subdivisions and development on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including connections to adjacent properties or opportunities to connect in the future.

Response: Compliance with Comprehensive Plan Goal 3.8.1.i), is described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how existing and proposed policies will require new developments to create a connected network of pedestrian ways, local streets, and other multimodal connections; and are incorporated here by reference.

Proposed Comprehensive Plan Goal 3.8.3

Goal 3.8.3: Cooper Mountain Lower Density Neighborhoods: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policy a) Apply the Cooper Mountain Residential land use designation in areas:

- i. Where site conditions, including both flatter land and land with steeper slopes, are better suited for single-detached dwellings, middle housing, and lower density multi-dwelling options;
- ii. In locations where Commercial and Mixed Use land use designations are less suitable considering policies for those designations; and
- iii. Relatively farther from any intersection with an arterial.

Response: CPMA42024-00679 includes amendments that add three new land use designations to the Land Use Map in Volume I Chapter 3 (Land Use) of the Comprehensive Plan (Exhibit 3).

The Cooper Mountain Commercial land use designation is applied along or near arterial roads with relatively high visibility or near an intersection with an arterial; near existing

or planned community parks; and near the Cooper Mountain Mixed Use Corridor designation to create vibrant activity centers.

The Cooper Mountain Mixed Use Corridor land use designation is applied based on similar policy goals for the Cooper Mountain Commercial land use designation; and also, in areas with relatively flatter, more developable land with fewer identified natural resource constraints; and in locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

All land inside the Cooper Mountain Community Plan area that is not designated as Cooper Mountain Commercial or Cooper Mountain Mixed Use Corridor is then designated as Cooper Mountain Residential. This is why the Cooper Mountain Residential land use designation is applied in areas where site conditions, including both flatter land and land with steeper slopes, are better suited for single-detached dwellings, middle housing, and lower density multi-dwelling options; in locations where Commercial and Mixed Use land use designations are less suitable considering policies for those designations; and relatively farther from any intersection with an arterial.

Policy c) The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Response: The city worked closely with THPRD throughout the development of the preferred approach. The proposed approach establishes a Parks Overlay in the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Additional findings related to park and trail siting and are included in the response to Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section and are incorporated here by reference.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: The proposed amendments in CPMA42024-00679 update the Comprehensive Plan and Zoning District Matrix in Volume I Chapter3 (Land Use) of the

Comprehensive Plan to indicate the implementing zoning districts for each new Cooper Mountain land use designation.

Proposed Comprehensive Plan policies 3.6.6. c-e) in the Cooper Mountain Mixed Use Corridor section indicate where to apply zoning that allows a mix of commercial and residential and has higher minimum residential densities to promote vibrant places. Proposed Comprehensive Plan policies 3.6.6. f) provides policy guidance for property owners that would like the ability to request different zoning on the condition that the new zoning is consistent with Comprehensive Plan policies.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. **Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. **Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. **Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: This proposed policy in CPMA42024-00679 reinforces existing Comprehensive Plan policies in Chapter 3 Section 3.8.1 (Complete and livable neighborhoods) and Chapter 4 Section 4.2 (Housing type) and provides additional policy guidance that respond to the unique geographic context of Cooper Mountain. Beaverton Development Code Section 40.97 already allows property owners to request a Zoning Map Amendment (ZMA). For the ZMA to be approved, Section 40.97 indicates that the proposal must confirm with all applicable policies in the Comprehensive Plan, such as proposed Comprehensive Plan policy 3.8.3.f).

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 3: Land Use Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 4 HOUSING

Comprehensive Plan Goal 4.1.1

Goal 4.1.1. Provide an adequate supply of housing to meet future needs

Policy a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: The Cooper Mountain Community Plan area is a 1,232-acre expansion area bordering Beaverton that will eventually be home to about 5,000 homes, more than 10,000 residents, parks, commercial areas, trees, and natural resources. As such, it is essentially greenfield development, not infill development.

Inside city limits, Beaverton's existing Comprehensive Plan land use designations and their corresponding implementing zones already allow for a variety of housing options with flexible development rules that allow the development of housing in a variety of configurations and sizes. These housing types include single-detached homes, duplexes, triplexes, quadplexes, townhouses, and cottage clusters, as well as multi-dwellings (apartments with five or more units), which are suitable housing types for infill development.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: Compliance with Comprehensive Plan Goal 4.1.1.c) is described above in findings for Comprehensive Plan Goal 3.1.1.a) in the CPMA42024-00679 section, which describes how commercial and high density residential development on mixed use and commercially zoned sites support a variety of transportation options; and are incorporated here by reference.

Policy d) Develop a Housing Implementation Plan that is updated regularly based on market conditions and trends

Response: In September 2023, the City Council adopted the Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community. The strategies cover a range of topics such as exploring market conditions and trends, funding affordable rental housing and promoting homeownership.

Policy e) Develop programs or strategies to improve Beaverton's jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment

Response: The Cooper Mountain Commercial land use designation allows the Cooper Mountain – Community Service (CM-CS) zone to be applied in areas that meet the locational criteria described in policies under proposed Comprehensive Plan Goal 3.7.4

(Cooper Mountain Commercial), thereby creating jobs closer to where people live and visit.

Policy f) Strive to meet the city’s future housing need within city limits, while coordinating with Washington County and Metro to assess future housing needs at a larger geographic scale

Response: As described in the Introduction, the Cooper Mountain Community Plan is a planning effort to address citywide and regional housing needs. Both Washington County and Metro participated in the Cooper Mountain Community Plan Technical Advisory Committee, in addition to participating in interviews, focus groups and monthly coordination meetings (Exhibit 14). Furthermore, the city’s recently completed Housing Needs Analysis and Housing Production Report relied on frequent collaboration with Washington County and Metro, among other jurisdictional partners in the region.

Policy g) Support UGB expansions and city boundary changes that consider the city’s unique geopolitical boundaries and the availability of city and other urban services to help meet the city’s identified housing needs

Response: Compliance with Comprehensive Plan policy 4.1.1.g) is described above in findings for Comprehensive Plan Goal 3.1.1.f) above; and are incorporated here by reference.

Policy h) Provide an efficient, consistent, and reliable development review process

Response: Compliance with Comprehensive Plan policy 4.1.1.h) is described above in findings for Comprehensive Plan Goal 3.4.1.a), which describes that consistency between Comprehensive Plan designations and development regulations ensures an effective development review process; and in findings for OAR 660-007-0015 (Clear and Objective Approval Standards Required), which describes how clear and objective standards ensure an efficient and reliable development review process; and are incorporated here by reference.

Policy i) Work with regional partners to develop measures that reduce upfront housing development costs

Response: Compliance with Comprehensive Plan policy 4.1.1.i) is described below in findings for 660-046-0030(3) (Implementation of Middle Housing Ordinances), which describes ways that Beaverton is aiming to increase the affordability of housing; and are incorporated here by reference.

Comprehensive Plan Goal 4.2.1

Goal 4.2.1. Provide a variety of housing types that meet the needs and preferences of residents

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will provide sufficient buildable lands that result in housing that meets a variety of needs; and are incorporated here by reference.

Policy d) Incentivize the development of housing types that are needed but not currently being provided in adequate numbers by market forces, such as multigenerational housing, accessible housing and larger multi-dwelling rental units

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Comprehensive Plan policy 3.8.1.f), which describes Cooper Mountain Community Plan equity and housing policies that call for the development of housing that is needed but not sufficiently being provided by market forces; and are incorporated here by reference. Incentives that implement these policies are described in the proposed amendments for TA42024-00680, specifically Section 60.50.25 (Uses Requiring Special Regulation) and Section 60.36 (Planned Unit Development – Cooper Mountain).

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 4: Housing Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 5 PUBLIC FACILITIES AND SERVICES

Comprehensive Plan Goal 5.3.1

Goal 5.3.1: Ensure long-term provision of adequate urban services within existing City limits and areas to be annexed in the future.

Policy b) The City shall work cooperatively with service providers within its Urban Services Area in the development of master plans that are elements of the City’s Public Facility Plan, so as to prescribe the most effective and efficient long-term methods of providing each service.

Policy c) The City will involve owners of properties and residents in the unincorporated portion of its urban services area in planning for facilities and services.

Response: Throughout the project, Community Advisory Committee and Technical Advisory Committee meetings were held to support development of both the

Community Plan and the Cooper Mountain Utility Plan. (See Public Engagement Summary, Exhibit 14, for additional information.) The proposed amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Technical Advisory Committee included representatives from Clean Water Services, Washington County, Tualatin Hills Park & Recreation District, and other partners. The Community Advisory Committee included Beaverton residents and residents of unincorporated Washington County, including those within the plan area and other parts of Washington County.

Comprehensive Plan Goal 5.4.1

Goal 5.4.1: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policy b) On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.

Policy c) All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.

Response: The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. The current standards include requirements for water quality treatment, flow control, and hydromodification, based on the amount of proposed impervious surface with the development.

The Cooper Mountain Utility Plan presents an evaluation of the existing conditions and potential impacts from proposed development, along with preliminary sizing and siting of stormwater management facilities to serve the proposed development. The Utility Plan includes calculations to demonstrate that the required stormwater management facilities would mitigate the impacts of increased stormwater runoff associated with full development of the plan area. The current standards require new land development to provide the stormwater management facilities to serve the proposed development.

Comprehensive Plan Goal 5.5.1

Goal 5.5.1: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policy a) All new land development (residential subdivisions, multi-dwelling development, and industrial and commercial developments) shall be connected to a public water system.

Response: The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated demands, and proposed infrastructure to provide efficient and resilient potable water service to the plan area while preserving operational flexibility. The proposed infrastructure focuses on storage and pumping requirements and large diameter transmission piping along the proposed roadway alignments. More detailed planning for local distribution piping will be developed for each developing neighborhood.

Projected residential water demand is estimated using a combination of housing units, people per unit, and demand per capita assumptions. The Joint Water Commission (JWC), a water authority that serves as the primary supply for the city water system, completed a Water Management Conservation Plan (WMCP) in 2021. The JWC WMCP includes evaluations of water demand by type and updated per capita unit demands for each member agency it supplies water to. The Utility Plan demand estimates use criteria from the JWC WMCP to evaluate residential and irrigation demands for the study area. Commercial water demand is estimated using 41.9 jobs per acre of commercial development and demand of 45.8 gallons per day per job.

Potable water in the plan area will be served through an expansion of existing pressure zones, booster pump stations, and pressure reducing valves. Storage for the area will be provided by a proposed 550 zone reservoir, known as CMR 3, and the existing 794 zone CMR 1&2 on SW Kemmer Road at the northern boundary of the study area. The distribution system will be an extension of existing zones, where possible, in both the South Cooper Mountain area (470, 550, and 675 zones) and the western edge of the current city water service area (675, 750, and 794 zones).

The city previously installed a 24-inch diameter main on SW 175th Avenue to provide initial potable water supply to much of the plan area. This transmission main allows for potable water service to a wide range of developable area with the construction of distribution piping and pressure reducing valve facilities. At higher elevations, proposed 930 and 850 pressure zones will be supplied by a proposed Upper Pressure Zone booster pump station that will be located at the CMR 1&2 Site. The transmission piping for these two pressure zones will generally be connected to 794 zone with PRVs at various locations for pressure relief and supplemental supply to 794 zone, if needed.

The proposed amendments do not change the water system standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide connections and distribution piping to bring public water system connections to the proposed development.

Comprehensive Plan Goal 5.6.1

Goal 5.6.1: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policy a) All new land development (residential subdivisions, and multi-dwelling, industrial, and commercial developments) shall be connected to the City sewer system.

Response: The city has long had an intergovernmental agreement (IGA) with Clean Water Services (CWS) for the cooperative operation of sewer facilities. The existing IGA establishes a service boundary relative to city limits and outlines division of responsibilities within and outside of the boundary. Within city limits, the city owns and operates sewer lines up to and including 12-inch diameter, owns and operates but does not pay to move or replace lines over 12-inch up to 24-inch diameter, and does not own or operate lines equal to or larger than 24-inch diameter. Pump stations are owned and operated by CWS.

The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated flows, and proposed infrastructure to provide public sanitary sewer service to the plan area. The proposed infrastructure focuses on conveyance requirements along the proposed roadway alignments. More detailed planning for local collection systems will be developed for each developing neighborhood.

Projected sewer flows were based on proposed land use for each neighborhood, buildable land, and housing densities. Technical guidance from CWS established the people per household, residential average dry weather flow rate, peaking factors, groundwater infiltration rate, and rainfall driven infiltration and inflow rate across the plan area.

The proposed sewer alignments consist of approximately 41,000 ft of PVC pipe ranging in diameter from 8 inches to 18 inches. The Utility Plan identifies proposed alignments to connect future neighborhoods to the existing public sewer system. A large portion of the plan area is proposed to be served by a sanitary sewer lift station, located in the southwest corner of the plan area, near Tile Flat Road.

The proposed amendments do not change the sanitary sewer design standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide collection and conveyance systems to connect new development to the public sewer system.

Comprehensive Plan Goal 5.7.1

Goal 5.7.1. Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

- Policy d)** The City shall work cooperatively with the School District in implementation of the Comprehensive Plan through the District’s various programs, joint acquisition and development efforts.
- Policy e)** The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.
- Policy f)** The City shall notify the School District when considering Comprehensive Plan or land use regulation amendments that may significantly impact school capacity.

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain Technical Advisory Committee and shared feedback throughout the planning process. BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. A full list of TAC meetings is Exhibit 14.

On August 22, 2024, Beaverton also provided BSD and HSD with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments.

Comprehensive Plan Goal 5.8.1

Goal 5.8.1. Cooperate with THPRD in implementation of its 20-Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

- Policy a)** The City shall support and encourage THPRD efforts to provide parks and recreation facilities that will accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.
- Policy b)** The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.
- Policy c)** The City shall support and encourage acquisition of park and recreation sites in advance of need so that the most appropriate sites are available for these vital public facilities.

Response: The city worked closely with THPRD throughout the development of the preferred approach. (See Public Engagement Summary, Exhibit 14, for additional information.) A key concept of the preferred approach is to create a green framework of natural resource areas, wildlife corridors, and parks. The Cooper Mountain Community Plan Goal 5 is to “Provide public facilities and infrastructure needed for safe, healthy communities.” The public facilities goal includes three strategies related to parks and trails:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Establish McKernan Creek Regional Trail

Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

The Community Plan includes six Parks Policies (Community Plan Goal 5, policies a through f) to implement the preferred parks approach. The policies identify the preferred locations for the community park and eight neighborhood parks, establish the size for neighborhood parks, identified key features for each type of park, require accessible walking and biking connections to each park, and point to the THPRD Parks Functional Plan to guide park design.

The preferred park locations have been identified on existing lots that are larger than 5 acres. A larger lot can more easily accommodate consolidated areas to create community amenities. On smaller lots, other constraints, such as required roads, utility corridors, existing natural areas, and natural topography, may limit development flexibility. The proposed amendments require lots larger than 5 acres to designate 15 percent open space. Smaller lots have varying percentage of open space requirement, depending on the proposed use. The 15 percent open space requirement on larger lots provides an opportunity to designate a consolidated open space area for a neighborhood park or to assign the required open space toward a larger community park.

The proposed approach establishes a Parks Overlay in the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Policy g) The planning, acquisition and development of multi-use paths should be consistent with this Plan's Transportation Element and THPRD's Trail Master Plan

Response: The proposed amendments to the Transportation System Plan (Comprehensive Plan Volume IV) and the proposed amendments to Volume 1, Chapter 6 show the preferred alignment for bicycle and pedestrian paths and trails in the plan area.

Figure 6.2b shows the proposed McKernan Creek Regional Trail, which is consistent with the alignment shown in the THPRD Trails Functional Plan (2016). Figure 6.2b also includes proposed alignments for community multi-use trails and proposed streets that will have low-stress bike facilities. The multi-use paths follow the alignments of Kemmer Road, portions of SW 175th Avenue, Grabhorn Road, proposed collectors, and other locations to provide connectivity between neighborhoods and destinations.

The Community Plan also includes six McKernan Creek Regional Trail Policies (Community Plan Goal 5, policies n through s) to implement the desired trails network. The policies include the following:

- Coordinate with THPRD to define and develop the McKernan Creek Regional Trail, in accordance with THPRD regional trail standards. (policy n)
- Protect natural resources along the McKernan Creek Regional Trail in accordance with the policies listed in the Natural Resources section of this plan. (policy o)
- Coordinate with THPRD to provide equitable access to the McKernan Creek Regional Trail and amenities, where applicable, for different cultural, ethnic, and socioeconomic groups that historically have not benefited from access to natural areas due to physical, geographic, or transportation-related barriers. (policy s)

Policy h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.

Response: The proposed development code requires protection of regionally significant natural resources. During development, the majority of the property that has been designated as part of the Resource Overlay must be placed in a protected tract or easement. That protected tract may be transferred to a public agency or conservation group, such as THPRD

The Community Plan includes six Parks Policies (Community Plan Goal 5, policies a through f) to implement the preferred parks approach. To encourage park acquisition of areas designated as significant natural resources, one proposed policy states “The City supports the expansion of the Cooper Mountain Nature Park and will coordinate with Metro, THPRD, property owners, and others as expansion plans are evaluated and proposed.” Expansion of the Cooper Mountain Nature Park would likely be in areas that are designated as Goal 5 resources because many areas adjacent to the existing park boundary contain significant riparian and upland habitat areas.

Policy i) THPRD is the park and recreation provider for the City of Beaverton and the City desires that all property within its boundaries be within THPRD’s boundaries.

Response: The city has declared THPRD as the parks and recreation provider for the City (Policy 5.8.1.h. of the Comprehensive Plan). Since THPRD is the parks and recreation provider for the City, annexation to THPRD will generally be required by the City for all new development or redevelopment of properties that are outside THPRD boundaries. The city’s existing Development Code includes requirements for annexation into THPRD as a condition of approval for a conditional use, design review, or land division application. Issuance of building permits may be delayed until the annexation is effective. The proposed amendments remove provisions that allow property owners to avoid annexing to THPRD as part of these applications.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 5: Public Facilities and Services Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 6 TRANSPORTATION

Comprehensive Plan Goal 6.2.1

Goal 6.2.1: Transportation facilities designed and constructed in a manner to enhance Beaverton’s livability and meet federal, state, regional, and local requirements.

- Policy a) **Maintain the livability of Beaverton through proper location and design of transportation facilities.**
- Policy d) **Maintain the livability of Beaverton through proper location and design of transportation facilities.**
- Policy e) **Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.**
- Policy g) **Provide convenient direct pedestrian and bicycle facilities to promote the health and physical well-being of Beaverton residents, to reduce traffic congestion, to provide commuting and recreational alternatives to the motor vehicle, and to support local commerce.**
- Policy h) **Continually explore novel or transformative transportation designs, technologies, and integration, especially in the context of large-scale economic and redevelopment planning efforts.**

Response: Regarding location of transportation facilities, the proposed amendments provide a conceptual map of arterials, collectors, neighborhood routes, and multi-use paths within the Cooper Mountain Plan Area in modifications to Comprehensive Plan Volume 1, Chapter 6. Beaverton’s Engineering Design Manual also contains intersection

spacing and other connectivity rules to ensure a logical, direct, and connected system of streets and limit closed-end streets and the length of closed-end streets. Local streets are not identified specifically in the conceptual map because the location and connections of those streets will be determined during development and shall be consistent with city Development Code and Engineering Design Manual standards. The conceptual map in the proposed amendments provides direct routes comes as close as is practical to meeting arterial and collector spacing standards in the Metro Regional Transportation Plan as described in the findings within Section 3.08.510A, which are incorporated here by reference.

Regarding design, Beaverton’s existing Development Code requires a Traffic Management Plan (Section 60.55.15) and, for projects with more than 300 vehicle trips per day, a Traffic Impact Analysis (Section 60.55.20). Section 60.55.25 requires applicants to use figures and tables within Volume 1, Chapter 6 (Land Use Element) of the Comprehensive Plan to “identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.” The proposed amendments add relevant maps describing the future transportation system within the Cooper Mountain Community Plan area, including a map showing a conceptual streets with functional classifications and well as a map showing a network of multi-use paths. Beaverton’s Engineering Design Manual contains standards for street design, including street cross-sections, traffic calming, and right-of-way dimensions, as well as maximum speed. The city’s land division, design review, and other relevant applications require applicants to provide information in their submittals that provide evidence that the proposal complies with the Development Code and the Engineering Design Manual.

Applicants for new developments within Cooper Mountain will have to comply with the Development Code and Engineering Design Manual and provide the pedestrian, bicycle, and transit-supportive improvements within proposed developments consistent with adopted policies and standards. The pedestrian routes also are proposed to provide direct connections to a variety of destination so people moving through Cooper Mountain have an alternatives to automotive transportation that promote health, activity, vibrance, and commerce. The proposed amendments also include Complete Streets policies that are transformative in their emphasis on safety, comfort, and active transportation.

Comprehensive Plan Goal 6.2.2

Goal 6.2.2: A balanced multimodal transportation system that provides mobility and accessibility for users.

- Policy b)** Provide a seamless and coordinated transportation system that is barrier-free, provides affordable and equitable access to travel choices, and serves the needs of people and businesses.
- Policy c)** Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.
- Policy e)** Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, commercial, employment, and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs.
- Policy f)** Develop neighborhood and local connections to provide convenient circulation into and out of neighborhoods. Work to prevent and eliminate pedestrian and bicycle “cul-de-sacs” that require substantial out-of-direction travel for pedestrians and bicyclists.
- Policy j)** Require developers to include pedestrian, bicycle, and transit-supportive improvements within proposed developments and adjacent rights-of-way in accordance with adopted policies and standards.

Response: The proposed Comprehensive Plan amendments Volume 1, Chapter 6 (Transportation Element), and Comprehensive Plan Volume 4, Chapters 2 and 4 (Transportation System Plan), identify planned transportation improvements for all modes. Among the proposed amendments are a network of Collector streets and Neighborhood Routes (as well as arterial improvements) identified in Figure 13 and bicycle/pedestrian facilities and connections identified in Figure 14.

The proposed amendments in Section 6.2.9 of Volume 1, Chapter 6 of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit.

In addition, the proposed amendments include strong Cooper Mountain-specific transportation multi-modal policies, including:

- Policy a) Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton's Active Transportation Plan. ...

Policy b) The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. Streets in the Cooper Mountain Community Plan area shall:

- i. Be designed with the goal of preventing all death and serious injuries.
- ii. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.
- iii. Provide easy, dignified, and affordable access to places for people who cannot drive, or choose not to drive, for the trip they need to make.
- iv. Reflect the fact that everyone is a pedestrian and benefits from generous, attractive, and socially activated walking environments.
- v. Make walking, biking, and transit a viable and desirable transportation option for people of all ages and abilities.
- vi. Be designed to advance the city toward its goal of 100 percent greenhouse gas emissions reduction by 2050.
- vii. Facilitate an equitable, communitywide transition from gas-powered vehicles to electric vehicles.

Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

Policy g) Integrate Americans with Disabilities Act standards and guidelines into the design and implementation of active transportation facilities, and for trails, meet THPRD standards established in THPRD's Trails Functional Plan that balance accessibility with prohibitive impacts that include harm to significant cultural or natural resources; requirements of construction methods that are against federal, state, or local regulations; or terrain characteristics that prevent compliance.

The multi-modal system is described in more detail in Goal 12 findings and Regional Transportation Functional Plan findings within this staff report, which are incorporated here by reference, including but not limited to responses to OAR 660-012-0060(2). Connections also are required to surrounding areas.

As described in findings for Goal 6.2.1, applicants for new developments within Cooper Mountain will have to comply with the Development Code and Engineering Design Manual and provide the pedestrian, bicycle, and transit-supportive improvements within proposed developments consistent with adopted policies and standards.

Comprehensive Plan Goal 6.2.3

Goal 6.2.3: A safe transportation system.

- Policy b) Design streets to serve anticipated function and intended uses as determined by the Comprehensive Plan.**
- Policy d) Designate safe walkway and bikeway routes from residential areas to schools, parks, transit, and other activity centers.**
- Policy e) Construct multi-use paths only where they can be developed with satisfactory design components that address safety, security, maintainability, and acceptable uses. Multi-use paths should converge at traffic-controlled intersections to provide for safe crossing, and paths should be separate and distant from major streets for most of their length. Mid-block crossings for trails access, such as the Denney Road Fanno Creek Trail crossing, will be considered as appropriate where findings for safety are met and such crossings are approved by the City.**
- Policy h) Ensure that adequate access for emergency services vehicles is provided throughout the City.**

Response: The proposed amendments would implement Goal 6.2.9 and related policies that apply to the Cooper Mountain Community Plan area. The goal calls for “safe, comfortable, convenient access” to destinations. The amendment include policies for active transportation; transit; and complete and connected streets. They include:

Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

The proposed Figure 6.2b in Volume 1, Chapter 6 of the Comprehensive Plan identifies the planned pedestrian and bicycle network, which will often include multi-use paths and trails. The locations were determined in collaboration with Tualatin Hills Park & Recreation District and include a combination of paths that are along streets and those separated from streets. The locations were planned for construction feasibility, usability, access to important destinations, maintainability, and safety.

The city’s current Engineering Design Manual standards allow mid-block crossings in appropriate locations to ensure safe street crossing and access to destinations. The pedestrian and bike network also frequently assumes crossings will take place at intersections, including controlled intersections.

Tualatin Valley Fire & Rescue was included in project planning and has not expressed concerns about emergency service vehicle access related to the proposed amendments.

Comprehensive Plan Goal 6.2.4

Goal 6.2.4: An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.

- Policy a) Develop an energy efficient transportation system.**
- Policy c) Limit the provision of parking to meet regional and State standards.**
- Policy e) Maintain mobility and performance standards that meet the needs of the City and are consistent with regional and State standards.**
- Policy f) Reduce traffic congestion and enhance traffic flow through such system management measures as intersection improvements, intelligent transportation systems, incident management, signal priority, optimization, and synchronization, and other similar measures.**
- Policy g) Plan land uses to increase opportunities for multi-purpose trips (trip chaining).**
- Policy i) Support mixed-use development in appropriate locations and encourage local job creation in order to reduce the number of locally generated regional commuting and shopping trips.**
- Policy j) Coordinate with TriMet and other agencies to implement transit improvements concurrent with roadway improvements, to improve access and frequency of service, to provide parking as appropriate at transit centers, and to increase ridership and service area. Encourage development of regional high capacity transit, including light rail transit, streetcar, and commuter rail.**

Response: The proposed amendments support an energy-efficient transportation system because the Complete Streets policies prioritize the most energy efficient travel modes, including walking, bicycling, using other mobility devices, transit, and other shared modes while accommodating access for freight and motor vehicles. Cooper Mountain and the city in general will have no minimum parking requirements for any use on any property. The city's existing Development Code has maximum parking limits that comply with the state's Climate Friendly and Equitable Communities administrative rules as well as Metro requirements. The proposed amendments do not change the city's mobility and performance standards, but the city has started a Transportation System Plan update to revisit the city's transportation policies, approaches, and performance standards. The proposed amendments promote reduced congestion and

traffic flow by providing a network of streets for Cooper Mountain. The proposed Transportation System Plan Appendix O contains projects that include intersection improvements. The other elements, such as intelligent transportation systems, signal priority, and signal optimization will be considered during the design of future facilities.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations by:

- Requiring a network of arterials, collectors, neighborhood routes, and local streets with intersection spacing and connectivity standards that mean people can easily travel between different destinations within Cooper Mountain and are connected to nearby destinations.
- Proposing zoning that provides many destinations and different types of destinations. The zoning map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The same elements of the proposed amendments that address providing for multi-purpose trips above also apply to making Cooper Mountain transit-ready. The city's existing street standards also support transit provision. TriMet currently is working on an updating transit service plan that will address needs in the area.

Throughout the project, the city has been in close coordination with Washington County and TriMet on the topic of transit and transportation strategies in the area. Regarding coordination and notice more broadly, notice, opportunity to comment, and/or direct coordination of the Cooper Mountain Transportation Analysis and proposed Community

Plan occurred during the planning process. The Technical Advisory Committee (TAC) included Washington County, Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation. A detailed list of TAC meeting dates, and other examples of coordination with Washington County and TriMet is in Exhibit 14.

On August 22, 2024, the city provided all TAC members with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments.

Comprehensive Plan Goal 6.2.6

Goal 6.2.6: Transportation facilities that provide safe efficient movement of goods.

Policy a) Designated arterial routes and freeway access are essential for efficient movement of goods. Design these facilities and adjacent land uses to reflect these needs.

Response: The existing and planned arterials in the Cooper Mountain area (175th, Kemmer, and the 175th-Grabhorn corridor, wither are designed for the movement of goods or existing standards will ensure they are designed for the movement of goods as they are upgraded from rural roads to urban facilities.

Comprehensive Plan Goal 6.2.7

Goal 6.2.7: Implement the transportation plan by working cooperatively with federal, State, regional, and local governments, the private sector, and residents.

Policy a) Coordinate transportation projects, policy issues, and development actions with all affected governmental units in the area. Key agencies for coordination include Washington County, Oregon Department of Transportation, TriMet, Metro, Tualatin Hills Park and Recreation District, Tualatin Valley Fire and Rescue, and the adjacent cities of Tigard, Hillsboro, and Portland.

Policy c) Monitor and update the Transportation Element of the Comprehensive Plan so that issues and opportunities are addressed in a timely manner.

Policy e) Establish rights-of-way through development review and, where appropriate, officially secure them by dedication or reservation of property.

Response: The proposed amendments include amendments to Comprehensive Plan Volume I Chapter 6 (Transportation Element) and Volume IV (Transportation System Plan) to address Cooper Mountain issues and opportunities and provide direction for future provision of streets and active transportation facilities. The city's adopted

Development Code in Section 60.55 and other locations as well as the Engineering Design Manual require provision of streets, dedication, and easements as necessary to ensure the area has a complete transportation system.

Throughout the project, the city has been in close coordination with Washington County, Oregon Department of Transportation, TriMet, Metro, Tualatin Hills Park and Recreation District, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, Beaverton School District, Hillsboro School District, Clean Water Services and the state Department of Land Conservation and Development, all of whom served on the project Technical Advisory Committee (TAC). A detailed list of TAC meeting dates, and other examples of coordination among government is in Exhibit 14.

Additional findings regarding coordination on transportation planning is provided in findings for OAR 660-012-0060(4) and Comprehensive Plan Goal 3.4.2 Policy a) in CPMA42024-00679; and are incorporated here by reference.

In addition, the Infrastructure Funding Plan (Exhibit 1, Appendix C) presents recommendations for funding the transportation projects identified to serve new neighborhoods in Cooper Mountain and estimates where the city, partner agencies, and development in Cooper Mountain could be expected to contribute toward implementing the identified projects.

Comprehensive Plan Goal 6.2.8

Goal 6.2.8: Create a stable, flexible financial system.

Policy a) Plan for an economically viable and cost-effective transportation system.

Policy b) Identify and develop diverse and stable funding sources to implement recommended projects in a timely fashion.

Policy c) Use the System Development Charge, Traffic Impact Fees, and development exactions as elements of an overall program to pay for adding capacity to the transportation system and for making safety improvements related to development impacts.

Response: The Infrastructure Funding Plan (Exhibit 1, Appendix C) presents recommendations for funding the transportation projects identified to serve new neighborhoods in Cooper Mountain and estimates where the city, partner agencies, and development in Cooper Mountain could be expected to contribute toward implementing the identified projects.

The transportation projects in the Infrastructure Funding Plan include projects to extend the transportation system across the plan area and to make safety improvements on existing arterials and intersections. Section 2.1 of the Infrastructure Funding Plan presents an overview of the potential funding sources for those projects,

including system development charges, the Transportation Development Tax (TDT), developer contributions, and other sources.

Section 2.3.2 of the Infrastructure Funding Plan is an evaluation of existing revenue sources, demonstrating that existing policies and programs could fund large portions of the needed transportation infrastructure. Section 2.3.3 presents two alternative funding scenarios to fully fund all projects identified in the amendments to Comprehensive Plan Volume 1, Chapter 6 (Transportation Element). The recommended approach, outlined in the Exhibits 9 and 11 of the Infrastructure Funding Plan, includes a combination of funding from direct development contributions, TDT credits, TDT revenue, a new Cooper Mountain funding source, and other county sources. The plan identifies that the new Cooper Mountain funding source could include a supplemental transportation SDC, Local Improvement District, and/or reimbursement district.

The funding plan lists the following benefits of the proposed approach:

- Creates dedicated funding for the McKernan Creek crossing and widening 175th Avenue, rather than relying on TDT allocation.
- Any surplus TDT generated in this area could be used for off-site capacity-increasing transportation projects.
- Increases the share of funding coming from development in Cooper Mountain compared to the existing sources scenario. However, if the new funding source were spread across all units in Cooper Mountain, the per-unit cost would be similar to the supplemental transportation SDCs that are currently charged in other urban growth areas of Washington County.
- Because the new Cooper Mountain source would fund multiple projects, if it were charged at time of development, it would not require the area to fully build out before sufficient revenue would be available to fund the McKernan Creek crossing.

This approach provides flexibility to fund transportation projects based on the timing and phasing of development. The cost to development is similar to the cost in other urban growth areas, and the proposed approach uses a variety of funding sources to create a stable and economically viable strategy.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 6: Transportation Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 7 NATURAL, CULTURAL, HISTORIC, SCENIC, ENERGY, AND GROUNDWATER

Comprehensive Plan Goal 7.1.1

Goal 7.1.1: Balance development rights with natural resource protection.

Policy a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin.

The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 20) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. Riparian resources were mapped following the Clean Water Services (CWS) standards for determining buffer widths for vegetated corridors.

The city's program related to wetland protection and enhancement follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed amendments do not change the city's programs to notify local, state, and federal regulatory agencies about development proposals within natural resource areas. The city requires development applications to include a service provider letter from CWS to affirm natural resource areas that are protected through the CWS program for Sensitive Areas and Vegetated Corridors. The city also requires development proposals to secure all necessary permits from state and federal agencies when work is proposed in natural resource areas.

Policy b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.

Response: The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates the development activities and identifies which activities are allowed, limited, or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting, commensurate with the amount of disturbance area. Mitigation planting must occur within the same stream basin as the disturbance area and may be located with the Resource Overlay or in an adjacent area that is preserved in a protected tract or easement. The mitigation requirements are based on planting in quantities that correspond to the square footage of disturbance area. All mitigation planting must be native plants from an approved plant list to restore or enhance the protected portion of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

Policy c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.

Response: As described in Goal 7.2.1, there are no designated Significant Historic Landmarks in the Cooper Mountain area.

With respect to significant natural resources, the proposed Development Code includes general development standards for all properties that contain the Resource Overlay. The standards outline best practices for natural resource protections. The proposed Development Code limits the area of the Resource Overlay that can be disturbed to support development activity and identifies when design standards can be relaxed to reduce impacts to significant natural resources. For example, the proposed Development Code requires dedication of the standard right-of-way width for roadway construction but allows for reduction of the standard street section by eliminating medians, planter strips, and parking lanes when the street is traversing the Resource Overlay.

In addition, the city previously adopted code provisions (Beaverton Development Code 60.12 Habitat Friendly Development Practices) to allow and encourage Habitat Friendly Development Practices across the city. The use of habitat friendly development practices is voluntary. Beaverton Development Code 60.12.25 offers development

credits when projects apply specific techniques, such as preserving Habitat Benefit Areas and utilizing Low Impact Development Techniques. Those credits will still be available outside the Cooper Mountain Community Plan area. Within the Cooper Mountain Community Plan area, the protection of habitat areas is required, as described above. The use of low impact development techniques will not result in other development credits, but the habitat friendly development practices are still allowed and encouraged. In addition, the proposed Development Code amendments already have smaller setbacks and taller heights than many comparable zones within Beaverton, which means adjustments to setback and heights will not be needed as often within Cooper Mountain. The approach was to allow more flexibility for all development because the Cooper Mountain area has so many properties with slopes and natural resources present.

Policy d) City policies or regulations shall not interfere with actions necessary for nuisance abatement or protecting the safety, health and welfare of Beaverton's citizens.

Response: The proposed Development Code allows for nuisance abatement and actions to protect safety, health and welfare within the Resource Overlay. Allowable activities include removal of nuisance plants, enhancement and natural resource restoration activities, and emergency procedures necessary for the immediate safety or protection of life or property, including removing hazardous trees, flood control, sanitary sewer overflow repair, and stream bank stabilization.

Policy e) Upon annexation of unincorporated properties with County Goal 5 natural resource designations, the City shall rely on the Urban Planning Area Agreement with Washington County to determine the appropriate City designation.

Response: The proposed amendments will adopt the Cooper Mountain Community Plan, which includes natural resource designations across the plan area. Additional findings related to Goal 5 are included earlier in this document. The Urban Planning Area Agreement also contemplates the city adopting policies, maps, and development rules that would apply upon annexation.

Comprehensive Plan Goal 7.2.1

There are no goals regarding cultural resources as there are no known significant or important cultural resources within the city limits. Based on the findings in Exhibit 26 (Memorandum regarding Cooper Mountain's cultural history and oldest buildings) there is no evidence of cultural or archeological resources in the Cooper Mountain Area. If cultural resources were to be found they could be inventoried and protected through a legislative or quasi-judicial process consistent with Beaverton Comprehensive Plan Section 1.3, which provides procedures for amending the Comprehensive Plan.)

Goal 7.2.1: Preserve, manage and encourage restoration of historic sites, structures, and objects designated as Significant Historic Landmarks, and protect the character of the Downtown Historic District as listed on the National Register of Historic Places.

Response: There are no designated Significant Historic Landmarks in the Cooper Mountain area. If at any time something becomes designated as a landmark through a legislative or quasi-judicial process, it will be preserved and managed consistent with existing Development Code provisions in Section 40.35: Historic Review.

Comprehensive Plan Goal 7.3.1.1

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their educational and recreational values; to provide habitats for fish and wildlife in our urban area.

Response: The proposed amendments include goals, policies, and land use regulations to protect natural resources and conserve open space resources in the planning area. The Cooper Mountain Community Plan Natural Resource Report, August 2024 (Exhibit 1, Appendix B) identifies and includes a determination of significance for natural resources within the planning area. A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city's methodology to inventory natural resources in the planning area is consistent with the methodology that Metro used to create the initial regional inventory.

The city's program related to conserving, protecting, enhancing, and restoring natural resource areas follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance UGMFP Title 13 are described above and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay.

Policy b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.

Response: The city's program related to conserving, protecting, and enhancing natural resource areas follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance UGMFP Title 13 are described above and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

Policy c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.

Response: Proposed Development Code includes standards for land divisions and property line adjustments when the property contains the Resource Overlay. At least 80 percent of the Resource Overlay must be placed in one or more protected tracts or a protected easement. The protected tracts must be identified as a private natural area held by a homeowners' association, a public natural area, or a public or private tract for stormwater management. These standards recognize the natural resource areas as part of the site development plan and protect them as amenities for residents or the public.

Policy d) The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.

Response: The proposed Development Code includes several new land use applications related to development in or near the Resource Overlay. All non-exempt development activities on properties that contain the Resource Overlay must include an application that demonstrate compliance with the proposed Development Code rules for the Resource Overlay.

Policy e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.

Response: Proposed Development Code requires development in or near wetlands, streams, and riparian areas to be consistent with the requirements from Clean Water Services, the Oregon Department of State Lands, the U.S. Army Corps of Engineers. When mitigation is required, the proposed Development Code states that City shall not issue a site development permit or building permit until all applicable local, Regional, State and Federal permit approvals have been granted.

Policy f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.

Response: The city's program related to conserving, protecting, and enhancing natural resource areas follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with UGMFP Title 13 are described above in findings for Metro UGMFP Title 13, Section 3.07.1330-1370 and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code allows activities that are consistent with resource protections within the Resource Overlay. Allowable activities include removal of nuisance plants, enhancement and natural resource restoration activities, continued maintenance of existing structures, minor residential development, such as home additions, decks, patios, sheds, gardens and landscaping, that do not exceed 500 square feet, and low impact outdoor facilities for public and private use, such as picnic areas and overlooks, that do not exceed 500 square feet.

The proposed Development Code includes general development standards and standards for specific development types when that development would occur in the allowable disturbance area of the Resource Overlay. Development that is complementary and compatible with resource protection are allowed within the boundary of the Resource Overlay. This includes surface stormwater management facilities that are planted with native vegetation, utility corridors that are replanted, and public accessways (trails) that are up to 15 feet wide when no large trees are removed in the disturbance area.

During land development, at least 80 percent of the Resource Overlay must be placed in one or more protected tracts or a protected easement. The remaining area may be used for development activity and mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

Policy g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.

Response: The proposed Development Code includes general development standards for all properties that contain the Resource Overlay. The standards outline best practices for natural resource protections. The best practices include following existing development standards, planting vegetation from approved plant lists, limiting fencing and lighting, restoring temporary disturbance areas, and a series of construction standards to protect trees and manage erosion.

Policy h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

Response: The proposed Development Code limits the area of the Resource Overlay that can be disturbed to support development activity. These limits will require planning for roadways and utilities that reduce the impacts to the significant natural resource areas. The proposed Development Code includes limits on the width of the permanent disturbance area for linear utilities and total disturbance area of non-linear utilities. When roads and utilities must be located in or traverse through significant natural resource areas, the proposed Development Code includes requirements for mitigation of the disturbance area of the Resource Overlay. Mitigation may include replanting in temporary disturbance areas or planting to enhance protected areas of the Resource Overlay. The proposed Development Code requires dedication of the standard right-of-way width, but allows for reduction of the standard street section by eliminating medians, planter strips, and parking lanes when the street is traversing the Resource Overlay.

In addition, the proposed amendments add a policy to Goal 7.3.1.1 that is specific to natural resource protections in Cooper Mountain. The proposed policy is stated as:

Policy i) In the Cooper Mountain Community Plan area:

- i. Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.**
- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.**
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.**
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.**

Response: Compliance with proposed Goal 7.3.1.1, Policy i.i for natural resource protections in the Cooper Mountain Community Plan area will be achieved through the proposed Comprehensive Plan, Development Code, and Zoning map amendments for the Resource Overlay, as described in Goal 7.3.1.1, Policy a through h above.

The proposed Goal 7.3.1.1, Policy i.ii encourages equitable access to natural areas. The proposed amendments include Development Code provisions that require the majority of natural areas in the Resource Overlay to be placed in protected tracts during development. In addition, the Community Plan includes policies that create connections to natural areas that are safe and accessible to the public through the siting and development of parks (Community Plan, Goal 5, Policy d) and development of the McKernan Creek Regional Trail (Community Plan, Goal 5, Policy r and Community Plan, Goal 6, policy e).

The Community Plan includes policies that encourage equitable access to the environmental and social benefits of trees by establish minimum tree canopy requirements (Community Plan, Goal 3, Policy g), which is consistent with proposed Comprehensive Plan Policy 7.3.1.1.i.iii. The Community Plan includes policies that provide incentives that encourage the retention of native trees (Community Plan, Goal 3, Policy h), which is consistent with Comprehensive Plan Policy 7.3.1.1.i.iv. Compliance

with the proposed Goal 7.3.1.1 Policy i.iii and i.iv will be achieved through the Cooper Mountain tree protections, which are part of the proposed Development Code.

The proposed Development Code also includes a new Section 60.61 that provides regulations for preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area to preserve and enhance the benefits trees provide for all people. Findings in TA42024-00680 provide additional information on this topic.

Comprehensive Plan Goal 7.3.2.1

Goal 7.3.3.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

Response: The city's program related to riparian corridors follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. The Riparian Class I areas include all streams, creeks, and watercourses within the Plan Area. These are areas that were not previously identified in the city's Significant Natural Resources inventory maps.

The proposed amendments do not include changes to the city's program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian

habitat areas. CWS regulates riparian habitat areas by designating those areas as part of the regulated “Vegetated Corridor.” The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat. The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Comprehensive Plan Goal 7.3.3.1

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

- Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.**
- Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.**
- Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.**

Response: The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 20) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors.

The city’s program related to wetland protection and enhancement follows Metro’s Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed amendments do not change the city-wide approach to wetland protection. The city’s program to protect wetlands follows the Clean Water Services standards for the Vegetated Corridor. The Clean Water Services Design and Construction Standards Manual, defines a “Vegetated Corridor” as “a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area.” Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant and added to the city’s inventory of natural resources.

The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Comprehensive Plan Goal 7.3.4.1

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources

Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.

Response: The city's program related to upland wildlife habitat protection follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with UGMFP Title 13 are described above in the findings for Metro UGMFP Title 13, Section 3.07.1330-1370 and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. The upland habitat areas include wildlife habitat areas adjacent to stream corridors and other water features, as well as forested habitat areas outside of defined stream corridors.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited, or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay in Cooper Mountain. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

In addition, the proposed amendments add policies to Goal 7.3.4.1 that are specific to protecting wildlife habitat protections in Cooper Mountain. The proposed policies are stated as:

Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

Response: The wildlife corridors identified in the proposed Cooper Mountain Community Plan (Community Plan, Figure 4) include primary corridors that follow the tributaries of McKernan Creek and other unnamed stream tributaries. These corridors are all identified as regionally significant riparian habitat areas in the Cooper Mountain Natural Resource Report (Exhibit 1, Appendix B). All of the primary wildlife corridors are included within the proposed Resource Overlay, and the proposed Development Code amendments regulate development activities and identifies which activities are allowed, limited, or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay.

Protecting significant natural resources and expanding tree protections collectively protect and enhance wildlife corridors. Findings on expanding tree protections are also described in findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section; and are incorporated here by reference. Other tools and strategies include integrating stormwater management with natural systems, such as planting stormwater facilities with wildlife-friendly landscaping to provide additional habitat; promoting restoration of streams and tributary areas; limiting infrastructure crossings of primary corridors; installing wildlife-friendly culverts or bridges where stream crossings are required; and requiring wildlife-friendly fencing and lighting adjacent to corridors, where possible.

The proposed Development Code amendments require stream crossings within the Resource Overlay to provide passage for large mammals, including deer. The proposed lighting standards also include provisions to reduce light and glare within and adjacent to Natural Areas and add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park .

The existing Development Code requires compliance with CWS regulations. Those regulations prioritize protection of interior habitat by placing stricter development

limitations on areas that are regulated as “Vegetated Corridor.” The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat, which coincides with all of the areas identified as primary wildlife corridors in the Cooper Mountain Community Plan.

Comprehensive Plan Goal 7.4.1

Goal 7.4.1: Conserve Significant Scenic Views and Sites, and the value they add to community.

Policy a) Help to preserve and enhance the City’s character, beauty and livability through the identification and protection of significant scenic sites in the city and views of those sites.

Response: As part of the planning process, visual inventory was conducted in the spring of 2020. Team members visited public and private properties around the project area, cataloging natural resources as well as qualitative aspects of the landscape. The Cooper Mountain Community Plan, Existing Conditions Summary Report (October 2020) provides an overview of views, landscape patterns, and local landmarks along with a photo inventory of existing development to acknowledge the built environment. A determination was made that determinations of significance and analyses of economic, social, environmental and energy consequences would not be needed to be able to protect scenic sites and views as that could also be done by protecting natural resources. These elements were all taken into account when developing the preferred approach to plan for the area’s future.

Policy b) Significant Scenic Sites may include forested areas or a specimen tree and are determined to have two or more of the following characteristics: aesthetic value; uniqueness of tree size, shape, rarity of specie; proximity of forested area to wetlands or riparian areas; provides slope stability; absorption of rainfall (canopy effects to offset adjoining impervious surfaces); and absorbs stormwater runoff.

All significant scenic sites must be visible from an existing or planned viewpoint that is safe and accessible to the general public.

Response: The Existing Conditions Summary Report identified key view locations throughout the Plan Area. The study provided a catalog of representative views and acknowledges that viewpoints exist throughout the study area, rather than at distinct locations. The study did not include an inventory or evaluation to determine specific locations that should be considered significant scenic sites. Therefore, the proposed amendments do not include designations of any new Significant Scenic Views or Significant Scenic Sites.

While significant scenic views or significant scenic sites are not designated in the plan area, the proposed Cooper Mountain Community Plan does acknowledge the importance of maintaining visual connections to forested areas and other natural resource areas. Within the plan area, Cooper Mountain Nature Park offers dramatic views of the tree groves through the nature park and across the Tualatin River Valley.

The Nature Park has been identified as a regionally significant Title 13 resource and will be protected by the proposed Resource Overlay designation. Other regionally significant resources include water features, riparian areas, and upland forest habitat. The Natural Resources Report (Exhibit 1, Appendix B) identifies upland forest habitat as areas adjacent to stream corridors and large patches of forested areas that were mapped by Metro as part of the Title 13 adoption process. These areas will also be protected by the proposed Resource Overlay, so most of the scenic sites described in Goal 7.4.1, Policy b will be protected in the Resource Overlay.

The proposed Community Plan includes policies create viewpoints that are safe and accessible to the general public through the siting and development of parks (Community Plan, Goal 5, Policy d) and development of the McKernan Creek Regional Trail (Community Plan, Goal 5, Policy r and Community Plan, Goal 6, policy e).

Policy c) The City will balance the conservation of significant scenic resources with the need to allow urban uses and activities.

Response: While there are not significant scenic views or significant scenic sites designated in the plan area, the proposed Development Code balances conservation of scenic views and sites with the need to allow urban uses and activities. The proposed Development Code defines the location of the Resource Overlay and defines the uses that are allowed, limited, or prohibited within the designated resource areas. The development rules have been developed in compliance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan. Natural resources are also protected through compliance with Comprehensive Plan Goal 3.3.1 and Goal 7.1.1, Goal 7.3.1.1, 7.3.2.1, 7.3.3.1, and 7.3.4.1.

Policy d) Provide incentives for protection of Scenic Views of topographic features such as mountain ranges and individual peaks for public enjoyment.

Response: The proposed Community Plan includes policies to promote scenic views in the siting and development of parks (Community Plan, Goal 5, Policy d), development of the McKernan Creek Regional Trail (Community Plan, Goal 5, Policy r and Community Plan, Goal 6, policy e). To emphasize views of topographic features, Community Plan, Goal 5, Policy r states: “Provide scenic viewpoints where people using the McKernan Creek Regional Trail can stop to enjoy scenic views, such as those of the Tualatin River Valley and the Chehalem Mountains.” The proposed Development Code provides incentives for the regional trail to be located adjacent to scenic sites by allowing trails to be located within areas designated as Resource Overlay.

Comprehensive Plan Goal 7.5.1

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Comprehensive Plan Goal 7.5.2

Goal 7.5.2: Increased use of solar energy and other renewable energy resources in new development in the City.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 8 ENVIRONMENTAL QUALITY AND SAFETY

Comprehensive Plan Goal 8.2.1

Goal 8.2.1: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources

Policy a) All water resource areas within the City shall be enhanced, restored or protected to the extent practicable.

Policy b) The City shall limit development in vegetative corridors along streams through application of the CWS Design and Construction Standards so as to substantially comply with requirements of the Metro Functional Plan Title 3.

Response: The city's program related to water quality protections follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B

Wildlife Habitat. The Riparian Class I areas include all streams, creeks, and watercourses within the Plan Area. These are areas that were not previously identified in the city's Significant Natural Resources inventory maps.

The proposed amendments do not include changes to the city's program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by designating those areas as part of the regulated "Vegetated Corridor." The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat. The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Policy e) Protect investments in the City by managing stormwater runoff.

Response: The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. The current standards include requirements for water quality treatment, flow control, and hydromodification, based on the amount of proposed impervious surface with the development.

The Cooper Mountain Utility Plan presents an evaluation of the existing conditions and potential impacts from proposed development, along with preliminary sizing and siting of stormwater management facilities to serve the proposed development. The Utility Plan includes calculations to demonstrate that the required stormwater management facilities would mitigate the impacts of increased stormwater runoff associated with full development of the plan area. The current standards require new land development to provide the stormwater management facilities to serve the proposed development.

Policy f) Encourage development in urban environments in ways that promote healthy environments and natural resources.

Response: Staff findings related to sustainable development and natural resource protections are described in the findings for Comprehensive Plan Goals 3.3.1, 7.3.1.1, and 10.1. Those findings are incorporated here by reference.

Comprehensive Plan Goal 8.5.1

Goal 8.5.1: Protect life and property from potential earthquake hazards.

Response: Details regarding earthquake hazard in the Cooper Mountain area are found under Statewide Planning Goal 7. Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally

inside the natural resource overlay where development will be limited and mitigation to impact on those resources will also generally mitigate any increased seismic risks.

The proposed amendments in Beaverton Development Code Section 60.15.08 (Cooper Mountain Landslide Hazard Risk) will require geotechnical review for land divisions in mapped area to identify risks and appropriate mitigation measures.

Comprehensive Plan Goal 8.6.1

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Action 1: Identify geological hazard sites in the City including unstable steep slopes, weak foundation soils, and areas subject to erosion and deposition. Adopt and apply regulations to these sites through engineering standards and site development design criteria to allow, limit, or prohibit development, as appropriate.

Action 2: Periodically review and update the existing erosion control regulations and enforcement procedures to improve their effectiveness.

Action 3: Adopt and apply land use regulations requiring that building sites, streets and other improvements in areas with 25% or greater slopes, be designed so that cuts and fills are minimized and best management practices for erosion control are integrated into the design.

Response: Details regarding geologic hazards in the Cooper Mountain area are found under findings for Statewide Planning Goal 7. The proposed risk map, which is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide. Proposed amendments to Development Code Section 60.15.08 require geotechnical review for land divisions in mapped area to identify risks and appropriate mitigation measures. In addition, current Development Code rules, Site Development Standards, and building code rules address geological hazards related to foundations, erosion control, and grading and development on slopes.

The proposed Comprehensive Plan changes and proposed Development Code Section 60.15.08 address geological hazards consistent with the Comprehensive Plan Goal 8.6.1.

Comprehensive Plan Goal 8.7.1

Goal 8.7.1: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Response: There is no identified floodplain in the Cooper Mountain area. If at any time floodplain is identified by FEMA, the city's existing Development Code addresses floodplains in Section 60.10.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 8: Environmental Quality and Safety Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 9 ECONOMY

Comprehensive Plan Goal 9.1.1

Goal 9.1.1: Maximize efficient use of the city's employment land

Policy c) Support boundary changes that consider the city's unique geopolitical boundaries and the availability of city and other urban services to help meet the city's identified employment needs

Response: Cooper Mountain is a 1,232-acre expansion area bordering Beaverton that will eventually be home to about 5,000 homes and more than 10,000 residents. Upon annexation, the city would add a significant amount of land that will be used to build housing and provide commercial areas, among other things.

The citywide Economic Opportunity Analysis indicated that there is a resulting forecasted employment land need for over 900 acres over a 20-year horizon, of which 561 is for commercial uses (239 acres of retail, 229.8 acres of office and 92.5 acres of institutional). In addition, the citywide analysis indicates that the city's capacity for additional employment growth is affected by a limited supply of vacant property. Under the assumed employment growth scenario in the citywide analysis, the capacity within the urban service boundary is insufficient to accommodate the projected aggregate 20-year need for commercial uses.

The proposed Comprehensive Plan, Development Code, and Zoning Map amendments would add 53 acres of mixed-use zoning where commercial is allowed. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both

commercial and residential are allowed but there is no minimum commercial requirement. In addition, small-scale commercial uses will be allowed near public parks, neighborhood routes and land zoned CM-MR within the proposed CM-RM zone. Combined, these strategies address some of the need for employment land indicated in the citywide EOA.

Compliance with Comprehensive Plan Policy 9.1.1.c) is also described in findings for Statewide Planning Goal 11 – Public Facilities & Services, OAR 660-011 – Public Facilities Planning, Metro UGMFP Title 11 – Planning For New Urban Areas, and Comprehensive Plan Goals – Chapter 5 Public Facilities And Services, which describes public facilities planning; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 9.1.1.c) is also described in findings for Statewide Planning Goal 12 – Transportation, OAR 660-012 – Transportation Planning, Metro Regional Transportation Functional Plan, Comprehensive Plan Goals – Chapter 6 Transportation, which describes transportation planning and the transportation network; and are incorporated here by reference.

Policy f) Develop strategies to maximize employment within targeted planning areas, including the city’s major employment areas, commercial corridors, and neighborhood business districts

Response: Compliance with Comprehensive Plan Policy 9.1.1.f) is described above in findings for OAR 660-009-0020 (Industrial and Other Employment Development Policies), which describes how the Community Plan polices, the Land Use Map, and the Zoning Map together work to maximize commercial uses and employment opportunities within targeted planning areas, including proposed commercial areas near Tile Flat and 175th/Weir Road and portions of the CM-RM zoning district that allow small-scale commercial uses and are incorporated here by reference.

Policy h) Encourage home-based businesses that have minimal impacts on neighborhoods

Response: The Community Plan policy includes Commercial Policy 7.b) Allow small-scale commercial activity within the Cooper Mountain Residential land use designation to provide opportunities for residents to have access to goods and services, provide entrepreneurship opportunities, support at home work options that reduce automobile usage, and create potential places for people to see and meet with fellow neighbors.

Proposed amendments in TA42024-00680 describe rules for how small-scale commercial uses are allowed in the CM-RM zoning district. This is in addition to home occupations, which will also be allowed all Cooper Mountain zoning districts.

Goal 9.2.1: Provide Programs and Services that Support Existing Businesses and Attract New Businesses

Policy d) Encourage a mix of uses and amenities that are attractive to workers

Response: Compliance with Comprehensive Plan Policy 9.2.1.d) is described above in findings for Comprehensive Plan Policy 3.6.1.a-d), which describes how a mix of commercial and residential uses at relatively high densities, combined with pedestrian-oriented design, can create vibrant, walkable areas that are attractive to workers; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 9: Economy Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 10 COMMUNITY HEALTH

Comprehensive Plan Goal 10.1

Goal 10.1: Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods.

Policy b) Reduce barriers to siting and support of community gardens on private property, vacant public property, and unused rights-of-ways and increase access to fresh, local agricultural products.

Response: The proposed amendments allow community gardens as a permitted use on private property. The proposed amendments also allow commercial uses in two Cooper Mountain zoning districts (CM-CS and CM-HDR) and small-scale commercial uses within the CM-RM zoning district.

Comprehensive Plan Goal 10.2

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community.

Policy a) Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Policy b) Enhance accessibility and safety to key destinations such as schools, libraries and retail centers for pedestrians, bicyclists and public transit riders.

Policy c) Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel

Response: Staff findings related to recreation and physical activity are described in the findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal

5.8.1, which describe the existing parks and recreational facilities in the plan area and the plans to expand opportunities for recreation and physical activity. The proposed approach includes the creation of a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. Findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 are incorporated here by reference.

In addition, staff findings related to bicycle, pedestrian, and transit access and safety features are described in findings for Statewide Planning Goal 12 and OAR 660-012-0060. Those findings include descriptions of the transportation network, including paths and trails and safety improvements that will connect residents to neighborhoods and destinations through multiple modes of travel. The findings for Statewide Planning Goal 12 and OAR 660-012-0060 are incorporated here by reference.

Comprehensive Plan Goal 10.3

Goal 10.3: Improve the quality of the built and natural environments.

Policy a) Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation (e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.

Response: Compliance with Comprehensive Plan Policy 10.3.a) is described above in findings for Comprehensive Plan Policy 3.1.1.a-d), which describe how the proposed land use patterns, development requirements and transportation improvements will result in Complete Streets that prioritize multi-modal transportation options, as well as pedestrian and bicycle safety; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings with Comprehensive Plan Policy 6.2.4, which describe how the Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations through connectivity standards and proposed zoning that includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. The same elements of the proposed amendments that address providing for multi-purpose trips also apply to making Cooper Mountain transit-ready. Staff findings for Comprehensive Plan Policy 6.2.4 are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings for Comprehensive Plan Policy 3.6.1.a-d), which describe how a mix of residential and commercial uses at relatively high densities, combined with pedestrian-oriented design, come together to make complete neighborhoods; and are incorporated here by

reference. Proposed amendments in TA42024-00680 describe more information about the types of residential and commercial uses that are allowed, and rules that would apply to residential, commercial and mixed-use developments in Cooper Mountain.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 10: Community Health. This criterion is met.

1.5.3 CRITERIA FOR STATEWIDE PLANNING GOAL 5 INVENTORY RESOURCE DOCUMENT (VOLUME III) COMPREHENSIVE PLAN AMENDMENTS

- A. **Local Wetland Inventory Amendments require following the criteria for adoption of a local wetland inventory found within Oregon Revised Statutes and Oregon Administrative Rules (as of November 2004, ORS 196 and OAR 141-086 and OAR 660-023).**

Findings:

Staff finds that the proposed amendment is consistent with the Criteria for Statewide Planning Goal 5 Inventory Resource Document (Volume III) Comprehensive Plan Amendments, as described in the following sections.

ORS 196 State Waters and Ocean Resources; Wetlands; Removal and Fill

Response: Under ORS 196.674, the Oregon Department of State Lands (DSL) is required to compile and maintain a comprehensive Statewide Wetlands Inventory. ORS 196 does not include criteria relating to the adoption of a local wetland inventory. Rules and requirements related to the local wetland inventory are outlined in OAR 141-086 and OAR 660-023.

OAR 141-086 Wetland Conservation Plan

Response: The city has followed the process outlined in OAR 141-086-0228 to submit the Cooper Mountain Local Wetland Inventory (Exhibit 20) to the Oregon Department of State Lands for review and approval. A letter from DSL, dated September 19, 2024, states that DSL has approved the Beaverton Cooper Mountain Local Wetlands Inventory. Approval by DSL means that the LWI becomes part of the Statewide Wetlands Inventory and must be adopted by the city per the Goal 5 requirements.

OAR 660-023 Procedures and Requirements for Compliance with Goal 5

Response: Compliance with OAR 660-023 is described above in findings for Section 1.5 in CPMA42024-00679, which describes the procedures and requirements for compliance

with Statewide Planning Goal 5, related to protection of natural resources. The findings for OAR 660-023 in Section 1.5 of this application are incorporated here by reference.

Conclusion: These criteria are met.

ZMA42024-00681 ZONING MAP AMENDMENT

ANALYSIS AND FINDINGS FOR ZONING MAP AMENDMENT

ZMA42024-00681 Recommendation

Based on the facts and findings presented below, staff offers the following recommendation for the conduct of the October 16, 2024, public hearing for ZMA42024-00681, Cooper Mountain Community Plan Zoning Map Amendment.

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend APPROVAL of ZMA42024-00681 Cooper Mountain Community Plan Zoning Map Amendment to the City Council as presented in the staff report.

Section 40.97 Zoning Map Amendment Application

Section 40.97.15.2.C includes the approval criteria that apply to legislative zoning map amendments. Each criterion is addressed in separate sections below.

40.97.15.2.C.1 – THRESHOLD

Criterion 1. The proposal satisfies the threshold requirements for a Legislative Zoning Map Amendment application.

Response: Section 40.97.15.2.A specifies that an application for a Legislative Zoning Map Amendment shall be required when there is proposed a change of zoning designation for a large number of properties. ZMA42024-00681 proposes adding four new zoning districts for the Cooper Mountain Community Plan area to the map (Exhibit 11).

The proposed zoning districts are:

- **Cooper Mountain – Community Service (CM-CS).** Requires a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing residential development, generally multi-dwellings and middle housing.
- **Cooper Mountain – High Density Residential (CM-HDR).** Primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses are also among the uses allowed.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** Intended to result in mostly residential developments with a focus on multi-dwellings and middle housing.

- **Cooper Mountain – Residential Mixed (CM-RM).** Allows a mix of detached and attached housing types at the lowest number of units per acre of Cooper Mountain's residential zones. Allows small-scale commercial uses in some locations.

Since the proposed amendments affect all taxlots inside the Cooper Mountain Community Plan area, then the proposed change of zoning designation also affects a large number of properties, which meets the threshold for Legislative Zoning Map Amendment application.

Findings:

Staff finds that the proposed amendment is consistent with the Section 40.97.15.2.C.1.

40.97.15.2.C.2 – COMPREHENSIVE PLAN POLICIES

Criterion 2. Proposal conforms with applicable policies of the City's Comprehensive Plan.

Findings:

Staff finds that the proposed amendment is consistent with the applicable goals and policies of the City's Comprehensive Plan, as described in the following sections.

Comprehensive Plan Chapter 2: Community Involvement Element

Goal 2.1.1: The Planning Commission, Council, and other decision making bodies shall use their best efforts to involve the public in the planning process.

Response: The city's Development Code procedures were based on and have been found consistent with Chapter 2 – Community Involvement Element. Approval procedures includes a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance.

The City Council had 13 public work sessions between 2019-2024 to discuss the project prior to the October 16, 2024 Planning Commission hearing. The Planning Commission also had 14 public work sessions to discuss the project and the proposed amendments prior to the October 16, 2024 Planning Commission hearing. Public comment was accepted at every Planning Commission work session, and written public testimony was often submitted too. Community members were notified about how to provide public comment at each work session through email notifications that were sent out to community members who opted in for project updates. A complete list of work sessions and presentations for the Cooper Mountain Community Plan project is in Exhibit 14.

Section 1.4.1 of the Comprehensive Plan also establishes public hearing notice requirements for legislative amendments. Findings for Section 1.4.1 above in CPMA42024-00679, which describe how noticing requirements were completed, are incorporated here by reference.

Goal 2.4.2: Make a concerted effort to include and recruit individuals of all ethnic, racial, age, cultural backgrounds, and sexual orientations in City boards, commissions, and public processes as to reflect and correspond to the City’s demographic profile.

Response: Compliance with Comprehensive Plan Goal 2.4.2 is described above in findings for Comprehensive Plan Goal 2.4.2 in CPMA42024-00679, which describe recruitment for the Cooper Mountain Community Plan Community Advisory Committee and Beaverton’s Inclusive Housing Cohort, as well as other multicultural outreach efforts for the project, and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 2: Community Involvement Element. This criterion is met.

Comprehensive Plan Chapter 3: Land Use Element

Goal 3.1.1: Encourage development and land use patterns that support a variety of transportation options

Policy d) Apply land use designations and development regulations that support high-density development near transit and services, in order to provide greater opportunities to live, work, and meet daily needs near transit.

Response: Compliance with Comprehensive Plan Goal 3.1.1 is described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how the proposed Zoning Map includes 53 acres of mixed-use zoning where commercial is allowed.; how the CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials; and how the proposed amendments will make the area transit-ready; and are incorporated here by reference.

Goal 3.3.1 Sustainability and Natural Resources

Policy a) Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

Policy b) Conserve, protect and enhance natural resources identified in the city’s adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.

Response: Compliance with Comprehensive Plan Goal 3.3.1 is described above in findings for Comprehensive Plan Goal 3.3.1 in the CPMA42024-00679 section, which describes how the proposed amendments apply urban zoning across the plan area,

while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas. Several of the CM-MR zones are located near or adjacent to significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

In addition, the proposed Development Code regulates development activities within the boundary of the Resource Overlay (which includes wetlands, streams, creeks, riparian habitat areas, and upland habitat areas). When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed Development Code also includes rules require preservation and planting of trees in the Resource Overlay to further enhance natural resource areas.

Staff findings for Comprehensive Plan Goal 3.3.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 3.4.1. Provide effective and inclusive planning and development review services

Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.

Response: This section describes how updates to the development regulations proposed in ZMA42024-00681 were written to ensure consistency with the existing Comprehensive Plan policies and proposed Comprehensive Plan amendments in CPMA42024-00679.

ZMA42024-00681 proposes adding four new zoning districts to the Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods

and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

- CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

According to existing code, when the city or a property owner applies to change zoning on a site, which is called a Zoning Map Amendment (ZMA), the proposal must be consistent with the applicable Comprehensive Plan policies to be approved. Proposed amendments in CPMA42024-00679 includes updates to the policies in Volume I Chapter 3 (Land Use) that provide guidance for future ZMAs.

For example, proposed Cooper Mountain Mixed Use Corridor Policy 3.6.6.d describes locational requirements for residential zones that have higher minimum densities. If a property owner submitted a ZMA to rezone a site from CM-RM, a lower density residential zone with a Cooper Mountain Residential land use designation, to CM-MR, a higher density residential zone with a Cooper Mountain Mixed Use Corridor designation, then the property owner must demonstrate that the applicable site is near land with Mixed Use land designations and along existing or planned transit routes, among other requirements, as required by Cooper Mountain Mixed Use Corridor Policy 3.6.6.d.

To establish new rules for the four new zoning districts proposed by ZMA42024-00681, the proposed amendments include new development regulations for each zoning district, which are described in the TA42024-00680 section.

Policy b) Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy b) was described above in findings for Comprehensive Plan Goal 3.4.1 policy b) in CPMA42024-00679. Those findings, which describe how public engagement for this project was inclusive and provided meaningful opportunities to engage in each phase, are incorporated here by reference.

Policy c) Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city's language access practices.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy c) was described above in findings for Comprehensive Plan Goal 2.4.1 and in findings for Comprehensive Plan Goal 3.4.1 policy a) in CPMA42024-00679. Those findings, which describe the public engagement plan objectives, racial equity considerations, recruitment for committees, engagement opportunities for each project phase, and translation and interpretation services, are incorporated here by reference.

Policy d) Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix, below; and the following policies.

i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy d.i) was described above in findings for the Comprehensive Plan Goal 3.4.1 policy a). Those findings, which describe how the four new zoning districts are consistent with the Community Plan and other Comprehensive Plan updates, are incorporated here by reference.

iii. Area-specific zoning districts (as indicated in the Comprehensive Plan and Zoning District Matrix) shall be applied only in locations consistent with the title and purpose statement of the zone, applicable Community Plan policies or Metro Title 6 designations.

Response: ZMA42024-00681 proposes four new zoning districts that can only be applied in the Cooper Mountain Community Plan Area. The Comprehensive Plan and

Zoning District Matrix in Volume I Chapter 3 (Land Use) of the Comprehensive Plan indicates that the Cooper Mountain-specific zoning districts shall only be applied in areas with Cooper Mountain-specific Comprehensive Plan land use designations.

Goal 3.4.2. Coordinate with Washington County on planning for the Urban Planning Area

Policy a) Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy a) was described in findings for Comprehensive Plan Goal 3.4.2 policy a) in the CPMA42024-00679 section. Those findings, which describe coordination with Washington County on planning for the expansion area, are incorporated here by reference.

In addition, the city already has existing procedures for generally coordinating with the county for the area outside city limits that is within the Urban Planning Area.

Washington County maintains an online map that indicates where a Service Provider Letter (SPL) might be required for new development in unincorporated Washington County that is near city limits. The city receives the SPL and routes it to all relevant internal staff to determine if city services might be required.

Policy b) Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy b) was described in findings for Comprehensive Plan Goal 3.4.2 policy b) in the CPMA42024-00679 section. Those findings, which describe when and how the city recognizes planning work done by Washington County as annexation occurs, are incorporated here by reference.

In addition, Section 50.45 (Type 3) already includes a requirement to send a notice to the county for all Type 3 applications, which includes a Zoning Map Amendment. And the Facilities Review Process (Section 10.95 and 40.03) for all new development also provides the opportunity for the county to provide comments on new proposals.

Goal 3.5.1. Recognize unique needs of different parts of the city through Community Plans

Policy a) Create and implement Community Plans to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted.

Policy b) Prioritize creation of Community Plans for areas where:

- i. Public facilities and/or physical improvements need to be addressed;**
- ii. Significant change is occurring or anticipated;**

- iii. **Opportunities for substantial new development, infill or redevelopment are present or needed;**
- iv. **Opportunities arise to influence site selection, development or major expansion of a single, large activity generator;**
- v. **There is evidence of disinvestment, deteriorating housing, and/or high vacancy, unemployment and poverty rates;**
- vi. **There is a need to coordinate private development and public investment; and/or**
- vii. **The opportunity for development in conjunction with a transit station exists.**

Policy c) Ensure that Community Plans are created using an inclusive public process and include both analysis of place-specific needs and consideration of citywide needs and goals.

Policy d) Consider the needs of Beaverton’s diverse cultural communities in developing Community Plans.

Response: The Cooper Mountain Community Plan area was added to the urban growth boundary in 2018. The 1,232-acre area is along Beaverton’s southwestern city limits. In addition to forest and farmland, the area includes:

- Cooper Mountain Nature Park (southern portion)
- City of Beaverton water reservoirs
- Winkelman Park
- 140 homes (in 2020)
- 179 existing tax lots, with an average size of 6.75 acres (in 2020)

Cooper Mountain’s natural resources include nearly eight miles of streams, 23 acres of wetlands, and large areas of upland habitat. The 230-acre Cooper Mountain Nature Park is a key focal habitat conservation area for fish and wildlife.

The area primarily consists of rural lands that are bordered to the east, north, and south by development. The area to the west of the Community Plan area consists of rural landscape. The northern edge of the Community Plan area is situated along the top of Cooper Mountain, where topography is typically gently rolling, with slopes gradually steepening to the north and south to each side of the ridge top.

Slopes steepen quickly as one moves south within the Community Plan area, with several drainages flowing generally from northeast to southwest. These drainages typically occur in steep, forested V-shaped ravines, including McKernan Creek, which is

the principal drainage. The slopes in the south and southwest tend to be gentler than in other parts of the area.

The headwater of Summer Creek is east of SW 175th Avenue and drains the easternmost portion of the Community Plan area.

Cooper Mountain currently has a limited rural road network that people inside and outside the neighborhood rely on for transportation. SW 175th Avenue and the Grabhorn/Tile Flat arterial corridors carry regional traffic, with significant segments containing two travel lanes with no sidewalks, bicycle facilities, or street trees.

Given that the purpose of this community plan is to provide a roadmap to transition this area from rural to urban, the plan was definitely needed to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted. This also was done for the South Cooper Mountain area, a similar urban growth boundary expansion planned almost 10 years ago that has an adopted Community Plan within Beaverton's Comprehensive Plan.

The Community Plan was necessary to plan for significant change in the form of:

- About 5,000 new homes
- Two commercial areas and other opportunities for commercial and mixed-used development
- A network of streets, including collectors, neighborhood routes, and local streets.
- Utilities, including new water lines, sewer lines, reservoir, pump stations, stormwater facilities.
- Neighborhood parks, a community park, and a system of multi-use paths.
- Future transit.
- Other components to prepare for urban development where at least 10,000 residents are expected in the future.

With respect to Cooper Mountain zoning, proposed policies in the Cooper Mountain Community Plan informed proposed policies in the Comprehensive Plan to ensure that future zoning implements the desired outcomes of the Community Plan. For example, proposed Comprehensive Plan policies 3.6.6.d-f) include guidance on where zoning shall be applied and what criteria shall be used to evaluate requests for zoning changes if the respective zone is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation. And proposed Comprehensive Plan policies 3.7.4.c-e) include guidance on where zoning shall be applied and what criteria shall be used to evaluate requests for zoning changes if the respective zone is an implementing zoning district for the Cooper Mountain Commercial land use designation

Regarding Policy c) and Policy d), the Cooper Mountain Community Plan Public Engagement Plan (May 2020) included demographic data and racial equity considerations, listed target audiences and key stakeholders and described all anticipated public engagement activities, which included recruiting diverse and historically marginalized community members for project committees (Exhibit 13).

The Cooper Mountain Community Plan Public Engagement Summary (September 2024) provides an overview of how community feedback meaningfully influenced the process and project outcomes for each phase of the project (Exhibit 14). The Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

Goal 3.6.1: Support pedestrian-oriented mixed use areas

The following policies apply to all Mixed Use areas.

- Policy a) Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.**
- Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.**
- Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.**
- Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:**
 - i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development**
 - ii. Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks**
 - iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)**

Response: ZMA42024-00681 proposes adding three zoning districts to the Zoning Map that together provide a mix of commercial, residential, employment, and civic uses at relatively high densities. All three zoning districts are implementing zoning districts for the Cooper Mountain Mixed-Use Corridor land use designation, described above in the findings for CPMA42024-00679.

These include:

- Cooper Mountain High Density Residential (CM-HDR), which is a mixed-use district that allows a wide range of commercial uses, residential uses, and civic uses. The minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Multi-unit Residential (CM-MR), which is a residential district with minimum residential density of 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Residential Mixed (CM-RM), which is a residential district with a minimum residential density of 10 units per acre. This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned Cooper Mountain Multi-unit Residential.

Proposed Comprehensive Plan policies allow zone changes among those districts, but Policy f) under Goal 3.6.6 says future zoning amendments should provide the same or similar number of housing units, housing variety, and equitable access to commercial opportunities.

Findings for TA42024-00681 describe how the proposed amendments allow vertical or horizontal mixed use and generally allow a mix of uses within most neighborhoods to ensure different uses are within easy walking distance of each other, both through application of zoning districts on the proposed Zoning Map and by allowing a variety of uses and/or housing types within each zoning district.

Findings for TA42024-00681 also describe how the proposed amendments would prohibit drive-throughs, auto sales, vehicle storage yards, storage yards (except for RV, boat, and trailer storage within a residential development or PUD) in all Cooper Mountain zoning districts. Minor auto repair is allowed only within the Cooper Mountain Community Service zoning district. This will enhance the pedestrian environment by reducing curb cuts for drive-through lanes, which will reduce the number of conflict points where driveways cross the sidewalk, and reducing the potential for large vehicle,

equipment, or inventory storage areas within Cooper Mountain, which will leave more room for housing and businesses oriented toward pedestrian traffic.

Regarding pedestrian-oriented design, the city’s existing Development Code combined with the proposed amendments to Section 60.05.15 and 60.05.20 requires a certain amount of building frontage along the street, requires a certain percentage of windows in ground-floor commercial spaces, and requires pedestrian circulation within development sites and connections to the public right of way. The Comprehensive Plan policies call for Complete Streets with comfortable and safe pedestrian and bicycle facilities for all ages and abilities, and the existing Engineering Design Manual and future updates will support these policies.

Goal 3.6.6: Promote a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policy b) Ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: ZMA42024-00681 proposes adding three zoning districts to the Zoning Map that ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” on the Preferred Approach Concept Map.

The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

The proposed Land Use Map establishes Cooper Mountain Commercial (CM-C) and Cooper Mountain Mixed Use Corridor (CM-MUC) land use designations in the areas designated as “Neighborhood Center” on the Concept Map.

- The Cooper Mountain – Community Service (CM-CS) zoning district is an implementing zoning district for the CM-C land use designation. The CM-CS zoning

district is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

- The Cooper Mountain – High Density Residential (CM-HDR) zoning district is an implementing zoning district for the CM-MUC land use designation. The CM-HDR zoning district is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses are allowed.

Both CM-CS and CM-HDR will provide commercial uses and residential development intensity in both neighborhood centers. As described in findings for Comprehensive Plan Goal 3.1.1 in CPMA42024-00679, these areas will also be accessible by safe and convenient ways to travel.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-MUC and CM-C, with a focus on multi-unit residential.

Policy c) Apply zones that allow commercial uses or a mix of commercial and residential uses in areas:

- Along or near arterials or collectors;**
- Along neighborhood routes with higher density multi-dwelling options; and**
- Near multi-use paths.**

Response: ZMA42024-00681 amendments propose 53 acres of zones that allows commercial or a mix of commercial and residential uses. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both commercial and residential are allowed but there is no minimum commercial requirement.

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

In addition, a CM-HDR zoning district is east of SW Grabhorn Road (an arterial) and adjacent to a trail and Cooper Mountain Multi-unit Residential (CM-MR) zoning district. Another CM-HDR zoning district is at the intersection of SW 175th Avenue (an arterial) and SW Siler Ridge Lane and adjacent to Neighborhood Park. It also has a Neighborhood Route that runs along and through part of the CM-MR zoning district.

Policy d) Apply residential zones that have higher minimum densities in all developable subareas of the Cooper Mountain Community Plan area. Residential zones with higher minimum densities are most appropriate:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**
- iv. Along collector streets;**
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;**
- vi. Near neighborhood and community parks; and**
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.**

Response: The CM-MR zoning district is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing. Each CM-MR zoning district is evenly distributed in all developable subareas of the Cooper Mountain Community Plan, generally along proposed Collectors and proposed Neighborhood Routes and/or near the Community Park and Neighborhood Park. All CM-MR zoning districts are also either adjacent to the Resource Overlay or within a short walk of natural resource and trails, ensuring equitable access to nature.

In addition, CM-MR zoning is generally surrounded by the CM-RM zoning district, which allows small-scale commercial uses in neighborhoods intended to allow a mix of housing types, including detached and attached housing. The proposed amendments would allow small-scale commercial uses in CM-RM neighborhoods to provide entrepreneurship opportunities for people who want to start a business. Those businesses in the neighborhood can help ensure neighborhood residents have access to goods and services. Small-scale commercial uses are allowed in CM-RM when within 300 feet of private property zoned CM-MR; within 100 feet of a Neighborhood Park; or within 100 feet of a street right of way within the CM-RM zone that is a Neighborhood Route.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: CM-CS, CM-HDR and CM-MR zoning districts all either allow or require residential uses, primarily Multi-dwellings and Middle Housing. In addition, the CM-CS zoning district requires some commercial square footage on lots with the CM-CS zoning designation and the CM-HDR zoning district allows a combination of commercial and

residential uses. Since CM-CS, CM-HDR and CM-MR zoning districts are all implementing zoning districts for the CM-MUC land use designation, this facilitates clustering a combination of these three zoning districts in areas with the CM-MUC land use designation. In addition, it provides flexibility because a property owner can apply for ZMA through Beaverton Development Code Section 40.97 (Zoning Map Amendment) and request that zoning is changed from one implementing zoning district to two other possible implementing zoning districts.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. Provide the same or similar commercial opportunities in Cooper Mountain and its geographic sub-areas; and**
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: Compliance with Comprehensive Plan Goal 3.6.6.f), is described above in findings for Comprehensive Plan Goal 3.6.6.e), which describes how ZMAs provide flexibility for lots with CM-CS, CM-HDR and CM-MR zoning coverage that request a new zoning designation; and are incorporated here by reference.

In addition, proposed amendments in TA42024-00681 provide additional information on site development standards, as well as commercial requirements and/or opportunities, that would be considered in the approval criteria if a property owner chooses to apply for a ZMA to request a new zoning designation.

Goal 3.7.1 Enhanced Commercial Centers and Corridors

Policy b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.

Response: ZMA42024-00681 proposes adding Cooper Mountain Community Service (CM-CS) to the city's Zoning Map. CM-CS is the implementing zoning district for the Cooper Mountain Commercial land use designation. The CM-CS zoning district is intended to require a minimum amount of commercial uses that helps meet the city's employment needs, as identified in the citywide Economic Opportunities Analysis and Cooper Mountain Market Analysis (Exhibit 22), and to provide access to goods and services within Cooper Mountain, while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Compliance with site development

standards and design requirements (such as limitations on ground floor uses) are addressed in findings for TA42024-00680.

Policy c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

Response: In addition to providing commercial services, the CM-CS zoning district is intended for higher density residential development such as Multi-unit Dwellings and Middle Housing, thereby supporting integrated mixed-use developments. Compliance with site development standards and design requirements (such as buffers) are addressed in findings for TA42024-00680.

Proposed Comprehensive Plan Goal 3.7.4. Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

There are two CM-CS zoning districts on the proposed Zoning Map. Each CM-CS zoning district generally fits within the perimeter of “Neighborhood Center” on the Concept Map. Where there are minor differences, the boundaries of the CM-CS zoning district were adjusted to account for updated information on roads, parks and lot lines.

Compliance with Comprehensive Plan Policy 3.7.4.b) is also described above in findings for Comprehensive Plan Policy 3.1.1.a-d), which describe how transportation

improvements will result in Complete Streets that prioritize safe and convenient ways to travel; and are incorporated here by reference.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-CS, with a focus on multi-unit residential.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: The CM-CS zoning district is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

Both CM-CS zoning districts on the Zoning Map are adjacent to a Cooper Mountain High Density Residential (CM-HDR) zoning district and surrounded by lots with Cooper Mountain Residential Mixed (CM-RM) zoning.

- The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed,
- The CM-RM District is intended to allow a mix of housing types, including detached and attached housing. It also allows small-scale commercial uses in some locations. Since maximum density is generally not applicable in the CM-RM zoning district (or any other Copper zoning district), this supports moderate development intensity near higher-density commercial and mixed-use locations.

Combined, the clustering of CM-CS, CM-HDR and CM-RM zoning districts promotes vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;**
- ii. Along neighborhood routes with higher density multi-dwelling options; and**
- iii. Near multi-use paths.**

Response: There are two CM-CS zoning districts on the proposed Zoning Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

Each CM-CS zoning district is along an arterial on one side and along a collector on a second side. Multi-use paths are proposed along the edge of each CM-CS zoning district, and in the case of the Tile Flat location, through the CM-CS zoning district too. In addition, each CM-CS zoning district is adjacent to a CM-HDR zoning district, which also encourages development intensity. Combined, the application of CM-CS zoning provides two places where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**
- iv. Along collector streets;**
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;**
- vi. Near neighborhood and community parks; and**
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.**

Response: There are two CM-CS zoning districts on the proposed Zoning Map. The CM-CS zoning district allows significant residential development with a focus on Multi-Dwellings and Middle Housing, in addition to requiring a minimum amount of commercial uses.

Compliance with Comprehensive Plan Policy 3.7.4.e) is described above in findings for Comprehensive Plan Policy 3.7.4.d), which describes where CM-CS zoning is applied with respect to the CM-HDR zoning district (an implementing zone for the Cooper Mountain Mixed Use Corridor land use designation) and along major roads; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 3.7.4.e) is also described in findings for 2018 Metro UGB Expansion Conditions of Approval A(4)(b) in the CPMA42024-00679 section, which describes how the proposed Comprehensive Plan amendments and Development Code text amendments support transit use by ensuring Cooper Mountain is transit-ready; and are incorporated here by reference.

In addition, the northern CM-CS zoning district is between two parks, just north of the existing Winkelman Park and directly south of a proposed Neighborhood Park. The Tile Flat CM-CS zoning district is also just south of the proposed Community Park.

Combined, higher density development, park access, and transportation access for a variety of modes promote vibrant developments that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and;**
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: This proposed policy reinforces existing Comprehensive Plan policies in Chapter 3 Section 3.7.1 (Enhanced Commercial Centers and Corridors) and provides additional policy guidance that responds to the unique geographic context of Cooper Mountain. Beaverton Development Code Section 40.97 already allows property owners to request a Zoning Map Amendment (ZMA). For the ZMA to be approved, Section 40.97 indicates that the proposal must confirm with all applicable policies in the Comprehensive Plan, such as proposed Comprehensive Plan policy 3.7.4.f). The ZMA provides property owners with flexibility to request changes to the Zoning Map, but in a way that still achieves the desired outcome described in the Cooper Mountain Community Plan.

Comprehensive Plan Goal 3.8.1

The following policies apply to all Neighborhoods.

Policy a) Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.

Policy b) Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

- i. Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.**
- ii. Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.**

Response: ZMA42024-00679 proposes adding four new Cooper Mountain zoning districts to the city's Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-Unit Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

The CM-CS, CM-HDR and CM-MR zoning districts are intended to predominantly result in multi-dwellings and middle housing. The CM-RM zoning district is intended to allow a mix of housing types, including detached and attached housing. The flexibility and available density ensure effective and efficient use of land within urban areas to relieve development pressure in rural areas and protect farms, forests, and natural resources.

Proposed amendments relating to Section 20.22.15 (Site Development Standards in Cooper Mountain) in TA42024-00680 include findings that describe minimum lot area and minimum density. This section also indicates that maximum density is not applicable in all four Cooper Mountain zoning districts, with one exception noted in the findings.

Policy c) Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.

Response: Zoning Map Amendments (ZMA) are allowed, which provides property owners with the ability to request different zoning on the condition that the new zoning is consistent with Comprehensive Plan policies proposed in CPMA42024-00679. This allows property owners with different option to provide housing variety while maintaining overall density consistent with the Comprehensive Plan designation and zoning.

For example, existing Beaverton Development Code Section 40.97 (Zoning Map Amendment) includes an application to request a zoning change if the proposal meets all relevant approval criteria. Approval criterion 2 reads, “The proposal conforms with applicable policies of the City’s Comprehensive Plan.” Proposed Comprehensive Plan Policy 3.6.6.f (Cooper Mountain Mixed Use Corridor) establishes a policy that reads:

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and
- ii. Provide the same or similar commercial opportunities in Cooper Mountain and its geographic sub-areas; and
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary

Therefore, the ZMA can only be approved if it conforms with Comprehensive Plan Policy 3.6.6.f, in addition to all other relevant approval criteria.

Policy f) Facilitate development of housing that is affordable to a range of incomes, including low-income households.

Response: Compliance with Comprehensive Plan Goal 3.8.1.f), is described above in findings for Comprehensive Plan Goal 3.8.1.a), b) and c) in this section, which describe how the proposed amendments establish four new zoning districts that provide for opportunities for a variety of housing types, which means that people with different household sizes or incomes will have more opportunities to reside where there are opportunities to live, work; and are incorporated here by reference.

Comprehensive Plan Goal 3.8.3

Goal 3.8.3: Cooper Mountain Lower Density Neighborhoods: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policy b) Allow small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are:

- i. Near areas zoned for higher density multi-dwellings;**
- ii. Near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and**
- iii. Along Neighborhood Routes.**

Response: ZMA42024-00681 proposes adding four new Cooper Mountain zoning districts to the city’s map. Small-scale commercial uses are allowed in the CM-RM zoning district that is intended to allow a mix of housing types, including detached and attached housing. Proposed amendments in TA42024-00680 describe additional rules, such as hours of operation and design requirements, that apply to small-scale commercial uses in the CM-RM zoning district.

Policy c) The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Response: Compliance with Comprehensive Plan Goal 3.8.3.c) is described above in findings for Comprehensive Plan Goal 5.8.1 and in findings for Comprehensive Plan Goal 3.8.3.c) in the CPMA42024-00679 section, which describe how the city will support efforts by THPRD with parks and trails planning in the Cooper Mountain Community Plan area; and are incorporated here by reference.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: ZMA42024-00681 updates the city’s Zoning Map by clustering the CM-CS and CM-HDR zoning districts in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersect with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

The CM-HDR zoning district is also applied in two other locations. One cluster is next to a proposed park and directly to the east of Grabhorn. A second location is also next to a proposed park just north of SW Siler Ridge Lane.

The CM-MR zoning district is mainly applied near proposed parks and along or near proposed collectors and neighborhood routes.

To promote vibrant places near these commercial, mixed-use and high density locations, ZMA42024-00681 also applies the CM-RM zoning district around them. The CM-RM zoning district is intended to allow a mix of housing types, including detached and attached housing. And while it is the one zoning district with the lowest number of units per acre of Cooper Mountain's zones, maximum density generally does not apply to the CM-RM zoning district (or the other three districts), which makes it easier to increase development intensity near these activity centers.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. **Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. **Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. **Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: If an applicant requests a future ZMA, as allowed by existing Beaverton Development Code Section 40.97, the applicant will need to demonstrate in their submittal that the proposal conforms to Comprehensive Plan policy 3.8.3.e). If the proposal confirms with this policy, along with all other relevant approval criteria, then the request for a ZMA could be approved.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 3: Land Use Element. This criterion is met.

Comprehensive Plan Chapter 4: Housing Element

Goal 4.1.1. Provide an adequate supply of housing to meet future needs

Policy a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: Compliance with Comprehensive Plan Goal 4.1.1.a) is described above in findings for Comprehensive Plan Goal 4.1.1.a) in the CPMA42024-00679 section; and are incorporated here by reference.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: Compliance with Comprehensive Plan Goal 4.1.1.c) is described above in findings for Comprehensive Plan Goal 3.1.1.a) in the CPMA42024-00679 section, which describes how commercial and high density residential development on mixed use and commercially zoned sites (the CM-CS, CM-HDR and CM-MR zoning districts) support a variety of transportation options; and are incorporated here by reference.

Policy d) Develop a Housing Implementation Plan that is updated regularly based on market conditions and trends

Response: In September 2023, the City Council adopted the Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community. The strategies cover a range of topics such as exploring market conditions and trends, funding affordable rental housing and promoting homeownership.

Policy e) Develop programs or strategies to improve Beaverton’s jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment

Response: ZMA42024-00681 proposes adding several new Cooper Mountain zoning districts to the city’s map that require or allow commercial uses, thereby creating new jobs closer to where people might live or visit.

- The CM-CS zoning district has minimum requirements for commercial uses to ensure community members living or working in Cooper Mountain or visiting Cooper Mountain will have access to goods and services and community members have places to start and operate businesses. Commercial areas also are places for people to gather, meet, and socialize.
- The CM-HDR zoning district allows commercial uses, which is intended to be primarily a residential district with a focus on multi-dwellings and middle housing, allows but does not require commercial uses.
- The CM-RM zoning district allows small-scale commercial uses in neighborhoods intended to allow a mix of housing types, including detached and attached housing. The proposed code would allow small-scale commercial uses in CM-RM neighborhoods to provide entrepreneurship opportunities for people who want to start a business. Those business in the neighborhood can help ensure neighborhood residents have access to goods and services. The allowed uses would be Childcare;

Eating and drinking establishments; Offices; Retail; and Service businesses or professional services (hair salons, insurance sales, etc.). Proposed amendments in TA42024-00680 describe additional rules, such as hours of operation and design requirements, that apply to small-scale commercial uses in the CM-RM zoning district.

Policy h) Provide an efficient, consistent, and reliable development review process

Response: Compliance with Comprehensive Plan policy 4.1.1.h) is described above in findings for Comprehensive Plan Goal 3.4.1.a) in the CPMA42024-00679 section, which describes that consistency between Comprehensive Plan designations and development regulations ensures an effective development review process; and also above in findings for OAR 660-007-0015 (Clear and Objective Approval Standards Required) in the CPMA42024-00679 section, which describes how clear and objective standards ensure a an efficient and reliable development review process; and are incorporated here by reference.

Goal 4.2.1. Provide a variety of housing types that meet the needs and preferences of residents

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will provide sufficient buildable lands that result in housing that meets a variety of needs; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 4: Housing Element. This criterion is met.

Comprehensive Plan Chapter 5: Public Facilities and Services Element

Goal 5.3.1: Ensure long-term provision of adequate urban services within existing City limits and areas to be annexed in the future.

Policy b) The City shall work cooperatively with service providers within its Urban Services Area in the development of master plans that are elements of the City's Public Facility Plan, so as to prescribe the most effective and efficient long-term methods of providing each service.

Policy c) The City will involve owners of properties and residents in the unincorporated portion of its urban services area in planning for facilities and services.

Response: Compliance with Comprehensive Plan Goal 5.3.1 is described above in findings for Comprehensive Plan Goal 5.3.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.3.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.4.1: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policy b) On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.

Policy c) All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.

Response: Compliance with Comprehensive Plan Goal 5.4.1 is described above in findings for Comprehensive Plan Goal 5.4.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.5.1: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policy a) All new land development (residential subdivisions, multi-dwelling development, and industrial and commercial developments) shall be connected to a public water system.

Response: Compliance with Comprehensive Plan Goal 5.5.1 is described above in findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan

has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.6.1: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policy a) All new land development (residential subdivisions, and multi-dwelling, industrial, and commercial developments) shall be connected to the City sewer system.

Response: Compliance with Comprehensive Plan Goal 5.6.1 is described above in findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.7.1. Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

Policy d) The City shall work cooperatively with the School District in implementation of the Comprehensive Plan through the District's various programs, joint acquisition and development efforts.

Policy e) The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.

Policy f) The City shall notify the School District when considering Comprehensive Plan or land use regulation amendments that may significantly impact school capacity.

Response: The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain Technical Advisory Committee and shared feedback throughout the planning process. BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. A full list of TAC meetings is Exhibit 14.

On August 22, 2024, Beaverton also provided BSD and HSD with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments. In the proposed amendments, Beaverton Development Code Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Goal 5.8.1. Cooperate with THPRD in implementation of its 20- Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

- Policy a) The City shall support and encourage THPRD efforts to provide parks and recreation facilities that will accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.**
- Policy b) The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.**
- Policy c) The City shall support and encourage acquisition of park and recreation sites in advance of need so that the most appropriate sites are available for these vital public facilities.**
- Policy g) The planning, acquisition and development of multi-use paths should be consistent with this Plan’s Transportation Element and THPRD’s Trail Master Plan**
- Policy h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.**
- Policy i) THPRD is the park and recreation provider for the City of Beaverton and the City desires that all property within its boundaries be within THPRD’s boundaries.**

Response: Compliance with Comprehensive Plan Goal 5.8.1 is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section.

The city worked closely with THPRD throughout the development of the preferred approach. (See Public Engagement Summary, Exhibit 14, for additional information.) Conceptual park and trail locations were identified in close coordination with THPRD and other stakeholders. Parks are identified in locations that would be easily accessible to the largest number of future residents and visitors. Multi-use paths and regional trails are identified in the proposed community plan and in Figure 6.2b of the proposed Community Plan. The proposed Comprehensive Plan, Development Code, and Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks.

The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres and larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site. The Development Code also requires some recreational amenities on the site to ensure recreational facilities are easily accessible to the residents.

The proposed Development Code provides higher open space credit if property in the Parks Overlay is dedicated to THPRD or another public agency. The proposed Development Code also requires sites in the CM-CS zone to provide at least one public plaza on sites where new leasable commercial square footage is provided.

The city's existing Development Code includes requirements for annexation into THPRD as a condition of approval for a conditional use, design review, or land division application. Issuance of building permits may be delayed until the annexation is effective. The proposed amendments remove provisions that allow property owners to avoid annexing to THPRD as part of these applications.

Staff findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 5: Public Facilities and Services Element. This criterion is met.

Comprehensive Plan Chapter 6: Transportation Element

Findings for Comprehensive Plan Chapter 6 can be found in the Comprehensive Plan Amendments findings. Goal 6.2.4 Policies g) and i) are relevant to the Zoning Map amendments

Goal 6.2.4: An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.

Policy g) Plan land uses to increase opportunities for multi-purpose trips (trip chaining).

Policy i) Support mixed-use development in appropriate locations and encourage local job creation in order to reduce the number of locally generated regional commuting and shopping trips.

Response: The proposed zoning map amendments apply zoning districts in a way that allows and provides for many destinations and different types of destinations within Cooper Mountain that will increase opportunities for multi-purpose trips and support mixed-use development. The zoning map includes mixed-use areas, zones that allow multi-dwellings,

and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:

- CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
- Smaller mixed-use areas along or near 175th and Grabhorn Road.
- CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
- Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
- Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 6: Transportation Element. This criterion is met.

Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element

Goal 7.1.1: Balance development rights with natural resource protection.

Policy a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.

Policy e) Upon annexation of unincorporated properties with County Goal 5 natural resource designations, the City shall rely on the Urban Planning Area Agreement with Washington County to determine the appropriate City designation.

Response: Compliance with Comprehensive Plan Goal 7.1.1 is described above in findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section, which describes how the city has coordinated with regulatory agencies; the proposed amendments include definition of the Resource Overlay for the Cooper Mountain Community Plan area to protect natural resources; the proposed Development Code regulates the development activities within the boundary of the Resource Overlay and requires mitigation commensurate with the impacts during development; and the proposed Development Code explicitly allows nuisance abatement within the Resource Overlay. The proposed amendments will adopt the Cooper Mountain Natural Resources

Inventory and Local Wetlands Inventory, which includes natural resource designations across the plan area.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section are incorporated here by reference.

7.2 Cultural And Historic Resources

There are no goals regarding cultural resources as there are no known significant or important cultural resources within the city limits. Based on the findings in Exhibit 26 (Memorandum regarding Cooper Mountain’s cultural history and oldest buildings) there is no evidence of cultural or archeological resources in the Cooper Mountain Area. If cultural resources were to be found they could be inventoried and protected through a legislative or quasi-judicial process (outlined in Beaverton Comprehensive Plan Section 1.3).

Goal 7.2.1: Preserve, manage and encourage restoration of historic sites, structures, and objects designated as Significant Historic Landmarks, and protect the character of the Downtown Historic District as listed on the National Register of Historic Places.

Response: There are no designated Significant Historic Landmarks in the Cooper Mountain area. If at any time something becomes designated as a landmark through a legislative or quasi-judicial process (outlined in Beaverton Comprehensive Plan Section 1.3) it will be preserved and managed through Beaverton Development Code Section 40.35 Historic Review.

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their

educational and recreational values; to provide habitats for fish and wildlife in our urban area.

- Policy b)** Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.
- Policy c)** Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.
- Policy d)** The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.
- Policy e)** Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.
- Policy f)** Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.
- Policy g)** Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.
- Policy h)** Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

In addition, the proposed amendments add a policy to Goal 7.3.3.1 that is specific to natural resource protections in Cooper Mountain. The proposed policy is stated as:

- Policy i) In the Cooper Mountain Community Plan area:**
 - i. Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.**

- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.

Response: Compliance with Comprehensive Plan Goal 7.3.1.1 is described above in findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section, which describes how the proposed amendments apply urban zoning across the plan area, while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas. Several of the CM-MR zones are located near or adjacent to significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

In addition, the proposed Development Code regulates development activities within the boundary of the Resource Overlay (which includes wetlands, streams, creeks, riparian habitat areas, and upland habitat areas). When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed

Development Code also includes rules require preservation and planting of trees in the Resource Overlay to preserve and enhance the benefits trees provide for all people.

The findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.3.2.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

Response: Compliance with Comprehensive Plan Goal 7.3.2.1 is described above in findings for Comprehensive Plan Goal 7.3.2.1 in the CPMA42024-00679 section. The city’s program related to riparian corridors follows Metro’s Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 section and are incorporated here by reference.

The proposed amendments do not include changes to the city’s program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by requiring compliance with the CWS design and construction standards, which designate riparian areas as part of the regulated “Vegetated Corridor.”

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.

Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.

Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.

Response: The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 4) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors.

The city's program related to wetland protection and enhancement follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 and are incorporated here by reference.

The proposed amendments do not change the city-wide approach to wetland protection. The CWS design and construction standards for the Vegetated Corridor include protections for wetlands. Those standards apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources

Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.

In addition, the proposed amendments add policies to Goal 7.3.4.1 that are specific to protecting wildlife habitat protections in Cooper Mountain. The proposed policies are stated as:

Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

Response: Compliance with Comprehensive Plan Goal 7.3.4.1 is described above in findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section. The city's program related to upland wildlife habitat protection follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements.

The proposed amendments include definition of the Resource Overlay for the Cooper Mountain Community Plan area to protect natural resources, which includes wildlife habitat areas adjacent to stream corridors and other water features, as well as forested habitat areas outside of defined stream corridors. The proposed Development Code prioritizes interior habitat protections, requires stream crossings to provide passage for large mammals, and includes provisions to reduce light and glare within and adjacent to natural areas. The proposed Development Code includes tree preservation standards and guidelines and tree canopy standards and guidelines to protect wildlife habitat areas.

The proposed Zoning Map amendments were developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources and primary and secondary wildlife corridors. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as primary wildlife corridors. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified adjacent to higher volume roadways, away from identified wildlife corridors. Several of the CM-MR zones are located near or adjacent to significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The proposed Zoning Map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are outside of identified wildlife corridors, but several locations are in close proximity to primary or secondary wildlife corridors. This proximity will help to maintain additional open space outside of areas designated as part of the Resource Overlay.

Staff findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Goal 7.5.2: Increased use of solar energy and other renewable energy resources in new development in the City.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element. This criterion is met.

Comprehensive Plan Chapter 8: Environmental Quality and Safety Element

Goal 8.2.1: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources

Policy a) All water resource areas within the City shall be enhanced, restored or protected to the extent practicable.

Policy b) The City shall limit development in vegetative corridors along streams through application of the CWS Design and Construction Standards so as to substantially comply with requirements of the Metro Functional Plan Title 3.

Policy e) Protect investments in the City by managing stormwater runoff.

Policy f) Encourage development in urban environments in ways that promote healthy environments and natural resources.

Response: Compliance with Comprehensive Plan Goal 8.2.1 is described above in findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section. The city's program related to water quality protections follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management. The city will continue to require development in vegetated corridors to comply with CWS design and construction standards. The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. Staff findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 8.5.1: Protect life and property from potential earthquake hazards.

Response: Details regarding earthquake hazard in the Cooper Mountain area are found under Statewide Planning Goal 7. Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land

divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally inside the natural resource overlay where development will be limited and mitigation to impact on those resources will also generally mitigate any increased seismic risks.

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Action 1: Identify geological hazard sites in the City including unstable steep slopes, weak foundation soils, and areas subject to erosion and deposition. Adopt and apply regulations to these sites through engineering standards and site development design criteria to allow, limit, or prohibit development, as appropriate.

Action 2: Periodically review and update the existing erosion control regulations and enforcement procedures to improve their effectiveness.

Action 3: Adopt and apply land use regulations requiring that building sites, streets and other improvements in areas with 25% or greater slopes, be designed so that cuts and fills are minimized and best management practices for erosion control are integrated into the design.

Response: Details regarding geologic hazards in the Cooper Mountain area are found under Statewide Planning Goal 7. The proposed risk map, which is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide.

Goal 8.7.1: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Response: There is no identified floodplain in the Cooper Mountain area. If at any time floodplain is identified by FEMA managed through section 60.10 (Floodplain Regulations) of the Beaverton Development Code.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 8: Environmental Quality and Safety Element. This criterion is met.

Comprehensive Plan Chapter 9: Economy Element

Goal 9.1.1: Maximize efficient use of the city’s employment land

Policy c) Support boundary changes that consider the city’s unique geopolitical boundaries and the availability of city and other urban services to help meet the city’s identified employment needs

Response: Compliance with Comprehensive Plan Policy 9.1.1.c) is described above in findings for Comprehensive Plan Policy 9.1.1.c) in the CPMA42024-00679 section, which describes how the plan for the expansion area will result in new land use designations and new zoning districts that address employment needs identified in the citywide Economic Opportunities Analysis and Cooper Mountain Market Analysis; and are incorporated here by reference.

Policy f) Develop strategies to maximize employment within targeted planning areas, including the city’s major employment areas, commercial corridors, and neighborhood business districts

Response: Compliance with Comprehensive Plan Policy 9.1.1.f) is described above in findings for OAR 660-009-0020 (Industrial and Other Employment Development Policies) in the CPMA42024-00679 section, which describes how the Community Plan polices, Land Use Map, and Zoning Map together work to maximize commercial uses and employment opportunities within targeted planning areas, including the two commercial centers and portions of the CM-RM zoning district that allow small-scale commercial uses if near parks, neighborhood routes and land zoned CM-MR; and are incorporated here by reference.

Policy h) Encourage home-based businesses that have minimal impacts on neighborhoods

Response: The proposed amendments allow home occupations in all Cooper Mountain zoning districts. In addition, each CM-CS zoning district is bordered by lots with CM-RM zoning. TA42024-00680 indicates that the CM-RM zoning district allows small-scale commercial uses if near parks, neighborhood routes and land zoned CM-MR. Section 20.22.35 (CM-RM Small-scale Commercial) provides more information on allowed uses, site development standards, limitations on permitted uses and outdoor activities, and some other additional standards relating to small-scale commercial uses. These small-scale commercial uses can be home-based businesses, but they can also be standalone commercial uses on a lot.

Goal 9.2.1: Provide Programs and Services that Support Existing Businesses and Attract New Businesses

Policy d) Encourage a mix of uses and amenities that are attractive to workers

Response: Compliance with Comprehensive Plan Policy 9.2.1.d) is described above in findings for Comprehensive Plan Policy 3.6.1.a-d) in the CPMA42024-00679 section, which describe how a mix of commercial and residential uses at relatively high densities, combined with pedestrian-oriented design, can create vibrant, walkable areas that are attractive to workers; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 9: Economy Element. This criterion is met.

Comprehensive Plan Chapter 10: Community Health Element

Goal 10.1: Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods.

Policy a) Support affordable and sustainable local food systems, food hubs and fresh food retailers to increase access to healthy food throughout the city.

Response: The proposed amendments include two Cooper Mountain zoning districts (CM-CS and CM-HDR) that allow commercial uses, which includes retail, such as a grocery store, and eating and drinking establishments. Also, the CM-RM zoning district allows small-scale commercial uses, which allows retail, such as a small market that subject to requirements in Section 20.22.35, and eating and drinking establishments.

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community.

Policy a) Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Policy b) Enhance accessibility and safety to key destinations such as schools, libraries and retail centers for pedestrians, bicyclists and public transit riders.

Policy c) Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel.

Response: Staff findings related to recreation and physical activity are described in the findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section, which describe the existing parks and recreational facilities in the plan area and the plans to expand opportunities for recreation and physical activity. The proposed approach includes the creation of a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. Findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

The proposed amendments address public park facilities with a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. If a Parks Overlay geography is shown on a property, required open space is required to be provided within the overlay first. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District.

In addition, staff findings related to bicycle, pedestrian, and transit access and safety features are described in findings for Statewide Planning Goal 12 and OAR 660-012-0060. Those findings include descriptions of the transportation network, including paths and trails and safety improvements that will connect residents to neighborhoods and destinations through multiple modes of travel. The findings for Statewide Planning Goal 12 and OAR 660-012-0060 are incorporated here by reference.

Goal 10.3: Improve the quality of the built and natural environments.

Policy a) Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation (e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.

Response: Compliance with Comprehensive Plan Policy 10.3.a) is described above in findings for Comprehensive Plan Policy 3.1.1.a-d), which describe how the proposed land use patterns, development requirements and transportation improvements will result in Complete Streets that prioritize multi-modal transportation options, as well as pedestrian and bicycle safety; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings with Comprehensive Plan Policy 6.2.4, which describe how the Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations through connectivity standards and proposed zoning that includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. The same elements of the proposed amendments that address providing for multi-purpose trips also apply to making Cooper Mountain transit-ready. Staff findings for Comprehensive Plan Policy 6.2.4 are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings for Comprehensive Plan Policy 3.6.1.a-d), which describe how a mix of residential and commercial uses at relatively high densities, combined with pedestrian-oriented design,

come together to make complete neighborhoods; and are incorporated here by reference. Proposed amendments in TA42024-00680 describe more information about the types of residential and commercial uses that are allowed, and rules that would apply to residential, commercial and mixed-use developments in Cooper Mountain.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 10: Community Health. This criterion is met.

40.97.15.2.C.3 – CRITICAL FACILITIES AND SERVICES

Criterion 3. All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.

Response: The city’s comprehensive plan definition states: “Critical public facilities and services shall include public water, public sanitary sewer, storm water system (including storm water quality and quantity facilities), transportation, and fire protection.”

The city’s existing Public Facilities Plan (Comprehensive Plan Section 5.2) is the city’s approach to providing the critical facilities and services across the city, except for fire protection. The Public Facilities Plan covers plans to provide public water, sanitary sewer, stormwater, and transportation facilities and services.

The proposed Comprehensive Plan amendments will add the Cooper Mountain Utility Plan to the list of documents that are included in the Public Facilities Plan. The Cooper Mountain Utility Plan identifies a plan for the extension of public utilities (water, sanitary sewer, and stormwater) to provide critical facilities and services to the plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area. Additional findings related to utility planning are described in the findings for Statewide Planning Goal 11 in the CPMA42024-00679 section and are incorporated here by reference.

The proposed Comprehensive Plan amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city’s Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network trails to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan. The amendments to the Transportation System Plan have been developed based on the potential future development allowable under the proposed zoning for properties in the plan area. Additional findings related to the transportation system planning are described in the

findings for Statewide Planning Goal 12 in the CPMA42024-00679 section and are incorporated here by reference.

The Cooper Mountain Infrastructure Funding Plan that is included as an appendix to the Cooper Mountain Community Plan (Exhibit 1, Appendix C) identifies funding sources and strategies for each category of infrastructure and whether resources are expected to be available to cover the estimated costs. Services are provided by the city as well as service providers, including Clean Water Services (stormwater and sewer), Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, Tualatin Hills Water District, Metro, Washington County, and Beaverton School District. Each of those agencies have capital improvement plans, capital budgets, and funding sources for ongoing service provision as well as financing public facility capital investments.

For fire protection, Tualatin Valley Fire & Rescue already provides services across the plan area. The nearest fire station is located adjacent to the plan area at 9940 SW 175th Avenue. The Cooper Mountain Utility Plan includes the plan for potable water service, including fire protection for the potential future development allowable under the proposed zoning for properties in the plan area. Tualatin Valley Fire & Rescue was included in project planning and has not expressed concerns about emergency service vehicle access related to the proposed amendments.

Findings:

Staff finds that the proposed amendment is consistent with the criteria. Based on the comprehensive plan definition, critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation. This criterion is met.

40.97.15.2.C.4 – ESSENTIAL FACILITIES AND SERVICES

Criterion 4. Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.

Response: The city’s comprehensive plan definition states: “Essential facilities and services shall include schools, transit improvements, police protection, and public pedestrian and bicycle facilities.”

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain TAC and shared feedback throughout the planning process (Exhibit 14). BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. Beaverton School District officials plan to serve Cooper Mountain students with existing facilities that already exist within the district, including Mountainside High School, which is nearby at 175th and Scholls Ferry Road. In addition, the school district owns land within South Cooper Mountain very close to

its border with Cooper Mountain. That land can be used for future school buildings. The western half of Cooper Mountain is within the Hillsboro School District. Hillsboro School District officials report that they plan to serve Cooper Mountain students with existing facilities or planned facilities consistent with the district's facilities plan. Additional findings related to school planning are described in the findings for Metro Title 11(c)(5) in the CPMA42024-00679 section and are incorporated here by reference.

Planning for transit and public pedestrian and bicycle facilities is included in the city's includes the City of Beaverton Transportation System Plan and City of Beaverton Active Transportation Plan. The proposed Comprehensive Plan amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city's Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network trails to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan. The amendments to the Transportation System Plan have been developed based on the potential future development allowable under the proposed zoning for properties in the plan area. Additional findings related to the transportation system planning are described in the findings for Statewide Planning Goal 12 in the CPMA42024-00679 section and are incorporated here by reference.

For police protection, the plan area is currently served by Washington County. Upon annexation, properties within the plan area will receive police protection from the City of Beaverton.

Findings:

Staff finds that the proposed amendment is consistent with the criteria. Based on the comprehensive plan definition, essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation. This criterion is met.

40.97.15.2.C.5 – CHAPTER 20 AND SECTION 70.15 CONSISTENCY

Criterion 5. The proposal is or can be made to be consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District.

Findings:

ZMA42024-00680 does not include area within the Downtown Design District. Staff finds that the criterion in Section 40.97.15.2.C.5 does not apply.

40.97.15.2.C.6 – PARCEL WITH MORE THAN ONE ZONING DESIGNATION

Criterion 6. For zone changes that create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.

Response: ZMA42024-00680 proposes amendments that would have more than one zoning designation on many lots, especially larger lots. All lots that have more than one zoning district applied have large areas in the different zoning districts that meet minimum lot size and dimensional requirements of the zoning districts and could be subdivided later into lots that would meet the minimum lot size and dimensional requirements of the zoning districts.

Findings:

Staff finds that the proposed amendment is consistent with the criterion in Section 40.97.15.2.C.6.

40.97.15.2.C.7 – SUBMITTAL REQUIREMENTS

Criterion 7. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

Response: The applicant, the City of Beaverton, submitted the Legislative Zoning Map Amendment on July 26, 2024. In review of the materials during the application review process, staff finds that all applicable applications submittal requirements identified in Section 50.25.1 are contained within this proposal.

Findings:

Staff finds that the proposed amendment is consistent with the criterion in Section 40.97.15.2.C.7.

40.97.15.2.C.8 – RELATED APPLICATIONS AND DOCUMENTS

Criterion 8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Response: Concurrent applications have been submitted with ZMA42024-00681 that will ensure that the proposed zones can be properly implemented. A Comprehensive Plan Amendment (CPMA42024-00679) proposes to add the Cooper Mountain Community Plan to Volume V of the Comprehensive Plan and updates Volumes I, III and IV with updates to implement the Cooper Mountain Community Plan. In addition, a Text Amendment (TA42024-00680) will include all development standards, such as required density, maximum heights, and permitted uses of the zones proposed in this Zoning Map Amendment.

Findings:

Staff finds that the proposed amendment is consistent with the criterion in Section 40.97.15.2.C.8.

OTHER APPLICABLE APPROVAL CRITERIA

Section 40.97.15.2.C.2 indicates that the proposed zoning map amendment shall be consistent with the City's Comprehensive Plan. In addition, as a post-acknowledgement amendment to the City's Code, the proposed zoning map amendment is subject to ORS 197.175(2), which requires that the City demonstrate that the proposed zoning map amendment be consistent with the relevant Statewide Planning Goals.

Findings:

The proposed amendments are consistent with relevant Statewide Planning goals and related OARs, as described below.

Statewide Planning Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process. The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues. Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Response: The Beaverton Citizen Involvement Program adopted by Resolution 2229 in 1980 established a formalized public participation program that provides a method by which the Beaverton Committee for Community Involvement (as renamed in Ordinance

4624 signed in 2013) and other community members can communicate their opinions and inquiries about city matters, including the planning process.

The proposed amendment is subject to the public notice requirements of the Comprehensive Plan and the Development Code (Section 50.50). The city's Development Code procedures were based on and have been found consistent with Statewide Planning Goal 1. Approval procedures includes a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance. At the public hearing, the Planning Commission will consider written or oral testimony before making a recommendation to City Council. A record of staff presentations on the Cooper Mountain Community Plan to the Beaverton Committee for Community Involvement is in Exhibit 14, which also includes a record of all other public engagement activities for the project.

Consistent with procedures outlined in the Beaverton Comprehensive Plan and Development Code (Section 50.50), notice of the proposed amendment was sent to all NAC chairs; the Chair of the BCCI; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6 and 7; Washington County's Department of Land Use and Transportation; Metro; and DLCD. Copies of the hearing notice were posted at Beaverton City Hall, the Beaverton City Library, the Beaverton Police Department and published in the newspaper, consistent with noticing requirements. A notice was also posted on the city's website. Mailed notice also was sent to more than 24,000 property owner addresses to notify property owners where the proposed amendments affect allowed land uses. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 1.

Statewide Planning Goal 2 – Land Use Planning

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

Response: Legislative Zoning Map Amendments (that is, the change of zoning designation for a large number of properties as described in Beaverton Development Code Section 40.97) and Text Amendments (that is, Beaverton Development Code updates as described in Section 40.85) require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. 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, the ultimate decision-making authority. Prior to adoption of each amendment, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal.

The proposed Zoning Map Amendment and Text Amendment fit within the established process and framework. The findings contained within this report establish an adequate factual basis for the proposal.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 2.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas & Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Statewide Planning Goal 5 is implemented through OAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5) and OAR 660-023 (Procedures and Requirements for Complying with Goal 5). Responses to the criteria from both OAR 660-016 and OAR 660-023 are included later in these findings for ZMA42024-00681.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 5.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards

To protect people and property from natural hazards. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Response: Compliance with Statewide Planning Goal 7 is addressed in the findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section. The findings document the areas of natural hazards within the plan area, including landslide, earthquake, and wildfire risk areas. The proposed amendments protects people and property from hazards through the use of development limitation in certain areas and risk mitigation in others. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified with greater susceptibility to landslide and earthquake risks. Wildfire hazard is not high enough to require additional protections and development is limited in these areas through the natural resource overlay thus mitigating risk.

Staff findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section and are incorporated here by reference.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 7.

Statewide Planning Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans...

Response: Compliance with Statewide Planning Goal 8 is addressed previously in findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 section. The proposed Zoning Map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres are larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be place elsewhere on the site. Staff findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 are incorporated here by reference.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 8.

Statewide Planning Goal 9 – Economic Development

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

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis). The Economic Opportunities Analysis (EOA) was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. In addition, as part of the Cooper Mountain Community Plan project, the city also completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). CPMA42024-00679 proposes new commercial policies in the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), as well as new policies in Volume I Chapter 3 (Land Use) of the Comprehensive Plan, which are based off the citywide EOA and Cooper Market Analyses.

Proposed amendments in ZMA4204-00681 and TA42024-00680 implement the policies in the Comprehensive Plan. Findings for OAR 660-009 in the CPMA42024-00679 section provide additional information on how they relate to the proposed amendments in ZMA4204-00681 and TA42024-00680.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 9.

Statewide Planning Goal 10 - Housing

To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Response: ZMA42024-00681 proposes adding four new Cooper Mountain zoning districts to the city's Zoning Map to help meet the housing needs established in the Cooper Mountain BLI, as described above in the findings for Statewide Planning Goal 10 in CPMA42024-00679. The proposed zoning districts are:

- **Cooper Mountain – Community Service (CM-CS).** Requires a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing residential development, generally multi-dwellings and middle housing.
- **Cooper Mountain – High Density Residential (CM-HDR).** Primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses are also among the uses allowed.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** Intended to result in mostly residential developments with a focus on multi-dwellings and middle housing.

- **Cooper Mountain – Residential Mixed (CM-RM).** Allows a mix of detached and attached housing types at the lowest number of units per acre of Cooper Mountain's residential zones. Allows small-scale commercial uses in some locations.

The Cooper Mountain BLI (Exhibit 22) determined that there are 328.7 developable acres in the plan area. Within this acreage, the Cooper Mountain housing estimate is 4,469 housing units across the four Cooper Mountain zoning districts listed above (42.9 single-detached homes, 32.8 percent middle housing and 24.2 multi-dwellings).

The proposed Zoning Map for Cooper Mountain identifies geographic locations where different development rules apply for the four new Cooper Mountain zoning districts. TA42024-00680 includes more information on these proposed development rules, which implement Comprehensive Plan policies by establishing site development standards for the four new zoning districts (such as minimum density); providing more flexibility with site development standards to make it easier to build a variety of housing types throughout the plan area, which includes many challenging sites with steep terrain and extensive natural resources; establishing standards for housing variety and integration in new developments; and providing incentives for visitable housing, among many other rules.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 10.

Statewide Planning Goal 11 – Public Facilities & Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Response: The findings for Statewide Planning Goal 11 are found in the Goal 11 and Oregon Administrative Rule 660-011 Public Facilities Planning in the CPMA42024-00679 section; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 12 – Transportation

To provide and encourage a safe, convenient and economic transportation system.

Response: The findings for Statewide Planning Goal 12 are found in the Goal 12 and Oregon Administrative Rule 660-012 Transportation Planning findings for the CPMA42024-00679 section and the TA42024-00680 section; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 13 – Energy Conservation

To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: As described in the CPMA findings for Goal 5, Goal 10, and Goal 12, which are incorporated here by reference, the Cooper Mountain Comprehensive Plan policies promote housing variety, efficient use of land, sufficient open space, and reduced automobile travel/greenhouse gas emissions consistent with development being energy efficient. In addition, existing city Comprehensive Plan goals and policies (specifically Goal 7.5 and its policies) already promote development that results in reduced energy consumption and enables renewable energy. The arrangement of the zoning districts on the zoning map also help meet the energy goals by generally arranging districts with more density along the arterial and collector roads consistent with the Goal 13 guidelines to “combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency.”

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 13.

Statewide Planning Goal 14 - Urbanization

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

Goal 14 requires urban growth boundaries to be established and expanded based on need consistent with state law. The Metro regional government approved the Cooper Mountain urban growth boundary expansion in 2018 and made Goal 14 findings at the time.

Goal 14 guidelines include:

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area; (2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land

resource and enable the logical and efficient extension of services to such parcels.

3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Response: Metro’s findings addressed Goal 14 topics including the guidelines above at the time of urban growth boundary expansion. The proposed amendments also include goals, policies, and land use regulations that promote housing, natural resource protection, parks/open space, streets, and public facilities.

ZMA42024-00681 establishes four new Cooper Mountain zoning districts that encourage the efficient use of land by allowing residential development, generally multi-dwellings and middle housing, in the CM-CS, CM-HDR and CM-MR zones; and allowing a mix of detached and attached housing types in the CM-RM zone. TA42024-00680 provides additional information on the land use regulations for the four new Cooper Mountain zoning districts established by ZMA42024-00681. For example, the land use regulations encourage the efficient use of land by providing small minimum lot sizes for single-detached and middle housing with the CM-RM zoning district; allowing five-plexes and six-plexes within CM-RM, which goes beyond middle housing requirements in state law; requiring a minimum density of 10 units per acre in CM-RM and 34 units per acre within the other three zones (or minimum floor area ratios for mixed-use development); and not regulating maximum density in CM-RM and allowing dense development in the other zones through generous floor-area ratio requirements. The projected residential capacity is found in Exhibit 22.

Additional findings related to Goal 14 are also found in the findings for Statewide Planning Goal 14 in the CPMA42024-00679 section.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 14.

OAR 660-009 – Economic Development

660-009-0010 Application

- (1) **This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.**

- (2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.
- (3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
- (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030.
- (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.
- (6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis, EOA). The Economic Opportunities Analysis was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The analysis explored the community's economic patterns, potential, strengths, and deficiencies; resulted in policies concerning the economic development opportunities in the community; evaluated the supply of employment sites of suitable sizes and types; and addressed locations and service levels for a variety of industrial and commercial uses. DLCDC acknowledged these updates in 2016. The existing Beaverton Development Code, which includes the city's Zoning Map, implements the policies in Comprehensive Plan Chapter 9 (Economy Element).

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include

amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

- (1) **Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.
- (2) **Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period...
- (8) **Uses with Special Siting Characteristics.** Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:
 - (a) Identify sites suitable for the proposed use;
 - (b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and
 - (c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

Response: To implement policies described in findings for OAR 006-009-0020, the proposed amendments also update the city's Zoning Map. ZMA42024-00681 proposes amendments that add four new zoning districts to the city's Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

- CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

The Market Analyses indicates that the Cooper Mountain plan area could support 30,000 square feet of commercial space (this value was calculated in 2020 before additional analysis was completed, as described in the findings above for OAR 006-009-0015). The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed, significantly more than indicated in the Market Analyses. That includes 25 acres of CM-CS where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of CM-HDR where both commercial and residential are allowed but there is no minimum commercial requirement. CM-CS and CM-HDR zoning districts are applied where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and

trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other. Furthermore, these locations meet the locational requirements for commercial nodes as recommended in the Market Analyses, namely an easily visible and accessible location from larger roads.

According to existing Beaverton Development Code Section 40.97, when the city or a property owner applies to change zoning on a site, which is called a Zoning Map Amendment (ZMA), the proposal must be consistent with the applicable Comprehensive Plan policies to be approved. Proposed amendments in CPMA42024-00679 also include updates to the policies in Volume I Chapter 3 (Land Use) that provide guidance for future ZMAs, which gives property owners even more flexibility with how they choose to develop their site and, if applicable, meet any commercial use requirements.. For example, a property owner with a property zoned for CM-MR in the Mixed Use Corridor could seek a zone change to CM-HDR after annexation since CM-HDR is also an implementing zoning district for Mixed Use Corridor.

In addition, ZMA42024-00681 proposes adding the CM-RM zoning district to the city's Zoning Map. As described in TA42024-00680, the CM-RM zoning district includes amendments that would allow small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as SW 175th Ave, Tile Flat-Grabhorn, and east-west collector corridors.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with OAR 660-009.

OAR 660-016 – Requirements and Application Procedures for Complying with Goal 5

660-016-0010 Develop Program to Achieve the Goal

Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must “develop a program to achieve the Goal.” Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to “resolve” conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan's overall ability to protect and conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2), and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

- (1) Protect the Resource Site:** Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-016-0000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (2) Allow Conflicting Uses Fully:** Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (3) Limit Conflicting Uses:** Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. The Tualatin Basin Program outlines the program to protect and conserve riparian habitat and upland habitat resources, identifying whether resource areas should be protected. The proposed amendments do not propose changes to the Tualatin Basin Program.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP Title 13, Section 3.07.1340 in the CPMA42024-00679 section, and are incorporated here by reference.

Conclusion: The requirements of OAR 660-016 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. This criterion is met.

OAR 660-018 – Post-Acknowledgement Amendments

660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department’s Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.**
- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:**
 - (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;**

- (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;
 - (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
- (3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.
- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:
- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.
- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been “submitted” on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Response: Compliance with OAR 660-018-0020 is described above in findings for OAR 660-018-0020 in the CPMA42024-00679 section, which describes how the city

submitted notice of the proposed changes to DCLD; and are incorporated here by reference.

660-018-0040 Submittal of Adopted Change

- (1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation it shall submit the decision to the department, with the appropriate notice forms provided by the department, within 20 days.**
- (2) For purposes of the 20-day requirement under section (1) of this rule, the proposed change is considered submitted to the department:**
 - (a) On the day the applicable notice forms and other required documents are received by the department in its Salem office, if hand-delivered or submitted by electronic mail or similar electronic method, or**
 - (b) On the date of mailing if the local government mails the forms and documents.**
- (3) The submission to the department must be in a format acceptable to the department and include all of the following materials:**
 - (a) A copy of final decision;**
 - (b) The findings and the text of the change to the comprehensive plan or land use regulation;**
 - (c) If a comprehensive plan map or zoning map is created or altered by the proposed change:**
 - (A) A map showing the area changed and applicable designations; and**
 - (B) Electronic files containing geospatial data showing the area changed, as specified in section (5) of this rule, if applicable.**
 - (d) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under OAR 660-018-0020 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and**
 - (e) A statement by the individual transmitting the decision identifying the date of the decision and the date the submission was mailed to the department.**
- (4) Where amendments or new land use regulations, including supplementary materials, exceed 100 pages, a summary of the amendment briefly describing its purpose and requirements shall be included with the submittal to the director.**
- (5) For local governments that produce geospatial data describing an urban growth boundary (UGB) or urban or rural reserve that is created or altered as part of an adopted change to a comprehensive plan or land use regulation, the submission must**

include electronic geospatial data depicting the boundary change. Local governments that create or alter other zoning or comprehensive plan maps as geospatial data are encouraged but not required to share this data with the department. Geospatial data submitted to the department must comply with the following standards endorsed by the Oregon Geographic Information Council:

- (a) Be in an electronic format compatible with the State’s Geographic Information System software standard described in OAR 125-600-7550; and
- (b) Be accompanied by metadata that meets at least the minimum requirements of the federal Content Standard for Digital Geospatial Metadata.

(6) Local government must notify the department of withdrawals or denials of proposals previously sent to the department under requirements of OAR 660-018-0020.

Response: Compliance with OAR 660-018-0040 is described above in findings for OAR 660-018-0040 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCD after the Beaverton City Council adopts the proposed changes; and are incorporated here by reference.

660-018-0045 Alterations to a Proposed Change

(1) If, after initially submitting the notice and accompanying materials under OAR 660-018-0020, a proposed change to an acknowledged comprehensive plan or land use regulation is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must, at least 10 days before the final evidentiary hearing on the proposal:

- (a) Notify the department of the alterations to the proposed change, and
- (b) Provide a summary of the alterations along with any alterations to the proposed text or map and other materials described in OAR 660-018-0020.

Response: Compliance with OAR 660-018-0045 is described above in findings for OAR 660-018-0045 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCD if there are any alterations to proposed updates to the Beaverton Comprehensive Plan or Development Code; and are incorporated here by reference.

660-018-0050 Notice to Other Parties of Adopted Changes

(1) Notice of an adopted change to a comprehensive plan or land use regulation to persons other than the department is governed by ORS 197.615(4) and (5), which require that on the same day the local government submits the decision to the director the local government shall mail or otherwise deliver notice of the decision to persons that:

- (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and
 - (b) Requested in writing that the local government provide them with notice of the change to the acknowledged comprehensive plan or the land use regulation.
- (2) The notice to persons who participated and requested notice as required by section (1) of this rule must clearly describe and state the date of the decision; indicate how and where the materials may be obtained; include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice; list the locations and times at which the public may review the decision and findings; and explain the requirements for appealing the land use decision under ORS 197.830 to 197.845.

Response: Compliance with OAR 660-018-0050 is described above in findings for OAR 660-018-0050 in the CPMA42024-00679 section, which describes how the city intends to comply with notice of decision requirements; and are incorporated here by reference.

Conclusion: Staff finds the city has provided adequate notice and submitted all required materials consistent with OAR 660-018. This criterion is met.

OAR 660-023 – Procedures and Requirement for Complying with Goal 5

Response: OAR 660, Division 23 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

OAR 660-023-0020 defines the standard Goal 5 process that should be followed for each of the resources listed in OAR 660-023-0090 through 660-023-0230 and also explains the optional “safe harbor” course of action available for some of the listed resources. The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, includes:

- conducting an inventory of significant Goal 5 resources,
- conducting an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use, and
- adopting programs to achieve Goal 5, including comprehensive plan provisions and land use regulations to implement the decisions made through the ESEE analysis.

OAR 660-023-0080, part (3) states the following:

- (3) Metro may adopt one or more regional functional plans to address all applicable requirements of Goal 5 and this division for one or more resource categories and to**

provide time limits for local governments to implement the plan. Such functional plans shall be submitted for acknowledgment under the provisions of ORS 197.251 and 197.274. Upon acknowledgment of Metro’s regional resource functional plan, local governments within Metro’s jurisdiction shall apply the requirements of the functional plan for regional resources rather than the requirements of this division.

In 2005, the Metro Council voted to approve a regional Nature in Neighborhoods program (including Title 13 of the Urban Growth Management Functional Plan (UGMFP), effective date of December 28, 2005) to meet the requirements of Goal 5 for Riparian Corridors and Wildlife Habitat. This means that for regionally significant Riparian Corridors (OAR 660-023-0090) and Wildlife Habitat (OAR 660-023-0110) within Metro’s boundary, the City of Beaverton must comply with the Metro UGMFP rather than the standard provisions of the Goal 5 rule.

For natural resources which have not been identified in the UGMFP as regional resources or where the City is proposing regulations that would be more protective of a resource than is required by Title 13, the city has developed an ESEE consistent with the requirements of OAR 660-023-0030 through 660-023-0050. The ESEE decisions and resulting program for each resource in OAR 660-023-0090 through 660-023-0230 are outlined in the findings for OAR 660-023 in the CPMA42024-00679 section.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP Title 13, Section 3.07.1340 in the CPMA42024-00679 section, and are incorporated here by reference.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from

Metro states that the proposed Development Code is substantially compliant with the performance standards in Metro UGMFP Title 13.

Conclusion: The requirements of OAR 660-023 are met through compliance with Metro's Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro, DSL, and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of natural resource. The outcome was to allow more housing than required by Metro and limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors. The proposed Development Code rules implement the program to protect, allow, or limit conflicting uses for each type of natural resource. This criterion is met.

OAR 660-034 – State and Local Park Planning

660-034-0000 Purpose

(1) The purpose of this division is to establish policies and procedures for the planning and zoning of state and local parks in order to address the recreational needs of the citizens of the state. This division is intended to interpret and carry out requirements of Statewide Planning Goal 8 and ORS 195.120 to 195.125.

(2) In general, this division directs local government planning and zoning activities regarding state and local park master plans. OAR chapter 736, division 18, directs the Oregon Parks and Recreation Department (OPRD) with respect to state park master planning, and does not apply to local governments except where specified by this division.

660-034-0040 Planning for Local Parks

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

(a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and

(b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.

Response: Compliance with OAR 660-034 is addressed previously in findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 section; The proposed Zoning Map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site. Staff findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 are incorporated here by reference.

Conclusion: This criterion is met.

TA42024-00680 TEXT AMENDMENT

ANALYSIS AND FINDINGS FOR A TEXT AMENDMENT

TA42024-00680 Recommendation

Based on the facts and findings presented below, staff offers the following recommendation for the conduct of the October 16, 2024, public hearing for TA42024-00680, Cooper Mountain Community Plan Text Amendment.

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend APPROVAL of TA42024-00680 Cooper Mountain Community Plan Text Amendment to the City Council as presented in the staff report.

Section 40.85 Text Amendment Application

40.85.15.1.C.1 – THRESHOLD

Criterion 1. The proposal satisfies the threshold requirements for a Text Amendment application.

Response: Section 40.85.15.1.A.1 specifies that an application for a Development Code Text Amendment shall be required when there is any change to the Development Code, excluding changes to the zoning map.

TA42024-00680 proposes changes to the following chapters in the Development Code:

- Chapter 10 – General Provisions
- Chapter 20 – Land Use
- Chapter 40 – Applications
- Chapter 50 – Procedures
- Chapter 60 – Special Requirements
- Chapter 70 – Downtown Design District
- Chapter 90 – Definitions

Development Code changes are included to implement the Cooper Mountain Community Plan. In some cases, other code sections were updated to facilitate this work, and these changes have implications for code that applies to other parts of the city. All proposed

changes to the Development Code are summarized in the Background and Summary section of this Staff Report.

Findings:

Staff find that criterion 40.85.15.1.C.1 has been met.

40.85.15.1.C.2 – CITY APPLICATION FEES

Criterion 2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Response:

Policy Number 470.001 of the City’s Administrative Policies and Procedures manual states that fees for a city-initiated application are not required where the application fee would be paid from the City’s General Fund. The Planning Division, which is a General Fund program, initiated the application. Therefore, the payment of an application fee is not required.

Findings:

Staff find that criterion 40.85.15.1.C.2 is not applicable.

40.85.15.1.C.3 – CONSISTENCY WITH METRO UGMFP

Criterion 3. The proposed text amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.

Findings:

Metro’s 2040 Growth Concept establishes a vision for the preferred form of regional growth and development. To implement the 2040 Growth Concept, Metro established two functional plans – the Urban Growth Management Functional Plan (Functional Plan) and the Regional Transportation Functional Plan (RTFP).

The Functional Plan is the general implementation tool for achieving the goals and objectives in the 2040 Growth Concept. The RTFP is the primary implementation tool for transportation-related policies.

As described in Section 5(e)(2) of the Metro Charter, the Functional Plan requires that cities update comprehensive plans and implementing regulations to comply with regional policies. The Functional Plan currently includes 11 Titles. The applicable Titles of the Functional Plan (Chapter 3.07) are addressed below.

Staff find that the proposed amendment is consistent with the provisions of the Metro UGMPF. Criterion 40.85.15.1.C.3 is met.

Metro UGMFP Title 1 – Housing Capacity

3.07.120 Housing Capacity

(b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

Response: The proposed amendments would not reduce density in a Regional Center, Town Center, Corridor, Station Community, or Main Streets. Sub-section (a) is not applicable. Sub-sections (c) through (f) are not applicable because the proposed amendments do not include reduction of density in any zone or transfer of density to other jurisdictions.

Regarding sub-section (b), the proposed amendments establish a minimum dwelling unit density for each zone where dwelling units are authorized that are not mixed-use zones. The minimum density for the Cooper Mountain – Multi-unit Residential zone is 34 units per net acre. The minimum density for the Cooper Mountain – Residential Mixed zone is 10 units per acre. It is not possible to zone the minimum density at least 80 percent of maximum density because the State of Oregon no longer allows maximum density in zones where single-detached dwellings are allowed. The minimum residential density for residential-only projects in the two mixed-use zones, Cooper Mountain – Community Service and Cooper Mountain – High Density Residential, is 34 units per acre. Mixed-use projects within those zones are subject to minimum floor-area ratio requirements.

Regarding sub-section (g), Beaverton’s existing Development Code and the proposed amendments allow one accessory dwelling unit for each detached single-family dwelling, referred to in the code as Single-detached Dwellings.

(g) A city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The authorization may be subject to reasonable regulation for siting and design purposes. [Ord. 97-715B, Sec. 1. Ord. 02-972A, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 07-1137A, Sec. 1. Ord. 10-1244B, Sec. 2. Ord. 15-1357.]

Response:

The existing code (Chapter 20) already allows the construction of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The proposed code (Section 20.22) will also allow at least one accessory dwelling unit for each detached single-family

dwelling unit in the CM-RM zoning district, which is the only Cooper Mountain zoning district that allows the new construction of single-detached homes.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 1.

Metro UGMFP Title 3 – Water Quality and Flood Management

3.07.330 Implementation Alternatives for Cities and Counties

(a) Cities and counties shall comply with this title in one of the following ways: (1) Amend their comprehensive plans and implementing ordinances to adopt all or part of the Title 3 Model Ordinance or code language that substantially complies with the performance standards in Section 3.07.340 and the intent of this title, and adopt either the Metro Water Quality and Flood Management Area Map or a map which substantially complies with the Metro map. . . . (2) Demonstrate that existing city and county comprehensive plans and implementing ordinances substantially comply with the performance standards in Section 3.07.340 and the intent of this title. (3) Any combination of (1) and (2) above that substantially complies with all performance standards in Section 3.07.340.

Response: Compliance with Metro Title 3 is described above in findings for Metro Title 3 in the CPMA42024-00679 section, which are incorporated here by reference. The findings state describe that the City of Beaverton already has a city-wide program of flood management and water quality standards that is substantially compliant with the performance standards in Title 3 and that the proposed amendments to not change the city-wide approach to flood management or water quality that will also apply to the plan area after annexation.

3.07.340 Performance Standards

Section 3.07.340(a) outlines the flood management performance standards. The proposed amendments do not change the city-wide approach to flood management that will also apply to the planning area after annexation.

Section 3.07.340(b) outlines the water quality performance standards. The proposed amendments do not change the city-wide approach to water quality standards. The city’s program to protect water quality follows the Clean Water Services standards for the Vegetated Corridor. The Clean Water Services Design and Construction Standards Manual, defines a “Vegetated Corridor” as “a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area.” CWS Design and Construction Standards, Table 3-1 defines the extent of the Vegetated Corridor, which includes existing and created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies; natural lakes, ponds, and in-stream impoundments; intermittent and perennial springs; intermittent streams draining

more than 10 acres; and perennial streams. CWS Design and Construction standards, Section 3.04 and 3.05 limits activities in Sensitive Areas (including all wetlands) and the Vegetated Corridor (including the impact areas around wetlands). When development activities are allowed in these areas, the activity must be minimized through choice of mode, sizing, and placement. Mitigation is required per the rules and regulations from the Department of State Lands and the US Army Corps of Engineers.

Section 3.07.340(c) outlines erosion and sediment control performance standards. The proposed amendments do not change the city-wide approach to erosion and sediment control that will also apply to the planning area after annexation.

Section 3.07.340(d) outlines implementation tools to protect water quality and flood management areas. As stated above, the proposed amendments do not change the city's approach to implementing water quality and flood management protections.

Section 3.07.340(e) includes the requirements for map administration. Subsection (e)(3) requires the city to add Title 3 wetlands to the water quality and food management area maps when the city receives significant evidence that a wetland meets any one of a list of criteria.

Cooper Mountain Community Plan area wetlands are identified in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Division of State Lands (DSL) requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant and added to the city's inventory of natural resources.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 3.

Metro UGMFP Title 7 – Housing Choice

3.07.730 Requirements for Comprehensive Plan and Implementing Ordinance Changes.

Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

(a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

(b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.

(c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing. [Ord. 97-715B, Sec. 1. Ord. 00-882, Sec. 2. Ord. 03-1005A, Sec. 1. Ord. 06-1129B, Sec. 2.]

Response: Compliance with Metro Title 7 is described above in findings for Metro Title 7 in the CPMA42024-00679 section, which describes how the existing Housing Element of the Comprehensive Plan, the proposed Cooper Mountain Community Plan, the proposed Cooper Mountain Comprehensive Plan land use designations and implementing zoning districts, and Development Code updates that require housing variety and integration, collectively ensure a diverse range of housing types in the plan area and promote affordable housing; and are incorporated here by reference.

Additionally, TA42024-00680 proposes amendments that either require housing variety (Section 20.22.40) or provide additional flexibility with code requirements through the Planned Unit Development process (Section 60.36) if the proposal provides needed development outcomes.

- **20.22.40 CM-RM Housing Variety and Integration Requirements.** The amendments add a section that includes additional housing requirements for the CM-RM zoning district to implement the Cooper Mountain Community Plan’s desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. Housing variety and integration requirements are clear and objective.
 - Minimum requirements for housing variety and integration apply when the net acreage of a parent parcel is three acres or larger. At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units.
 - In meeting the 30 percent housing variety standard, developments 3 to 15 net acres shall provide dwelling types from at least two of the categories below, and developments larger than 15 net acres shall provide dwelling types from at least three of the categories below.
 - Triplex or Quadplex
 - Duplex or Townhouse

- Cottage Cluster
 - Multi-dwelling with five or six units
- In meeting the 30 percent housing variety standard, a development may count visitable units that are consistent with Section 60.50.25.17 (which defines visitable units) toward the 30 percent minimum requirement, up to a maximum of five percent of total units. The code describes how single-detached homes, duplexes, townhomes, cottage cluster units, detached triplex units, and detached quadplex units each count towards the 30 percent minimum requirement.
 - To meet the housing variety requirements, the code establishes “Housing Variety Grouping,” which means at least three abutting lots designated for a duplex, triplex, quadplex, townhouse, cottage cluster, or multi-dwelling with five or six units. The three abutting lots may be designated for any combination of those housing types. Housing Variety Groupings designated to meet this standard shall be separated from each other by least 50 feet as measured by the shortest distance between the perimeter lot lines of the two groupings. In addition, Housing Variety Groupings shall be located such that 75 percent of lots designated for single-detached dwellings and manufactured and mobile homes are within 300 feet of the Housing Variety Groupings within the site or, in the case of multi-phase development, within the boundaries of each phase. The housing integration requirement would provide people with a better chance of finding housing that meets their needs (regarding size and configuration) within each neighborhood and the opportunity to live among people with a variety of housing needs as well.
- **60.36 Planned Unit Development – Cooper Mountain.** The proposed amendments add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. Due to Cooper Mountain’s unique constraints and policy goals, a new PUD approach was needed to provide opportunities for flexibility of code requirements and allow for more holistic development. This PUD option provides a discretionary option to meeting some site development standards in Section 20.22.15 (lot size reductions, setback reductions, building height bonuses and FAR bonuses) and a discretionary option to complying with the clear and objective housing variety and integrations standards in Section 20.22.40. The corresponding application is in Section 40.15 Conditional Use (Planned Unit Development).

Many of the provisions that offer enhanced flexibility are for specific types of housing development, identified as needed development outcomes, to

incentivize or to increase the ease of developing such uses in the Cooper Mountain Community Plan area. Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan.

Need development outcomes include:

- Visitable housing, when at least 30 percent of all proposed single-detached, duplex, or townhome dwellings are visitable consistent with Section 60.50.25.17 of the Development Code.
- Regulated Affordable Housing at or below 60 percent area median income, when at least 10 percent of all proposed dwellings are regulated affordable units.
- Regulated Affordable Housing at or below 80 percent area median income, when at least 20 percent of all proposed dwellings are regulated affordable units.
- Multiple use or multi-dwelling buildings that integrate regulated affordable housing units and non-regulated affordable units within a building consistent with one of the following:
 - At least 5 percent of provided dwellings or a minimum of 4 dwellings, whichever is greater, are regulated affordable units at or below 60 percent area median income; or
 - At least 10 percent of provided dwellings or a minimum of 8 dwellings, whichever is greater, are regulated affordable units at or below 80 percent area median income.
- At least 25 percent of provided single-detached or middle housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider. The permanent affordability provider shall use a land trust model to ensure affordability for a minimum period of 60 years. A lien shall be recorded for each dwelling prior to or concurrent with recordation of a final plat until the first sale of the dwelling is completed to the permanent affordability provider.
- Multi-dwelling structures with five or six units in the CM-RM zoning district.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 7.

Metro UGMFP Title 8 – Compliance Procedures

3.07.820(a) Review by the Chief Operating Officer.

A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to the COO at least 35 days prior to the first evidentiary hearing on the amendment. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the functional plan. If the COO submits comments on the proposed amendment to the city or county, the comment shall include analysis and conclusions on compliance and a recommendation with specific revisions to the proposed amendment, if any, that would bring it into compliance with the functional plan. The COO shall send a copy of comment to those persons who have requested a copy.

Response:

Title 8 establishes a process for determining whether city or county comprehensive plans and land use regulations substantially comply with requirements of the Functional Plan and requires cities to submit proposed amendments to land use regulations to Metro for their review. Metro requires the city to submit the proposed amendment to Metro at least 35 days before the first evidentiary hearing, which is the Planning Commission hearing. The city provided the notice on August 30, 2024, more than 35 days before the Planning Commission hearing.

On September 3, 2024, Metro submitted a letter (Exhibit 17) confirming that they will update the inventory of regionally significant fish and wildlife habitat to incorporate proposed updates for the subject area inventoried through the Cooper Mountain Community Plan process. Findings for these updates are described in CPMA42024-00679.

On September 11, 2024, Metro submitted a letter (Exhibit 18) indicating that proposed Development Code updates for the Cooper Mountain Community Plan area are substantially compliant with the performance standards required in Metro Title 13. Findings for these updates are described in Metro UGMFP Title 13 – Nature in Neighborhoods in the TA42024-00680 section.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 8.

Metro UGMFP Title 11 – Planning For New Urban Areas, Including Metro UGB Expansion Conditions Of Approval

3.07.1120 Planning for Areas Added to the UGB

(a) The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section

3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.

Response: The Metro ordinance that added the Cooper Mountain Community Plan area to the UGB (Ordinance No. 18-1427) identifies the City of Beaverton as the local jurisdiction to adopt comprehensive plan provisions and land use regulations for the area to authorize urbanization. The city is approving the Development Code amendments after the date specified in the urban growth boundary expansion conditions of approval with the consent of Metro.

(c)(2) Comprehensive plan provisions for the area shall include...Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection.

Response: Compliance with 3.07.1120(c)(2) is described above in findings for 3.07.1120(c)(2) in the CPMA42024-00679 section, which describes existing Development Code rules that are already in place to facilitate annexation; and are incorporated here by reference.

(c)(3) Comprehensive plan provisions for the area shall include... Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455(b)(2) of this chapter.

Response: Compliance with 3.07.1120(c)(3) is described above in findings for 3.07.1120(c)(3) in the CPMA42024-00679 section, which describes how proposed Comprehensive Plan and Development Code amendments will facilitate even more homes than required in Metro Ordinance 18-1427; and are incorporated here by reference.

(c)(4) Comprehensive plan provisions for the area shall include... Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Response: Compliance with 3.07.1120(c)(4) is described above in findings for 3.07.1120(c)(4) in the CPMA42024-00679 section, which describes how the proposed amendments establish zoning and housing variety requirements for Cooper Mountain that together result in more types of homes available at a range of price points; and are incorporated here by reference.

(c)(5) Comprehensive plan provisions for the area shall include... Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school

districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110.

Response: Compliance with 3.07.1120(c)(5) is described above in findings for 3.07.1120(c)(5) in the CPMA42024-00679 section, which describes the role of the Beaverton School District and the Hillsboro School district in providing facilities within the plan area; and are incorporated here by reference.

(c)(6) Comprehensive plan provisions for the area shall include... Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Response: Compliance with 3.07.1120(c)(6) is described above in findings for 3.07.1120(c)(6) in the CPMA42024-00679 section, which describes different ways that the proposed Development Code updates in TA42024-00681 will provide parks in the plan area; and are incorporated here by reference.

(c)(7) Comprehensive plan provisions for the area shall include... A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan.

Response: Compliance with 3.07.1120(c)(7) is described above in findings for 3.07.1120(c)(7) in the CPMA42024-00679 section, which describes the conceptual street plan, as well as the expectation for new developments to provide streets that are consistent with city Development Code and Engineering Design Manual standards; and are incorporated here by reference.

(d) The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using a method consistent with a Goal 14 analysis, within 30 days after adoption of new land use regulations for the area.

Response: Compliance with 3.07.1120(d) is described above in findings for 3.07.1120(d) in the CPMA42024-00679 section, which describes how city calculations for residential capacity are based on the Building Land Inventory, Comprehensive Plan amendments, Zoning Map amendments, and Development Code amendments; and are incorporated here by reference.

2018 Metro UGB Expansion Conditions of Approval

A. Comprehensive Planning in the four UGB Expansion Areas

2. **The four cities shall allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit single family housing in the expansion areas.**

Response: Compliance with UGB Expansion Condition of Approval A.2 is described above in findings for UGB Expansion Condition of Approval A.2 in the CPMA42024-00679 section, which describes how all Cooper Mountain zoning districts allow single family attached housing and multiplexes with five or six units; and are incorporated here by reference.

3. **The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.**

Response: Compliance with UGB Expansion Condition of Approval A.3 is described above in findings for UGB Expansion Condition of Approval A.3 in the CPMA42024-00679 section, which describes how the existing code encourages ADU construction citywide; and are incorporated here by reference.

4. **As the four cities conduct comprehensive planning for the expansion areas, they shall address how their plans implement relevant policies adopted by Metro in the 2014 regional Climate Smart Strategy regarding:**

- (a) **concentrating mixed-use and higher density development in existing or planned centers;**

Response: Compliance with UGB Expansion Condition of Approval A.4(a) is described above in findings for UGB Expansion Condition of Approval A.4(a) in the CPMA42024-00679 section, which describes how the location and amount of mixed-use and commercial zoning facilitates walkable neighborhoods centers, that while not officially “neighborhood centers” per the Metro 2040 Growth Concept, still provide a similar function; and are incorporated here by reference.

- (b) **increasing use of transit; and**

Response: Compliance with UGB Expansion Condition of Approval A.4(b) is described above in findings for UGB Expansion Condition of Approval A.4(b) in the CPMA42024-00679 section, which describes how the proposed Comprehensive Plan amendments and Development Code text amendments support transit use by ensuring Cooper Mountain is transit-ready, even though TriMet does not currently provide transit to the area; and are incorporated here by reference.

- (c) **increasing active transportation options.**

Response: Compliance with UGB Expansion Condition of Approval A.4(c) is described above in findings for UGB Expansion Condition of Approval A.4(c) in the CPMA42024-00679 section, which describe how existing Engineering Design Manual standards that require bicycle and pedestrian facilities and proposed Development Code updates that will make some streets feel safer when riding, will increase the availability and appeal of active transportation options; and are incorporated here by reference.

The cities shall coordinate with the appropriate county and transit provider regarding identification and adoption of transportation strategies.

Response: Compliance with UGB Expansion Condition of Approval A.4 is described in findings for UGB Expansion Condition of Approval A.4 in the CPMA42024-00679 section, which describes coordination with the Technical Advisory Committee (TAC) on the identification and adoption of transportation strategies in Cooper Mountain; and are incorporated here by reference.

- 5. As the four cities conduct comprehensive planning for the expansion areas, they shall regularly consult with Metro Planning and Development staff regarding compliance with these conditions, compliance with the Urban Growth Management Functional Plan, compliance with the state Metropolitan Housing Rule, and use of best practices in planning and development, and community engagement. To those ends, cities shall include Metro staff in advisory groups as appropriate.**

Response: Compliance with UGB Expansion Condition of Approval A.5 is described in findings for UGB Expansion Condition of Approval A.5 in the CPMA42024-00679 section, which describes how Metro participated in project committees and reviewed project deliverables; and are incorporated here by reference.

- 6. At the beginning of comprehensive planning, the four cities shall develop – in consultation with Metro – a public engagement plan that encourages broad-based, early and continuing opportunity for public involvement. Throughout the planning process, focused efforts shall be made to engage historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth.**

Response: Compliance with UGB Expansion Condition of Approval A.6 is described in findings for UGB Expansion Condition of Approval A.6 in the CPMA42024-00679 section, which describes the development of the public engagement plan, which was the subject of review by the TAC; and are incorporated here by reference.

B. Citywide Requirements (for the four cities)

- 1. Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units.**

In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling units be owner occupied and shall not require off street parking when street parking is available.

Response: Compliance with UGB Expansion Condition of Approval B.1 is described in findings for UGB Expansion Condition of Approval B.1 in the CPMA42024-00679 section, which describes through an annual compliance letter how the city updated the Development Code to remove minimum parking and occupancy requirements for ADUs; and are incorporated here by reference.

- 2. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.**
- 3. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.**

Response: Compliance with UGB Expansion Condition of Approval B.2 and B.3 is described above in findings for UGB Expansion Condition of Approval B.2 and B.3 in the CPMA42024-00679 section, which describes how provisions in existing Development Code Section 10.18 already ensure that future homeowners associations will not regulate housing types, including ADUs, or impose any standards that would have the effect of prohibiting or limiting housing types or density; and are incorporated here by reference.

C. Beaverton:

- 1. Beaverton shall plan for at least 3,760 homes in the Cooper Mountain expansion area.**

Response: Compliance with UGB Expansion Condition of Approval C.1 is described in findings for UGB Expansion Condition of Approval C.1 in the CPMA42024-00679 section, which describes how the proposed Comprehensive Plan and Development Code amendments will facilitate at least 4,469 homes in Cooper Mountain in the future; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with Title 11 and the 2018 Metro UGB Expansion Metro conditions of approval. This criterion is met.

Metro UGMFP Title 12 – Protection Of Residential Neighborhoods

Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services. [Ord. 02-969B, Sec. 3.]

Response: Metro Urban Growth Management Functional Plan Title 12 is not applicable to the proposed amendments. Findings explaining why Title 12 is not applicable are described in findings for Title 12 in the CPMA42024-00679 section.

Conclusion: Therefore, staff finds that Title 12 is not applicable.

Metro UGMFP Title 13 – Nature In Neighborhoods

3.07.1320 Inventory and Habitat Conservation Areas

The findings for Section 3.07.1320 are included in findings for Metro Title 13 in the CPMA42024-00679 section and are incorporated here by reference.

3.07.1330 Implementation Alternatives for Cities and Counties

The findings for Section 3.07.1330 are included in findings for Metro Title 13 in the CPMA42024-00679 section and are incorporated here by reference.

The city will continue to comply with the Tualatin Basin Program and implement CWS design and construction standards for the Vegetated Corridor to regulate development in riparian habitat areas. For upland wildlife habitat areas, the city is following pathway (2) from Section 3.07.1330(b)(5) to adopt Development Code updates for the Cooper Mountain Community Plan area that substantially comply with the performance standards in Metro Code Section 3.07.1340, as described below. In accordance with Section 3.07.1330(c), the proposed Development Code includes clear and objective standards. In accordance with Section 3.07.1330(d), the proposed Development Code and an alternative discretionary path to meet the performance standards in Metro Code Section 3.07.1340. The proposed amendments do not change the city’s approach related to Habitat Friendly Development Practices, which are consistent with Section 3.07.1330(e). In accordance with Section 3.07.1330(f) and Section 3.07.1330(g), this project has included the required public process and hearings, and Section 3.07.1330(h) does not apply.

3.07.1340 Performance Standards and Best Management Practices for Habitat Conservation Areas

a. **City and county comprehensive plans and implementing ordinances shall conform to the following performance standards and best management practices:**

(1) Habitat Conservation Areas shall be protected, maintained, enhanced, and restored as specified in this Metro Code Section 3.07.1340, and city and county development codes shall include provisions for enforcement of these performance standards and best management practices.

Response: Section 3.07.1340(b) outlines the review standards that are applicable to development in Habitat Conservation Areas (HCAs). Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Findings related to the performance standards are described in the findings for 3.07.1340(b) below.

(2) In addition to requirements imposed by this title, the requirements of Title 3 of the Urban Growth Management Functional Plan, Metro Code Sections 3.07.310 to 3.07.360 shall continue to apply.

Response: Findings related to Title 3 of the UGMFP are included in findings for Metro Title 3 in the CPMA42024-00679 section and are incorporated here by reference.

(3) [Subsection 3 includes a list of conditions when the performance standards shall not apply, including farming practices and areas outside the urban growth boundary.]

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.25 identifies uses and activities that are exempt from the requirements for the Resource Overlay. The exemptions include “E. Agricultural/Farming practices such as grazing, plowing, planting, cultivating, and harvesting, that existed on the property prior to the [effective date of this ordinance] and do not include new or expanded structures, roads, or other constructed facilities.”

(4) The performance standards and best management practices of this Metro Code Section 3.07.1340 shall not apply to any use of residential properties if, as of the local program effective date: (A) Construction of the residence was completed in compliance with all applicable local and state laws and rules for occupancy as a residence or the residence had been occupied as a residence for the preceding ten years; and (B) Such uses would not have required the property owner to obtain a land use approval or a building, grading, or tree removal permit from their city or county.

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.25 identifies uses and activities that are exempt from the requirements for the Resource Overlay. The exemptions include “J. Maintenance, repair, and replacement of existing public and private structures, public and private roads, public trails, public rest points, public viewing areas, public interpretative facilities, and utilities, provided the activity does not expand the footprint of the existing structure or facility within the Resource Overlay.” and “K. Continued maintenance of existing gardens, pastures, lawns, and other planted areas, including the installation of new irrigation and drainage facilities, new erosion control features, and the installation of plants except those identified as nuisance on the Cooper Mountain Community Plan Tree List.”

- (5) Habitat Conservation Areas within publicly-owned parks and open spaces that have been designated as natural areas and are not intended for future urban development shall be protected and managed so that the quality of fish and wildlife habitat that they provide is maintained and enhanced, and that habitat-friendly best management practices, such as integrated pest management programs, are used in such areas.**

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. The Resource Overlay includes all areas of Cooper Mountain Nature Park. In addition, the city has prepared an ESEE Analysis, dated August 2024 (Exhibit 19), to consider additional protections for Cooper Mountain Nature Park. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land. Proposed Development Code Table 20.22.15 defines a 25-foot minimum setback for rear and side yards abutting the Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of the Section 60.05.25, 60.05.60, or 60.05.65, as applicable to the proposed development.

- (6) Invasive non-native or noxious vegetation shall not be planted in any Habitat Conservation Area. The removal of invasive non-native or noxious vegetation from Habitat Conservation Areas shall be allowed. The planting of native vegetation shall be encouraged in Habitat Conservation Areas.**

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.20 includes a prohibition against planting any vegetation listed as nuisance or any prohibited species from the city's approved plant list. Section 60.37.25 includes an exemption for "Removal of plants identified as nuisance on the approved plant lists in Section 60.37.10 by hand, using low impact methods which do not create a permanent ground disturbance." The exemption means that the activity is exempt from the development regulations of Section 60.37. Section 60.37.45 requires mitigation for disturbances within the Resource Overlay and requires that "All vegetation planted within a revegetation or mitigation area shall be native plants from the approved plant lists in Section 60.37.10."

In addition, proposed Development Code Section 60.61 requires tree planting during development to meet minimum tree canopy standards or guidelines. The minimum tree canopy standard in Section 60.31.20 states "Within the Resource Overlay on the site, the development shall provide Tree Canopy coverage over at least 65 percent of the site area from eligible trees identified in Section 60.61.20.2, unless applicants pay the in-lieu fee consistent with Section 60.61.20.3." The option to pay an in-lieu fee only applies to properties with small areas of the Resource Overlay or isolated areas of the Resource Overlay that are not conducive to tree planting. Through the tree canopy standards and lists of eligible trees, planting of native vegetation in the natural resource areas is encouraged.

- (7) Except as provided in subsection (a)(8) of this section, routine repair, maintenance, alteration, rehabilitation, or replacement of existing structures, roadways, driveways, utilities, accessory uses, or other development within Habitat Conservation Areas may be allowed, provided that (A) The project is consistent with all other applicable local, state, and federal laws and regulations; (B) The project will not permanently or irreparably result in more developed area within a Habitat Conservation Area than the area of the existing development; and (C) Native vegetation is maintained, enhanced and restored, if disturbed; other vegetation is replaced, if disturbed, with vegetation other than invasive non-native or noxious vegetation; and the planting of native vegetation and removal of invasive non-native or noxious vegetation is encouraged.**

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.25 includes an exemption for "Maintenance, repair, and replacement of existing public and private structures, public and private roads, public trails, public rest points, public viewing areas, public interpretative facilities, and utilities, provided the activity

does not expand the footprint of the existing structure or facility within the Resource Overlay.” The exemption means that the activity is exempt from the development regulations of Section 60.37. Section 60.37.25 also allows removal of plants identified as nuisance, allows continued maintenance of existing gardens, pastures, laws, and planting areas, and allows temporary clearing of shrubs and brush for site investigations, provided that such areas are restored to their original condition or replanted with native vegetation.

- (8) Notwithstanding subsection (a)(7) of this section, when a city or county exercises its discretion to approve zoning changes to allow a developed property that contains a Habitat Conservation Area to (1) change from an industrial or heavy commercial zoning designation to a residential or mixed-use/residential designation, or (2) increase the type or density and intensity of development in any area, then the city or county shall apply the provisions of this Metro Code Section 3.07.1340, or provisions that will achieve substantially comparable habitat protection and restoration as do the provisions of this section. This provision will help to insure that, when developed areas are redeveloped in new ways to further local and regional urban and economic development goals, property owners should restore regionally significant fish and wildlife habitat as part of such redevelopment.**

Response: Upon annexation, all properties that were zoned as FD-20 (county land use zoning) will be assigned one of four Cooper Mountain zoning districts (Table 6). All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for 3.07.1340(b) below.

Subsections (9) and (10) relate to activities in specific areas and are not applicable to this plan area.

- b. City and county comprehensive plans and implementing ordinances shall conform to the following performance standards and best management practices:**
- (1) Clear and objective development approval standards consistent with Metro Code Section 3.07.1330(c) that protect Habitat Conservation Areas but which allow limited development within High Habitat Conservation Areas, slightly more development in Moderate Habitat Conservation Areas, and even more development in Low Habitat Conservation Areas. Such standards shall allow (a) property owners to consider reduced building footprints and the use of minimal excavation foundation systems (e.g., pier, post or piling foundation), and (b) the flexible application of local code requirements that may limit a property owner’s ability to avoid development in Habitat Conservation Areas, such as setback and landscaping requirements or limits on clustering and the transfer of development rights**

on-site. The habitat-friendly development practices described in Table 3.07-13c, which are intended to minimize the magnitude of the impact of development in Habitat Conservation Areas, shall be allowed, encouraged, or required to the extent that cities and counties can develop clear and objective standards for their use, unless their use is prohibited by an applicable and required State or Federal permit issued to a unit of local government having jurisdiction in the area, such as a permit required under the Clean Water Act, 33 U.S.C. §§1251 et seq., or the Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit. The clear and objective development standards required by this paragraph also shall require that all development in Habitat Conservation Areas be mitigated to restore the ecological functions that are lost or damaged as a result of the development. Standards that meet the requirements of this subsection and Metro Code Section 3.07.1330(c) are provided in Section (7) of the Metro Title 13 Model Ordinance; *[footnote omitted]*

Response: The first part of subsection (1) requires the city to adopt clear and objective development approval standards that protect HCAs but allow different levels of development based on whether the areas are High, Moderate, or Low HCA. The method for identifying High, Moderate, or Low HCAs in areas added to the UGB after December 28, 2005, is outlined in Metro UGMFP Table 3.07-13b. The method requires a cross reference of the fish and wildlife habitat classification and the urban development value for the area. Based on Metro’s 2040 Growth Concept Map (December 2023), all of the Cooper Mountain Community Plan area (with the exception of existing parks) is designated as “Neighborhood”, which is a Tertiary 2040 design type, resulting in a Low Urban Development Value. When cross-referencing with the fish and wildlife classifications, all areas of Class A and Class B Upland Wildlife Habitat would result in Moderate HCA. Metro Code Section 3.07.1340(b)(1) requires clear and objective standards that allow “slightly more development” than would be allowed in High HCAs.

For comparison, Riparian Class I areas cross referenced with Low Urban Development Value would be considered High HCAs. In Cooper Mountain, those riparian areas are protected by CWS rules for Vegetated Corridors.

For the purpose of writing the proposed Development Code, the city has considered that the development standards for riparian areas (as administered by CWS) allow limited development in High HCAs. Therefore, for upland areas in Cooper Mountain (Moderate HCA), the proposed Development Code allows slightly more development than is allowed in the CWS Vegetated Corridor.

The proposed Development Code Section 60.37 Resource Overlay provides clear and objective rules to regulate development within the Resource Overlay,

which includes wetlands, waters, Riparian Class I and II, and Upland Class A and B Habitat areas. The rules include the following:

- Previously approved and permitted development is exempt from the standards. Existing uses may remain and continue, including maintenance and repair of existing structures, landscaping, and other existing development. (60.37.25)
- Emergency procedures, agriculture and farming practices, removal of nuisance plants, natural resources enhancements, and small impacts (less than 500 square feet) are allowed within the Resource Overlay. (60.37.25)
- During land division, at least 80 percent of the Resource Overlay on the property will be required to be protected from disturbance and separated into its own lot (also called a tract) where future development will be not allowed. The remaining 20 percent of the overlay on the property can be disturbed for development. Mitigation must be provided for the permanent disturbance area. (60.37.30)
- Development activities within riparian areas must meet the vegetated corridor requirements of CWS. (60.37.35.1.C)
- On properties that are fully or extensively covered with Resource Overlay, the development rules allow up to 6,000 square feet of disturbance area. Mitigation must be provided for the permanent disturbance area. (60.37.40.1)
- Commercial and multi-dwellings are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.2)
- Vegetated stormwater management facilities, linear utilities, up to 6,000 square feet of a non-linear utility facility, and public trails may be constructed in the Resource Overlay. (60.37.40.3 through 6)
- Transportation corridors are allowed within the Resource Overlay. Mitigation must be provided for the permanent disturbance area. (60.37.40.7)
- Public and private parks are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.8)

The second part of subsection (1) states that the city standards must allow property owners to use habitat friendly development practices. The city previously adopted code provisions (Beaverton Development Code 60.12 Habitat Friendly Development Practices) to allow and encourage Habitat Friendly Development Practices across the city. The use of habitat friendly development practices is voluntary. Beaverton Development Code 60.12.25 offers development credits when projects apply specific techniques, such as preserving Habitat Benefit Areas and utilizing Low Impact Development Techniques. Those credits will still be available outside the Cooper Mountain Community Plan area. Within the Cooper Mountain Community Plan area, the protection of habitat areas is required, as described above. The use of low impact development techniques will not result in other development credits, but the habitat friendly development practices are still allowed and encouraged.

The third part of subsection (1) states that the city standards shall require that all development in HCAs be mitigated to restore ecological functions that are lost or damaged as a result of development. The proposed Development Code Section 60.37 requires developments to mitigate for disturbances of the Resource Overlay, which encompasses the significant riparian and upland habitat areas in the Cooper Mountain Community Plan area. The mitigation requirements (60.37.45) require mitigation through planting of trees, shrubs, and ground cover. The quantity of planting is based on the permanent disturbance area within the Resource Overlay. Developments must prepare a mitigation plan and provide irrigation and monitoring through a 2-year monitoring period.

In addition, proposed Development Code Section 60.61 includes design standards and guidelines for tree preservation during development and planting to achieve required tree canopy. The tree preservation standards (60.61.15) and guidelines (60.61.25) require development to preserve a minimum percentage of existing trees within the Resource Overlay (which includes both significant riparian and upland habitat areas). The tree canopy standards (60.61.20) require planting to achieve 65 percent canopy coverage within the Resource Overlay. The tree canopy guidelines (60.61.30) allow for lower percentage of canopy coverage within the Resource Overlay if the planting plan protects or restores other ecological functions.

(2) Discretionary development approval standards consistent with Metro Code Section 3.07.1330(d) that comply with subsections (b)(2)(A), (b)(2)(B), and (b)(2)(C) of this section. Standards that meet the requirements of this subsection (b)(2) and Metro Code Section 3.07.1330(d) are provided in Section (8) of the Metro Title 13 Model Ordinance.

Response: The referenced sections of Title 13 require the city to adopt discretionary development approval standards for development proposed in

HCA's that follow an avoid-minimize-mitigate process. Development pursuing a discretionary approval process must determine whether practicable alternatives exist to avoid development in the HCA. The city must allow flexibility in design standards (such as reduced setback and landscaping requirements) to help avoid impacts to the HCA. When there is no practicable alternative, the development proposal must minimize impacts to HCA's and impacts to water quality. When development occurs within HCA's, the city must require mitigation to restore the ecological functions that were lost or damaged as a result of the development.

The proposed Development Code Section 60.37.50, Alternative Review outlines the discretionary process for development within the Resource Overlay. The Alternative Review process is available for applicants that cannot or choose not to follow the standards in Section 60.37.30, 60.37.35, 60.37.40, or 60.37.45, all described above. Applicants must prepare an Alternatives Analysis and Impact Evaluation to identify the ecological functions provided by the habitat areas within the Resource Overlay on the project site. The analysis must document the site conditions or circumstances that make it physically difficult or impossible to avoid impacts to the Resource Overlay. The evaluation must provide three practicable development alternatives and identify the alternative that minimizes impacts to ecological functions. As with all development in the Resource Overlay, the applicants mitigate for impacts by following the mitigation requirements in Section 60.37.45 or provide an alternative mitigation plan that compensates for impacts to ecological functions, in accordance with Section 60.37.50.1.B.

The proposed Development Code includes an application and review process for developments that are pursuing an alternative review (40.70.15.4, Resource Overlay – Alternative Review). The process requires applicants to demonstrate that there are special conditions or circumstances of the site that make it physically difficult or impossible to develop without disturbing the Resource Overlay beyond the standard allowances. Applicants must prepare an Alternatives Analysis and Impact Evaluation to demonstrate that the proposal does not result in greater impacts to ecological functions, compared to other practicable alternatives. Finally, the applicant must provide a mitigation plan that is consistent with requirements described above.

- (3) When development occurs within delineated wetlands, then the mitigation required under subsections (b)(1) and (b)(2) of this title shall not require any additional mitigation than the mitigation required by state and federal law for the fill or removal of such wetlands.**

Response: The proposed Development Code defers to state and federal requirements for development in or near wetlands. Section 60.37.10.6 states, "Development in or near wetlands, streams, and riparian areas may require a service provider letter from Clean Water Services (CWS) and permits from the

Oregon Department of State Lands (DSL) and the U.S. Army Corps of Engineers (the Corps). If a state or federal permit is required, a water quality certification from the Oregon Department of Environmental Quality may also be required. Because these agencies may have more restrictive regulations than the City, applicants are encouraged to coordinate with regional, state, and federal agencies before they prepare their development plans.”

(4) City and county comprehensive plans and implementing ordinances shall include procedures to consider claims of hardship and to grant hardship variances for any property demonstrated to be converted to an unbuildable lot by application of any provisions implemented to comply with the requirements of this title.

Response: The proposed Development Code allows for limited development on properties that are fully covered by the Resource Overlay, which is intended to avoid the creation of unbuildable lots through these regulations. On properties that are fully or extensively covered with Resource Overlay, the development rules allow up to 6,000 square feet of disturbance area. Mitigation must be provided for the permanent disturbance area. (60.37.40.1)

In addition, the city’s existing Development Code Section 40.95.05 includes a variance application. The purpose of the variance application is to consider cases where the literal interpretation of the Development Code would cause an undue or unnecessary hardship without a corresponding public benefit.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states:

“[T]he proposed Development Code updates for the Cooper Mountain area would satisfy Example (2) [of UGMFP Subsection 3.07.1330(b)(5)(f)], with the referenced proposed updates substantially complying with Subsection 3.07.1340, Performance Standards and Best Management Practices for Habitat Conservation Areas, as they apply to upland wildlife habitat in new urban areas (i.e., the Cooper Mountain area added to the UGB in 2018).

“The proposed Development Code updates . . . contain review standards applicable to development in all proposed Habitat Conservation Areas (HCAs) of the Cooper Mountain area that appropriately include:

- Clear and objective development approval standards consistent with UGMFP Subsection 3.07.1330(c) that protect HCAs but allow limited development within High HCAs, slightly more development in Moderate HCAs, and even more development in Low HCAs;
- Allowances for property owners to use habitat friendly development practices, as well as requirements that development in HCAs be mitigated

to restore the ecological functions that are lost or damaged as a result of the development;

- Discretionary development approval standards consistent with UGMFP Subsection 3.07.1330(d) that comply with Subsections 3.07.1340(b)(2)(A)-(C);
- Provisions related to mitigation for development occurring within delineated wetlands that are consistent with state and federal law; and
- Procedures to consider claims of hardship and to grant hardship variances for any property demonstrated to be converted to an unbuildable lot by application of any provisions implemented by the City to comply with the requirements of Title 13.”

c. Administering the Habitat Conservation Areas Map and Site-Level Verification of Habitat Location.

Metro Code Section 3.07.1340(d) outlines the process to administer the map of HCAs and provide site-level verification of the locations of riparian areas and upland habitat.

Response: The city worked with Metro to update the inventory of Regionally Significant Fish and Wildlife Habitat. The mapping methodology and resulting inventory of natural resources have been documented in the Cooper Mountain Community Plan’s Natural Resources Report (Exhibit 1, Appendix B). A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

The proposed Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. During development, applicants must locate the Resource Overlay on their properties. The proposed Development Code Section 60.37.15 allows applicants to correct the boundary of the Resource Overlay based on site-specific investigations that have concurrence from Oregon Department of State Lands (DSL). Corrections to the boundary of the Resource Overlay that have concurrence from DSL may follow a Type 1 application process (40.70.15.2). The proposed Development Code Section also includes a detailed boundary correction process that requires a Type 3 application to challenge the data in the natural resources inventory (60.37.15.3 and 40.70.15.3). The city will maintain a GIS map of the Resource Overlay that includes the

corrections made through development applications and site-specific investigations.

Conclusion: The proposed amendments are consistent with Metro UGMFP Title 13. This criterion is met.

Metro UGMFP Title 14 – Urban Growth Boundary

3.07.1455 Conditions of Approval

(a) Land added to the UGB pursuant to sections 3.07.1420, 3.07.1430 and 3.07.1435 shall be subject to the requirements of sections 3.07.1120 and 3.07.1130 of this chapter.

Response: The proposed amendments are subject to Section 3.07.1120 and 3.07.1130, which are part of Title 11. Title 11 findings were addressed elsewhere in this staff report and are incorporated here by reference. Other sections of Title 14 apply to the Metro Council and are not relevant to the city’s proposed amendments.

Conclusion. This criterion is met.

40.85.15.1.C.4 – CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN

Criterion 4. Proposed text amendment is consistent with the City's Comprehensive Plan.

Findings:

Staff finds that the proposed amendment is consistent with the applicable goals and policies of the City’s Comprehensive Plan, as described in the following sections.

Comprehensive Plan Chapter 2: Community Involvement Element

Goal 2.1.1: The Planning Commission, Council, and other decision making bodies shall use their best efforts to involve the public in the planning process.

Response: Compliance with Comprehensive Plan Goal 2.1.1 is described above in findings for Comprehensive Plan Goal 2.1.1 in ZMA42024-00681, which describe how the Planning Commission and City Council involved the public in the planning process for this project, and are incorporated here by reference.

Goal 2.4.2: Make a concerted effort to include and recruit individuals of all ethnic, racial, age, cultural backgrounds, and sexual orientations in City boards, commissions, and public processes as to reflect and correspond to the City’s demographic profile.

Response: Compliance with Comprehensive Plan Goal 2.4.2 is described above in findings for Comprehensive Plan Goal 2.4.2 in CPMA42024-00679, which describe recruitment for the Cooper Mountain Community Plan Community Advisory Committee and Beaverton’s Inclusive Housing Cohort, as well as other multicultural outreach efforts for the project, and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 2: Community Involvement Element. This criterion is met.

Comprehensive Plan Chapter 3: Land Use Element

Goal 3.1.1: Encourage development and land use patterns that support a variety of transportation options

- Policy a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.**
- Policy b) Encourage development and programs that reduce the need for vehicle use and ownership.**
- Policy c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.**
- Policy d) Apply land use designations and development regulations that support high-density development near transit and services, in order to provide greater opportunities to live, work, and meet daily needs near transit.**
- Policy f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.**
- Policy g) Encourage providing amenities for transit users at transit stops or stations, such as food carts and coffee stands, covered benches, trash/recycling receptacles, and lighting.**
- Policy l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.**

Response: Compliance with Comprehensive Plan Goal 3.1.1 is described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how the Cooper Mountain transportation goals and policies emphasize Complete Streets designs to address safety; how the proposed Zoning Map includes 53 acres of mixed-use zoning where commercial is allowed; how the CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials, which support high-density development near transit; how the proposed amendments will make the area

transit-ready; and how the city's existing Development Code require pedestrian connections, among other design requirements; and are incorporated here by reference.

Goal 3.3.1: Promote sustainable development, resilience, and resource protection

- Policy a) Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.**
- Policy b) Conserve, protect and enhance natural resources identified in the city's adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.**
- Policy c) Encourage and incentivize sustainable building and site design approaches that minimize environmental impacts of the built environment while creating healthy, safe places for people to live, work and play through: i. Energy conservation and renewable energy, ii. Reducing resource consumption and waste, iii. Reducing water consumption and wastewater generation, including use of non-potable water systems where appropriate, iv. Integration of storm water and natural systems, v. Protecting and supporting human health, vi. Designing for adaptability over time.**
- Policy d) Wherever possible, allow resource areas to serve multiple purposes and acknowledge their multiple benefits.**

Response: Compliance with Comprehensive Plan Goal 3.3.1 is described above in findings for Comprehensive Plan Goal 3.3.1 in the CPMA42024-00679 section, which describes how the proposed amendments apply urban zoning across the plan area, while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro's Urban Growth Management Functional Plan. The proposed Development Code amendments include definition and mapping of the Resource Overlay (Figure 4) that includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

Compliance with Comprehensive Plan Goal 3.3.1 is also described above in findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section, which describes rules for preserving, planting, and maintaining trees inside the Resource Overlay in Cooper Mountain (and in some cases, outside the Resource Overlay too) that promote sustainable site design practices and tree protection; and are incorporated here by reference.

The Cooper Mountain Utility Plan (Exhibit 24) evaluated alternatives and presents a recommended approach to utility planning that incorporates sustainable design approaches, including strategies to incorporate stormwater management into resource areas and promote multiple benefits of natural systems.

Goal 3.4.1: Provide effective and inclusive planning and development review services

Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.

Response: The existing Development Code rules and processes have been found to be consistent with the Comprehensive Plan in the past and this entire section addresses the proposed amendment’s consistency with existing Comprehensive Plan policies and proposed Comprehensive Plan amendments in CPMA42024-00679.

To establish new rules for the four new zoning districts proposed by ZMA42024-00681, TA42024-00680 proposes new development regulations that establish different allowed land uses as well as site development standards, such as minimum or maximum building height, required setbacks, and minimum density, for each of the four new zoning districts in Cooper Mountain.

In some cases, other Development Code sections were updated to facilitate this work, and these changes have implications for code that applies to other parts of the city. As a result, TA42024-00680 also proposes to make changes to other code sections that will apply to properties citywide.

TA42024-00680 proposes amendments that are intended to implement goals and policies in the Comprehensive Plan. For example:

- **Resource Overlay.** CPMA42024-00679 proposes updates to natural resource policies in Volume I Chapter 7: Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources and the addition of the Statewide Planning Goal Five Resource Inventory for Cooper Mountain to Volume III: Statewide Planning Goal Five Resource Inventory. As a result, TA42024-00680 proposes:
 - **Section 20.22.25 Cooper Mountain Resource Overlay.** A new section that describes where additional environmental rules apply to achieve the Cooper Mountain Community Plan goals related to natural resources as well as to meet state and regional requirements.
 - **Section 40.70 Resource Overlay.** New applications for development on sites with Resource Overlay coverage and boundary corrections to the Resource Overlay boundary.
 - **Section 60.37 Resource Overlay.** A new section with topics such as standards for land divisions and property line adjustments, general development standards, and standards for specific development types.

Likewise, CPMA42024-00679 propose updates to Volume I Chapter 6 (Transportation) and Volume IV (Chapters 2 and 4 of the TSP), and the addition of Appendix O (Cooper Mountain Transportation Project List) to Volume IV. Thus, TA42024-00680 also proposes transportation-related amendments to the Development Code that implement the new or updated transportation goals and policies in CPMA42024-00679.

TA42024-00680 also proposes adding Section 60.15.08 Cooper Mountain Landslide Hazard Risk, which includes standards applicable to land division proposals in Cooper Mountain that include land identified as a Landslide Hazard. These code updates implement revised policies and a new Cooper Mountain Landslide Hazard Risk Map in Volume I Chapter 8: Environmental Quality and Safety.

Policy b) Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy b) was described above in findings for Comprehensive Plan Goal 3.4.1 policy b) in CPMA42024-00679. Those findings, which describe how public engagement for this project was inclusive and provided meaningful opportunities to engage in each phase, are incorporated here by reference.

In addition, TA42024-00680 proposes new land use applications and modifications to existing applications in Chapter 40 of the Development Code. Proposed updates in Chapter 40 are included to support Chapter 20 and 60 updates, which are being amended to implement new or updated policies in the Comprehensive Plan.

New applications include the following:

- **40.70 Resource Overlay** (Type 1 and 3 applications)
- **40.91 Tree Applications – Cooper Mountain** (Type 1, 2 and 3 applications)

Update applications include the following:

- **40.15 Conditional Use – Planned Unit Development** (Type 3 application)
- **40.20 Design Review** (Type 1, 2 and 3 applications)
- **40.21 Single-Detached and Middle Housing Design Review** (Type 1, 2 and 3 applications)
- **40.40 Home Occupations** (Type 1 and 2 applications)
- **40.45 Land Division and Reconfiguration** (Type 1, 2 and 3 applications)
- **40.58 Sidewalk Design Modifications** (Type 1 application)

Chapter 40 updates to existing applications address new code sections that cover discretionary paths for Cooper developments; multi-phase developments; design requirements and small-scale commercial uses; design requirements for five-plexes and six-plexes; requirements for or special circumstances related to the Resource Overlay; and requirements for land divisions.

Section 50.40 (Type 2) and **Section 50.45** (Type 3) include noticing requirements. In addition, **Section 50.30** (Neighborhood Review Meeting) also confirms that a neighborhood meeting is required prior to submittal of an application subject to a Type 3 procedure. The existing procedures for Type 1, 2 and 3 applications are in compliance with the Comprehensive Plan.

TA42024-00680 also includes minor modifications to other applications in Chapter 40 to add references to new Cooper Mountain zoning districts, new building types, and small-scale commercial uses and also reflect changes in wording for clarity or consistency. These minor modifications do not affect existing current practices for notification, public involvement procedures or processes that encourage inclusive and meaningful opportunities for engagement by all community members.

Policy c) Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city's language access practices.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy c) was described above in findings for Comprehensive Plan Goal 2.4.1 and in findings for Comprehensive Plan Goal 3.4.1 policy a) in CPMA42024-00679. Those findings, which describe the public engagement plan objectives, racial equity considerations, recruitment for committees, engagement opportunities for each project phase, and translation and interpretation services, are incorporated here by reference.

Policy d) Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix, below; and the following policies.

i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy d.i) was described above in findings for Comprehensive Plan Goal 3.4.1 policy a) in ZMA42024-00681. Those findings, which describe how the four new zoning districts are consistent with the Community Plan and other Comprehensive Plan updates, are incorporated here by reference.

Goal 3.4.2. Coordinate with Washington County on planning for the Urban Planning Area

Policy a) Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy a) was described in findings for Comprehensive Plan Goal 3.4.2 policy a) in the ZMA42024-00681 section. Those findings, which describe coordination with Washington County on planning for the expansion area, as well as coordination with Washington County on other developments that are outside city limits but within the Urban Planning Area, are incorporated here by reference.

Policy b) Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy b) was described in findings for Comprehensive Plan Goal 3.4.2 policy b) in the ZMA42024-00681 section. Those findings, which describe when and how the city recognizes planning work done by Washington County as annexation occurs, and opportunities for the county to receive notice and/or provide comment on other proposals, are incorporated here by reference.

Goal 3.6.1: Support pedestrian-oriented mixed use areas

The following policies apply to all Mixed Use areas.

Policy a) Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.

Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.

Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.

Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:

- i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development**

- ii. **Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks**
- iii. **Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)**

Response: TA42024-00680 proposes amendments that include site development standards and design requirements for proposed amendments in ZMA42024-00681 that add three zoning districts that together provide a mix of commercial, residential, employment, and civic uses at relatively high densities. These include:

- Cooper Mountain High Density Residential (CM-HDR), which is a mixed-use district that allows a wide range of commercial uses, residential uses, and civic uses. Section 20.22 indicates that the minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Multi-unit Residential (CM-MR), which is a residential district. Section 20.22 indicates that the minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Residential Mixed (CM-RM), which is a residential district with a minimum residential density of 10 units per acre (Section 20.22). This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned CM-MR.

Section 40.97 (Zoning Map Amendment) provides a pathway for property owners to request a change in zoning. To be approved, the application needs to comply with all applicable approval criteria, which includes conforming with applicable policies of the City's Comprehensive Plan. Proposed Comprehensive Plan policies allow zone changes among those districts, but Policy f) under Goal 3.6.6 indicates that future zoning amendments should provide the same or similar number of housing units, housing variety, and equitable access to commercial opportunities.

The proposed amendments to Section 20.22 and Section 60 allow vertical or horizontal mixed use and generally allow a mix of uses within most neighborhoods to ensure different uses are within easy walking distance of each other, both through application

of zoning districts on the proposed Zoning Map and by allowing a variety of uses and/or housing types within each zoning district.

The proposed amendments would prohibit drive-throughs, auto sales, vehicle storage yards, storage yards (except for RV, boat, and trailer storage within a residential development or PUD) in all Cooper Mountain zoning districts. Minor auto repair is allowed only within the Cooper Mountain Community Service zoning district. This will enhance the pedestrian environment by reducing curb cuts for drive-through lanes, which will reduce the number of conflict points where driveways cross the sidewalk, and reducing the potential for large vehicle, equipment, or inventory storage areas within Cooper Mountain, which will leave more room for housing and businesses oriented toward pedestrian traffic.

Regarding pedestrian-oriented design, the city’s existing Development Code combined with the proposed amendments to Section 60.05.15 and 60.05.20 requires a certain amount of building frontage along the street, requires a certain percentage of windows in ground-floor commercial spaces, and requires pedestrian circulation within development sites and connections to the public right of way. The Comprehensive Plan policies call for Complete Streets with comfortable and safe pedestrian and bicycle facilities for all ages and abilities, and the existing Engineering Design Manual and future updates will support these policies.

Proposed Goal 3.6.6: Promote a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policy b) Ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map.

- The neighborhood center just north of SW Tile Flat Road and east of SW Grabhorn Road.
- The neighborhood center west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.

On the proposed Zoning Map, CM-HDR is a zoning district that is inside where the Community Plan designates “Neighborhood Center” on the Preferred Approach Concept Map (in addition to CM-CS, which is covered by policies in Section 3.7 of Chapter 3 in the Comprehensive Plan). The CM-HDR zoning district allows commercial uses, though it is not required. In addition, proposed amendments in TA42024-00680 describe how the code ensures that some commercial uses will be required near land zoned CM-HDR. For example, Section 20.22.30 (CM-CS Commercial Requirements) indicates that each site with CM-CS zoning shall provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet. Applicants can always add more commercial square footage.

Proposed amendments in TA42024-00680 also describe how site development standards will provide opportunities for significant residential development in CM-HDR, with a focus on multi-unit residential, since the minimum residential density is 34 dwelling units per acre. Also, maximum density is not applicable in the CM-HDR zoning districts, which means that property owners and developers are able to provide more than 34 dwelling units per acre, if desired.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: TA42024-00680 indicates that there will be opportunities for significant residential development in the CM-HDR zoning district, with a focus on multi-unit residential, since the minimum residential density is 34 dwelling units per acre. Also, maximum density is not applicable in the CM-HDR zoning district, which means that property owners and developers are able to provide more than 34 dwelling units per acre, if desired.

In addition, the minimum residential density for the CM-RM zoning district is 10 dwellings units per acre. But also, maximum density is not applicable in the CM-RM zoning district either (with one small exception related to single room occupancies described in Section 20.22), which means that property owners and developers are able to provide more than 10 dwelling units per acre, if desired. Furthermore, the CM-RM zoning district allows small-scale commercial uses if a lot with CM-RM zoning is near

parks, Neighborhood Routes, and land zoned CM-MR (which has a minimum residential density of 34 dwelling units per acre). This combination of factors provides development intensity and commercial uses, promoting more opportunities for vibrant places in the Cooper Mountain Community Plan area.

Goal 3.7.1: Enhanced Commercial Centers and Corridors

The following policies apply to all Commercial Centers and Corridors.

- Policy a) Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including**
- i. Improving pedestrian and bicycle connections within and between sites**
 - ii. Enhancing or creating multi-modal connections wherever feasible**
 - iii. Providing direct pedestrian connections to, and amenities near, transit stops**
 - iv. Providing a more visually engaging and appealing street frontage through the addition of buildings adjacent to the street, enhanced landscaping, more pedestrian scale signage, etc.**
 - v. Providing safe and convenient paths for pedestrians within large parking areas**

Response: The city's existing Development Code and the proposed amendments require pedestrian connections within sites and connections from private property to the streets, including to transit stops and stations. The city's existing Development Code and Engineering Design Manual also allow amenities for transit users at transit stops and stations. These amenities are already found throughout the city and will continue to be allowed.

The city's existing Development Code and the proposed amendments also have requirements that parking, if property owners choose to provide it, is located in general behind or beside buildings so buildings are near the street, which makes pedestrian access easier and more desirable. The existing and proposed development rules also require pedestrian connections between the sidewalks in the right of way and primary building entrances on private property.

- Policy b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.**

Response: TA42024-00680 proposes amendments to the Beaverton Development Code, which emphasize commercial uses and create design standards for ground-floor elevations, among other requirements. These changes for the CM-CS zoning district include:

- **20.22.15 (Site Development Standards).** Add a new section that includes site development standards for the CM-CS zoning district (and all other Cooper zones). The CM-CS zoning district is intended to have more development intensity because it is supposed to result in more vibrant areas in general but also because commercial uses are allowed. Those commercial uses also would have floor area on the site, so the maximum FAR was set at 2.0 – higher than in CM-MR – to allow enough building size/bulk for both commercial and residential uses on a site.
- **20.22.20 (Land Uses).** Add a new section that describes which land uses (Commercial, Residential, Civic, Industrial and Planned Unit Development) are Permitted (P), Conditional Uses (C), or Prohibited (N) uses in the CM-CS zoning district.
- **20.22.30 (CM-CS Commercial Requirements).** Add a section that requires a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site’s size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional. The zone also would allow residential uses and other uses.
- **20.22.35 CM-RM Small-scale Commercial).** Add a section that allows small-scale commercial uses near parks, CM-MR zones, and streets with the Neighborhood Route classification. This sections provides more information on allowed uses, site development standards, limitations on permitted uses and outdoor activities, and some other additional standards.
- **40.20 (Design Review).** Update applicability rules to indicate when design review is required for various uses and building types in the CM-CS zoning district (and all other Cooper Mountain zoning districts), and how projects can meet minimum floor area ratio and/or minimum required commercial standards in a phased manner inside the Cooper Mountain Community Plan area.
- **60.05.15 (Building Design and Orientation Standards).** For Cooper Mountain, add requirements for building location and orientation along streets in Commercial and Multiple Use zones. Add requirements for ground-floor elevations on commercial and multiple-use buildings. Guidelines in Section 60.05.35 advance similar desired outcomes. Citywide, add additional detail and options to meet standards for roof forms, primary building entrances and window coverage.
- **60.05.20 (Circulation and Parking Design Standards).** For Cooper Mountain, add requirements for connections to the public street system; pedestrian circulation; off-street parking frontages; and sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. Citywide, add screening standards for ground-floor parking. Update frontage requirements for development in

commercial and multiple use districts. Guidelines in Section 60.05.40 advance similar desired outcomes.

- **60.05.25 (Landscape, Open Space, and Natural Areas Design Standards).** Add minimum landscaping requirements for various uses and building types (applies to CM-CS and other Cooper zoning districts). Add open space and landscape buffer requirements for developments subject to Design Review. Guidelines in Section 60.05.45 advance similar desired outcomes.
- **Table 60.05-1 Technical Lighting Standards.** Add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park (applies to CM-CS and other zoning districts).

Policy c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

Response: Compliance with Comprehensive Plan Policy 3.7.1.c) is described above in findings for Comprehensive Plan Policy 3.7.1.c), which describes allowed land uses in mixed-use developments, site development standards and design requirements in the CM-CS zoning district; and are incorporated here by reference.

To provide additional information on changes related to buffering, TA42024-00680 proposes adding Section 60.05.25.17 (Cooper Mountain Community Plan Open Space and Landscape Buffers to the Beaverton Development Code. Section 60.05.25.17 proposes rules that would create a new set of open space and buffering rules for Cooper Mountain. The buffer standards developed specifically for Cooper are proposed to ensure buffering is provided where visual or noise impacts need to be addressed without requiring addition land, fences, and landscaping features where they are not needed.

Proposed Comprehensive Plan Goal 3.7.4: Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

- Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:**
- Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**

- ii. **Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. **Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

There are two CM-CS zoning districts on the proposed Zoning Map. Each CM-CS zoning district generally fits within the perimeter of “Neighborhood Center” on the Concept Map. Where there are minor differences, the boundaries of the CM-CS zoning district were adjusted to account for updated information on roads, parks and lot lines.

TA42024-00680 includes amendments that establish a minimum residential density of 34 dwelling units per acre for the CM-CS zoning district (Section 20.22.15). The CM-CS zoning district is intended to have more development intensity because it is supposed to result in more vibrant areas in general but also because commercial uses are allowed. Those commercial uses also would have floor area on the site, so the maximum FAR was set at 2.0 to allow enough building size/bulk for both commercial and residential uses on a site.

In addition, proposed amendments in Section 20.22.30 (CM-CS Commercial Requirements) require a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site’s size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional.

Compliance with Comprehensive Plan Policy 3.7.4.b) is also described above in findings for Comprehensive Plan Policy 3.7.1.a), which describes how the existing code and proposed amendments promote safe and convenient ways to travel; and are incorporated here by reference.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: The CM-CS zoning district is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while

allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied.

Each CM-CS zoning district is adjacent a CM-HDR zoning district, which is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed. Proposed amendments in TA42024-00680 indicate that the minimum density for CM-HDR is 34 dwelling units per acre.

In addition, the Cooper Mountain Residential Mixed (CM-RM) zoning district is around the CM-CS and CM-HDR zoning districts on the Zoning Map. The CM-RM zoning district is a residential district with a minimum residential density of 10 units per acre (Section 20.22). This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned CM-MR.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;**
- ii. Along neighborhood routes with higher density multi-dwelling options; and**
- iii. Near multi-use paths.**

Response: TA42024-00680 adds Section 20.22.20 (Land Uses) to the Beaverton Development Code. This new section indicates which zones require commercial uses (CM-CS) or allow commercial uses (CM-HDR and CM-RM). Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district (and all other Cooper zoning districts) are applied.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**
- iv. Along collector streets;**
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;**
- vi. Near neighborhood and community parks; and**

vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Response: TA42024-00680 adds Section 20.22.15 (Site Development Standards) to the Beaverton Development Code. This new section establishes higher minimum residential density (34 dwelling units per acre) for the CM-CS, CM-HDR and CM-MR zones. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district (and all other Cooper zoning districts) are applied.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: Beaverton Development Code Section 40.97 already allows property owners to request a Zoning Map Amendment (ZMA). For the ZMA to be approved, Section 40.97 indicates that the proposal must confirm with all applicable policies in the Comprehensive Plan, such as proposed Comprehensive Plan policy 3.7.4.f). The ZMA provides property owners with flexibility to request changes to the Zoning Map, but in a way that still achieves the desired outcome described in the Cooper Mountain Community Plan.

Comprehensive Plan Goal 3.8.1

The following policies apply to all Neighborhoods.

Policy a) Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.

Response: Maximum density is not applicable in all four Cooper Mountain zoning districts, with one exception - up to six single-room occupancy units on each lot or parcel are permitted within the CM-RM zoning district. This is not intended to exempt single-room occupancies from minimum density requirements of the underlying zone.

Table 11 includes minimum lot area for housing types in Cooper Mountain Zoning Districts. Minimum lot area is not generally used in residential zones intended to result in multi-dwellings and middle housing. Minimum lot area is generally used in residential zones intended for single-detached dwellings and middle housing.

Table 18. Minimum Lot Area for Housing Types in Cooper Mountain Zoning Districts

Housing Type	Minimum Lot Area CM-CS, CM-HDR and CM-MR zones	Minimum Lot Area CM-RM zone (square feet)
Single-Detached and Duplex	N/A	3,000
Triplex and Quadplex	N/A	4,000
Multi-Dwelling (5-6 units)	N/A	5,000
Townhouse	N/A	1,300 ¹
Cottage Cluster	N/A	7,000
Single-Room Occupancies	N/A	3,000

¹ Townhouses designed with rear-loaded parking areas, parking areas shared between 2 or more dwellings, or no off-street parking shall have a minimum lot size of 1,000 square feet.

Policy b) Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

- iii. **Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.**
- iv. **Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.**

Response: Maximum density is not applicable in all four Cooper Mountain zoning districts; therefore, Section 20.22.15 (Site Development Standards in Cooper Mountain) does not calculate minimum density based on maximum density. Instead, Section 20.22.15 proposes the minimum densities in Table . Minimum density is based on net acreage, defined in Chapter 90, which excludes significant natural resource areas and other constrained lands.

The CM-CS, CM-HDR and CM-MR zoning districts are intended to predominantly result in multi-dwellings and middle housing. The CM-RM zoning district is intended to allow a mix of housing types, including detached and attached housing. The flexibility and available density ensure effective and efficient use of land within urban areas to relieve development pressure in rural areas and protect farms, forests, and natural resources.

Table 19. Minimum Density for Cooper Mountain Zoning Districts

Cooper Mountain Zoning District	Minimum density: Units per net acre
Cooper Mountain – Community Service (CM-CS)	34
Cooper Mountain – High Density Residential (CM-HDR)	34
Cooper Mountain – Multi-Unit Residential (CM-MR)	34
Cooper Mountain – Residential Mixed (CM-RM)	10

Policy c) Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.

Response: TA42024-0080 proposes amendments that promote housing variety while maintaining an overall density consistent zoning in the following ways:

- In Section 20.22.15 (Site Development Standards), allowing small lots, a variety of minimum lot sizes for different housing types, and minimum densities to ensure efficient use of the land that supports different types of houses that can be built.
- In Section 20.22.15 (Site Development Standards), small front, rear, and in some cases, side setbacks, provide more flexibility in siting buildings to protect trees, orienting buildings along an east-west axis to take advantage of daylighting and solar collection opportunities and creating more opportunities for accessible living where a kitchen, bathroom, bedroom and living area could be on the ground floor.
- In Section 20.22.15 (Site Development Standards), establishing higher height limits (an additional 5 or 10 feet than other similar districts outside of the Cooper Mountain Community Plan area) so buildings can reach an adequate height on sites with slopes and so developers have flexibility to preserve natural resources by placing taller buildings on a smaller portion of a site away from those resources. The height limits could allow a five- or six-story building in the CM-CS, CM-HDR, and CM-MR zoning districts and a four-story building in the CM-RM zoning district.
- In Section 20.22.15 (Land Uses), allowing a variety of housing types throughout all Cooper Mountain zoning districts. Notably, multiplexes with five or six units are allowed in the CM-RM zoning district in addition to other middle housing types.
- In section 20.22.40 (CM-RM Housing Variety and Integration Requirements), adding a section that requires housing variety in developments when the net acreage of the parent parcel is three acres or larger (that is, 30 percent of homes

in developments are not single-detached homes, meaning they are plexes with two to six units, townhomes, and cottage clusters). Housing must also be integrated somewhat to promote inclusive neighborhoods where different housing types that meet different people's needs are close to each other.

- In Section 40.20 (Design Review), adding a discretionary option for projects within the Cooper Mountain Community Plan area that request to use the Cooper Mountain Development Plan process to develop a site in phases, where the first phase does not meet the clear and objective minimum floor area ratio (FAR) requirements established in Section 20.22.15.
- In Sections 40.45.4 (Preliminary Partition), 40.45.5 (Preliminary Subdivision) and 40.45.11 (Land Division Housing Plan Amendment), adding code language that creates a requirement for Land Division applications that would create lots for development of single-detached dwellings or middle housing to submit a Land Division Housing Plan when the project does not include a concurrent Design Review application (Sections 40.20, 40.21, and 40.23).

The Land Division Housing Plan will demonstrate that the proposed Land Division will be developed with housing in a way that complies with all applicable Chapter 20 or Chapter 70 requirements. If a developer wishes to change the housing plan for the subdivision prior to or concurrent with the submittal of the required Design Review application, a new Type 1 application process, called the Land Division Housing Plan Amendment, has been created for that purpose.

- In Section 60.05.60 (Design Standards for Single-Detached Dwellings and Middle Housing), providing flexible standards so site and building design can respond to the site, climate, and renewable energy opportunities.
- In Section 60.05.60 (Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the CM-RM Zoning District), adding a new section that provides flexible standards so site and building design can respond to the site, climate, and renewable energy opportunities (largely based off in the requirements in Section 60.05.60 above).
- In Section 60.30 (Off-street Parking), not requiring minimum parking for any developments citywide.
- In Section 60.36 (Planned Unit Development – Cooper Mountain), adding a new Planned United Development (PUD) section specifically designed for Cooper Mountain development. Cooper PUD provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area. The Cooper PUD provisions include opportunities for reduced site development standards, such as lot size reductions if active open space is provided, a discretionary

approach to housing variety and integration requirements, open space options, and additional incentives and flexibility for needed types of housing, called Needed Development Outcomes.

Policy d) For development that achieves a public benefit or goal (such as increased housing options, public space or affordable housing) the city may provide code incentives, such as opportunities for additional floor area or housing units.

Response: As described above in the findings for Comprehensive Plan Goal 3.8.1.c), Section 60.36 (Planned Unit Development – Cooper Mountain) provides flexibility, alternatives, and incentives to support needed development outcomes, such as visitable homes. To support the needed development outcomes in Section 60.36, the proposed amendment also updates Section (60.50.25 Uses Requiring Special Regulation) to add a new section that establishes clear and object standards for visitable dwellings.

Policy e) Provide opportunities for a variety of housing types in all residential plan designations while maintaining a scale and character consistent with the intent of each plan designation.

Response: Compliance with Comprehensive Plan Goal 3.8.1.e), is described above in findings for Comprehensive Plan Goal 3.8.1.a), b) and c) in this section, which describe how the proposed amendments provide for opportunities for a variety of housing types, and are incorporated here by reference.

Proposed changes that support maintaining scale and character consistent with the intent of each plan designation include site development standards in Section 20.22.15 and design requirements in Chapter 60 that are largely based off similar districts in the city, except when additional flexibility is provided to protect natural resources. Furthermore, considering that Cooper Mountain is an expansion area expected to result in about 5,000 new homes, site development standards and design requirements that consider the context of existing neighboring developments is less of a consideration since this area will be transitioning from rural to urban uses.

Policy f) Facilitate development of housing that is affordable to a range of incomes, including low-income households.

Response: Compliance with Comprehensive Plan Goal 3.8.1.f), is described above in findings for Comprehensive Plan Goal 3.8.1.a), b) and c) in this section, which describe how the proposed amendments provide for opportunities for a variety of housing types, which means that people with different household sizes or incomes will have more opportunities to reside where there are opportunities to live, work; and how Cooper PUD provisions incentivize housing that meets needed development outcomes, such as regulated affordable housing at or below 60 percent or 80 percent depending upon the proposal; and are incorporated here by reference.

Policy g) Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available.

Response: Compliance with Comprehensive Plan Goal 3.8.1.g), is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section, which describes how parks are integrated throughout all Cooper Mountain neighborhoods; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 3.8.1.g), is also described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how new developments shall be designed to provide safe and convenient pedestrian and bicycle connections between destinations; and are incorporated here by reference.

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain TAC and shared feedback throughout the planning process (Exhibit 14). BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Policy h) Use Crime Prevention through Environmental Design (design that provides opportunities for “eyes on the street” through street-facing windows and doors) to reduce graffiti, vandalism and other property crimes and to promote a feeling of safety for pedestrians.

Response: Beaverton’s Development Code has already been found to be consistent with Crime Prevention through Environmental Design techniques. For example, Section 60.05.60 (Design Standards for Single-Detached Dwellings and Middle Housing) includes design standards in the RMA, RMB, RMC and CM-RM zones that require a minimum 15 percent window percentage facing the street and require a doorway facing the street. The design standards also require outdoor open areas and other features to promote community. A side effect of these standards is that they create more interaction between the private property and public property, which could provide a sense of safety for many community members.

Policy i) Require subdivisions and development on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including connections to adjacent properties or opportunities to connect in the future.

Response: Beaverton’s Development Code already requires subdivisions and developments on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including pedestrian circulation requirements for single-detached dwellings and middle housing and limitations on

average block length in many development types. These requirements will apply to proposed developments in the Cooper Mountain Community Plan area.

Comprehensive Plan Goal 3.8.3

Goal 3.8.3: Cooper Mountain Lower Density Neighborhoods: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policy b) Allow small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are:

- i. Near areas zoned for higher density multi-dwellings;**
- ii. Near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and**
- iii. Along Neighborhood Routes.**

Response: TA42024-00681 includes proposed development rules that would apply to small-scale commercial uses in the CM-RM zoning district to provide entrepreneurship opportunities and to facilitate the availability of goods, services, and gathering places within Cooper Mountain neighborhoods.

- Section 20.22.15 (Site Development Standards) includes maximum lot area for a site with a small-scale commercial use.
- Section 20.22.20 (Land Use) indicates which types of commercial uses are allowed as small-scale commercial uses in the CM-RM zoning district.
- Section 20.22.35 (CM-RM Small-scale Commercial) contains provisions that limit the location and size of the uses to promote small-scale commercial uses that co-exist alongside residential uses without excessive noise or late operating hours that could disturb residents' sleep. The proposed amendments generally allow the small-scale commercial uses on lots near parks, properties zoned CM-MR or near certain Neighborhood Routes. The proposed amendments also limit the building scale of the buildings that contain a small-scale commercial use, so it is similar to the scale of the residential buildings allowed in the CM-RM zoning district.
- Chapter 40. Updates references to small-scale commercial uses in applications for Section 40.20 (Design Review), Section 40.21 (Single-Detached and Middle Housing Design Review), Section 40.40 (Home Occupation) and Section 40.91 (Tree Applications – Cooper Mountain).
- 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing). Updates requirements to include rules for small-scale commercial

uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.

- 60.30 (Off-Street Parking). Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone.

Policy c) The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Response: Compliance with Comprehensive Plan Goal 3.8.3.c) is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section and in findings for Comprehensive Plan Goal 3.8.3.c) in the CPMA42024-00679 section, which describes how the city will support efforts by THPRD with parks and trails planning in the Cooper Mountain Community Plan area; and are incorporated here by reference.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: Compliance with Comprehensive Plan Goal 3.8.3.d) is described above in findings for Comprehensive Plan Goal 3.8.3.d) in the ZMA42024-00680 section, which describes how zoning encourages development intensity in activity centers in the Cooper Mountain Community Plan area; and are incorporated here by reference.

In addition, TA42024-00680 includes proposed amendments that require higher minimum residential density (34 dwelling units per acre) in the CM-CS, CM-HDR and CM-MR zoning districts, which are intended for commercial, mixed-use, and higher density residential development.

Furthermore, TA42024-00680 includes the addition of Section 20.22.30 (CM-CS Commercial Requirements), which requires each site with CM-CS zoning to provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet. Applicants can always add more commercial square footage if desired.

In addition, TA42024-00680 provides flexibility by allowing applicants to use the Cooper Mountain Development Plan in Section 40.20.10.5.C, which is subject to review through a Design Review Three application, if they would like to pursue a phased

development that does not provide the required minimum commercial square footage with the first phase of development.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- iv. **Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- v. **Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- vi. **Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: Existing Beaverton Development Code Section 40.97 allows applicants to request a ZMA for their property. In this case, Section 40.97 indicates that the applicant will need to demonstrate in their submittal that the proposal conforms to proposed Comprehensive Plan policy 3.8.3.e), which provides locational criteria relevant for requests to change zoning for properties assigned the Cooper Mountain Residential land use designation. If the proposal confirms with this policy, along with all other relevant approval criteria, then the request for a ZMA could be approved.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 3: Land Use Element. This criterion is met.

Comprehensive Plan Chapter 4: Housing Element

Goal 4.1.1. Provide an adequate supply of housing to meet future needs

Policy a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: Compliance with Comprehensive Plan Goal 4.1.1.a) is described above in findings for Comprehensive Plan Goal 4.1.1.a) in the CPMA42024-00679 section; and are incorporated here by reference.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: Compliance with Comprehensive Plan Goal 4.1.1.c) is described above in findings for Comprehensive Plan Goal 3.1.1.a) in the CPMA42024-00679 section, which describes how commercial and high density residential development on mixed use and commercially zoned sites (the CM-CS, CM-HDR and CM-MR zoning districts) support a variety of transportation options; and are incorporated here by reference.

Also, TA42024-00680 includes amendments that establish a minimum residential density of 34 dwelling units per acre for the CM-CS, CM-HDR and CM-RM zoning districts.

Policy d) Develop a Housing Implementation Plan that is updated regularly based on market conditions and trends

Response: In September 2023, the City Council adopted the Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community. The strategies cover a range of topics such as exploring market conditions and trends, funding affordable rental housing and promoting homeownership.

Policy e) Develop programs or strategies to improve Beaverton’s jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment

Response: Compliance with Comprehensive Plan Goal 4.1.1.e) is described above in findings for Comprehensive Plan Goal 4.1.1.e) in the ZMA42024-00681 section, which describes how several new Cooper Mountain zoning districts that require or allow commercial uses are being added to the city’s map, thereby creating jobs closer to where people live and visit; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 4.1.1.e) is also described above in findings for Comprehensive Plan Goal 3.7.1 and 3.7.4 in the TA42024-00680 section, which describe how the code requires commercial square footage in developments with a portion of the lot in the CM-CS zoning district; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 4.1.1.e) is also described above in findings for Comprehensive Plan Goal 3.8.3.b) in the TA42024-00680 section, which describes proposed development rules that would apply to small-scale commercial uses in the CM-RM zoning district; and are incorporated here by reference.

Policy h) Provide an efficient, consistent, and reliable development review process

Response: Compliance with Comprehensive Plan policy 4.1.1.h) is described above in findings for Comprehensive Plan Goal 3.4.1.a) in the CPMA42024-00679 section, which describes that consistency between Comprehensive Plan designations and development regulations ensures an effective development review process; and also above in findings for OAR 660-007-0015 (Clear and Objective Approval Standards Required) in the CPMA42024-00679 section, which describes how clear and objective

standards ensure a an efficient and reliable development review process; and are incorporated here by reference.

Goal 4.2.1. Provide a variety of housing types that meet the needs and preferences of residents

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will provide sufficient buildable lands that result in housing that meets a variety of needs; and are incorporated here by reference.

Policy c) Identify and research emerging housing types and regularly consider appropriate updates to the Development Code to allow for their development

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will result in housing that meets a variety of needs; and are incorporated here by reference.

While not an emerging housing type per se, the proposed amendments allow multiplexes with five or six units in the CM-RM zoning district, along with single-detached homes and middle housing. This provides more affordable homeownership and rental opportunities in neighborhoods types that historically have been reserved for single-detached dwellings.

Policy d) Incentivize the development of housing types that are needed but not currently being provided in adequate numbers by market forces, such as multigenerational housing, accessible housing and larger multi-dwelling rental units

Policy f) Encourage the development of a variety of housing types within planned unit developments and other large projects, which can serve to improve the aesthetic character of the neighborhood and provide housing choices for different income levels

Response: TA42024-00680 proposes adding a new Planned United Development (PUD) section: Section 60.36 Planned Unit Development – Cooper Mountain. Cooper PUD provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area. The Cooper PUD provisions include opportunities for reduced

site development standards, such as lot size reductions if active open space is provided, a discretionary approach to housing variety and integration requirements, open space options, and additional incentives and flexibility for needed types of housing, called Needed Development Outcomes.

Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan. Needed development outcomes also directly support the adopted goals and policies of the Cooper Mountain Community Plan related to age-friendly housing, affordable housing, and housing variety and integration. Examples of needed development outcomes include:

- Visitable housing, consistent with Section 60.50.25.17 of the code
- Regulated Affordable Housing at or below 60 percent area median income
- Regulated Affordable Housing at or below 80 percent area median income
- Multiple Use or Multi-Dwelling Buildings that integrate Regulated Affordable Housing units and non-Regulated Affordable units within a building
- At least 25 percent of provided single-detached or middle housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider.
- Five- or six-unit multi-dwelling structures in the CM-RM zoning district.

Section 60.36 includes additional requirements for needed development outcomes.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 4: Housing Element. This criterion is met.

Comprehensive Plan Chapter 5: Public Facilities and Services Element

Goal 5.3.1: Ensure long-term provision of adequate urban services within existing City limits and areas to be annexed in the future.

Policy b) The City shall work cooperatively with service providers within its Urban Services Area in the development of master plans that are elements of the City's Public Facility Plan, so as to prescribe the most effective and efficient long-term methods of providing each service.

Policy c) The City will involve owners of properties and residents in the unincorporated portion of its urban services area in planning for facilities and services.

Response: Throughout the project, Community Advisory Committee and Technical Advisory Committee meetings were held to support development of both the Community Plan and the Cooper Mountain Utility Plan. (See Public Engagement Summary, Exhibit 14, for additional information.) The proposed amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city’s Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Technical Advisory Committee included representatives from Clean Water Services, Washington County, Tualatin Hills Park & Recreation District, and other partners. The Community Advisory Committee included Beaverton residents and residents of unincorporated Washington County, including those within the plan area and other parts of Washington County.

Goal 5.4.1: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policy b) On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.

Policy c) All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.

Response: The proposed amendments do not change the stormwater design standards for new development, which are included in the City’s Engineering Design Manual and Standard Drawings. The current standards include requirements for water quality treatment, flow control, and hydromodification, based on the amount of proposed impervious surface with the development.

The Cooper Mountain Utility Plan presents an evaluation of the existing conditions and potential impacts from proposed development, along with preliminary sizing and siting of stormwater management facilities to serve the proposed development. The Utility Plan includes calculations to demonstrate that the required stormwater management facilities would mitigate the impacts of increased stormwater runoff associated with full development of the plan area. The current standards require new land development to provide the stormwater management facilities to serve the proposed development.

Goal 5.5.1: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policy a) All new land development (residential subdivisions, multi-dwelling development, and industrial and commercial developments) shall be connected to a public water system.

Response: Compliance with Comprehensive Plan Goal 5.5.1 is described above in findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section. The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated demands, and proposed infrastructure to provide efficient and resilient potable water service to the plan area while preserving operational flexibility. The proposed infrastructure focuses on storage and pumping requirements and large diameter transmission piping along the proposed roadway alignments. More detailed planning for local distribution piping will be developed for each developing neighborhood.

The proposed amendments do not change the water system standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide connections and distribution piping to bring public water system connections to the proposed development.

Staff findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.6.1: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policy a) All new land development (residential subdivisions, and multi-dwelling, industrial, and commercial developments) shall be connected to the City sewer system.

Response: Compliance with Comprehensive Plan Goal 5.6.1 is described above in findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section. The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated flows, and proposed infrastructure to provide public sanitary sewer service to the plan area. The proposed infrastructure focuses on conveyance requirements along the proposed roadway alignments. More detailed planning for local collection systems will be developed for each developing neighborhood.

The proposed amendments do not change the sanitary sewer design standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide collection and conveyance systems to connect new development to the public sewer system.

Staff findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.7.1. Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

- Policy d) The City shall work cooperatively with the School District in implementation of the Comprehensive Plan through the District’s various programs, joint acquisition and development efforts.
- Policy e) The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.
- Policy f) The City shall notify the School District when considering Comprehensive Plan or land use regulation amendments that may significantly impact school capacity.

Response: The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain Technical Advisory Committee and shared feedback throughout the planning process. BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. A full list of TAC meetings is Exhibit 14.

On August 22, 2024, Beaverton also provided BSD and HSD with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments. In the proposed amendments, Beaverton Development Code Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Goal 5.8.1. Cooperate with THPRD in implementation of its 20- Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

- Policy a) The City shall support and encourage THPRD efforts to provide parks and recreation facilities that will accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.
- Policy b) The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.
- Policy c) The City shall support and encourage acquisition of park and recreation sites in advance of need so that the most appropriate sites are available for these vital public facilities.
- Policy g) The planning, acquisition and development of multi-use paths should be consistent with this Plan’s Transportation Element and THPRD’s Trail Master Plan
- Policy h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.

Policy i) THPRD is the park and recreation provider for the City of Beaverton and the City desires that all property within its boundaries be within THPRD's boundaries.

Response: Compliance with Comprehensive Plan Goal 5.8.1 is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section.

The city worked closely with THPRD throughout the development of the preferred approach. (See Public Engagement Summary, Exhibit 14, for additional information.) Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors.

The proposed amendments address public park facilities in the following ways:

- Providing a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code, along with some of the Development Code standards regarding parks/open space.
- Requiring open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres are larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be place elsewhere on the site.
- Requiring park amenities for open space within the Parks Overlay. The amenities will ensure park facilities are near residents consistent with Comprehensive Plan policies. Outside the Parks Overlay, tree planting that would produce a 50 percent tree canopy at maturity is required.
- Requiring sites in the CM-CS zone to provide at least one public plaza on sites where new leasable commercial square footage is provided.
- Including code incentives for open space to be dedicated to THPRD by:
 - Not requiring the park amenities to be built if the land is dedicated to THPRD.
 - Giving 150 percent credit toward open space requirements for open space land dedicated to THPRD.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase

additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

The city's existing Development Code includes requirements for annexation into THPRD as a condition of approval for a conditional use, design review, or land division application. Issuance of building permits may be delayed until the annexation is effective. The proposed amendments remove provisions that allow property owners to avoid annexing to THPRD as part of these applications.

Staff findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 5: Public Facilities and Services Element. This criterion is met.

Comprehensive Plan Chapter 6: Transportation Element

Findings for Comprehensive Plan Chapter 6 can be found in the Comprehensive Plan Amendments and Zoning Map Amendment findings. Goal 6.2.4 Policies c), g) and j) and Goal 6.2.7 Policy e) are relevant to the proposed text amendment.

Goal 6.2.4: An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.

Policy c) Limit the provision of parking to meet regional and State standards.

Policy g) Plan land uses to increase opportunities for multi-purpose trips (trip chaining).

Policy i) Support mixed-use development in appropriate locations and encourage local job creation in order to reduce the number of locally generated regional commuting and shopping trips.

Response: Regarding Policy c) Cooper Mountain and the city in general have no minimum parking requirements for any use on any property and have maximum parking ratios consistent with the state's Climate Friendly and Equitable Communities rules and Metro requirements.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations by:

- Requiring a network of arterials, collectors, neighborhood routes, and local streets with intersection spacing and connectivity standards that mean people can easily travel between different destinations within Cooper Mountain and are connected to nearby destinations.

- Proposing zoning that provides many destinations and different types of destinations. The zoning map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The variety of commercial opportunities promote local entrepreneurship and provide opportunities for Cooper Mountain and nearby residents to meet their needs and acquire goods and services nearby rather than needing to make exclusively regional commuting and shopping strips.

The same elements of the proposed amendments that address providing for multi-purpose trips above also apply to making Cooper Mountain transit-ready. The city's existing street standards also support transit provision. TriMet currently is working on an updating transit service plan that will address needs in the area.

Goal 6.2.7: Implement the transportation plan by working cooperatively with federal, State, regional, and local governments, the private sector, and residents.

Policy e) Establish rights-of-way through development review and, where appropriate, officially secure them by dedication or reservation of property.

Response: Compliance with Comprehensive Plan Goal 6.2.7 Policy e) is described above in findings for Comprehensive Plan Goal 6.2.7 Policy a) and Policy e) in CPMA42024-00679, which describes existing code regulations that establish rights-of-way through development review and secure them by dedication or reservation of property; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 6: Transportation Element. This criterion is met.

Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element

Goal 7.1.1: Balance development rights with natural resource protection.

- Policy a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.**
- Policy b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.**
- Policy c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.**
- Policy d) City policies or regulations shall not interfere with actions necessary for nuisance abatement or protecting the safety, health and welfare of Beaverton's citizens.**
- Policy e) Upon annexation of unincorporated properties with County Goal 5 natural resource designations, the City shall rely on the Urban Planning Area Agreement with Washington County to determine the appropriate City designation.**

Response: Compliance with Comprehensive Plan Goal 7.1.1 is described above in findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section, which describes how the city has coordinated with regulatory agencies; the proposed amendments include definition of the Resource Overlay for the Cooper Mountain Community Plan area to protect natural resources; the proposed Development Code regulates the development activities within the boundary of the Resource Overlay and requires mitigation commensurate with the impacts during development; and the proposed Development Code explicitly allows nuisance abatement within the Resource Overlay. The proposed amendments will adopt the Cooper Mountain Natural Resources Inventory and Local Wetlands Inventory, which includes natural resource designations across the plan area. The findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section are incorporated here by reference.

7.2 Cultural And Historic Resources

There are no goals regarding cultural resources as there are no known significant or important cultural resources within the city limits. Based on the findings in Exhibit 26 (Memorandum regarding Cooper Mountain's cultural history and oldest buildings) there is no evidence of cultural or archeological resources in the Cooper Mountain Area. If

cultural resources were to be found, they could be inventoried and protected through the legislative or quasi-judicial process outlined in Beaverton Comprehensive Plan Section 1.3.

Goal 7.2.1: Preserve, manage and encourage restoration of historic sites, structures, and objects designated as Significant Historic Landmarks, and protect the character of the Downtown Historic District as listed on the National Register of Historic Places.

Response: There are no designated Significant Historic Landmarks in the Cooper Mountain area. If at any time something becomes designated as a landmark through a legislative or quasi-judicial process outlined in Comprehensive Plan Section 1.3 it will be preserved and managed through Development Code 40.35 Historic Review.

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

- Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their educational and recreational values; to provide habitats for fish and wildlife in our urban area.**
- Policy b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.**
- Policy c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.**
- Policy d) The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.**
- Policy e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.**
- Policy f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.**

Policy g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.

Policy h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

In addition, the proposed amendments add a policy to Goal 7.3.3.1 that is specific to natural resource protections in Cooper Mountain. The proposed policy is stated as:

Policy i) In the Cooper Mountain Community Plan area:

- i. Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.**
- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.**
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.**
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.**

Response: Compliance with Comprehensive Plan Goal 7.3.1.1 is described above in findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section. The proposed Development Code amendments include a new Section 60.37 – Resource Overlay with regulations to protect natural resources and conserve open space resources in the planning area. Section 60.37 includes definition and mapping of the Resource Overlay and regulates the development activities and required mitigation within the boundary of the Resource Overlay. The proposed Development Code amendments related to conserving, protecting, enhancing, and restoring natural resource areas follow Metro’s Urban Growth Management Functional Plan, Title 13.

The proposed Development Code includes several new land use applications in Section 40.70 related to development in or near the Resource Overlay.

Compliance with Policy 7.3.1.1.i.iii and iv is mainly addressed through adding Section 60.61 (Trees and Vegetation - Cooper Mountain) to the Development Code. Generally, Section 60.61 provides regulations for preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area to preserve and enhance the benefits trees provide for all people. The proposed amendments are consistent with the tree canopy policies in the Cooper Mountain Community Plan. For example:

- **Establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas.**
 - Section 60.61.15 establishes tree preservation standards. These rules are focused on retaining existing trees. The proposed rules establish higher preservation standards inside the Resource Overlay and moderate preservation standards outside of the overlay for all zones in Cooper Mountain. Tree preservation is retaining trees and tree canopy that already exist on the site (Figure 5). Minimum preservation percentages are:
 - 65 percent of existing tree canopy within the Resource Overlay; and
 - 40 percent of existing tree canopy outside the Resource Overlay
 - Section 60.61.25 includes discretionary tree preservation guidelines if property owners/developers would like to use a different tree preservation method. This process sets a target of at least 50 percent tree canopy preservation on the entire site. First, 65 percent of tree canopy inside the Resource Overlay must be preserved. Additional preservation must occur elsewhere on the site (either inside the overlay or outside the overlay) until the total reaches 50 percent tree canopy. A discretionary process sets priorities for where tree preservation could occur but allows flexibility for solutions on a site-by-site basis.
 - Section 40.91 includes applications (clear and objective, as well as discretionary) for initial developments to demonstrate that proposals meet the tree preservation and tree canopy requirements in Section 60.61.
- **Implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations.**
 - Section 60.61.20 includes standards for meeting tree canopy requirements. These rules focus on ensuring the site has sufficient tree canopy, either now or in the future. The proposed rules require 65 percent tree canopy inside the Resource Overlay. That can be achieved using tree preservation, tree planting, or a combination of preservation and planting (Figure 6).
 - Section 60.61.30 includes discretionary guidelines for meeting tree canopy requirements. Property owners/developers can apply through a discretionary

process instead meet a tree canopy target of 50 percent for the entire site. The development rules in this section prioritize planting trees that:

- Are near Resource Overlay trees,
- Enhance special habitats, such as oak woodland or madrone woodland habitat or,
- Complete a wildlife corridor for birds, small mammals, or large mammals.

A second discretionary process in the same section would allow the tree canopy requirement to be as low as 40 percent in certain situations. For example, the property owner/developer could demonstrate that the site:

- Has utility issues,
- Is prone to risks related to site conditions, such as surface water flow or slope stability, or
- Needs an area without trees for food production, such as a community garden.

- Section 40.91 includes applications (clear and objective, as well as discretionary) for initial developments to demonstrate that proposals meet the tree preservation and tree canopy requirements in Section 60.61.

- **Institute effective ways to reduce the urban heat island effect.**

- Section 60.61 generally includes incentives that encourage the retention of native trees, such as white oak, drought-tolerant trees, mature trees, and tree groves. Collectively, this helps protect larger trees that provide more shade; sequester more carbon; provide higher quality habitat; and support diverse, mixed-age forests more resilient to disease and climate variability.
- Through updates to the city's Engineering Design Manual that will be approved separately are not included in the proposed amendments, the city plans to adjust rules for planting street trees (generally the trees found between the curb and the sidewalk) in Cooper Mountain to ensure large-canopy trees can be planting and thrive in those spaces. This will help the city meet the 40 percent tree canopy target for the Cooper Mountain Community Plan area.

- **Retain or enhance the benefits of diverse, mixed-age forests.**

- Section 60.61.25 includes code language that promotes healthy and resilient forests and tree groves by prioritizing the preservation of a mix of native tree species and ages.

- Section 60.61.30 requires that on-site tree plantings include a variety of tree species to promote diverse forests that are more resilient to pests, disease, extreme weather events and other disturbances. This applies if the property owner/developer chooses the discretionary approach.
- **Provide incentives that encourage the retention of native trees.**
 - Section 60.61.15 includes incentives that encourage the retention of native trees. For example, when calculating how much tree canopy counts toward tree canopy preservation requirements, the proposed Development Code includes rules for multipliers. Multipliers mean tree canopy preserved from high-value count more toward the standard than other trees. Multipliers are proposed as an incentive for preservation. For example, using a multiplier for Oregon white oaks also has the benefit of allowing the lower density of oak canopy consistent with lower oak woodland habitat canopy levels. Additional code language regarding prioritizing preserving native trees is in Section 60.61.25.
 - Section 60.61.20 allows existing native trees that are less than 6-inch diameter at breast height (DBH) to count towards tree canopy requirements. Additional code language regarding native trees is also in Section 60.61.30.

In addition to the above, proposed amendments address preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area in other ways:

- Section 40.91 (Tree Applications – Cooper Mountain) includes applications for tree removal outside of the initial development of a site (in other words, outside the proposed rules for preserving trees and enhancing canopy). Section 60.61.40 includes tree replacement and maintenance standards that are referenced in the approval criteria for Section 40.91. The tree removal rules allow property owners to remove a limited number of trees on a site to provide flexibility and allow easier removal of dead or hazardous trees while encouraging retention of some trees. For more expansive tree removal, the proposed Development Code requires a higher level of review. Depending upon the scenario, the proposed Development Code requires tree replanting or fee in lieu of replanting. The tree removal rules include standards for when a tree can be removed from a site based on clear and objective criteria, as well as discretionary processes that provide more flexibility.
- Section 60.05 includes rules for when trees shall be planted with new developments. When development occurs for single-detached homes, middle housing, apartments, commercial uses, and multiple-use developments, typically landscaping and trees are required. They vary by zoning district, but they also will provide some additional tree canopy for Cooper Mountain.
- Section 60.61.35 includes standards for tree protection during development, tree planting standard and soil volume standards. Adequate soil volume is important for

trees to grow and thrive. Requiring larger soil volumes allows trees to grow larger and have larger canopies.

Collectively, the proposed amendments encourage equitable access to the environmental and social benefits of trees and provide incentives that encourage the retention of native trees, while planning for up to about 5,000 new homes in the Cooper Mountain Community Plan area (more than the 3,760 homes required by Metro in the 2018 Conditions of Approval)..

The findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.3.2.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

Response: Compliance with Comprehensive Plan Goal 7.3.2.1 is described above in findings for Comprehensive Plan Goal 7.3.2.1 in the CPMA42024-00679 section. The city's program related to riparian corridors follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 and are incorporated here by reference.

The proposed amendments do not include changes to the city's program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by requiring compliance with the CWS design and construction standards, which designate riparian areas as part of the regulated "Vegetated Corridor."

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

- Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.**
- Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.**
- Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.**

Response: The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 4) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors.

The city's program related to wetland protection and enhancement follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 and are incorporated here by reference.

The proposed amendments do not change the city-wide approach to wetland protection. The CWS design and construction standards for the Vegetated Corridor include protections for wetlands. Those standards apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources

- Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.**

In addition, the proposed amendments add policies to Goal 7.3.4.1 that are specific to protecting wildlife habitat protections in Cooper Mountain. The proposed policies are stated as:

- Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.**

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

Response: Compliance with Comprehensive Plan Goal 7.3.4.1 is described above in findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section. The city's program related to upland wildlife habitat protection follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. The proposed Development Code, new Section 60.37 includes definition and mapping of the Resource Overlay. The upland habitat areas in the Resource Overlay include wildlife habitat areas adjacent to stream corridors and other water features, as well as forested habitat areas outside of defined stream corridors. The proposed Development Code prioritizes interior habitat protections, requires stream crossings to provide passage for large mammals, and includes provisions to reduce light and glare within and adjacent to natural areas.

Compliance with Comprehensive Plan Goal 7.3.4.1 is also described above in findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section, which describes rules for preserving, planting, and maintaining trees inside Cooper Mountain that enhance the benefits trees provide for people and wildlife; and are incorporated here by reference.

Staff findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.4.1: Conserve Significant Scenic Views and Sites, and the value they add to community.

Policy a) Help to preserve and enhance the City's character, beauty and livability through the identification and protection of significant scenic sites in the city and views of those sites.

Policy b) Significant Scenic Sites may include forested areas or a specimen tree and are determined to have two or more of the following characteristics: aesthetic value; uniqueness of tree size, shape, rarity of specie; proximity of forested area to wetlands or riparian areas; provides slope stability; absorption of rainfall (canopy effects to offset adjoining impervious surfaces); and absorbs stormwater runoff.

All significant scenic sites must be visible from an existing or planned viewpoint that is safe and accessible to the general public.

Policy c) The City will balance the conservation of significant scenic resources with the need to allow urban uses and activities.

Policy d) Provide incentives for protection of Scenic Views of topographic features such as mountain ranges and individual peaks for public enjoyment.

Response: Compliance with Comprehensive Plan Goal 7.4.1 is described above in findings for Comprehensive Plan Goal 7.4.1 in the CPMA42024-00679 section. The proposed Development Code balances conservation of scenic views and sites with the need to allow urban uses and activities. The proposed Development Code Section 60.37 requires protections of the natural resources areas within the designated Resource Overlay and provides incentives for the regional trail to be located adjacent to scenic sites by allowing trails to be located within areas designated as Resource Overlay. Staff findings for Comprehensive Plan Goal 7.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Goal 7.5.2: Increased use of solar energy and other renewable energy resources in new development in the City.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element. This criterion is met.

Comprehensive Plan Chapter 8: Environmental Quality and Safety Element

Goal 8.2.1: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources

Policy a) All water resource areas within the City shall be enhanced, restored or protected to the extent practicable.

Policy b) The City shall limit development in vegetative corridors along streams through application of the CWS Design and Construction Standards so as to substantially comply with requirements of the Metro Functional Plan Title 3.

Policy e) Protect investments in the City by managing stormwater runoff.

Policy f) Encourage development in urban environments in ways that promote healthy environments and natural resources.

Response: Compliance with Comprehensive Plan Goal 8.2.1 is described above in findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section. The city's program related to water quality protections follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management. The city will continue to require development in vegetated corridors to comply with CWS design and construction standards. The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. Staff findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 8.5.1: Protect life and property from potential earthquake hazards.

Response: Compliance with Comprehensive Plan Goal 8.5.1 is described above in findings for Comprehensive Plan Goal 8.5.1 and Statewide Planning Goal 7 in the CPMA42024-00679 section. Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally inside the natural resource overlay where development will be limited and mitigation to impact on those resources will also generally mitigate any increased seismic risks.

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Response: Compliance with Comprehensive Plan Goal 8.6.1 is described above in findings for Comprehensive Plan Goal 8.6.1 and Statewide Planning Goal 7 in the CPMA42024-00679 section. The proposed risk map, which is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide.

Proposed Beaverton Development Code Section 60.15.08. Cooper Mountain Landslide Hazard Risk. will require geotechnical review for land divisions in mapped area to ensure any risks are mitigated.

Goal 8.7.1: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Response: There is no identified floodplain in the Cooper Mountain area. The proposed amendments do not include changes to the city's existing floodplain regulations. If at any time floodplain is identified by FEMA, those areas will be managed through Beaverton Development Code section 60.10 Floodplain Regulations.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 8: Environmental Quality and Safety Element. This criterion is met.

Comprehensive Plan Chapter 9: Economy Element

Goal 9.1.1: Maximize efficient use of the city's employment land

Policy f) Develop strategies to maximize employment within targeted planning areas, including the city's major employment areas, commercial corridors, and neighborhood business districts

Response: Compliance with Comprehensive Plan Policy 9.1.1.f) is described above in findings for OAR 660-009-0020 (Industrial and Other Employment Development Policies) in the CPMA42024-00679 section, which describes how the Community Plan polices, Land Use Map, and Zoning Map together work to maximize commercial uses and employment opportunities within targeted planning areas, including two commercial centers and portions of the CM-RM zoning district that allow small-scale commercial uses if near parks, neighborhood routes, and land zoned CM-MR; and are incorporated here by reference.

In addition, Section 20.22.30 (CM-CS Commercial Requirements) requires a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site's size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional. The zone also would allow residential uses and other uses.

Policy h) Encourage home-based businesses that have minimal impacts on neighborhoods

Response: The proposed amendments allow home occupations in all Cooper Mountain zoning districts. In addition, each CM-CS zoning district is bordered by lots with CM-RM zoning. TA42024-00680 indicates that the CM-RM zoning district allows small-scale commercial uses if near parks, neighborhood routes, and land zoned CM-MR. Section 20.22.35 (CM-RM Small-scale Commercial) regulates allowed uses, site development standards, limitations on permitted uses and outdoor activities, and some other additional standards relating to small-scale commercial uses. These small-scale

commercial uses can be home-based businesses, but they can also be standalone commercial uses on a lot.

Goal 9.2.1: Provide Programs and Services that Support Existing Businesses and Attract New Businesses

Policy d) Encourage a mix of uses and amenities that are attractive to workers

Response: Compliance with Comprehensive Plan Policy 9.2.1.d) is described above in findings for Comprehensive Plan Policy 3.6.1.a-d) in the CPMA42024-00679 section, which describe how a mix of commercial and residential uses at relatively high densities, combined with pedestrian-oriented design, can create vibrant, walkable areas that are attractive to workers; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 9: Economy Element. This criterion is met.

Comprehensive Plan Chapter 10: Community Health Element

Goal 10.1: Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods.

Policy a) Support affordable and sustainable local food systems, food hubs and fresh food retailers to increase access to healthy food throughout the city.

Policy b) Reduce barriers to siting and support of community gardens on private property, vacant public property, and unused rights-of-ways and increase access to fresh, local agricultural products.

Response: TA42024-00679 proposes amendments that allow community gardens as a permitted use on private property. Sections 60.05.25 (Landscape, Open Space, and Natural Areas Design Standards) and 60.05.45 (Landscape, Open Space and Natural Areas Design Guidelines) include existing code and proposed amendments that address requirements for Community Gardens (or how they can be applied towards requirements in other code sections). Chapter 40 (Applications) already include information on when Community Gardens might require an application.

The proposed amendments also allow commercial uses in two Cooper Mountain zoning districts (CM-CS and CM-HDR) and small-scale commercial uses, which includes eating and drinking establishments, within the CM-MR zoning district.

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community.

Policy a) Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Policy b) Enhance accessibility and safety to key destinations such as schools, libraries and retail centers for pedestrians, bicyclists and public transit riders.

Policy c) Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel.

Response: Staff findings related to recreation and physical activity are described in the findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section, which describe the existing parks and recreational facilities in the plan area and the plans to expand opportunities for recreation and physical activity. The proposed approach includes the creation of a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. Findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

The proposed amendments address public park facilities with a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code text amendment, along with some of the Development Code standards regarding parks/open space. If a Parks Overlay geography is shown on a property, required open space is required to be provided within the overlay first. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District.

In addition, staff findings related to bicycle, pedestrian, and transit access and safety features are described in findings for Statewide Planning Goal 12 and OAR 660-012-0060. Those findings include descriptions of the transportation network, including paths and trails and safety improvements that will connect residents to neighborhoods and destinations through multiple modes of travel. The findings for Statewide Planning Goal 12 and OAR 660-012-0060 are incorporated here by reference.

Goal 10.3: Improve the quality of the built and natural environments.

Policy a) Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation (e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.

Response: Compliance with Comprehensive Plan Policy 10.3.a) is described above in findings for Comprehensive Plan Policy 3.1.1.a-d) in the CPMA42024-00679 section, which describe how the proposed land use patterns, development requirements and

transportation improvements will result in Complete Streets that prioritize multi-modal transportation options, as well as pedestrian and bicycle safety; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings with Comprehensive Plan Policy 6.2.4, which describe how the Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations through connectivity standards and proposed zoning that includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. The same elements of the proposed amendments that address providing for multi-purpose trips also apply to making Cooper Mountain transit-ready. Staff findings for Comprehensive Plan Policy 6.2.4 are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings for Comprehensive Plan Policy 3.6.1.a-d) in the CPMA42024-00679 section, which describe how a mix of residential and commercial uses at relatively high densities, combined with pedestrian-oriented design, come together to make complete neighborhoods; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 10: Community Health Element. This criterion is met.

OTHER APPLICABLE APPROVAL CRITERIA

Section 40.85.15.1.C.4 indicates that the proposed text amendment shall be consistent with the City's Comprehensive Plan. In the Comprehensive Plan, Section 1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments indicates that proposed amendments shall be consistent and compatible with relevant Statewide Planning Goals; therefore, compliance with Statewide Planning Goals for text amendments is also provided in this section.

Findings:

The proposed amendments are consistent with relevant Statewide Planning goals and related OARs, as described below.

Statewide Planning Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved

in the on-going land-use planning process. The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues. Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Response: The Beaverton Citizen Involvement Program adopted by Resolution 2229 in 1980 established a formalized public participation program that provides a method by which the Beaverton Committee for Community Involvement (as renamed in Ordinance 4624 signed in 2013) and other community members can communicate their opinions and inquiries about city matters, including the planning process.

The proposed amendment is subject to the public notice requirements of the Comprehensive Plan and the Development Code (Section 50.50). The city's Development Code procedures were based on and have been found consistent with Statewide Planning Goal 1. Approval procedures includes a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance. At the public hearing, the Planning Commission will consider written or oral testimony before making a recommendation to City Council. A record of staff presentations on the Cooper Mountain Community Plan to the Beaverton Committee for Community Involvement is in Exhibit 14, which also includes a record of all other public engagement activities for the project.

Consistent with procedures outlined in the Beaverton Comprehensive Plan and Development Code (Section 50.50), notice of the proposed amendment was sent to all NAC chairs; the Chair of the BCCI; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6 and 7; Washington County's Department of Land Use and Transportation; Metro; and DLCD. Copies of the hearing notice were posted at Beaverton City Hall, the Beaverton City Library, the Beaverton Police Department and published in the newspaper, consistent with noticing requirements. A notice was also posted on the city's website. Mailed notice also was sent to more than 24,000 property owner addresses to notify property owners where the proposed amendments affect allowed land uses. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 1.

Statewide Planning Goal 2 – Land Use Planning

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

Response: Legislative Zoning Map Amendments (that is, the change of zoning designation for a large number of properties as described in Beaverton Development Code Section

40.97) and Text Amendments (that is, Beaverton Development Code updates as described in Section 40.85) require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. 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, the ultimate decision-making authority. Prior to adoption of each amendment, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal.

The proposed Zoning Map Amendment and Text Amendment fit within the established process and framework. The findings contained within this report establish an adequate factual basis for the proposal.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 2.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas & Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Statewide Planning Goal 5 is implemented through OAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5) and OAR 660-023 (Procedures and Requirements for Complying with Goal 5). Responses to the criteria from both OAR 660-016 and OAR 660-023 are included later in these findings for TA42024-00680.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 5.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards

To protect people and property from natural hazards. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Response: Compliance with Statewide Planning Goal 7 is addressed in the findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section. The findings document the areas of natural hazards within the plan area, including landslide, earthquake, and wildfire risk areas. The proposed Development Code protects people and property from hazards through the use of development limitation in certain areas and risk mitigation in others. Landslide, and indirectly seismic, risks are mitigated through the addition of 60.15.08 and 40.45.15 which will require geotechnical review and, if necessary, mitigation at the time of

land division. Wildfire hazard is not high enough to require additional protections and development is limited in these areas through the natural resource overlay thus mitigating risk.

Staff findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section and are incorporated here by reference.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 7.

Statewide Planning Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans...

Response: Compliance with Statewide Planning Goal 8 is addressed previously in findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 section.

The approach includes a Parks Overlay that identifies locations for future parks/open space. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed Development Code amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site. Any additional requirement can be placed elsewhere on the site. Staff findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 are incorporated here by reference.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 8.

Statewide Planning Goal 9 – Economic Development

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

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis). The Economic Opportunities Analysis (EOA) was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. In addition, as part of the Cooper Mountain Community Plan project, the city also completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). CPMA42024-00679 proposes new commercial policies in the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), as well as new policies in Volume I Chapter 3 (Land Use) of the Comprehensive Plan, which are based off the citywide EOA and Cooper Market Analyses.

Proposed amendments in TA42024-00680 and ZMA4204-00681 implement the policies in the Comprehensive Plan. Findings for OAR 660-009 in the CPMA42024-00679 section provide additional information on how they relate to the proposed amendments in TA42024-00680 and ZMA42024-00681.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 9.

Statewide Planning Goal 10 – Housing

To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Response: To implement the Cooper Mountain Community Plan and other Comprehensive Plan updates, TA42024-00680 proposes Development Code changes for the four new Cooper Mountain zoning districts being added to the city’s Zoning Map. Generally, the Development Code changes implement Comprehensive Plan policies by establishing site development standards for the four new zoning districts (such as minimum density); providing more flexibility with site development standards to make it easier to build a

variety of housing types throughout the plan area, which includes many challenging sites with steep terrain and extensive natural resources; establishing standards for housing variety and integration in new developments; and providing incentives for visitable housing, among many other rules. TA42024-00680 proposes the following amendments that help meet housing needs established in the Cooper Mountain BLI (Exhibit 22).

- **Chapter 20 – Land Uses**

- **Section 20.22 Cooper Mountain Zoning Districts**

- **20.22.15 Site Development Standards.** Add a section that includes clear and objective site development standards for CM-CS, CM-HDR, CM-MR, and CM-RM zoning districts, which all allow housing.
 - Minimum density is 34 dwelling units per acre for the CM-CS, CM-HDR and CM-MR zoning districts and 10 units per acre for the CM-RM zoning district.
 - Maximum residential density is not used to limit the size of residential projects. Maximum floor area ratio is used instead. This controls the size of the building rather than the number of homes in the building, which provides flexibility for projects to include a wider variety of unit sizes, including smaller units. This promotes flexibility and could assist with affordability because, all things being equal, smaller homes typically cost less to rent or buy.
 - Maximum building heights are proposed to be higher than in other comparable Beaverton districts to allow additional flexibility for applicants to provide a wider variety of housing types, build taller buildings with smaller footprints to avoid natural resources, and ensure an adequate building height can be achieved on land with steeper slopes.
 - Multi-dwellings with five or six units are proposed to be added to the table because multi-dwellings with those specific number of units are proposed to be allowed in CM-RM.
- **20.22.20 Land Uses.** Add a section that lists allowed (permitted and conditional uses) and prohibited land uses for the CM-CS, CM-HDR, CM-MR, and CM-RM zoning districts.
 - Multi-dwellings with five or six units are proposed to be added to the table because multi-dwellings with those specific number of units are proposed to be allowed in the CM-RM zoning district (this is different compared to similar zoning districts in the rest of the city). In past economic studies associated with Beaverton’s Housing Options Project (2022),

multi-dwellings with five or six units were shown to be more feasible to build compared to multi-dwellings with two to four units. In addition, multi-dwellings with five or six units often have smaller unit sizes, and again, smaller homes typically cost less to rent or buy.

▪ **20.22.40 CM-RM Housing Variety and Integration Requirements.**

Add a section that includes additional housing requirements for the CM-RM zoning district to implement the Cooper Mountain Community Plan’s desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. Housing variety and integration requirements are clear and objective.

- Minimum requirements for housing variety and integration apply when the net acreage of a parent parcel is three acres or larger. At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units.
- In meeting the 30 percent housing variety standard, developments 3 to 15 net acres shall provide dwelling types from at least two of the categories below, and developments larger than 15 net acres shall provide dwelling types from at least three of the categories below.
 - Triplex or Quadplex
 - Duplex or Townhouse
 - Cottage Cluster
 - Multi-dwelling with five or six units
- In meeting the 30 percent housing variety standard, a development may count visitable units that are consistent with Section 60.50.25.17 (which defines visitable units) toward the 30 percent minimum requirement, up to a maximum of five percent of total units. The code describes how single-detached homes, duplexes, townhomes, cottage cluster units, detached triplex units, and detached quadplex units each count towards the 30 percent minimum requirement.
- To meet the housing integration requirements, the code establishes a “Housing Variety Grouping,” which means at least three abutting lots designated for a duplex, triplex, quadplex, townhouse, cottage cluster, or multi-dwelling with five or six

units. The three abutting lots may be designated for any combination of those housing types. Housing Variety Groupings designated to meet this standard shall be separated from each other by least 50 feet as measured by the shortest distance between the perimeter lot lines of the two groupings. In addition, Housing Variety Groupings shall be located such that 75 percent of lots designated for single-detached dwellings and manufactured and mobile homes are within 300 feet of the Housing Variety Groupings within the site or, in the case of multi-phase development, within the boundaries of each phase. The housing integration requirement would provide people with a better chance of finding housing that meets their needs (regarding size and configuration) within each neighborhood and the opportunity to live among people with a variety of housing needs as well.

- This section also includes requirements that allow a property owner to divide their land in a way that doesn't meet minimum density yet, such as allowing a property to be divided and sold for future development, while ensuring that the future development will need to meet minimum density and these housing variety and integration requirements.

- **Chapter 40 – Applications**

- **Section 40.15 Conditional Review (Planned Unit Development, PUD).** The proposed amendments update the application to include references to the new Section 60.36 (Planned Unit Development – Cooper Mountain), which provides a discretionary option for housing development in Cooper Mountain.
- **Section 40.20 Design Review.** The proposed amendments update applications to include references to CM-CS, CM-MR, and CM-RM zoning districts. More information about Design Review applications is described is also in the findings for OAR 660-007-0015 in the TA42024-00680 section. For example, Design Review Three provides a discretionary option for projects within the Cooper Mountain Community Plan area that request to use the Cooper Mountain Development Plan process to develop a site in phases, where the first phase does not meet the clear and objective minimum floor area ratio (FAR) requirements established in Section 20.22.15.
- **Section 40.21 Single-Detached and Middle Housing Design Review.** The proposed amendments update the applications to include references to the CM-RM zoning district, which also covers the development of multi-dwelling structures with five or six units.

- **Chapter 60 – Special Requirements**

- **60.05.15 Building Design and Orientation Standards.** The proposed amendments add clear and objective requirements for building location and orientation along streets in Commercial and Multiple Use zones (Cooper Mountain), ground-floor elevations on commercial and multiple-use buildings (Cooper Mountain), and additional options to meet standards for roof forms, primary building entrances and window coverage (citywide). Guidelines in Section 60.05.35 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** The proposed amendments update clear and objective requirements for the development of single-detached and middle housing that are referenced in Section 40.21. New provisions include standards and guidelines for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines (Cooper Mountain).
- **60.05.65 Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District.** The proposed amendments add a new section that establishes clear and objective standards for the development of five-plexes and six-plexes that are referenced in Section 40.21. These new standards are based on the existing design standards for single-detached homes and middle housing. Guidelines in Section 60.05.65 also provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards.
- **60.36 Planned Unit Development – Cooper Mountain.** The proposed amendments add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. Due to Cooper Mountain’s unique constraints and policy goals, a new PUD approach was needed to provide opportunities for flexibility of code requirements and allow for more holistic development. This PUD option provides a discretionary option to meeting some site development standards in Section 20.22.15 (lot size reductions, setback reductions, building height bonuses and FAR bonuses) and a discretionary option to complying with the clear and objective housing variety and integrations standards in Section 20.22.40. The corresponding application is in Section 40.15 Conditional Use (Planned Unit Development).

Many of the provisions that offer enhanced flexibility are for specific types of housing development, identified as needed development outcomes, to

incentivize or to increase the ease of developing such uses in the Cooper Mountain Community Plan area. Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan.

Need development outcomes include:

- Visitable housing, when at least 30 percent of all proposed single-detached, duplex, or townhome dwellings are visitable consistent with Section 60.50.25.17 of the Development Code.
 - Regulated Affordable Housing at or below 60 percent area median income, when at least 10 percent of all proposed dwellings are regulated affordable units.
 - Regulated Affordable Housing at or below 80 percent area median income, when at least 20 percent of all proposed dwellings are regulated affordable units.
 - Multiple use or multi-dwelling buildings that integrate regulated affordable housing units and non-regulated affordable units within a building consistent with one of the following:
 - At least 5 percent of provided dwellings or a minimum of 4 dwellings, whichever is greater, are regulated affordable units at or below 60 percent area median income; or
 - At least 10 percent of provided dwellings or a minimum of 8 dwellings, whichever is greater, are regulated affordable units at or below 80 percent area median income.
 - At least 25 percent of provided single-detached or middle housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider. The permanent affordability provider shall use a land trust model to ensure affordability for a minimum period of 60 years. A lien shall be recorded for each dwelling prior to or concurrent with recordation of a final plat until the first sale of the dwelling is completed to the permanent affordability provider.
 - Multi-dwelling structures with five or six units in the CM-RM zoning district.
- **60.50.25 Uses Requiring Special Regulation.** The proposed amendments add a new section with clear and object standards that establishes requirements for Visitable Dwellings (Cooper Mountain). Visitable dwellings are those that provide the minimum accessibility features necessary to

accommodate individuals of all ages and abilities when they visit a home including an accessible entrance, bathroom, and living area. These standards would apply to Cooper developments that choose to incorporate visitable dwellings into a project to benefit from flexibility related to housing variety standards (Section 20.22.40) or from select provisions of the new Planned Unit Development – Cooper Mountain (Section 60.36).

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 10.

Statewide Planning Goal 11 – Public Facilities & Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The findings for Statewide Planning Goal 11 are found in the Goal 11 and Oregon Administrative Rule 660-011 Public Facilities Planning in the CPMA42024-00679 section; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 12 – Transportation

OAR 660-012 “implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient, and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development.”

Response: Compliance with Statewide Planning Goal 12 (Transportation) and OAR 660-012 is described above in findings for Statewide Planning Goal 12 (Transportation) and OAR 660-012 in the CPMA42024-00679 section, which describe the project’s approach to providing and encouraging a safe, convenient and economic transportation system; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 13 – Energy Conservation

To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: As described in the CPMA findings for Goal 5, Goal 10, and Goal 12 and the Text Amendment Findings related to Metro UGMFP Title 1 – Housing Capacity, which are incorporated here by reference, the proposed Cooper Mountain Comprehensive Plan policies and the Development Code amendments promote housing variety, efficient use of

land, sufficient open space, and reduced automobile travel/greenhouse gas emissions consistent with development being energy efficient. In addition, existing city Comprehensive Plan goals and policies (specifically Goal 7.5 and its policies) already promote development that results in reduced energy consumption and enables renewable energy.

The implementation section of Goal 13 calls for cities to use lot size; building height, building bulk; density; availability of light, wind, and air; land-use compatibility; and other measures to facilitate energy conservation. The proposed text amendments in Chapter 20 (and specifically in Section 20.22 for Cooper Mountain) and Chapter 60 contain the following measures consistent with Goal 13:

- Permitted, conditionally permitted, and prohibited land uses to ensure compatibility.
- Setbacks and buffer requirements to ensure adequate light, wind, and air for developments.
- Standards for building height and bulk to allow sufficient densities to produce efficient use of land and allow smaller units and attached units that are generally more energy efficient than large, detached units.
- Density requirements and allowances (whether through density or floor-area requirements) that require and/or allow efficient use of land and more dense development.
- Small minimum lot sizes in CM-RM to allow more units and often smaller units on smaller lots, which is more transportation efficient and more energy efficient because the units are closer together and on average smaller if developers take advantage of the smaller minimum lot sizes.

Conclusion: This criterion is met.

Statewide Planning Goal 14 – Urbanization

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

Goal 14 requires urban growth boundaries to be established and expanded based on need consistent with state law. The Metro regional government approved the Cooper Mountain urban growth boundary expansion in 2018 and made Goal 14 findings at the time.

Goal 14 guidelines include:

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of

- the area; (2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
 3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
 4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Response: Metro’s findings addressed Goal 14 topics including the guidelines above at the time of urban growth boundary expansion. The proposed amendments also include goals, policies, and land use regulations that promote housing, natural resource protection, parks/open space, streets, and public facilities. Additional findings related to this Goal are found in the Comprehensive Plan Amendment findings above. The land use regulations encourage the efficient use of land by providing small minimum lot sizes for single-detached and middle housing with the CM-RM zoning district; allowing five-plexes and six-plexes within CM-RM, which goes beyond middle housing requirements in state law; requiring a minimum density of 10 units per acre in CM-RM and 34 units per acre within the other three zones (or minimum floor area ratios for mixed-use development); and not regulating maximum density in CM-RM and allowing dense development in the other zones through generous floor-area ratio requirements. The projected residential capacity is found in Exhibit 22.

Conclusion: This criterion is met.

OAR 660-007 – Metropolitan Housing

660-007-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.**
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local**

government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

- (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);
- (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and
- (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.

(3) Subject to section (1), this rule does not infringe on a local government's prerogative to:

- (a) Set approval standards under which a particular housing type is permitted outright;
- (b) Impose special conditions upon approval of a specific development proposal; or
- (c) Establish approval procedures.

Response: The proposed text amendment includes clear and objective standards in the following ways listed below. Some provisions apply to the Cooper Mountain Community Plan area only and other provisions apply citywide.

- **Chapter 20 – Land Uses**
 - **Section 20.22 Cooper Mountain Zoning Districts**
 - **20.22.15 Site Development Standards.** Add a section that includes clear and objective site development standards for CM-CS, CM-HDR, CM-MR, and CM-RM zoning districts.
 - **20.22.40 CM-RM Housing Variety and Integration Requirements.** Add a section that requires a variety of housing types and integration of those housing types in larger new developments to promote inclusive neighborhoods in the CM-RM zone. Housing variety and integration requirements are clear and objective.
 - **20.22.25 Cooper Mountain Resource Overlay.** Add a section that describes where additional environmental regulations apply within the Resource Overlay. Cross reference clear and objective standards for the Resource Overlay in Section 60.37, and associated Resource Overlay applications in Section 40.70.
 - **20.25.05 Residential Density.** For sites within the CM-RM zoning district, clarify how minimum and maximum residential density is

calculated and how minimum and maximum residential density averaging is allowed based on clear and objective standards.

- **Chapter 40 – Applications**

- **Section 40.15 Conditional Review (Planned Unit Development, PUD).**

Update application to include references to new Section 60.36 (Planned Unit Development – Cooper Mountain), which provides a discretionary option for housing development in Cooper Mountain.

- **Section 40.20 Design Review.** Update applications to include references to CM-CS, CM-MR, and CM-RM zoning districts. There are three applications.

- Design Review Compliance Letter is a Type 1 review process, which means that staff is the decision-making authority. The Design Review One section indicates that approval is based on applicable standards, which are clear and objective. This application might be required for minor design changes and building additions limited in scale.
- Design Review Two is a Type 2 review process, which means that staff is the decision-making authority. For example, new construction of duplexes, triplexes, quadplexes, or townhouses in the MR and CM-MR zones or in any Commercial or Multiple Use zone where such housing types are a Permitted or Conditional Use requires a Design Review Two application. An applicant can meet no more than three applicable design guidelines (Sections 60.05.35 through 60.05.50) and the remaining applicable design standards. Otherwise, the approval criteria for Design Review Two complies with applicable statewide land use planning goals and rules, as well as minimum density established in Section 20.22.15 (unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application – all Type 2 or Type 3 applications).
- Design Review Three is a Type 3 review process, which means that Planning Commission is the decision-making authority. Design Review Three also provides a discretionary pathway if an applicant chooses not to meet some or all the clear and objective standards. An applicant can meet no more than three applicable design guidelines. Otherwise, the approval criteria for Design Review Three complies with applicable statewide land use planning goals and rules, as well as minimum density established in Section 20.22.15 (unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application – all Type 2 or Type 3 applications).

In addition, Design Review three provides a discretionary option for projects within the Cooper Mountain Community Plan area that

request to use the Cooper Mountain Development Plan process to develop a site in phases, where the first phase does not meet the clear and objective minimum floor area ratio (FAR) requirements established in Section 20.22.15 or the CM-CS minimum commercial requirement established in Section 20.22.30.

- **Section 40.21 Single-Detached and Middle Housing Design Review.** Update applications to include references to the CM-RM zoning district, which also covers small-scale commercial uses and the development of multi-dwelling structures with five or six units.

- Single-Detached and Middle Housing Design Review One is a Type 1 review process, which means that staff is the decision-making authority. The Design Review One section indicates that approval is based on applicable standards, which are clear and objective.
- Single-Detached and Middle Housing Design Review Two is a Type 2 review process, which means that staff is the decision-making authority, and Single-Detached and Middle Housing Design Review Three is a Type 3 review process, which means that Planning Commission is the decision-making authority.

Design Review Two and Design Review Three options provide a discretionary pathway if an applicant chooses not to meet some or all the clear and objective standards. Discretion is available through design guidelines in Section 60.05.60. Otherwise, the approval criteria for Design Review Two and Design Review Three comply with applicable statewide land use planning goals and rules, as well as minimum density established in Section 20.22.15 (unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application – all Type 2 or Type 3 applications).

- **40.45. Land Division and Reconfiguration.** Update applications to include references to Cooper Mountain zoning districts where appropriate. Applications include clear and objective and discretionary options. See Background and Summary for more information about proposed changes to Section 40.45.
- **40.70 Resource Overlay.** Add new applications to support Section 20.22.05 and Section 60.37 updates. There are four Resource Overlay applications.
 - Resource Overlay – Development and Resource Overlay – Boundary Correction Type 1 are clear and objective.

- Resource Overlay – Boundary Correction Type 3 and Resource Overlay – Alternative Review are discretionary.
 - **40.91 Tree Applications – Cooper Mountain.** Add new applications to support Chapter 60 updates. There are five tree applications for the Cooper Mountain Community Plan area.
 - Cooper Mountain Tree Removal One and Cooper Mountain Tree Plan One are clear and objective.
 - Cooper Mountain Tree Removal Two, Cooper Mountain Tree Plan Two and Cooper Mountain Tree Plan Three are discretionary.
- **Chapter 60 – Special Requirements**
 - **60.05.15 Building Design and Orientation Standards.** Add clear and objective requirements for building location and orientation along streets in Commercial and Multiple Use zones (Cooper Mountain), ground-floor elevations on commercial and multiple-use buildings (Cooper Mountain), and additional options to meet standards for roof forms, primary building entrances and window coverage (citywide). Guidelines in Section 60.05.35 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
 - **60.05.20 Circulation and Parking Design Standards.** Add clear and objective requirements for connections to the public street system (Cooper Mountain); pedestrian circulation (Cooper Mountain); off-street parking frontages (Cooper Mountain); sidewalks along streets and primary building elevations in Commercial and Multiple Use zones (Cooper Mountain); and screening standards for ground-floor parking (citywide). Update frontage requirements for development in commercial and multiple use districts for consistency with OAR 660-012-0330(4)(a) (citywide). Guidelines in Section 60.05.40 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
 - **60.05.25 Landscape, Open Space, and Natural Areas Design Standards.** Add clear and objective minimum landscaping requirements for various uses and building types (Cooper Mountain) and add open space and landscape buffer requirements for developments subject to Design Review (Cooper Mountain). Update minimum open space landscape requirements for other development types (citywide). Add general landscaping requirements that require plant diversity and irrigation (citywide). Rename Table 60.05-2 for landscape buffer requirements and relocate it to Section 60.05.25.14.H.1 (citywide). Guidelines in Section 60.05.45 provide discretionary options if an

applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.

- **60.05.30 Lighting Design Standards.** Update standards to reduce light and glare within and adjacent to Natural Areas (citywide). Guidelines in Section 60.05.50 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
- **Table 60.05-1 Technical Lighting Standards.** Add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park (Cooper Mountain). Relocate this table to Section 60.05.30 (citywide). Add exemption from lighting requirements for public parks based on hours of operation and proposed park uses (Cooper Mountain). Add special design standards for development within and adjacent to Natural Areas (citywide). Add lighting rules for private alleys (citywide). Corresponding applications are in Section 40.20 Design Review.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** Update clear and objective requirements for the development of single-detached and middle housing that are referenced in Section 40.21. New provisions include rules for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines (Cooper Mountain).
- **60.05.65 Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District.** Add a new section that establishes clear and objective standards for the development of five-plexes and six-plexes that are referenced in Section 40.21. These new standards are based on the existing design standards for single-detached homes and middle housing. Guidelines in Section 60.05.65 also provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards.
- **60.15.08 Cooper Mountain Landslide Hazard Risk.** Add a new section with standards applicable to land division proposals in Cooper Mountain that include land identified as a Landslide Hazard (Cooper Mountain). Corresponding applications are in Section 40.45 Land Division and Reconfiguration.
- **60.30 Off-Street Parking.** Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone (Cooper Mountain). Add parking ratio for minimum required bicycle parking spaces in public parks (citywide).

- **60.36 Planned Unit Development – Cooper Mountain.** Add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. This PUD option provides a discretionary option to meeting some site development standards in Section 20.22.15 (lot size reductions, setback reductions, building height bonuses and FAR bonuses) and a discretionary option to complying with the clear and objective housing variety and integrations standards in Section 20.22.40. The corresponding application is in Section 40.15 Conditional Use (Planned Unit Development).
- **60.37 Resource Overlay.** Add a new section with clear and objective standards that is intended to be substantially compliant with the Metro Title 13 Model Code, which provides the framework for regulating natural resources in the urban growth boundary (Cooper Mountain). Guidelines in Section 60.37 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.70.
- **60.50.25 Uses Requiring Special Regulation.** Add a new section with clear and object standards that establishes requirements for Neighborhood Parks and Community Parks based on THPRD’s 2019 Parks Functional Plan and for Visitable Dwellings (Cooper Mountain).
- **60.55.35 Access Standards.** Add clear and objective private alley standards and vehicular access standards for Neighborhood Routes west of SW 175th Avenue (Cooper Mountain). Add new section that describes clear and objective requirements for private alleys in other developments (citywide).
- **60.61 Trees and Vegetation – Cooper Mountain.** Add clear and objective standards for regulations for trees within the Cooper Mountain Community Plan area during and after the initial site development (Cooper Mountain). Guidelines in Section 60.61 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.91.

Compliance with OAR 660-007-0015 is also described in findings for OAR 660-046-0110(2)(b) and OAR 660-046-0205(3)(b)(E)(iv) in the TA42024-00680 section, which describes how siting and design standards for middle housing, do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay; and are incorporated here by reference.

660-007-0022 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing on or after its first periodic review shall either justify such restriction by an

analysis of housing need according to tenure or otherwise demonstrate that such restrictions comply with ORS 197.303(1)(a) and 197.307(3).

Response: The proposed amendments do not restrict the construction of either rental or owner occupied housing; therefore, this criterion is not applicable.

660-007-0035 Minimum Residential Density Allocation for New Construction

The following standards shall apply to those jurisdictions which provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing:

...

(3) Multnomah County and the cities of Portland, Gresham, Beaverton, Hillsboro, Lake Oswego and Tigard must provide for an overall density of ten or more dwelling units per net buildable acre. These are larger urbanized jurisdictions with regionally coordinated population projections of 50,000 or more for their active planning areas, which encompass or are near major employment centers, and which are situated along regional transportation corridors.

...

Response: Within the Cooper Mountain Community Plan area, the minimum density for the CM-CS, CM-HDR and CM-MR zoning districts is 34 units per acre and the minimum density for the CM-RM district is 10 units per acre. Inside the plan area, developable acreage is 373.7 acres and the housing estimate is 4,469 units, which results in approximately 12 units per buildable acre for the overall plan area. A more detailed analysis is described in the findings for OAR 660-007-0045 in the CPMA42024-00679 section.

Conclusion: The proposed amendments are consistent with OAR 660-007. This criterion is met.

OAR 660-008 – Interpretation of Goal 10 Housing

660-008-0010 Allocation of Buildable Land

(1) The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

(2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the following provisions apply to local governments that are subject to OAR 660-012-0310(2):

- (a) Following the initial designation of climate-friendly areas as required in OAR 660-012-0315, local governments shall maintain climate-friendly area zones with sufficient zoned residential building capacity to contain at least 30 percent of current and projected housing needs. However, the local government shall determine housing capacity within the climate-friendly area for the purpose of meeting identified housing needs as required by Goal 10 and this division in a manner consistent with ORS 197.296(5).
- (b) The local government shall calculate the zoned residential building capacity within climate-friendly areas consistent with the provisions of OAR 660-012-0315(2), or utilizing an alternative methodology as provided in OAR 660-012-0320(10). The local government shall include demonstration of compliance with this requirement in each subsequent Housing Capacity Analysis.
- (c) The local government shall establish land use requirements in climate-friendly areas as provided in OAR 660-012-0320 for any newly designated climate-friendly area concurrent with or prior to the adoption of a Housing Capacity Analysis.

Response: Compliance with OAR 660-008-0010(1) was described above in findings for OAR 660-007-0030 in the CPMA42024-00679, which describes how the city's 2023 HNA examines sufficient buildable lands to satisfy housing needs by type; and also in findings for OAR 660-007-0035 in the TA42024-00680 section, which describes minimum densities in residential areas, are incorporated here by reference. Findings are not provided for OAR 660-008-0010(2) since that does not apply to cities/counties within the Portland Metropolitan Area; therefore, it is not applicable.

660-008-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);

- (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and
- (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.

(3) Subject to section (1), this rule does not infringe on a local government's prerogative to:(a) Set approval standards under which a particular housing type is permitted outright;(b) Impose special conditions upon approval of a specific development proposal; or (c) Establish approval procedures.

Response: Compliance with OAR 660-008-0015 is described above in findings for OAR 660-007-0015, which describes clear and objective standards for the development of needed housing on buildable land; and are incorporated here by reference.

660-008-0040 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing shall include a determination of housing need according to tenure as part of the local housing needs projection.

Response: Compliance with OAR 660-008-0040 is described above in findings for OAR 660-007-0022 in the TA42024-00680 section, which confirms that the city does not restrict the construction of either rental or owner occupied housing; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with OAR 660-008. This criterion is met.

OAR 660-009 – Economic Development

660-009-0010 Application

- (1) This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.
- (2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.

- (3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
- (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030.
- (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.
- (6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis, EOA). The Economic Opportunities Analysis was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The analysis explored the community's economic patterns, potential, strengths, and deficiencies; resulted in policies concerning the economic development opportunities in the community; evaluated the supply of employment sites of suitable sizes and types; and addressed locations and service levels for a variety of industrial and commercial uses. DLCDC acknowledged these updates in 2016. The existing Beaverton Development Code implements the policies in Comprehensive Plan Chapter 9 (Economy Element).

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

- (1) **Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar

site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.

- (2) **Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period...
- (8) **Uses with Special Siting Characteristics.** Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:
 - (a) Identify sites suitable for the proposed use;
 - (b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and
 - (c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

Response: To implement policies described in findings for OAR 006-009-0020, the proposed amendments also update the Beaverton Development Code.

The Market Analyses indicates that the Cooper Mountain plan area could support 30,000 square feet of commercial space (this value was calculated in 2020 before additional analysis was completed, as described in the findings above for OAR 006-009-0015). The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed, significantly more than indicated in the Market Analyses. That includes 25 acres of CM-CS where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of CM-HDR where both commercial and residential are allowed but there is no minimum commercial requirement.

TA42024-00680 proposes the following amendments that support commercial uses:

- **10.25 Classification of Zoning Districts.** Add Cooper Mountain zoning districts to the list of citywide zoning classifications. CM-CS, CM-HDR and CM-RM either require or allow commercial uses in different ways.

- **20.22.10 Cooper Mountain Zoning Districts.** Add purpose statements for new zoning districts in Cooper Mountain.
 - **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.
 - **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing. While this zone does not allow commercial development, it is relevant in this context because commercial uses are allowed in the CM-RM District if they are near CM-MR.
 - **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
- **20.22.15 Site Development Standards.** Add a new section that includes site development standards for the CM-CS, CM-HDR and CM-RM zones.
- **20.22.20 Land Uses.** Add a new section that includes land uses (that is, commercial and other uses) for the CM-CS, CM-HDR and CM-RM zones.
- **20.22.30 CM-CS Commercial Requirements.** Add a section that requires a minimum amount of commercial square footage on properties in the CM-CS zone. Each site shall provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet.
- **20.22.35 CM-RM Small-scale Commercial.** Add a section that allows small-scale commercial uses near parks, CM-MR zones, and streets with the Neighborhood Route classification. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as SW 175th Ave, Tile Flat-Grabhorn, and east-west collector corridors. Most commercial uses within that district are limited to 1,500 square feet within buildings that would be similar in scale to the housing within CM-RM.
- **20.25.10 Floor Area Ratio.** For sites in CM-CS, CM-HDR, and CM-MR with constrained lands, the code allows a higher FAR on the buildable portion of a lot. For

multi-phase developments, the code provides a process that allows applicants to demonstrate how the project can meet minimum FAR at ultimate build out.

- **40 Applications.** Update applications – Design Review, Single-Detached and Middle Housing Design Review and Home Occupations – to address new code sections that cover multi-phase developments and design requirements (including for small-scale commercial uses on lots in the CM-RM zoning district).
- **60.05.15 Building Design and Orientation Standards.** Add requirements for building location and orientation along streets in Commercial and Multiple Use zones. Add requirements for ground-floor elevations on commercial and multiple-use buildings. Guidelines in Section 60.05.35 advance similar desired outcomes.
- **60.05.20 Circulation and Parking Design Standards.** Add requirements for connections to the public street system; pedestrian circulation; off-street parking frontages; and sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. Guidelines in Section 60.05.40 advance similar desired outcomes.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** Updates requirements to include rules for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.
- **60.30 Off-Street Parking.** Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with OAR 660-009.

OAR 660-012 – Transportation Planning

OAR 660-012 “implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient, and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development.”

Response: Compliance with Statewide Planning Goal 12 (Transportation) and OAR 660-012 is described above in findings for Statewide Planning Goal 12 (Transportation) and OAR 660-012 in the CPMA42024-00679 section, which describe the project’s approach to providing and encouraging a safe, convenient and economic transportation system; and are incorporated here by reference.

Conclusion: Therefore, this criterion is met.

OAR 660-016 – Requirements and Application Procedures for Complying with Goal 5

660-016-0010 Develop Program to Achieve the Goal

Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must “develop a program to achieve the Goal.” Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to “resolve” conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan’s overall ability to protect and conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2), and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

- (1) Protect the Resource Site:** Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-016-0000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (2) Allow Conflicting Uses Fully:** Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (3) Limit Conflicting Uses:** Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or

standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. The Tualatin Basin Program outlines the program to protect and conserve riparian habitat and upland habitat resources, identifying whether resource areas should be protected. The proposed amendments do not propose changes to the Tualatin Basin Program.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP Title 13, Section 3.07.1340 above, and are incorporated here by reference.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land.

Proposed Development Code Table 20.22.15 defines a 25-foot minimum setback for rear and side yards abutting the Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of the Section 60.05.25, 60.05.60, or 60.05.65, as applicable to the proposed development. The proposed lighting standards also include provisions to reduce light and glare within and adjacent to Natural Areas and add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park.

660-016-0020 Landowner Acknowledgement

- (1) The development of inventory data, identification of conflicting uses and adoption of implementing measures must, under Statewide Planning Goals 1 and 2, provide opportunities for citizen involvement and agency coordination. In addition, the adoption of regulations or plan provisions carries with it basic legal notice requirements.**
- (2) As the Goal 5 process progresses and more specificity about the nature of resources, identified conflicting uses, ESEE consequences and implementing measures is known,**

notice and involvement of affected parties will become more meaningful. Such notice and landowner involvement, although not identified as a Goal 5 requirement is in the opinion of the Commission, imperative.

Response: The development of the natural resources inventory included community involvement, agency coordination, and landowner notification, as outlined in the findings for Statewide Planning Goal 1 and Statewide Planning Goal 2 and incorporated here by reference. This included specific mail and email communication with property owners– as well as opportunities for interested parties to participate in open-house information sessions and Planning Commission work sessions – regarding the Cooper Mountain Community Plan (including the Natural Resources Report); Resource Overlay mapping and approach; and the proposed amendments to the Comprehensive Plan, Development Code, and Zoning Map.

Conclusion: The requirements of OAR 660-016 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of Goal 5 resource. This criterion is met.

OAR 660-018 – Post-Acknowledgement Amendments

660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department’s Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.
- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:
 - (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;
 - (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;

- (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
- (3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.
- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:
- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.
- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been “submitted” on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Response: Compliance with OAR 660-018-0020 is described above in findings for OAR 660-018-0020 in the CPMA42024-00679 section, which describes how the city submitted notice of the proposed changes to DCLD; and are incorporated here by reference.

660-018-0040 Submittal of Adopted Change

- (1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation it shall submit the decision to the department, with the appropriate notice forms provided by the department, within 20 days.**
- (2) For purposes of the 20-day requirement under section (1) of this rule, the proposed change is considered submitted to the department:**
 - (a) On the day the applicable notice forms and other required documents are received by the department in its Salem office, if hand-delivered or submitted by electronic mail or similar electronic method, or**
 - (b) On the date of mailing if the local government mails the forms and documents.**
- (3) The submission to the department must be in a format acceptable to the department and include all of the following materials:**
 - (a) A copy of final decision;**
 - (b) The findings and the text of the change to the comprehensive plan or land use regulation;**
 - (c) If a comprehensive plan map or zoning map is created or altered by the proposed change:**
 - (A) A map showing the area changed and applicable designations; and**
 - (B) Electronic files containing geospatial data showing the area changed, as specified in section (5) of this rule, if applicable.**
 - (d) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under OAR 660-018-0020 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and**
 - (e) A statement by the individual transmitting the decision identifying the date of the decision and the date the submission was mailed to the department.**
- (4) Where amendments or new land use regulations, including supplementary materials, exceed 100 pages, a summary of the amendment briefly describing its purpose and requirements shall be included with the submittal to the director.**
- (5) For local governments that produce geospatial data describing an urban growth boundary (UGB) or urban or rural reserve that is created or altered as part of an adopted change to a comprehensive plan or land use regulation, the submission must include electronic geospatial data depicting the boundary change. Local governments that create or alter other zoning or comprehensive plan maps as geospatial data are encouraged but not required to share this data with the department. Geospatial data**

submitted to the department must comply with the following standards endorsed by the Oregon Geographic Information Council:

- (a) Be in an electronic format compatible with the State's Geographic Information System software standard described in OAR 125-600-7550; and
- (b) Be accompanied by metadata that meets at least the minimum requirements of the federal Content Standard for Digital Geospatial Metadata.

(6) Local government must notify the department of withdrawals or denials of proposals previously sent to the department under requirements of OAR 660-018-0020.

Response: Compliance with OAR 660-018-0040 is described above in findings for OAR 660-018-0040 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCDC after the Beaverton City Council adopts the proposed changes; and are incorporated here by reference.

660-018-0045 Alterations to a Proposed Change

- (1) If, after initially submitting the notice and accompanying materials under OAR 660-018-0020, a proposed change to an acknowledged comprehensive plan or land use regulation is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must, at least 10 days before the final evidentiary hearing on the proposal:
 - (a) Notify the department of the alterations to the proposed change, and
 - (b) Provide a summary of the alterations along with any alterations to the proposed text or map and other materials described in OAR 660-018-0020.

Response: Compliance with OAR 660-018-0045 is described above in findings for OAR 660-018-0045 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCDC if there are any alterations to proposed updates to the Beaverton Comprehensive Plan or Development Code; and are incorporated here by reference.

660-018-0050 Notice to Other Parties of Adopted Changes

- (1) Notice of an adopted change to a comprehensive plan or land use regulation to persons other than the department is governed by ORS 197.615(4) and (5), which require that on the same day the local government submits the decision to the director the local government shall mail or otherwise deliver notice of the decision to persons that:
 - (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and
 - (b) Requested in writing that the local government provide them with notice of the change to the acknowledged comprehensive plan or the land use regulation.

(2) The notice to persons who participated and requested notice as required by section (1) of this rule must clearly describe and state the date of the decision; indicate how and where the materials may be obtained; include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice; list the locations and times at which the public may review the decision and findings; and explain the requirements for appealing the land use decision under ORS 197.830 to 197.845.

Response: Compliance with OAR 660-018-0050 is described above in findings for OAR 660-018-0050 in the CPMA42024-00679 section, which describes how the city intends to comply with notice of decision requirements; and are incorporated here by reference.

Conclusion: Therefore, staff finds the city has provided adequate notice and submitted all required materials consistent with OAR 660-018. This criterion is met.

OAR 660-023 – Procedures and Requirement for Complying with Goal 5

Response: OAR 660, Division 23 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

OAR 660-023-0020 defines the standard Goal 5 process that should be followed for each of the resources listed in OAR 660-023-0090 through 660-023-0230 and also explains the optional “safe harbor” course of action available for some of the listed resources. The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, includes:

- conducting an inventory of significant Goal 5 resources,
- conducting an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use, and
- adopting programs to achieve Goal 5, including comprehensive plan provisions and land use regulations to implement the decisions made through the ESEE analysis.

OAR 660-023-0080, part (3) states the following:

(3) Metro may adopt one or more regional functional plans to address all applicable requirements of Goal 5 and this division for one or more resource categories and to provide time limits for local governments to implement the plan. Such functional plans shall be submitted for acknowledgment under the provisions of ORS 197.251 and 197.274. Upon acknowledgment of Metro’s regional resource functional plan, local governments within Metro’s jurisdiction shall apply the requirements of the functional plan for regional resources rather than the requirements of this division.

In 2005, the Metro Council voted to approve a regional Nature in Neighborhoods program (including Title 13 of the Urban Growth Management Functional Plan (UGMFP), effective date of December 28, 2005) to meet the requirements of Goal 5 for Riparian Corridors and Wildlife Habitat. This means that for regionally significant Riparian Corridors (OAR 660-023-0090) and Wildlife Habitat (OAR 660-023-0110) within Metro's boundary, the City of Beaverton must comply with the Metro UGMFP rather than the standard provisions of the Goal 5 rule.

For natural resources which have not been identified in the UGMFP as regional resources or where the City is proposing regulations that would be more protective of a resource than is required by Title 13, the city has developed an ESEE consistent with the requirements of OAR 660-023-0030 through 660-023-0050. The ESEE decisions and resulting program for each resource in OAR 660-023-0090 through 660-023-0230 are outlined in the findings for OAR 660-023 in the CPMA42024-00679 section.

The Cooper Mountain Community Plan, Natural Resources Report, dated August 2024 (Exhibit 1, Appendix B) includes an updated inventory and determination of significance for Goal 5 resources. Based on the inventory of Goal 5 resources, requirements of the UGMFP, and the results of the ESEE analysis, the proposed Development Code Section 60.37 defines a Resource Overlay that contains Goal 5 riparian corridors, wetlands, wildlife habitat, and open space. The proposed Development Code Section 60.37 Resource Overlay provides clear and objective rules to regulate development within the Resource Overlay, which includes wetlands, waters, Riparian Class I and II, and Upland Class A and B Habitat areas. The proposed Development Code includes the following:

- Previously approved and permitted development is exempt from the standards. Existing uses may remain and continue, including maintenance and repair of existing structures, landscaping, and other existing development. (60.37.25)
- Emergency procedures, agriculture and farming practices, removal of nuisance plants, natural resources enhancements, and small impacts (less than 500 square feet) are allowed within the Resource Overlay. (60.37.25)
- During land division, at least 80 percent of the Resource Overlay on the property will be required to be protected from disturbance and separated into its own lot (also called a tract) where future development will be not allowed. The remaining 20 percent of the overlay on the property can be disturbed for development. Mitigation must be provided for the permanent disturbance area. (60.37.30)
- Development activities within riparian areas must meet the vegetated corridor requirements of CWS. (60.37.35.1.C)
- On properties that are fully or extensively covered with Resource Overlay, the development rules allow up to 6,000 square feet of disturbance area. Mitigation must be provided for the permanent disturbance area. (60.37.40.1)

- Commercial and multi-dwellings are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.2)
- Vegetated stormwater management facilities, linear utilities, up to 6,000 square feet of a non-linear utility facility, and public trails may be constructed in the Resource Overlay. (60.37.40.3 through 6)
- Transportation corridors are allowed within the Resource Overlay. Mitigation must be provided for the permanent disturbance area. (60.37.40.7)
- Public and private parks are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.8)

The proposed Development Code Section 60.37.50, Alternative Review outlines the discretionary process for development within the Resource Overlay. The Alternative Review process is available for applicants that cannot or choose not to follow the standards for land divisions or development within the Resource Overlay. With all development in the Resource Overlay, the applicants must mitigate for impacts by following the mitigation requirements in Section 60.37.45 or provide an alternative mitigation plan that compensates for impacts to ecological functions, in accordance with Section 60.37.50.1.B.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states that the proposed Development Code is substantially compliant with the performance standards in Metro UGMFP Title 13.

In addition, proposed Development Code Section 60.61 includes design standards and guidelines for tree preservation during development and planting to achieve required tree canopy. The tree preservation standards (60.61.15) and guidelines (60.61.25) require development to preserve a minimum percentage of existing trees within the Resource Overlay (which includes both significant riparian and upland habitat areas). The tree canopy standards (60.61.20) require planting to achieve 65 percent canopy coverage within the Resource Overlay. The tree canopy guidelines (60.61.30) allow for lower percentage of canopy coverage within the Resource Overlay if the planting plan protects or restores other ecological functions.

Conclusion: The requirements of OAR 660-023 are met through compliance with Metro's Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro, DSL, and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each

type of natural resource. The outcome was to allow more housing than required by Metro and limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors. The proposed Development Code rules implement the program to protect, allow, or limit conflicting uses for each type of natural resource. This criterion is met.

OAR 660-034 – State and Local Park Planning

660-034-0040 Planning for Local Parks

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

- (a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and**
- (b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.**

Response: The plan area is fully within the boundary of the Tualatin Hills Park & Recreation District service planning area. THPRD’s Comprehensive Plan (2023) includes planning for parks and recreation facilities and services across the plan area. THPRD’s planning documents include the Comprehensive Plan (2023), Parks Functional Plan (2019), Trails Functional Plan (2016), Natural Resources Functional Plan (2014), Athletic Facilities Functional Plan (2016), and Programs Functional Plan (2023). Each plan identifies existing conditions, future conditions, and standards for developing new parks, trails, facilities, and services. The proposed amendments do not propose changes to the existing local park master plans.

The proposed amendments add a Parks Overlay to portions of the plan area that have been identified for future community parks and neighborhood parks and include open space requirements. In addition, the proposed Development Code Section 2.22.20 lists public parks, public dog parks or dog runs, and community gardens as a permitted uses in all proposed Cooper Mountain zoning districts. Public and private recreational facilities are

permitted uses in the CM-CS, and CM-HDR zone and conditional uses in the CM-MR and CM-RM zone.

In addition, the proposed amendments address public park facilities in the following ways:

- Providing a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code text amendment, along with some of the Development Code standards regarding parks/open space.
- Requiring open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres and larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.
- Requiring park amenities for open space within the Parks Overlay. Outside the Parks Overlay, tree planting that would produce a 50 percent tree canopy at maturity is required.
- Including code incentives for open space to be dedicated to THPRD by:
 - Not requiring the park amenities to be built if the land is dedicated to THPRD.
 - Giving 150 percent credit toward open space requirements for open space land dedicated to THPRD.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Conclusion: While this criterion does not require the city to consider develop or amend a parks master plan, the Cooper Mountain Community Plan project overall includes planning for local parks. The proposed amendments add a Parks Overlay and objective land use and siting review criteria, in order to authorize the existing and planned park uses described in the Community Plan. This criterion is met.

OAR 660-046 – Middle Housing in Medium and Large Cities

660-046-0010 Applicability

- (1) A local government that is a **Medium City or Large City** must comply with this division.
- (2) Notwithstanding section (1), a **Medium or Large City** need not comply with this division for:
 - (a) **Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;**
 - (b) **Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and**
 - (c) **Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land’s potential for planned urban development.**

Response: According to OAR 660-046-0020, the City of Beaverton is a large city. As demonstrated in the findings for OAR 660-046-0030 through 660-046-0235, the city complies with all requirements in this division.

- (3) **A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.**
 - (a) **Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.**
 - (A) **Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through OAR 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5:**
 - i. **Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;**

- ii. **Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and**
- iii. **If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.**

Response: TA42024-00680 proposes amendments that allow all middle housing types in Goal 5 areas if they can meet relevant development standards.

TA42024-00680 adds Section 60.37.40 Standards for Specific Development Types to the Beaverton Development Code. Section 60.37 establishes a single set of standards that apply to the development of single-detached, middle housing, and five- and six-unit multi-dwellings in the Resource Overlay. Developments also need to comply with 60.37.30. Standards for Land Divisions and Property Line Adjustments, if relevant, and Section 60.37.35 General Development Standards.

Additional information about Beaverton's Goal 5 program for the Cooper Mountain Community Plan area is described in the findings for OAR 660-016 and 660-023 in the CPMA 42024-00679 section of this staff report.

(B) Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:

- i. **Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and**

- ii. **Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.**

Response: Beaverton has regulations to protect historic resources in Beaverton Development Code Section 40.35 Historic Review and Section 70.20.10.11 Historic Overlay Design. The standards of Section 40.35 will apply to any resources that are identified in the Cooper Mountain area in the future.

- (b) **Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.**

Response: The city’s existing policies and development rules and the existing rules of partner agencies such as Clean Water Services address Goal 6, and the proposed amendments do not include additional limitations. This criterion is not applicable.

- (c) **Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:**

- (A) **Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and**
- (B) **Other hazard areas identified in an adopted comprehensive plan or development code, provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard. Greater risk includes but is not limited to actions or effects such as:**
 - i. **Increasing the number of people exposed to a hazard;**
 - ii. **Increasing risk of damage to property, built, or natural infrastructure; and**
 - iii. **Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.**

Response: TA42024-00680 proposes adding Section 60.15.08. Cooper Mountain Landslide Hazard Risk which requires proposed development sites with land identified as a Landslide Hazard shown on the Landslide Hazard Risk

Map to generally obtain a geological assessment or report depending upon various factors described in Section 60.15.08. Section 60.15.08 does not restrict specific development types but does require mitigation of any additional risk that would otherwise be incurred.

- (d) Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.**

Response: The proposed amendments do not include plans for future industrial uses. ZMA42024-00681 proposes adding the CM-CS and CM-HDR zoning districts to the Zoning Map and TA42024-00680 proposes new rules for these two zoning districts, The CM-CS zoning district requires some commercial square footage, which may provide employment opportunities, and allows residential uses; and the CM-HDR zoning district allows residential and commercial uses. Both CM-CS and CM-HDR zoning districts are intended for multi-dwellings and middle housing.

- (e) Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.**

Response: Compliance with OAR 660-011-0020 is described above in findings for OAR 660-011-0020 in the CPMA42024-00679, which confirms that the proposed comprehensive plan amendments will include updates to the public facilities plan to reflect the future development potential across the plan area; and are incorporated here by reference.

- (4) For the purposes of assisting local jurisdictions in adopting reasonable siting and design standards for Middle Housing, the applicable Model Code adopted in this section will be applied to A Local Government That Has Not Acted to comply with the provisions of ORS 197.758 and this division. For such Medium and Large Cities, the applicable Model Code completely replaces and pre-empts any provisions of those Medium and Large Cities' development codes that conflict with the Model Code.**

Response: To comply with House Bill 2001, Beaverton’s City Council adopted reasonable siting and design standards for middle housing in June 2022 through proposed amendments in TA 2022-0002. Proposed amendments in TA42024-00680 include changes to some siting and design standards for middle housing that address new rules for small-scale commercial uses in the CM-RM zoning district; tree planting and irrigation requirements; open space requirements; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.

660-046-0030 Implementation of Middle Housing Ordinances

(1) Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the local government must submit the proposed amendment to the Department for review and comment pursuant to OAR chapter 660, division 18.

Response: The proposed Development Code text amendment (TA42024-00680) complies with OAR 660-046-0030, which requires the city to allow middle housing in residential districts that allow single-detached homes. Consistent with procedures outlined in the Beaverton Development Code, staff submitted the Post-Acknowledgement Plan Amendment (PAPA) to DLCD on September 6, 2024, more than 35 days before the initial hearing. DLCD acknowledged receiving the PAPA via email on September 6, 2024.

(2) In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:

- (a) Waiving or deferring system development charges;**
- (b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and**
- (c) Assessing a construction tax under ORS 320.192 and ORS 320.195.**

Response: In September 2023, the Beaverton City Council adopted updated Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community, such as increasing the supply and affordability of middle housing.

The Housing Production Report is organized into five categories: Zoning and Code Changes; Reducing Regulatory Impediments; Financial Resources; Tax Exemption and Abatement; and Land, Acquisition, Lease, and Partnerships.

Each category includes strategies (near-term, medium-term and long-term) and action items. The main Housing Production Report focuses on near-term and medium-term strategies only. Appendix E in the Housing Production Report includes longer-term strategies that the city may consider implementing beyond Fiscal Year (FY) 2028.

Below is an overview of methods to increase the supply and affordability of middle housing. More detailed information is provided for the near-term and medium-term categories because these strategies are either in progress or being evaluated for inclusion in city work plans.

- **Near-term strategies (1-2 years)**
 - **1.5. Mixed housing types in urban growth boundary expansion area**
 - This strategy is the intent of the Cooper Mountain Community Plan and the proposed amendments. It will ensure there are mixed housing types in UGB expansion areas through both clear and objective standards and discretionary processes. Requiring some housing variety, rather than just allowing various housing types and leaving the mix entirely up to market forces, ensures a range of housing types will be provided in a given area—including middle housing (plexes, townhomes, and cottage clusters). This can meet the housing needs of a wider variety of people and contribute to the creation of inclusive neighborhoods. The proposed amendments require housing variety in the CM-RM zoning district when the net acreage of the parent parcel is 3 acres or larger and require integration of middle housing within all neighborhoods in that zone.
 - Actions Needed to Implement: Complete and adopt the Cooper Mountain Community Plan; Adopt Development Code and Comprehensive Plan/Zoning map updates.
 - **2.3. Remove minimum off-street vehicle parking requirements**
 - This work was recently completed. Staff updated the Development Code to remove minimum vehicle parking citywide as part of implementation of new state rules on Climate Friendly and Equitable Communities (CFEC). Parking mandates are often cited as a major barrier for market-rate multi-dwelling and regulated affordable housing. Especially beneficial to low to moderate income households.
 - **3.2. Construction Excise Tax (CET)**
 - City staff is currently reviewing with city leadership the logistics and viability of implementing a CET, a one-time tax on construction projects and is a potential funding source for affordable housing. Cities and counties may levy a CET on residential construction for up

to 1 percent of the project's permit value; or on commercial and industrial construction, with no cap on the rate of the CET. The allowed uses for CET funding are defined by state statute and can include support for a variety of housing-related projects and programs. For example, some cities have used CET to pay for gap financing of new affordable development, backfilling System Development Charge waivers, acquisition of properties for affordable housing preservation, and down payment assistance for first-time homebuyers.

- **Medium-term strategies (3-5 years)**

- **1.2. Increase development flexibility and capacity in multi-dwelling and multiple-use districts**

- Beaverton's Multi-Unit Residential (MR) and Multiple Use zones are intended for higher-density apartment and condominium development, yet they include provisions that can limit opportunities for such housing. The following Development Code updates are recommended to address these issues:
 - Consider removing density limitations in the MR and Multiple Use zones.
 - Consider applying FAR limits to control the bulk and intensity of development. This would allow a building with more, smaller units to achieve the same built form as a building with fewer, larger units.
 - Increase FAR limits in some Multiple Use zones.
 - Remove the requirement for Planned Unit Development (PUD) review within the SC-S: Station Community Sunset District.
- These changes could mainly serve moderate to higher income households but could also benefit income-restricted multi-dwelling housing (income level: 80 percent AMI and above).
- Through Beaverton's Designing Walkable Places Project, staff is addressing some of these changes in Development Code updates slated for completion by June 2024. Other potential improvements to the Development Code changes will be re-evaluated after the Designing Walkable Place project is complete.

- **1.3. Facilitate Single Room Occupancy (SRO) housing in more areas**

- SRO housing includes multiple single-room dwelling units for individuals, often with shared kitchens and bathrooms outside the unit. SROs are typically aimed at those earning low or very low incomes.

Micro housing is a related type of housing, which is usually defined as having units under 400 square feet that may or may not share kitchen facilities with other units on the same floor. SROs and micro housing primarily serve lower-income households, including extremely low income; housing insecure or people experiencing homelessness; and seniors. To facilitate development of these lower-cost housing types, the following Development Code updates are recommended:

- Add definitions for SRO and micro housing.
 - Add SROs and micro housing to the land use tables and allow them where multi-dwelling housing is permitted.
 - Consider prorating density calculations so each SRO/micro housing unit counts as a fraction of a typical dwelling unit (e.g., four SRO units count as a single unit).
- In September 2024, City Council adopted changes to the Development Code that included adding a definition of SRO to Chapter 90 and permitting SROs in all residential and commercial zoning districts and most multiple use zoning districts. Other potential improvements to the Development Code changes will be considered in the next year.
- **1.6 Accessible design incentives or mandates**
 - This strategy involves incentives or mandates to increase development of housing that is accessible for seniors and people with disabilities or mobility challenges.
 - Potential incentives could include bonuses for height, density, lot size, or floor area ratio; and tax abatements (see Strategy 4.1).
 - Potential requirements could include
 - Requiring visitability in middle housing development—this would ensure anyone using a wheelchair can visit the subject homes.
 - Requiring housing that receives public funding to provide more accessible units or more accessibility features than required under federal standards.
 - Requiring elevators in some or all multi-story buildings.
 - Proposed amendments in TA42024-00680 include incentives for visitable housing in Section 60.36 (Planned Unit Development - Cooper Mountain and requirements for visitable housing in Section 60.50.25 (Uses Requiring Special Regulation). Other potential

improvements to the Development Code changes will be considered in the next year.

○ **1.7 Encourage housing that serves multigenerational households through incentives and removing code barriers**

- This strategy would encourage various opportunities for multigenerational living by removing barriers in the code and by providing financial or regulatory incentives. The Beaverton HNA reports a growing demand for multigenerational living opportunities, estimating that 17 percent of new households over the next 20 years will be multigenerational. The HNA also notes that, nationwide, communities of color (especially Asian, Black, and Latine) live in multigenerational households at roughly twice the rate as White Americans (24-26 percent vs. 13 percent). The city could encourage multigenerational housing in several ways:

- Height/FAR bonus for multiple bedrooms to help offset the financial impact of providing larger units in a development.
- Financial incentive for multiple bedrooms (e.g., MUPTE tax abatement, see Strategy 4.1).
- Allow an ADU with a townhouse.

- The Evaluation of Housing Strategies and Actions (Appendix E in the Housing Production Report) also considers a longer-term strategy of legalizing alternative housing types on wheels (e.g., tiny homes on wheels). This strategy would involve future Development Code updates and also relates to Strategy 4.1 for MUPTE actions.

○ **4.1 Multiple Unit Property Tax Exemption (MUPTE)**

- MUPTE can be used to incent multi-dwelling or middle housing with particular features or at particular price points by offering qualifying developments a partial property tax exemption for 10 years (or longer, for housing subject to affordability agreements). An in-depth analysis prepared by ECONorthwest (Appendix G in the Housing Production Report) examined the following potential uses of MUPTE in Beaverton:
 - As an incentive for new middle housing or multifamily housing within specific areas of the city that offer particular features that align with specific housing needs that are not being fully met by the market today: Accessible or visitable units; and Family-size or multigenerational units.

- As an incentive for mixed-income development, resulting in a voluntary inclusionary housing program
 - As an incentive to for-profit property owners to rehabilitate and stabilize existing low-cost market-rate housing
 - Actions Needed to Implement: Further evaluate the MUPTE program options listed above; Conduct outreach to stakeholders; Determine desired eligibility criteria; Seek support from overlapping tax districts; Establish the program via resolution or ordinance.
- **Longer term strategies (6+ years)**
 - 2.1. Permit-ready plan sets for middle housing types
 - Permit-ready plan sets can reduce housing development costs by reducing design and permit process times and fees. This strategy would likely lead to more development of middle housing in the city. The cost savings to builders wouldn't necessarily translate to reduced sale prices or rents but would deliver more housing.
 - 2.2. Facilitate and encourage Accessory Dwelling Units
 - Cities have several tools at their disposal to encourage development of ADUs. An in-depth analysis prepared by ECONorthwest examined three of the most common strategies in Oregon and their potential application in Beaverton – offer city SDC exemptions; offer permit-ready plans for ADUs and waive or reduce building permit fees; and/or offer a low-interest loan product.

In addition to strategies outlined in the Housing Production Report, below is additional information on methods to increase the affordability of housing in Beaverton:

- **Property tax exemptions**
 - Beaverton has an existing property tax exemption for affordable housing enabled by ORS 307.540-548. It is for nonprofit housing providers that serve residents earning below 60 percent of the area median income and below 80 percent of the area median income in their second and subsequent years of tenancy. The program is structured to exempt qualifying affordable housing projects from property taxes levied by all governments and special districts that have taxing authority over the property. This results in a cost savings that can be passed on to qualified residents in the form of lower rents. Annual application requests open in December, with Beaverton City Council action the following March.
- **System Development Charge (SDC) waivers**

- Beaverton sets SDC rates for water service within its service area. (Parts of Beaverton are served by the Tualatin Valley Water District, Raleigh Water District and West Slope Water District.) City water SDCs are based on meter size, which means they scale according to the size of development. A supplemental transportation system development charge (TSDC) for the South Cooper Mountain area, which was established to pay for infrastructure to develop that urban growth boundary expansion area, is controlled by the city but it is only for a small part of the city. The city is considering a similar TSDC for the Cooper Mountain area. Other SDCs are determined by other service providers, including:
 - Clean Water Services (CWS) (sewer and stormwater). Beaverton is currently negotiating a new intergovernmental agreement with Clean Water Services, and rates and charges are one of the topics to be addressed. CWS is also waiting for completion of the West Basin master plan to begin a review and update of the District’s SDC methodology and rates. The plan is to start this work in the next year or two. The issues of affordable housing and development type will be factors evaluated as CWS updates the methodology and rates.
 - Tualatin Hills Park & Recreation District (THPRD) (parks, recreation, trails and natural areas). In the last couple of years, THPRD revised its SDC methodology which includes 50 percent reduction for regulated affordable housing restricted at 60 percent Area Median Income (AMI) or below, and 100 percent reduction for regulated affordable units restricted at 30 percent AMI or below.
 - Washington County (transportation through the Traffic Development Tax (TDT), which is not an SDC but instead is a tax approved by Washington County voters. Methodology change requires voter approval.

(3) When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

Response: While this criterion does not require the city to consider whether the amendments significantly affect an existing or planned transportation facility, the Cooper Mountain Community Plan project overall considers transportation needs and improvements to the transportation system. See findings for Statewide Planning Goal 12 Transportation, OAR 660-012, and Metro’s Regional Transportation Functional Plan in the CPMA 42024-00679 section.

660-046-0040 Compliance

- (1) A Medium or Large City may adopt land use regulations or amend its comprehensive plan to comply with ORS 197.758 and the provisions of this division.**

Response: The City Council public hearing to consider proposed amendments in TA42024-00680 (as well as CPMA42024-00679 and ZMA42024-00681) is currently scheduled for December 3, 2024.

In June 2022, City Council adopted amendments in TA2022-0002, CPMA2022-0004 and ZMA2022-0004, which included land use regulations and comprehensive plan map and policy updates, to comply with ORS 197.758 and the provisions of this division.

660-046-0100 through 660-046-0130

The City of Beaverton is classified as a Large City for the purpose of complying with Chapter 660 Division 46 (Middle Housing in Medium and Large Cities). However, OAR 660-046-0205 (Applicability of Middle Housing in Large Cities) indicates that a “Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130;” therefore, findings for OAR 660-046-0100 through OAR 660-046-0130 are below.

660-046-0105 Applicability of Middle Housing in Medium Cities

- (1) A Medium City must allow for the development of a Duplex, including those Duplexes created through conversion of an existing detached single-family dwelling, on each Lot or Parcel zoned for residential use that allows for the development of detached single-family dwellings.**
- (2) OAR 660-046-0105 through OAR 660-046-0130 do not require a Medium City to allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.**

Response: Section 20.22.20 Land Use (Cooper Mountain Zoning Districts) indicates that duplexes are allowed on all lots where single-detached dwellings are allowed in the only Cooper Mountain zone where Division 46 applies, CM-RM.

In June 2022, City Council adopted amendments to Section 20.05 (Residential Land Use Districts) that indicated that duplexes are allowed on all lots where single-detached dwellings are allowed; and amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) that indicated that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling, which makes it easier to build duplexes. Those provisions also will apply in CM-RM.

660-046-0110 Provisions Applicable to Duplexes in Medium Cities

- (1) Medium Cities may regulate Duplexes to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).**

Response: For the Cooper Mountain Community Plan area, the findings for OAR 660-046-0010(3) in TA42024-00680 address generally how single-detached dwellings and middle housing may be subject to compliance with protective measures.

In other parts of the city, Beaverton has already adopted a Local Wetlands Inventory and has identified significant resources in Volume III of the Comprehensive Plan, pursuant to Statewide Planning Goal 5. Duplexes are subject to the same process and review as applicable to other types of development in Significant Natural Resource Areas or jurisdictional wetlands.

(2) Medium Cities may regulate siting and design of Duplexes, provided that the regulations:

- (a) Are clear and objective standards, conditions, or procedures consistent with ORS 197.307; and**
- (b) Do not, individually or cumulatively, discourage the development of Duplexes through unreasonable costs or delay.**

Response: Compliance with OAR 660-046-0110(2) is described above in findings for OAR 660-007-0015, which describes clear and objective standards; OAR 660-046-0120, which describes duplex siting standards; and OAR 660-046-0125, which describes duplex design standards; and are incorporated here by reference.

Regarding the requirement to ensure that siting and design standards do not, individually or cumulatively, discourage the development of duplexes through unreasonable costs or delay, City Council adopted amendments in June 2022 to Section 20.05 (Residential Land Use Districts) that allow duplexes on all lots where single-detached dwellings are allowed; and amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) that indicated that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling, which makes it easier to build duplexes. In addition, Section 40.21.15.1 includes the application Single-Detached and Middle Housing Design Review One, which is a Type 1 procedure that can be processed in a reasonable time frame if the submittal meets all relevant approval criteria.

Furthermore, duplex design standards are based on the state-approved Model Code, which has been demonstrated not to add unreasonable cost or delay. And where design standards deviate from the Model Code, they either provide additional flexibility to make it easier to build duplexes, or they are similarly applied to all single-detached dwellings as well. The same standards will apply to duplexes in CM-RM. Section 20.22 also provides clear and objective standards that do not cause unreasonable cost or delay.

And last, the existing code already provides discretionary applications in Section 40.21 and discretionary guidelines in Section 60.05 (Design Review Design Principles, Standards and Guidelines) if property owners or developers desire more flexibility on the site.

(3) Siting and design standards that create unreasonable cost and delay include any standards applied to Duplex development that are more restrictive than those applicable to detached single-family dwellings in the same zone.

Response: Compliance with OAR 660-046-0110(3) is described above in findings for OAR 660-046-0110(2), which addresses siting and design standards for duplexes, and is incorporated here by reference.

(4) Siting and design standards that do not, individually or cumulatively, discourage the development of Duplexes through unreasonable cost and delay include only the following:

- (a) Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);**
- (b) Permitted uses and approval process provided in OAR 660-046-0115;**
- (c) Siting standards provided in OAR 660-046-0120;**
- (d) Design standards in Medium Cities provided in OAR 660-046-0125;**
- (e) Duplex Conversions provided in OAR 660-046-0130; and**
- (f) Any siting and design standards in the Model Code contained in section OAR 660-046-0010(4)(a).**

Response: Compliance with OAR 660-046-0110(4) is described above in findings for OAR 660-046-0110(1); OAR 660-046-0110(2), and OAR 660-046-0110(3), and are incorporated here by reference.

660-046-0115 Permitted Uses and Approval Process

Medium Cities must apply the same approval process to Duplexes as detached single-family dwellings in the same zone. Pursuant to OAR 660-007-0015, OAR 660-008-0015, and ORS 197.307, Medium Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Duplexes. Nothing in this rule prohibits a Medium City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

Response: Single-Detached dwellings and duplexes are subject to the same approval process in all residential zones. In June 2022, City Council adopted amendments to Section 40.21 (Single-Detached and Middle Housing Design Review), which included three new applications: Single-Detached and Middle Housing Design Review One (a Type 1 review process), Single-Detached and Middle Housing Design Review Two (a Type 2 review process), and Single-Detached and Middle Housing Design Review Three (a Type 3 review process). The same threshold, procedure type, and approval criteria apply to single-detached dwellings and duplexes and will apply in CM-RM.

660-046-0120 Duplex Siting Standards in Medium Cities

The following standards apply to all Duplexes:

- (1) Minimum Lot or Parcel Size: A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.**

Response: Section 20.22.15 (Site Development Standards, Cooper Mountain Zoning Districts) establishes the same minimum lot size for duplexes and single-detached dwellings. In addition, a duplex is allowed on any property zoned to allow single-detached dwellings.

- (2) Density: If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.**

Response: Maximum density is not applicable to duplexes in any of the four Cooper Mountain zoning districts.

- (3) Setbacks: A Medium City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.**

Response: Section 20.22.15 establishes the same setbacks for duplexes and single-detached dwellings in CM-RM. However, if a duplex has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots. In this case, duplexes benefit from lower setbacks than required for single-detached dwellings.

- (4) Height: A Medium City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone.**

Response: Section 20.22.15 establishes the same maximum height standards for duplexes and single-detached dwellings in CM-RM.

- (5) Parking:**

- (a) A Medium City may not require more than a total of two off-street parking spaces for a Duplex.**
- (b) Nothing in this section precludes a Medium City from allowing on-street parking credits to satisfy off-street parking requirements.**

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

- (6) Lot Coverage and Floor Area Ratio: Medium Cities are not required to apply lot coverage or floor area ratio standards to new Duplexes. However, if the Medium City**

chooses to apply lot coverage or floor area ratio standards, it may not establish a cumulative lot coverage or floor area ratio for a Duplex that is less than established for detached single-family dwelling in the same zone.

Response: Section 20.22.15 allows duplexes to have a slightly higher maximum floor area than single-detached dwellings to improve feasibility and promote reasonably sized units. These floor area maximums support buildings that can be a variety of sizes, small enough to support one- or two-person households, such as older adults that would like to age in their community, and large enough to accommodate family-friendly homes and multigenerational living.

(7) A Medium City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Duplexes.

Response: In June 2022, City Council adopted amendments through TA2022-0002 that indicated that single-detached dwellings and duplexes are subject to the same public work standards, including exceptions. Those provisions will apply to duplexes in Cooper Mountain as well.

660-046-0125 Duplex Design Standards in Medium Cities

(1) Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.

Response: Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) applies the same design standards and guidelines to single-detached dwellings and duplexes and will apply in CM-RM.

(2) A Medium City may not apply design standards to Duplexes created as provided in OAR 660-046-0130.

Response: In June 2022, City Council adopted amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) through TA2022-0002 that indicated Design Review is not required for the creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. That section applies to CM-RM.

660-046-0130 Duplex Conversions

Conversion of an existing detached single-family dwelling to a Duplex is allowed, pursuant to OAR 660-046-0105(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards in the Medium City's development code, unless increasing nonconformance is otherwise allowed by the Medium City.

Response: In June 2022, City Council adopted amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) through TA2022-0002 that indicated Design Review is not required for the creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. Those provisions apply to duplexes in CM-RM as well.

660-046-0205 Applicability of Middle Housing in Large Cities

(1) A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.

Response: Compliance with OAR 660-046-0205(1) was described above in findings for OAR 660-046-0100 through OAR 660-046-0130, which described duplex requirements for Medium Cities, and is incorporated here by reference.

(2) A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:

- (a) Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);**
- (b) Master Planned Communities: Large Cities may regulate the development of Middle Housing in Master Planned Communities as follows...**
- (c) Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.**

Response: In the proposed amendment, Section 20.22.05 (Residential Land Use Districts) indicates that the CM-RM zoning district is the only zone that allows the construction of new single-detached dwellings. In CM-RM, triplexes, quadplexes, townhouses and cottage clusters are allowed.

In addition, Section 40.21 (Single-Detached and Middle Housing Design Review) already indicates that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling.

In the Cooper Mountain Community Plan area, rules that apply to proposed development in goal-protected lands is described above in the findings for 660-046-0010(3) in the TA42024-00680 section. In other parts of the city, Beaverton already has adopted a Local Wetlands Inventory and has identified significant resources in Volume III of the Comprehensive Plan, pursuant to Statewide Planning Goal 5. Middle housing is subject to

the same process and review as applicable to other types of development in Significant Natural Resource Areas or jurisdictional wetlands.

(3) A Large City may:

- (a) Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or**
- (b) Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):**
 - (A) Triplexes – Must be allowed on 80 percent of Lots or Parcels;**
 - (B) Quadplexes - Must be allowed on 70 percent of Lots or Parcels;**
 - (C) Townhouses - Must be allowed on 60 percent of Lots or Parcels; and**
 - (D) Cottage Clusters – Must be allowed on 70 percent of Lots or Parcels.**
 - (E) A Middle Housing type is considered “allowed” on a Lot or Parcel when the following criteria are met:**
 - (i) The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;**
 - (ii) The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement**
 - (iii) Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and**
 - (iv) The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).**
 - (F) A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in paragraph (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all Lots or Parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in section (2), within a Large City.**

(G) Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:

- (i) At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR chapter 660, division 18;**
- (ii) At any future Housing Capacity Analysis deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and**
- (iii) With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR chapter 660, division 18, for Large Cities that are not subject to the Housing Capacity Analysis deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.**

Response: In the proposed amendment, triplexes, quadplexes, townhouses, and cottage clusters; including those created through conversion of existing detached single-family dwellings; are allowed in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235. Specifically, Section 20.22.05 (Residential Land Use Districts) indicates that the CM-RM zoning district is the only zone that allows the construction of new single-detached dwellings. In CM-RM, triplexes, quadplexes, townhouses and cottage clusters are allowed.

More importantly, the Cooper Mountain Community Plan area is mostly undeveloped and will likely support approximately 5,000 new homes. Almost all lots in the plan area are 4 acres or greater. Considering that most development will be greenfield development, applicants will have to partition or subdivide lots, which makes it much easier to plan ahead for middle housing and multi-dwellings.

In addition, Section 20.22.40 includes housing variety and integration requirements for all development sites where the net acreage of a parent parcel is 3 acres or more. This will further advance the equitable distribution of middle housing in the CM-RM zoning district.

Regarding the requirement to ensure that siting and design standards do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay, City Council adopted amendments in June 2022 to Section 20.05 (Residential Land Use Districts) that allow middle housing in all zones

where single-detached dwellings are allowed; and amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) that indicate that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling, which makes it easier to build middle housing. In addition, Section 40.21.15.1 includes the application Single-Detached and Middle Housing Design Review One, which is a Type 1 procedure based on clear and objective standards that can be processed in a reasonable time frame if the submittal meets all relevant approval criteria.

Furthermore, middle housing design standards are based on the state-approved Model Code, which has been demonstrated not to add unreasonable cost or delay. And where design standards deviate from the Model Code, they either provide additional flexibility to make it easier to build middle housing; or they are similarly applied to all single-detached dwellings in the case of duplexes, triplexes and quadplexes. The same standards will apply to middle housing in the CM-RM zoning district. Section 20.22 also provides clear and objective standards that do not cause unreasonable cost or delay.

And last, the existing code already provides discretionary applications in Chapter 40 and discretionary guidelines in Chapter 60 if property owners or developers desire more flexibility on the site.

(4) Pursuant to OAR 660-046-0205 through OAR 660-046-0235, the following numerical standards related to Middle Housing types apply:

(a) Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.

Response: Section 20.22 (Cooper Mountain Zoning Districts) indicates duplexes are allowed in all Cooper Mountain Zoning Districts. Accessory dwelling units are also allowed in all Cooper Mountain Zoning Districts but they are only allowed with single-detached homes and are not allowed with duplexes.

(b) Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a Lot or Parcel, including any accessory dwelling units.

Response: The proposed amendments allow more than four dwellings on a lot or parcel. In CM-RM, cottage clusters, which can include up to 16 dwelling units on one lot, and multi-dwellings with five or six units are allowed if the proposed development meets all applicable site development standards.

(c) Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.

Response: In the current Beaverton Development Code, Chapter 90 includes a definition for townhouse that indicates that at least two units must be attached. In addition, Section 60.05.60 in the current code indicates five units can be attached in a townhouse structure in the RMB and RMC zoning districts. The proposed amendment updates Section 60.05.60 to indicate that this requirement also applies to townhouses in the CM-RM zoning district.

(d) Cottage Clusters –

(A) A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.

Response: In the current Beaverton Development Code, Section 60.05.60 already indicates that the minimum number of dwelling units in a cottage cluster is five cottages. This provision applies to Cooper Mountain.

(B) A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.

Response: In the current Beaverton Development Code, Section 60.05.60 already includes a design standard for maximum number of dwellings in a cottage cluster (12-16 units, depending upon the size of the common courtyard). This provision applies to Cooper Mountain.

(5) A Large City may require that applicants for a partition, subdivision, replat, property line adjustment, or planned unit development not meeting the definition of a Master Planned Community specify, for the purpose of public facilities planning, the anticipated development of Middle Housing on Lots or Parcels resulting from the partition, subdivision, replat, property line adjustment, or planned unit development. Should an applicant subsequently submit a proposal for residential development exceeding the planned public facilities as specified in the partition, subdivision, replat, property line adjustment, or planned unit development approval, the city may withhold issuance of building permits until the public facility deficiency is remediated. This subsection does not apply to Middle Housing Land Divisions as provided in ORS 92.031.

Response: The proposed amendments sometimes ask applicants to specify which types of housing they are planning for sites or lots, such as to understand if applicants are meeting housing variety or integration standards in Section 20.22. The city reserves the right to withhold permits if applicants cannot demonstrate that public facilities can be provided.

(6) A Large City may require applicants of Middle Housing to provide the same right-of-way dedications, frontage improvements, and connectivity standards that would apply to detached single-family dwellings on the same Lot or Parcel, including applicable exemptions related to proportionality.

Response: The city's approach to compliance with Section OAR 660-046-0205(6) generally does not rely on provisions within the Beaverton Development Code, and instead, relies on other tools and documents, such as the Beaverton Engineering Development Manual, among other resources. The proposed amendments do not address these standards and provisions, so this criterion is not applicable to these amendments.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

(1) Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).

Response: For the Cooper Mountain Community Plan area, the findings for OAR 660-046-0010(3) in TA42024-00680 address generally how single-detached dwellings and middle housing may be subject to compliance with protective measures.

In other parts of the city, Beaverton has already adopted a Local Wetlands Inventory and has identified significant resources in Volume III of the Comprehensive Plan, pursuant to Statewide Planning Goal 5. Duplexes are subject to the same process and review as applicable to other types of development in Significant Natural Resource Areas or jurisdictional wetlands.

(2) Large Cities may regulate siting and design of Middle Housing, provided that the regulations:

- (a) Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and**
- (b) Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.**

Response: The proposed amendments include clear and objective standards for middle housing in Cooper Mountain zoning districts. In the current Beaverton Development Code, Section 40.21 includes three applications for single-detached dwellings and middle housing. The application Single-Detached and Middle Housing Design Review One (a Type 1 review process) relies on clear and objective standards. Design standards are generally based on the Model Code referenced in OAR 660-046-0010(4)(b). Where they deviate from the Model Code, they are either less restrictive, or they are the same clear and objective design standards that apply to single-detached dwellings. The proposed amendments updates the Applicability section to indicate that Section 40.21 will also apply to proposed developments in the CM-RM zoning district.

Other sections in Chapter 60 may also apply, and if so, they include clear and objective standards. The applications associated with these clear and objective standards are in Section 40.20 (Design Review).

Compliance with OAR 660-046-0210(2)(b) was also described above in findings for OAR 660-046-0205(3)(b)(E)(iv) in the TA42024-00680 section, which describes how siting and design standards for middle housing, do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay; and are incorporated here by reference.

(3) Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:

- (a) Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);**
- (b) Permitted uses and approval processes provided in OAR 660-046-0215;**
- (c) Siting standards provided in OAR 660-046-0220;**
- (d) Design standards in Large Cities provided in OAR 660-046-0225;**
- (e) Middle Housing Conversions provided in OAR 660-046-0230;**
- (f) Alternative siting or design standards provided in OAR 660-046-0235; and**
- (g) Any siting and design standards in the Model Code contained in OAR 660-046-0010(4)(b).**

Response: Compliance with OAR 660-046-0210(3)(a-g) was described in findings for OAR 660-046-0010(3), and in findings for 660-046-0205(3)(b)(E)(iv), OAR 660-046-0215, OAR 660-046-0220, OAR 660-046-0225, OAR 660-046-0230 and OAR 660-046-0235. Design standards based on the Model Code for Large Cities (OAR 660-046-0010(4)(b)) are described in findings for OAR 660-046-0225. Those findings are incorporated here by reference.

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

Response: In the proposed amendment, Section 20.22.05 (Residential Land Use Districts) indicates that the CM-RM zoning district is the only zone that allows the construction of new single-detached dwellings. In CM-RM, all middle housing types (duplexes, triplexes, quadplexes, townhouses and cottage clusters) are allowed.

In the currently approved Beaverton Development Code, single-detached dwellings and middle housing are subject to the same approval process in CM-RM. Section 40.21 includes three applications for single-detached dwellings and middle housing. The applications include Single-Detached and Middle Housing Design Review One (a Type 1 review process), Single-Detached and Middle Housing Design Review Two (a Type 2 review process), and Single-Detached and Middle Housing Design Review Three (a Type 3 review process). The same threshold, procedure type, and approval criteria apply to single-detached dwellings and middle housing. These provisions will apply to Cooper Mountain.

In addition, compliance with OAR 660-046-0215 was described above in findings for OAR 660-007-0015, which described clear and objective approval standards for housing; and are incorporated here by reference.

660-046-0220 Middle Housing Siting Standards in Large Cities

(1) Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.

Response: Compliance with OAR 660-046-0220(1) was described above in findings for OAR 660-046-0100 through OAR 660-046-0130, which described duplex requirements for Medium Cities, and is incorporated here by reference.

(2) The following governs Large Cities' regulation of siting standards related to Triplexes and Quadplexes:

(a) Minimum Lot or Parcel Size:

(A) For Triplexes:

(i) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a single-detached dwelling in the CM-RM zoning district is 3,000 square feet and the minimum lot size for a triplex is 4,000 square feet.

(ii) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Response: In Section 20.22.15 (Site Development Standards), there is no residential zone where the minimum lot size for a single-detached dwelling is greater than 5,000 square feet; therefore, this criterion is not applicable.

(B) For Quadplexes

(i) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a single-detached dwelling in the CM-RM zoning district is 3,000 square feet and the minimum lot size for a quadplex is 4,000 square feet.

(ii) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Response: In Section 20.22.15 (Site Development Standards), there is no residential zone where the minimum lot size for a single-detached dwelling is greater than 7,000 square feet; therefore, this criterion is not applicable.

(C) A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs (A) or (B).

Response: Compliance with OAR 660-046-0220(2)(a)(C) was described above in findings for OAR 660-046-0220(2)(a)(A) and OAR 660-046-0220(2)(a)(B) and is incorporated here by reference.

(b) Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.

Response: Maximum density is not applicable in CM-RM.

(c) Setbacks: A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.

Response: Section 20.22.15 establishes the same setbacks for middle housing and single-detached dwellings in CM-RM. However, if middle housing has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots. In this case, middle housing benefits from lower setbacks than required for single-detached dwellings.

- (d) **Height:** A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.

Response: Section 20.22.15 establishes the same maximum height standards for triplexes, quadplexes and single-detached dwellings in the CM-RM zoning district, which is the only zone that allows the construction of new single-detached dwellings.

(e) **Parking:**

(A) For Triplexes, a Large City may require up to the following off-street parking spaces:

- (i) For Lots or Parcels of less than 3,000 square feet: one space in total;
- (ii) For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and
- (iii) For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.

(B) For Quadplexes, a Large City may require up to the following off-street parking spaces:

- (i) For Lots or Parcels of less than 3,000 square feet: one space in total;
- (ii) For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;
- (iii) For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and
- (iv) For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.

(C) A Large City may allow on-street parking credits to satisfy off-street parking requirements.

(D) A Large City may allow, but may not require, off-street parking to be provided as a garage or carport.

(E) A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.

(F) A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

If proposed developments voluntarily add off-street parking to a site, then the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards are applied to single-detached dwellings and middle housing in the CM-RM zone. These currently approved requirements are in Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing), Section 60.30 (Off-Street Parking), and Section 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements).

- (f) **Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City applies Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.**

Response: Section 20.22.15 (Site Development Standards) indicates that floor area maximums are applied to single-detached dwellings and triplexes and quadplexes in the CM-RM zoning district. In CM-RM, the floor area maximum for triplexes and quadplexes is higher than the floor area maximum for single-detached dwellings to improve feasibility and ensure reasonably sized units for different types of families and households.

- (g) **A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.**

Response: Compliance with OAR 660-046-0220(2)(g) was described above in findings for Statewide Planning Goal 11 (Public Facilities and Services) in the CPMA42024-0069 section, which describe the project's approach to infrastructure in the Cooper Mountain Community Plan area, are incorporated here by reference.

(3) The following governs Large Cities' regulation of siting standards related to Townhouses:

- (a) **Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet, or less.**

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a townhouse project in the CM-RM zoning district is 1,300 square feet. For townhouses in the CM-RM zoning district designed with rear-loaded parking areas, parking areas shared between two or more dwellings, or no off-street parking, the minimum lot size shall be 1,000 square feet. The proposed amendment does not include separate minimum lot sizes for internal, external and corner townhouse lots.

- (b) Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.**

Response: In Section 20.22.15 (Site Development Standards), the minimum lot width for a townhouse in the CM-RM zoning district is 20 feet. For townhouses in the CM-RM zoning district designed with rear-loaded parking areas, parking areas shared between two or more dwellings, or no off-street parking, the minimum lot width shall be 14 feet. For townhouses in the CM-MR zoning district, the minimum lot width is 14 feet.

- (c) Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.**

Response: Maximum density is not applicable the CM-RM zoning district.

- (d) Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.**

Response: Section 20.22.15 (Site Development Standards) indicates that the same setbacks apply to single-detached dwellings and townhouses. The only exception is that townhouses are allowed to have zero-foot side setbacks where townhouse units are attached. In no case are the setbacks for townhouses greater than those for single-detached housing.

- (e) Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction of at least two stories.**

Response: Section 20.22.15 establishes the same maximum height standards for townhouses and single-detached dwellings in the CM-RM zoning district, which is the only zone that allows the construction of new single-detached dwellings.

(f) Parking:

(A) A Large City may not require more than one off-street parking space per Townhouse dwelling unit.

(B) Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.

(C) A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

(g) Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse project greater than that of a single-family detached dwelling.

Response: Section 20.22.15 (Site Development Standards) indicates that floor area maximums do not apply to townhouses in CM-RM zoning district.

(h) A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.

Response: Compliance with OAR 660-046-0220(3)(h) was described above in findings for Statewide Planning Goal 11 (Public Facilities and Services) in the CPMA42024-0069 section, which describe the project's approach to infrastructure in the Cooper Mountain Community Plan area, are incorporated here by reference.

(4) The following governs Large Cities' regulation of siting standards related to Cottage Clusters

(a) Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot or Parcel, the following provisions apply:

(A) If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a cottage cluster is 7,000 square feet in the CM-RM zoning district, which is the only zoning district in Cooper Mountain that allows the construction of new single-detached dwellings.

(B) If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Response: In the CM-RM zoning district, the minimum lot or parcel size for a detached single-family dwelling is 3,000 square feet; therefore, this criterion does not apply.

(b) Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for to Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot width is 20 feet for both single-detached dwellings and cottage clusters in the CM-RM zoning district.

(c) Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.

Response: Maximum density is not applicable in the CM-RM zoning district. The city's definition of Cottage Cluster requires that it have a minimum density of at least four dwelling units per acre. In addition, the minimum density for residential zones is higher than four units per acre.

(d) Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.

Response: In Section 20.22.15 (Site Development Standards), the front and side minimum yard setbacks are the same for a single-detached dwelling and cottage clusters in the CM-RM zoning district. The rear minimum yard setback is 10 feet

for cottage clusters in the CM-RM zoning district, compared to 15 feet for single-detached dwellings. The minimum distance between structures is regulated by applicable building code requirements.

- (e) **Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of less than 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.**

Response: In Beaverton's current Development Code, Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) already includes a design standard for minimum number of dwellings in a cottage cluster (5 units) and a design standard for maximum number of dwellings in a cottage cluster (12-16 units, depending upon the size of the common courtyard). Chapter 90 includes a definition of cottage cluster which indicates that each cottage shall have a maximum building footprint of less than 900 square feet per dwelling unit. These regulations will apply to cottage clusters allowed in the new CM-RM zoning district.

- (f) **Parking:**

(A) **A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.**

(B) **A Large City may allow but may not require off-street parking to be provided as a garage or carport.**

(C) **Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.**

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

- (g) **Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.**

Response: Section 20.22.15 (Site Development Standards) indicates that floor area maximums do not apply to cottage clusters in the CM-RM zoning district.

- (h) **Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.**

Response: Section 40.45.15 (Application for Preliminary Middle Housing Land Division) already provides a pathway for each dwelling unit in a cottage cluster to

be on its own lot. These regulations will apply to cottage clusters allowed in the new CM-RM zoning district.

- (i) **A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.**

Response: Compliance with OAR 660-046-0220(4)(i) was described above in findings for Statewide Planning Goal 11 (Public Facilities and Services) in the CPMA42024-0069 section, which describe the project's approach to infrastructure in the Cooper Mountain Community Plan area, are incorporated here by reference.

660-046-0225 Middle Housing Design Standards in Large Cities

- (1) **A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:**

- (a) **Design standards in the Model Code for Large Cities as provided in OAR 660-046-0010(4)(b);**

Response: Beaverton Development Code Section 60.05.60 (Design Standards and Guidelines for Single-Detached) already includes design standards and guidelines organized into three sections: (1) Single-Detached Dwellings, Duplexes, Triplexes and Quadplexes; (2) Townhouses and (3) Cottage Clusters. Section 60.05.60 currently applies to single-detached dwellings and middle housing in the RMA, RMB and RMC zones, and with this proposed amendment, will also apply to the CM-RM zone.

Design standards are generally based on the Model Code referenced in OAR 660-046-0010(4)(b). Where they deviate from the Model Code, they are either less restrictive, or they are the same clear and objective design standards that apply to single-detached dwellings, as described in the findings above for OAR 660-007-0015.

In Section 60.05.60, no design standard scales by the number of dwelling units or other features that scale with the number of dwelling units.

- (b) **Design standards that are less restrictive than those in the Model Code for Large Cities as provided in OAR 660-046-0010(4)(b);**

Response: Compliance with OAR 660-046-0225(1)(b) was described above in findings for OAR 660-046-0225(1)(a). Those findings, which described design standards for single-detached dwellings and middle housing, are incorporated here by reference.

- (c) **The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or**

Response: Compliance with OAR 660-046-0225(1)(c) was described above in findings for OAR 660-046-0225(1)(a). Those findings, which described design standards for single-detached dwellings and middle housing, are incorporated here by reference.

- (d) **Alternative design standards as provided in OAR 660-046-0235.**

Response: The proposed amendment does not include alternative design standards for single-detached dwellings or middle housing in the CM-RM zoning district.

- (2) **A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.**

Response: Beaverton Development Code Section 40.21 (Single-Detached and Middle Housing Design Review) already indicates that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. This provision will apply in CM-RM.

660-046-0230 Middle Housing Conversions

- (1) **Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in a Large City pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.**

Response: Beaverton's Development Code already allows the addition to, or conversion of, an existing single-detached dwelling into middle housing. Section 20.22.15 (Site Development Standards) allows higher floor area maximum for duplexes, triplexes and quadplexes to make it more feasible to convert a single-detached dwelling into middle housing. Furthermore, Section 40.21 (Single-Detached and Middle Housing Design Review) indicates that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. These provisions will apply in CM-RM.

- (2) **If Middle Housing is created through the addition to, or conversion of, an existing detached single-family dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-**

family dwelling development must allow the granting of the same exceptions to Middle Housing.

Response: Beaverton's Development Code already indicates that the proposed amendment establishes that single-detached dwellings and middle housing are subject to the same public work standards, including exceptions.

(3) An existing detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:

(a) The existing single-family dwelling may be nonconforming with respect to the requirements of the applicable code;

Response: Beaverton Development Code Section 60.05.60 (Design Guidelines and Standards for Cottage Clusters) already includes design standards for cottage clusters that relate to existing structures in a cottage cluster. These standards indicate that the existing single-detached dwelling can (1) be nonconforming, (2) expanded up to a maximum height of 25 feet or a building footprint less than 900 square feet, and (3) count as a unit in the cluster. These provisions will apply in CM-RM.

(b) The existing single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, an existing single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;

Response: Compliance with OAR 660-046-0230(3)(b) was described above in findings for OAR 660-046-0230(3)(a). Those findings, which describe how existing single-detached dwellings can be included in a cottage cluster, are incorporated here by reference.

(c) The existing single-family dwelling shall count as a unit in the Cottage Cluster;

Response: Compliance with OAR 660-046-0230(3)(c) was described above in findings for OAR 660-046-0230(3)(a). Those findings, which describe how existing single-detached dwellings can be included in a cottage cluster, are incorporated here by reference.

(d) The floor area of the existing single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; and

Response: The proposed amendment does not include floor area averages for cottage clusters or cottage cluster projects; therefore, this criterion is not applicable.

(e) A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.

Response: The proposed amendment does not address time limits on the conversion of a single-detached dwelling in a cottage cluster; therefore, this criterion is not applicable.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed if the city can demonstrate that it meets the applicable criteria in this section. Alternative Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements. If a Large City proposes to adopt alternative Siting or Design Standards, the Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing...

Response: The proposed text amendment does not include alternative siting or design standards; therefore, this criterion is not applicable.

Conclusion: The proposed amendments are consistent with OAR 660-046. This criterion is met.

40.85.15.1.C.5 – CONSISTENCY WITH THE CITY’S DEVELOPMENT CODE

Criterion 5. The proposed text amendment is consistent with other provisions within the City's Development Code.

Response:

TA42024-00680 proposes amendments that will affect Beaverton Development Code Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90- Definitions. Most of the amendments implement the goals and policies in the Cooper Mountain Community Plan, which establishes a long-term vision for Cooper Mountain’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection. The existing Beaverton Development Code, which has been found to be compliant with state law, also includes provisions that aim to expand housing variety in neighborhoods, promote a safe and convenient multi-modal transportation network, protect natural resources, and provide parks in neighborhoods. In some cases, existing Beaverton Development Code provisions that apply citywide were updated to facilitate implementation of the Cooper Mountain Community Plan and ensure consistency with proposed Development Code changes associated with Cooper Mountain. Staff has not identified any inconsistencies within the City’s Development Code.

Findings:

Therefore, staff finds the Development Code text amendment is consistent with the city's Development Code.

40.85.15.1.C.6 – CONSISTENCY WITH CITY ORDINANCES

Criterion 6. The proposed amendment is consistent with all applicable City ordinance requirements and regulations.

Response:

Staff has not identified any other applicable city ordinance requirements and regulations that would be affected by the proposed changes.

Findings:

Therefore, staff finds that the text amendment meets the criterion for approval.

40.85.15.1.C.7 – RELATED APPLICATIONS AND DOCUMENTS

Criterion 7. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Response:

Staff have determined that there are no other applications and documents related to the request that will require further city approval.

Findings:

Therefore, staff finds that the text amendment meets the criterion for approval.