



STAFF REPORT

Report Date: September 14, 2022

Project Name: Panzer Comprehensive Plan and Zoning Map Amendments

Application Numbers: CPA2022-0006/ZMA2022-0006

Proposal: The owner of eight parcels at 1065 SW 181st Avenue and 17940 – 18110 W Baseline Road (Tax Lots 3600, 3700, 3702, 3800, 3900, 4000, 4100, and 4200 on Washington County Tax Assessor’s Map 1S106BC) submitted a petition to annex into the City of Beaverton on August 12, 2022. Washington County also consented to annexation of the portions of 179th Avenue, Baseline Road, and Stepping Stone Drive that abut the subject properties (as shown in Exhibits 1 and 2) on August 22, 2022. The City of Beaverton proposes to amend the City Comprehensive Plan Land Use Map and Zoning Map to apply city land use and zoning designations to the subject properties and identified rights of way.

The Washington County-City of Beaverton Urban Planning Area Agreement (UPAA) states in Section V.B that:

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. 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 upon annexation. In addition, the COUNTY shall advise the CITY of adopted policies that apply to the annexed area.

Table 1 in Section 1.5.2 of the Comprehensive Plan was adopted pursuant to UPAA Section V, which requires the city to maintain a list of corresponding county-to-city plan and zone designations where the decision to apply a specific land use designation is made under land use standards that do not require interpretation or the exercise of policy or legal judgment. Comprehensive Plan Section 1.5.2.A states that county land use districts not consistent with Table 1 and associated footnotes shown shall be subject to a Type 3 Discretionary Procedure.

Additionally, Section 10.40.3.B of the Development Code states: “For parcels where Table 1 in Section 1.5.2. of the Comprehensive Plan does not identify a specific City zone and discretion is required, a public hearing shall be held pursuant to Section 40.97.15.4. (Discretionary Annexation Related Zone Change) of this Code.”

The subject properties contain the following Washington County Land Use Districts:

- Transit Oriented Residential District 18-24 units per acre (TO: R18-24)
- Transit Oriented Residential District 24-40 units per acre (TO: R24-40)

Because the county's TO: R18-24 Land Use District is not identified on Table 1 in Section 1.5.2 of the Comprehensive Plan, the assignment of city land use and zoning designations to this portion of the site is subject to a Type 3 Discretionary Procedure for Annexation Related Comprehensive Plan and Zoning Map Amendments. City staff's recommendation is to apply the City's Station Community (SC) land use designation and the Station Community – Multiple Use District (SC-MU) zone to this portion of the site, and the applicable approval criteria for the proposed Discretionary Annexation Related Comprehensive Plan and Zoning Map Amendments are addressed through the findings in this staff report.

Because the county's TO: R24-40 Land Use District is identified on Table 1 in Section 1.5.2 of the Comprehensive Plan, the assignment of city land use and zoning designations to this portion of the site is subject to a Type 1 Non-Discretionary Procedure. The decision-making authority for this Type 1 Procedure is City Council, and the Type 1 part of this application will not be reviewed by Planning Commission at the public hearing on September 21, 2022. Accordingly, the applicable approval criteria for the Non-Discretionary Annexation Related Comprehensive Plan and Zoning Map Amendments on this site will not be addressed in this staff report to Planning Commission but will be addressed in a future staff report to City Council. If the annexation is approved by City Council, the portion of the site in the County's TO: R24-40 Land Use District will be assigned the City's SC land use designation and Station Community – High Density Residential District (SC-HDR) zone.

Proposal Location: 1065 SW 181st Avenue and 17940 – 18110 W Baseline Road. The properties are specifically identified as Tax Lots 3600, 3700, 3702, 3800, 3900, 4000, 4100, and 4200 on Washington County Tax Assessor's Map 1S106BC. The proposal also includes abutting portions of 179th Avenue, Baseline Road, and Stepping Stone Drive, as shown in Exhibits 1 and 2.

Applicant: City of Beaverton

Recommendation: Recommendation of APPROVAL of CPA2022-0006/ZMA2022-0006 to City Council

Hearing Information: September 21, 2022, at 6:30 p.m. in the City Council Chambers, First Floor, Beaverton Building, 12725 SW Millikan Way.

Note: Public Hearings are held remotely and can be viewed at the following link:

<https://beavertonoregon.gov/913/Agendas-Minutes>

Contact Information:

City Staff Representatives: Elena Sasin, Associate Planner
503-278-1482
esasin@beavertonoregon.gov

Lina Smith, Associate Planner
971-313-4244
lsmith@beavertonoregon.gov

Property Owner: Panzer Investment Properties, LLC & GKP Investments, LLC
Attn: Natalie K. Panzer
2840 SW 121st Avenue
Beaverton, OR 97005

Existing Conditions

Zoning: The subject properties contain the following Washington County Land Use Districts:

- Transit Oriented Residential District 18-24 units per acre (TO: R18-24)
- Transit Oriented Residential District 24-40 units per acre (TO: R24-40)

Surrounding Zoning:

- North: Washington County Industrial District and Transit Oriented Business District
- South: Washington County Transit Oriented Residential District 9-12 units per acre and Residential District 4-5 units per acre
- East: Washington County Residential District 5-6 units per acre
- West: Washington County Residential District 4-5 units per acre and Residential District 19-24 units per acre and City of Hillsboro Station Community Commercial and Station Community Residential

Site Conditions: The site is currently occupied by Panzer Nursery, a wholesale nursery, and is developed with multiple buildings, greenhouse structures, and a paved parking lot. The southern portion of the site also contains an existing single detached dwelling with associated parking and landscaping.

Site Size: The eight parcels and identified rights of way total approximately 36.74 acres.

Neighborhood Association Committee: The subject property is not in a NAC but is proposed to be added to the Five Oaks/Triple Creek NAC upon annexation.

Table 1 from Section 1.5.2 of the Comprehensive Plan

Table 1, 1.5.2: Annexation-related plan and zone changes not requiring discretion (Type I CPA/ZMA Applications)

County Land Use District	City Comprehensive Plan Designation	City Zoning District
R-5, Residential 5 units/acre	Lower Density Neighborhoods (LDN)	RMC
R-6, Residential 6 units/acre; R-6 NB, North Bethany District	Lower Density Neighborhoods (LDN)	RMC
R-9, Residential 9 units/acre; R-9 NB, North Bethany District	Lower Density Neighborhoods (LDN)	RMC
R-15, Residential 15 units/acre; R-15 NB, North Bethany District	Lower Density Neighborhoods (LDN)	RMB
R-24, Residential 24 units/acre	Lower Density Neighborhoods (LDN)	RMA
TO: R9-12, Transit Oriented Residential District 9-12 units/acre	Lower Density Neighborhoods (LDN)	RMB
TO: R12-18, Transit Oriented Residential District 12-18 units/acre	Lower Density Neighborhoods (LDN)	RMA
TO:R24-40, Transit Oriented Residential ¹	Station Community (SC)	SC-HDR
TO:R24-40, Transit Oriented Residential ²	Town Center (TC)	TC-HDR
TO:R40-80, Transit Oriented Residential ¹	Station Community (SC)	SC-HDR
TO:R80-120, Transit Oriented Residential ¹	Station Community (SC)	SC-HDR
TO:RC, Transit Oriented Retail Commercial ^{1, 3}	Station Community (SC)	SC-MU
TO:BUS, Transit Oriented Business ²	Town Center (TC)	TC-MU
TO:BUS, Transit Oriented Business ¹	Station Community (SC)	SC-MU
TO:EMP, Transit Oriented Employment ¹	Station Community (SC)	SC-E1

- 1 Applies to property located within a Metro designated Station Community Area
- 2 Applies to property located within a Metro designated Town Center Area
- 3 Unincorporated property zoned TO:RC located within a Metro designated Station Community Area which is entirely within 2,600 linear feet from a light rail transit platform.

Application Information

Table 1: Application Summaries

Application	Application Type	Proposal Summary	Approval Criteria Location
CPA2022-0006	Comprehensive Plan Amendment (Annexation Related Quasi-Judicial)	Apply Station Community Land Use Designation	Comprehensive Plan Chapter 1, Section 1.5.1.B
ZMA2022-0006	Zoning Map Amendment (Discretionary Annexation Related)	Apply Station Community – Multiple Use District (SC-MU) Zone	Development Code Section 40.97.15.4

Table 2: Key Application Dates

Application	Petition Date	Deemed Complete	120-Day	365-Day
CPA2022-0006	August 12, 2022	August 12, 2022	N/A	N/A
ZMA2022-0006	August 12, 2022	August 12, 2022	N/A	N/A

Table of Contents

CPA Analysis and Findings	10
Goal 1: Citizen Involvement Findings	15
Goal 2: Land Use Planning Findings	16
Goal 10: Housing Findings	17
Oregon Administrative Rules – Housing Density and Mix.....	20
ZMA Analysis and Findings.....	21
CONCLUSION & RECOMMENDATION	24

Tables

Table 1 from Section 1.5.2 of the Comprehensive Plan.....	4
Table 2: Application Summaries.....	5
Table 3: Key Application Dates	5
Table 4: Projected Future Need for New Housing Units (2035)	17

Exhibits

Exhibit 1: Proposed Comprehensive Plan Map Amendment	7
Exhibit 2: Proposed Zoning Map Amendment	8
Exhibit 3: Washington County Land Use Districts Map.....	9

Exhibit 1: Proposed Comprehensive Plan Map Amendment

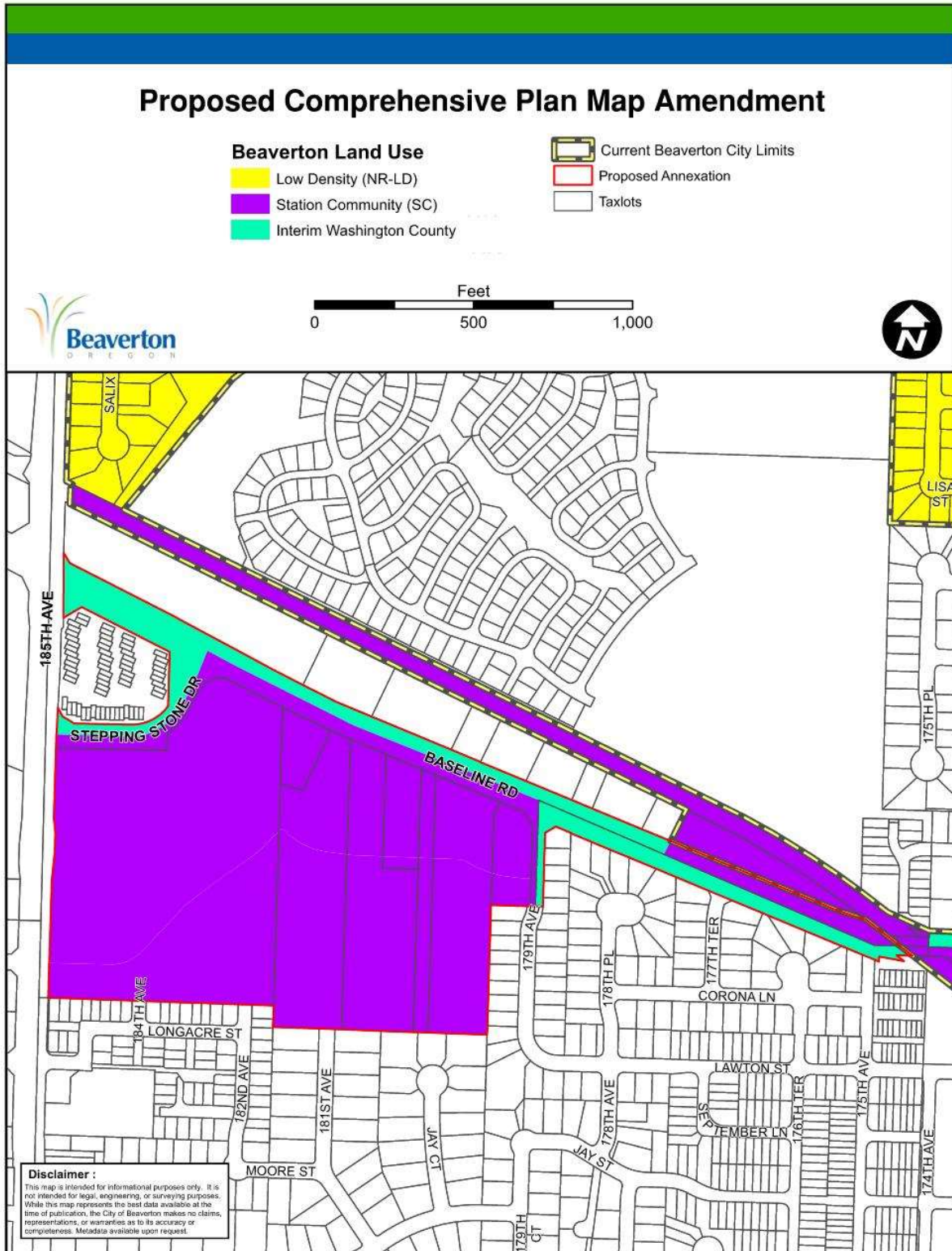


Exhibit 2: Proposed Zoning Map Amendment

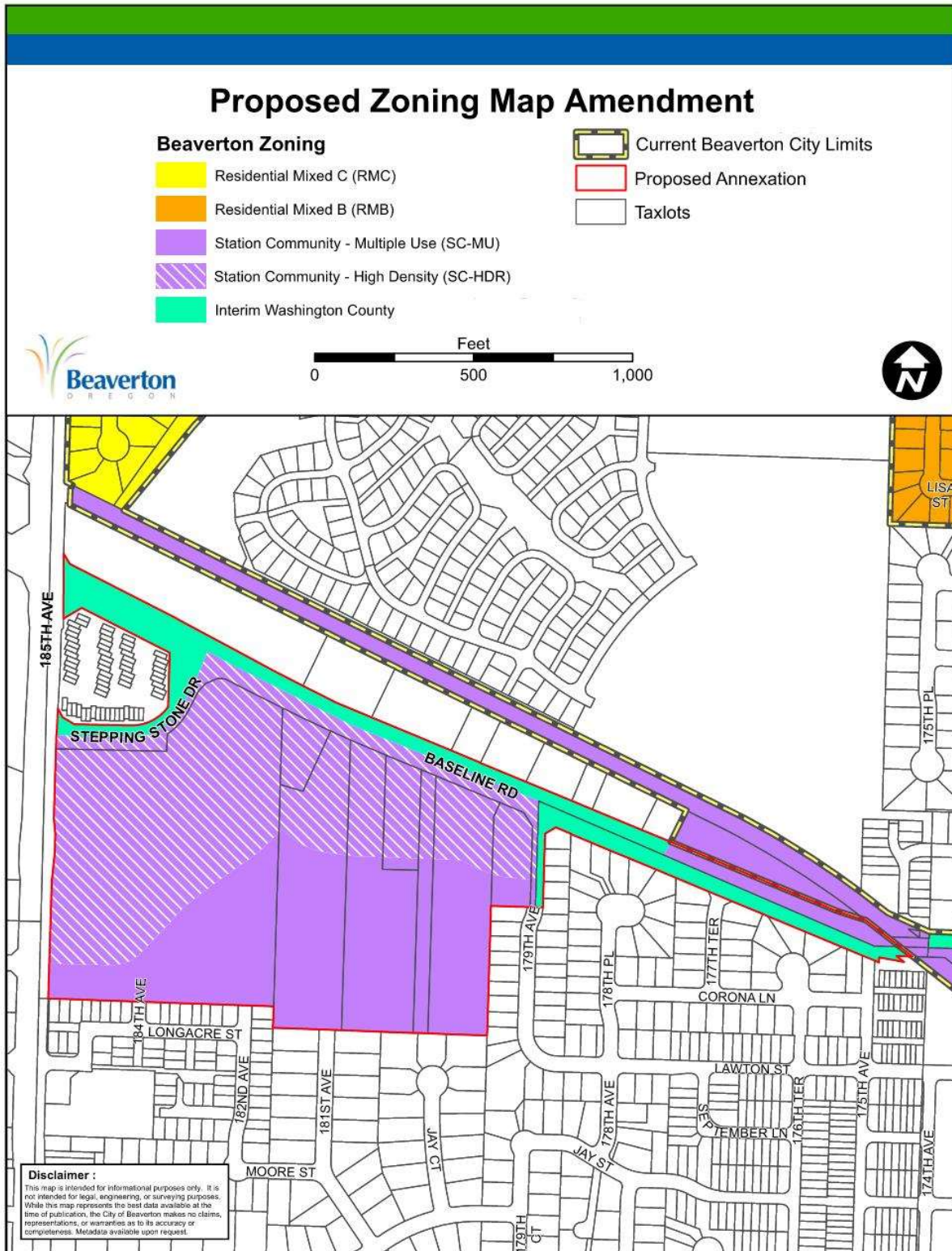
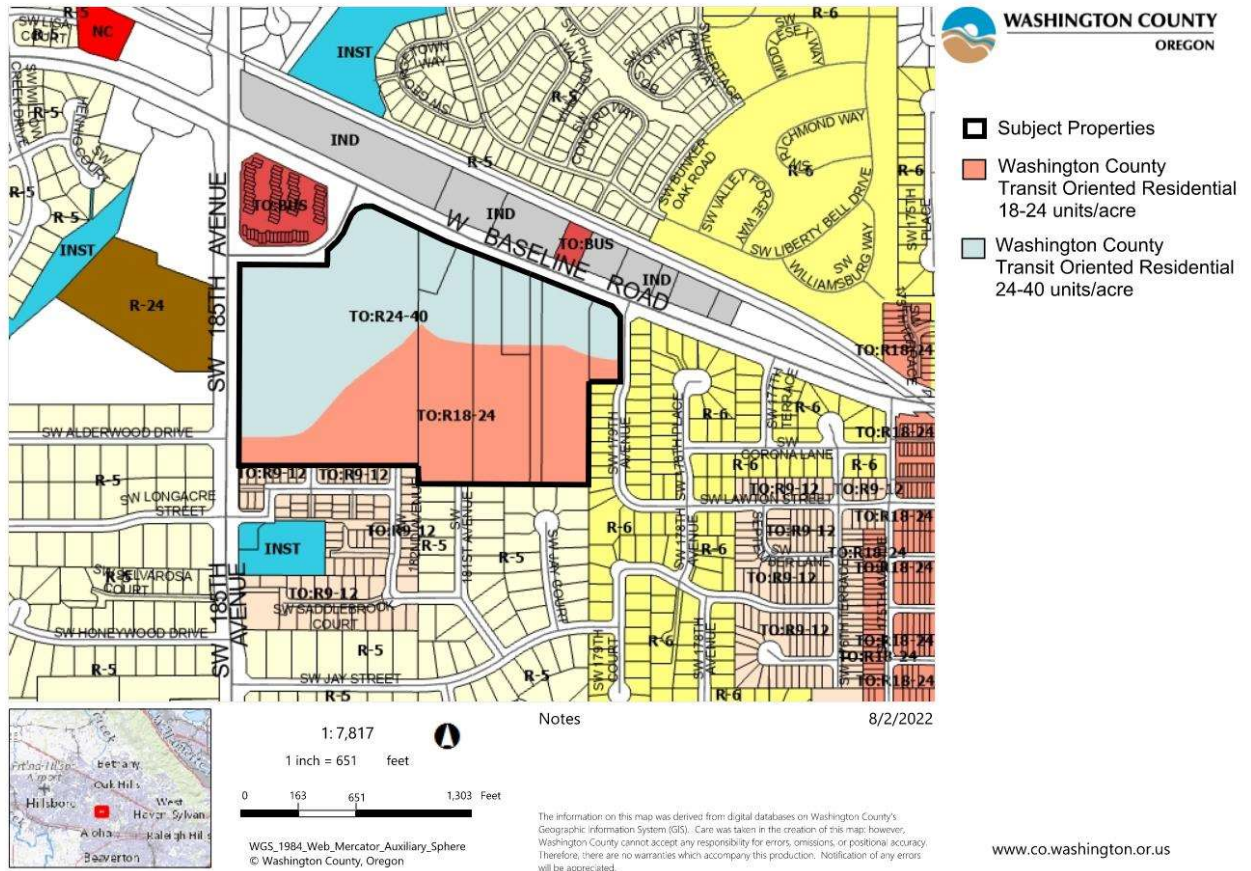


Exhibit 3: Washington County Land Use Districts Map



CPA Analysis and Findings

Section 1.3 Amendment Procedural Categories

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

FINDING:

The subject site is made up of eight parcels at 1065 SW 181st Avenue and 17940 – 18110 W Baseline Road (Tax Lots 3600, 3700, 3702, 3800, 3900, 4000, 4100, and 4200 on Washington County Tax Assessor’s Map 1S106BC). The proposed amendment is to apply the city’s Station Community land use designation to the portion of the site that is currently in Washington County’s TO: R18-24 Land Use District and to portions of 179th Avenue, Baseline Road, and Stepping Stone Drive, as shown in Exhibit 1. Because this amendment applies to specific properties and rights of way, it meets the definition of a Quasi-Judicial Amendment and is subject to the approval criteria in Section 1.5.1.B.

Conclusion: This Comprehensive Plan Amendment is an Annexation Related Quasi-Judicial application and must meet the relevant approval criteria in Section 1.5.1.B.

Section 1.4.2 Notice Requirements: Quasi-Judicial Amendments

A. Notice of the initial hearing shall be provided as follows:

1. By providing the required inter-agency DLCD notice to DLCD, Metro, and Washington County at least thirty-five (35) calendar days prior to the initial hearing;
2. By mailing the required inter-agency DLCD notice to the chair(s) of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Beaverton Committee for Community Involvement at least thirty-five (35) calendar days prior to the initial hearing;
3. By publication of a notice with the information specified in 1.4.2.B.1., 2., 3. and 4. in a newspaper of general circulation within the City;
4. By posting notice with the information specified in 1.4.2.B. at Beaverton City Hall and the Beaverton City Library;
5. By mailing notice with the information specified in 1.4.2.B. to property owners included in the proposed change area, if applicable, and within an area enclosed by lines parallel to and 500 feet from the exterior boundary of the property for which the change is contemplated; and
6. By placing notice with the information specified in 1.4.2.B. on the City’s web site.

Notice required by Oregon Revised Statutes (ORS 227.186, also known as Ballot Measure 56) shall be provided, when applicable. ORS 227.186(6) specifies notice requirements for city-initiated amendments related to Periodic Review.

Hearing notices required by numbers 3 through 6 of this subsection shall be given not less than twenty (20) and not more than forty (40) calendar days prior to the date of the initial hearing.

B. Notice required in subsection 1.4.2.A.4. and 5. shall:

1. State the date, time, and location of the hearing, and the hearings body;
2. Explain the nature of the application and the use or uses, which could be authorized;
3. Include the case file number, title or both of the proposed ordinance to be considered at the time of hearing;
4. List the applicable criteria from the Comprehensive Plan by section number that apply to the application at issue;
5. State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost and include the days, times and location where available for inspection;
6. State that a copy of the staff report will be available for inspection at no cost at least seven (7) calendar days prior to the hearing and will be provided at reasonable cost include the days, times and location where available for inspection;
7. Include the name and phone number of the City staff person assigned to the application from whom additional information may be obtained;
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;
9. Include a general explanation of the requirements for submission of testimony and procedure for conduct of the hearing; and
10. Set forth the street address or other easily understood geographical reference to the subject property and include a map, if applicable.

FINDING:

The required inter-agency notice was submitted to DLCD on August 16, 2022, 36 days prior to the initial hearing on this application. The required inter-agency notice was also mailed to Metro, Washington County, NAC Chairs within 500 feet of the subject site, Citizen Participation Organization Chairs within 500 feet of the subject site, and the Beaverton Committee for Community Involvement Chair at least 35 days prior to the initial hearing. Notice of Public Hearing was mailed to the owner of the subject properties and to property owners within 500 feet of the subject site at least 20 days but not more than 40 days prior to the initial hearing. Notice of Public Hearing was also published in a local newspaper, posted at Beaverton City Hall and the Beaverton City Library, and posted on the city's website at least 20 days but not more than 40 days prior to the initial

hearing. All distributed notices included the required information outlined in Section 1.4.2.B.

- C. If an application is City-initiated and would change the Land Use Plan Map for a property to a designation that would require a rezone, a notice must be sent to the owner pursuant to Oregon Revised Statutes (ORS 227.186(3) also known as Ballot Measure 56).

FINDING:

Because the proposed amendment also includes a rezone of the subject properties, a Measure 56 Notice was mailed to the property owner at least 20 days but not more than 40 days prior to the initial hearing on this application, pursuant to ORS 227.186.

Conclusion: This application satisfies the notice requirements for Quasi-Judicial Amendments, as outlined in Section 1.4.2.

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

- B. The following criteria apply to all annexation-related quasi- judicial Comprehensive Plan Amendments. [ORD 4759 January 2019]
 - 1. In applying the most appropriate Comprehensive Plan designation, the decision-making authority shall use the relevant criteria below.
 - a. If the property is or properties are subject to a Beaverton- approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A. wherein the zoning is specified, the decision-making authority shall apply the specified Comprehensive Plan designation or designations; or
 - b. If the Washington County designation is Institutional, the decision-making authority shall find that the designation is consistent with Beaverton Comprehensive Plan policies in the Land Use Element; or
 - c. If neither Section 1.5.1.B 1. or 2. apply, the decision- making authority shall find that the designation is consistent with one or more of the following criteria in applying a Beaverton Comprehensive Plan designation:
 - i. City Comprehensive Plan policies in the Land Use Element
 - ii. Consistency with the County Land Use Districts.

FINDING:

The subject site is not included in a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A wherein zoning is specified. The subject site does not carry the Washington County Institutional designation. Therefore, the decision-making authority shall find that the designation is consistent with City Comprehensive Plan policies in the Land Use Element or is consistent with the County Land Use Districts.

City Comprehensive Plan policies in the Land Use Element

City staff's findings will focus on the Comprehensive Plan policies in Section 3.6 Mixed Use Areas of the Land Use Element because the subject site is currently in one of Washington County's Transit Oriented Districts (TO: R18-24), which allows for a mix of land uses, and the proposed city land use designation is Station Community, which is considered a mixed use area.

Goal 3.6.4 Station Communities is to encourage development and redevelopment around light rail stations that leverages proximity to light rail as an amenity for urban living/working and supports a variety of transportation modes.

The subject site has direct access to transit and is approximately one-quarter mile from the Willow Creek Transit Center, which is a major transit hub served by several bus lines and the MAX Blue Line light rail service. The MAX Blue Line connects Hillsboro, Beaverton, Portland City Center, East Portland, and Gresham, and connects to the Beaverton Transit Center, which provides further access to Tigard, Tualatin, and Wilsonville via the Westside Express Service (WES) commuter rail line. The subject site is also served by multiple TriMet bus lines including Bus Line 52, which connects to the Portland Community College Rock Creek Campus.

Because the subject site is in close proximity to a light rail station and is well-served by transit, staff finds that applying the Station Community land use designation to the subject site is consistent with the City Comprehensive Plan policies in the Land Use Element.

Consistency with County Land Use Districts

The Station Community land use designation is also consistent with Washington County's TO: R18-24 Land Use District, which is a Transit Oriented District. The Washington County Community Development Code states the intent of the Transit Oriented Districts is to direct and encourage development that is transit supportive and pedestrian oriented in areas within approximately one-half mile of light rail transit stations, within one-quarter mile of existing and planned primary bus routes and in town centers and regional centers. This is consistent with Goal 3.6.4 Station Communities in the Land Use Element, which is to encourage development and redevelopment around light rail stations that leverages proximity to light rail as an amenity for urban living/working and supports a variety of transportation modes.

Because both the Station Community land use designation and the TO: R18-24 Land Use District encourage transit supportive development and redevelopment that is within close proximity to a light rail station and is well served by bus routes and other modes of transportation, staff finds that applying the Station Community land use designation to the subject property is consistent with the county's TO: R18-24 Land Use District.

Conclusion: Applying the Station Community land use designation to the subject property is consistent with the City Comprehensive Plan policies in the Land Use Element and with Washington County's TO: R18-24 Land Use District.

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

Goal 1: Citizen Involvement Findings

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

FINDING:

The proposal is to amend the city's Comprehensive Plan Land Use Map and apply a city land use designation to the portion of the subject site in the county's TO: R18-24 Land Use District. This proposal is subject to the public notice requirements in Section 1.4.2 of the Comprehensive Plan.

At the public hearing, the Planning Commission considers written comments and oral testimony before making a decision. The procedures outlined in Comprehensive Plan Section 1.4.2 allow for proper notice and public comment opportunities on the proposed amendment, as required by Statewide Planning Goal 1.

Beaverton's Comprehensive Plan procedures have been acknowledged as consistent with Statewide Planning Goal 1. These Comprehensive Plan procedures were followed, as described under the CPA Analysis and Findings in this staff report.

Conclusion: For these reasons, staff finds the proposed amendment is consistent with Statewide Planning Goal 1.

Goal 2: Land Use Planning Findings

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

FINDING:

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

The assignment of a city land use designation to the portion of the subject site in the county's TO: R18-24 Land Use District requires a Type 3 Discretionary Procedure. A Type 3 process includes noticing and a comment period prior to an initial public hearing before the Planning Commission. The hearing is open to the public and testimony, if any, will be received. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, which is the ultimate decision-making authority for annexation-related discretionary Comprehensive Plan amendments.

Staff fulfilled all public notice requirements for the proposed amendment, as detailed in Section 1.4.2 of this staff report.

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

Goal 10: Housing Findings

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

FINDING:

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

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

	SF detached	SF attached	Duplex	3 or 4 units	5+ units
Current city limits (2015)	5,767	1,542	295	718	3,866
City limits plus assumed urban service boundary	14,001	2,626	958	2,107	7,999

Source: Beaverton Housing Needs Analysis (part of the city’s Housing Strategies Report) Figure 5.3 and Figure 10.3.

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

The subject site is made up of eight tax lots that total approximately 28.61 acres. The site is currently occupied by Panzer Nursery, a wholesale nursery, and is developed with multiple buildings, greenhouse structures, and a paved parking lot. The southern portion of the site also contains an existing single detached dwelling with associated parking and landscaping. A developer met with city staff on August 31, 2022, during a pre-application conference to discuss the feasibility of redeveloping the site with over 570 new residential units. The proposal includes a mix of housing types, including triplexes, quadplexes, townhouses and multi-dwellings.

Discretionary amendments are amendments to the Comprehensive Plan Land Use Map to add an annexed property, or properties, to the Land Use Map where the county

designation does not have a corresponding city Comprehensive Plan designation and zoning district in Comprehensive Plan Table 1 in Section 1.5.2.

The Washington County-City of Beaverton Urban Planning Area Agreement (UPAA) states in Section V.B that:

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. 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 upon annexation. In addition, the COUNTY shall advise the CITY of adopted policies that apply to the annexed area.

Table 1 in Section 1.5.2 of the Comprehensive Plan was adopted pursuant to UPAA Section V, which requires the city to maintain a list of corresponding county-to-city plan and zone designations where the decision to apply a specific Land Use Map designation is made under land use standards that do not require interpretation or the exercise of policy or legal judgment. Comprehensive Plan Section 1.5.2.A states that county land use districts not consistent with Table 1 and associated footnotes shown shall be subject to a Type 3 discretionary process.

Table 1 does not contain the county's TO: R18-24 Land Use District. Therefore, a discretionary process is required to determine the corresponding city plan and zone designations for the portion of the subject site that is in the TO: R18-24 Land Use District.

For annexation-related quasi-judicial (discretionary) amendments, Comprehensive Plan Section 1.5.1.B requires the decision-making authority to consider the following criteria:

1. In applying the most appropriate Comprehensive Plan designation, the decision-making authority shall use the relevant criteria below.
 - a. If the property is or properties are subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A. wherein the zoning is specified, the decision-making authority shall apply the specified Comprehensive Plan designation or designations; or
 - b. If the Washington County designation is Institutional, the decision-making authority shall find that the designation is consistent with Beaverton Comprehensive Plan policies in the Land Use Element; or

- c. If neither Section 1.5.1.B 1. or 2. apply, the decision-making authority shall find that the designation is consistent with one or more of the following criteria in applying a Beaverton Comprehensive Plan designation:
 - i. City Comprehensive Plan policies in the Land Use Element
 - ii. Consistency with the County Land Use Districts.

The properties are not subject to a Beaverton-approved Community Plan, Neighborhood Plan or Concept Plan. The county designation is not Institutional. Therefore, the decision-making authority must find that the designation is consistent with City Comprehensive Plan policies in the Land Use Element, County Land Use Districts, or both. Both the City's Comprehensive Plan and the County's Land Use Districts have been adopted consistent with Statewide Planning Goals, including the Housing Goal.

The allowed uses in the city Comprehensive Plan designation and zoning district recommended by staff, Station Community and Station Community – Multiple Use District (SC-MU), are similar to those allowed in the county's TO: R18-24 Land Use District, such as triplexes, townhouses and multi-dwellings. Those uses meet the need for attached dwellings and multi-unit dwellings identified in the Housing Needs Analysis as shown in Table 4 above.

Beaverton's SC-MU zone allows for more density in residential-only projects than Washington County's TO: R18-24 Land Use District. The TO: R18-24 Land Use District has a minimum density requirement of 18 units per acre and a maximum density restriction of 24 units per acre. The SC-MU zone has a minimum density requirement of 24 units per acre and no maximum density restriction. Accordingly, applying the SC-MU zone to the subject site will help the city meet its need for future housing units, as identified in Table 4.

Conclusion: For these reasons, staff concludes that applying the Station Community land use designation and the Station Community – Multiple Use District (SC-MU) zone to the subject site is consistent with Goal 10 Housing, because the available buildable lands for residential use will increase and the variety of housing types will be maintained within Beaverton's Assumed Urban Service Area, as identified in the City's Housing Strategies Report, which is the City's state-required housing needs analysis.

Oregon Administrative Rules – Housing Density and Mix

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

FINDING:

Beaverton Housing Strategies Report, in Figure 11.1 on Page 74, shows the capacity for 8,273 attached or multi-family units and 5,033 single-family detached units in the city, which is about 62 percent of units. That far exceeds the 50 percent required.

Additionally, Oregon Administrative Rule 660-007-035 requires the City of Beaverton to provide for an overall density of 10 or more dwelling units per net buildable acre. Beaverton's Housing Strategies Report, in Table 6 on Pages 20-21, lists the net residential acres available at 504 acres within the city. Figure 11.1 on Page 74 of Exhibit C the Housing Strategies Report (Housing Needs Analysis) shows a total capacity of 13,306 units within the city. Dividing the units by the acres available results in 26.4 units per net buildable acre. This far exceeds the 10 units per net buildable acre minimum.

Beaverton's SC-MU zone allows for more density in residential-only projects than Washington County's TO: R18-24 Land Use District. The TO: R18-24 Land Use District has a minimum density requirement of 18 units per acre and a maximum density restriction of 24 units per acre. The SC-MU zone has a minimum density requirement of 24 units per acre and no maximum density restriction. Accordingly, applying the SC-MU zone to the subject site will further contribute to the density requirement in OAR 660-007-035.

Conclusion: For these reasons, staff concludes that applying the Station Community land use designation and the Station Community – Multiple Use District (SC-MU) zone to the subject site is consistent with OAR 660-007-030 and 660-007-035.

ZMA Analysis and Findings

Section 40.97.15.4.C Discretionary Annexation Related Zoning Map Amendment Approval Criteria

To approve a Discretionary Annexation Related Zoning Map Amendment application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Discretionary Annexation Related Zoning Map Amendment application.

FINDING:

Section 10.40.3.B of the Beaverton Development Code states, “For parcels where Table 1 in Section 1.5.2. of the Comprehensive Plan does not identify a specific City zone and discretion is required, a public hearing shall be held pursuant to Section 40.97.15.4. (Discretionary Annexation Related Zone Change) of this Code.” The proposed Zoning Map Amendment is to apply the city’s Station Community – Multiple Use District zone to the portion of the subject site that is in the county’s TO: R18-24 Land Use District, which is not identified in Table 1 in Section 1.5.2. of the Comprehensive Plan. Accordingly, application of a specific city zone to the portion of the subject site that is in the county’s TO: R18-24 Land Use District requires discretion, and this proposal meets the threshold requirements for a Discretionary Annexation Related Zoning Map Amendment application.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

FINDING:

There is no fee associated with a Discretionary Annexation Related Zoning Map Amendment application.

3. In applying the most appropriate zoning, the decision-making authority shall use the relevant criteria below.
 - a. If the property is or properties are subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan wherein the zoning is specified, the decision-making authority shall apply the specified zoning district or districts.
 - b. If the Washington County designation is Institutional, the decision-making authority shall at its discretion consider one or more of the following criteria in applying a Beaverton zoning district:
 - i. Existing or planned use of the property.
 - ii. Zoning allowed in the most appropriate Beaverton Comprehensive Plan designation.

- iii. Zoning on adjacent properties.
- iv. Uses on adjacent properties.
- c. If neither Section 40.97.15.C.3. a. nor b. apply, the decision-making authority shall consider the following criteria:
 - i. City zoning districts allowed by the City Comprehensive Plan designation to be applied to the property or properties.
 - ii. How closely the proposed City zone corresponds to the County designation in allowed uses; minimum and/or maximum density; and/or floor-area ratio minimum and/or maximums.
 - iii. Other relevant County and City zone/designation purpose statements or site development standards as determined by the decision-making body.

FINDING:

The subject site is not subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan wherein zoning is specified. The subject site does not carry the Washington County Institutional designation. Therefore, the decision-making authority shall consider the criteria in Section 40.97.15.4.C.3.c.

Staff proposes to apply the Station Community land use designation to the portion of the subject site that is in the county's TO: R18-24 Land Use District. According to the Comprehensive Plan and Zoning District Matrix found in Chapter 3 of the Comprehensive Plan, the Station Community – Multiple Use District (SC-MU) is one of the zones that implements the Station Community land use designation, and the proposed Zoning Map Amendment is to apply the SC-MU zone to the portion of the subject site that is in the county's TO: R18-24 Land Use District.

The SC-MU zone and TO: R18-24 districts are similar in terms of allowed uses, such as attached dwellings, child care facilities, home occupations, residential care facilities, and certain types of wireless communications facilities.

The purpose statement for the SC-MU zone is outlined in Section 20.20.10.7 and states:

The SC-MU District is generally located within one-half mile of light rail station platforms. Primary Permitted uses include office, retail, and service uses. Multiple use and residential developments are also Permitted with no maximum residential density. Manufacturing and industrial uses are limited. Minimum densities and intensities are required.

The TO: R18-24 Land Use District is one of Washington County's Transit Oriented Districts, and the Washington County Community Development Code states:

The intent of the Transit Oriented Districts is to direct and encourage development that is transit supportive and pedestrian oriented in areas within approximately one-half mile of light rail transit stations, within one-quarter mile of

existing and planned primary bus routes and in town centers and regional centers.

The purpose of the Transit Oriented Districts is to limit development to that which (1) has a sufficient density of employees, residents or users to be supportive of the type of transit provided to the area; (2) generates a relatively high percentage of trips serviceable by transit; (3) contains a complementary mix of land uses; (4) is designed to encourage people to walk; ride a bicycle or use transit for a significant percentage of their trips.

Both the SC-MU zone and the TO: R18-24 Land Use District focus on transit supportive development that is located within one-half mile of a light rail station, and encourage employees, residents, and visitors to walk, ride a bicycle, or utilize other non-vehicular forms of transportation. Accordingly, SC-MU is an appropriate zone for the subject site because it is well-served by transit. The subject site has direct access to transit and is approximately one-quarter mile from the Willow Creek Transit Center, which is a major transit hub served by several bus lines and the MAX Blue Line light rail service. The MAX Blue Line connects Hillsboro, Beaverton, Portland City Center, East Portland, and Gresham, and connects to the Beaverton Transit Center, which provides further access to Tigard, Tualatin, and Wilsonville via the Westside Express Service (WES) commuter rail line. The subject site is also served by multiple TriMet bus lines including Bus Line 52, which connects to the Portland Community College Rock Creek Campus.

The TO:R18-24 is a zone that allows between 18 and 24 units per acre. The SC-MU zone has a minimum residential density of 24 units per acre. There is no standard floor area ratio requirement in the TO:R18-24 zone.

For these reasons, staff finds SC-MU is the most appropriate zone for the subject site.

4. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

FINDING:

The Zoning Map Amendment application is being reviewed concurrently with the Comprehensive Plan Map Amendment application and separate annexation petition. The request will not require additional applications or documents.

Conclusion: This application meets all applicable approval criteria for a Discretionary Annexation Related Zoning Map Amendment.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff concludes that amending the Comprehensive Plan Land Use Map to apply the Station Community land use designation and amending the Zoning Map to apply the Station Community – Multiple Use District (SC-MU) zone is appropriate for the subject site. Therefore, staff recommends that Planning Commission approve the proposed Comprehensive Plan and Zoning Map Amendments.