



Staff Report
Annexation Related Comprehensive Plan and Zoning Map
Amendments for 2785 SW Roxbury Avenue
City Council

1st Reading:	January 8, 2019
2nd Reading:	January 15, 2019
Date of Report:	December 28, 2019

Application No. CPA2018-0006/ZMA2018-0006

Project Name: 2785 SW Roxbury Annexation Related Land Use Map and zoning Map Amendments

Request/Summary: Apply the city's Urban Standard Density (R7) zoning designation and the city's Standard Density Neighborhood (NR-SD) land use designation to the subject land parcel.

Location: 2785 SW Roxbury Avenue. The subject parcel is located at the northwest corner of SW Roxbury Avenue and SW Walker Road.

Map and Tax Lot: 1S110AC01200

Applicant: City of Beaverton

Total Area: Approximately 1.72 acres

Review Criteria: Comprehensive Plan Section 1.5.2 and the Development Code Section 40.97.15.3.C

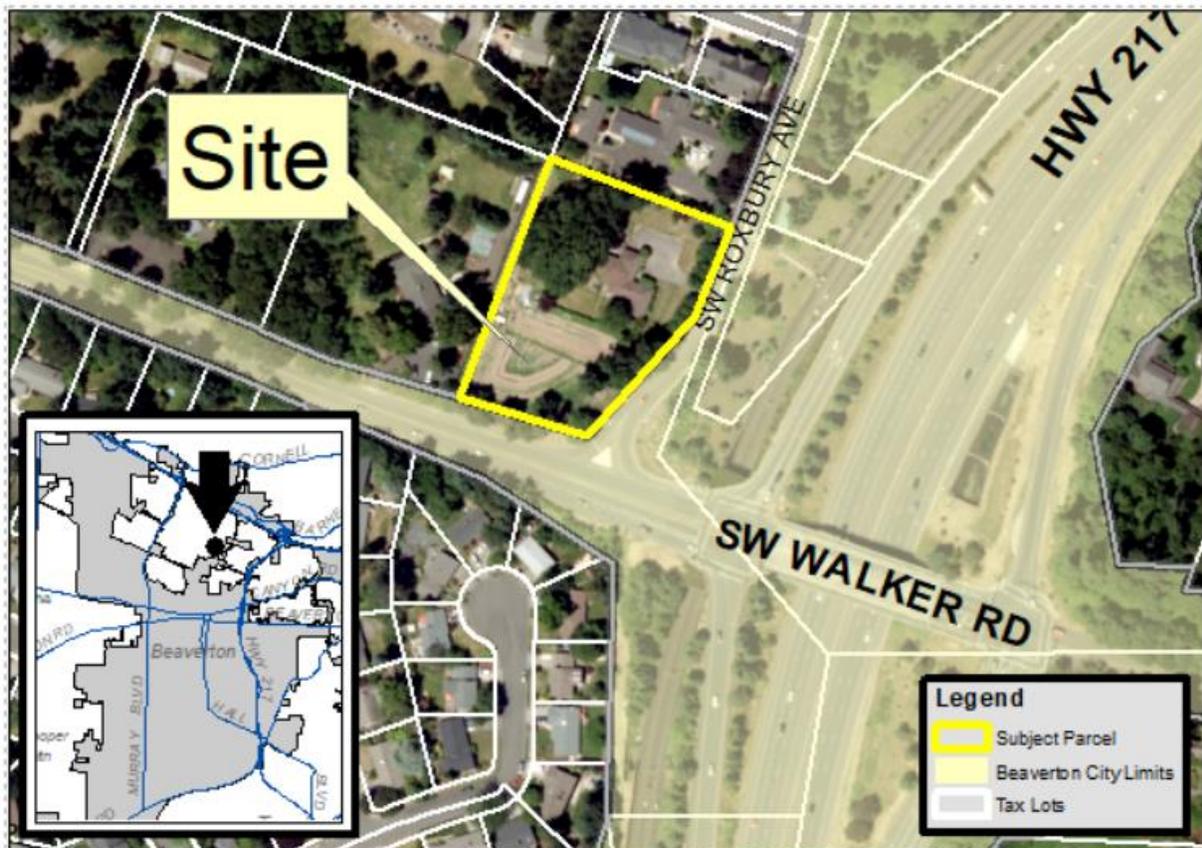
Staff Reviewer: Jeff Salvon, AICP

RECOMMENDATION: Staff recommends the City Council adopt an ordinance applying the *Standard Density Neighborhood (SDN)* land use designation and the *Urban Standard Density (R7)* zoning designation to the subject parcel effective 30 days after adoption of the proposed ordinance or upon the effective date of the related annexation – whichever occurs later.

BACKGROUND

CPA2018-0006 proposes amendment of the Land Use Map, and ZMA2018-0006 proposes amendment of the Zoning Map. Both amendments are requested to apply city land use and zoning to a land parcel that is being annexed into the city through a separate but concurrent process. The parcel currently carries Washington County's R5 designation, as depicted on the county's *Cedar Hills–Cedar Mill Community Plan Map*.

VICINITY MAP



EXISTING CONDITIONS

Character. The property is approximately 1.7 acres and is at the intersection of SW Roxbury Avenue and SW Walker Road in a residential area. The immediate neighborhood consists of single-family detached homes on lots that range from one-quarter acre to two acres. Privately owned vacant land is across Roxbury Avenue, and a park with various recreational facilities is within one-quarter mile of the property to the north.

Transportation Access: The existing dwelling fronts SW Roxbury Ave., which is classified as a collector on the city's Transportation System Plan Functional Classification Map. It is flanked on its southern boundary by SW Walker Road, which is classified as an arterial. The property is also close to a Highway 217 interchange.

Natural Resources. The Washington County Cedar Hills–Cedar Mill *Community Plan Significant Natural and Cultural Resources Map* does not identify natural or cultural resources on the subject site.

Approval Criteria

COMPREHENSIVE PLAN AMENDMENT (CPA2018-0006)

Criterion: **1.3** Comprehensive Plan Section 1.3 establishes that where amendments involve properties not subject to any special policies within the applicable Washington County Community Plan and where the UPAA's Exhibit "B" provides a one-to-one relationship, 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 and are not a land use decision.

Response: The Urban Planning Area Agreement (UPAA) describes how to convert County plan and zone designations to city plan and zone designations that most closely approximate the density, use provisions, and standards of the county designations when annexation of unincorporated county land occurs. It performs this function by providing a table of city-county land use designation equivalents. The section of that matrix that relates to this proposal appears as follows.

**WASHINGTON COUNTY – BEAVERTON
URBAN PLANNING AREA AGREEMENT
EXHIBIT "B"**

CITY – COUNTY LAND USE DESIGNATION EQUIVALENTS
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COUNTY Plan/Zoning	BEAVERTON Plan	Zoning
Residential 5 u/ac	Urban Standard Residential	R-7

The Washington County-Beaverton UPAA identifies the City of Beaverton's Urban Standard Residential plan designation and R-7

zone as the appropriate designations to apply to the subject parcel. Because this proposal applies the city's R7 zoning to the parcel it is consistent with the UPAA.

The Beaverton Comprehensive Plan designation cited in Exhibit B is now called "Standard Density Neighborhood." This plan designation is functionally equivalent to "Urban Standard Residential" referred to in Exhibit B, provides a similar policy framework and has the same implementation zone (R7) as the former "Urban Standard Residential" classification.

The City of Beaverton's Standard Density Neighborhood plan designation is the only land use designation that uses the R7 zone to implement its policies. Therefore, this proposal is consistent with the UPAA.

Comprehensive Plan Section 1.3 also specifies that the UPAA is applicable to an annexation-related Comprehensive Plan and zoning amendment that is not subject to any special policies within the applicable Washington County Community Plan. Washington County's Cedar Hills – Cedar Mill Community Plan does not identify subarea design elements that pertain to subject parcel.

Finally, Special Policy II.A. of the UPAA states in part that "the COUNTY will advise the CITY of adopted policies which apply to the annexed areas and the CITY shall determine whether CITY adoption is appropriate and act accordingly." Washington County was sent notice of the proposal on December 12, 2018. The county has not advised the city of adopted policies that apply to the subject area.

FINDING: Staff finds that the proposal satisfies Comprehensive Plan Section 1.3 for non-discretionary Comprehensive Plan map amendments

Criterion: 1.4.3 Comprehensive Plan Section 1.4.3 requires that notice be published in a newspaper of general circulation within the City; mailed to the Chair of the Committee for Citizen Involvement, Neighborhood Association Committee, Community Participation Organization and owners of record of the subject property on the most recent property tax assessment roll; and posted on the city's website.

Response: Notice of a public meeting for the proposed amendment was published in the Beaverton Valley Times on December 20, 2018, was mailed to all required necessary parties on December 12, 2018, and was posted to the city's website on December 12, 2018.

FINDING Staff finds that the proposal satisfies Comprehensive Plan Section 1.4.3 for non-discretionary comprehensive plan map amendments

Criterion: **1.5.2.A** The UPAA states in Section II (D) that: “Upon annexation, the city agrees to convert county plan and zoning designations to City plan and zoning designations which most closely approximate the density, use provisions and standards of the County designations. Such conversion shall be made according to the tables shown on Exhibit “B” to this agreement.” When the conversion from County to City designation is shown on Exhibit B, the City is not using discretion to make its decision.

Response: As indicated in previous sections of this report, the proposed plan map amendment complies with Exhibit B of the Washington County-Beaverton Urban Planning Area Agreement and therefore is being processed as an annexation related non-discretionary plan map amendment.

FINDING: Staff finds that the proposal satisfies the Comprehensive Plan Section 1.5.2.A for a non-discretionary comprehensive plan map amendments

ZONING MAP AMENDMENT (ZMA2018-0006)

Development Code Section 40.97.15.3.C., which contains Non-Discretionary Annexation Related Zoning Map Amendment Approval Criteria, states:

“In order to approve a Non-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 all the following criteria are satisfied:”

Criterion: **40.97.15.3.C.1** *The proposal satisfies the threshold requirements for a Non-Discretionary Annexation Related Zoning Map Amendment application.*

Response: Section 40.97.15.3.A. Threshold, states: “An application for

Annexation Related Zoning Map Amendment shall be required when one or more of the following thresholds apply:

1. The change of zoning to a city zoning designation as a result of annexation of land into the city.
2. The Urban Planning Area Agreement (UPAA) is specific as to the city zoning designation to be applied to the parcel being annexed and does not allow for discretion."

The zone change is requested to apply city land use and zoning designations to the subject parcel that is in the process of annexing into the City of Beaverton. The parcel carries the Washington County R5 designation, as depicted on the county's *Cedar Hills – Cedar Mill Community Plan Map*.

As noted previously in this report, the UPAA specifies the city's equivalent zoning designation for the County R5 designation is the City's R7 zone. Therefore, no discretion is required in determining the appropriate zoning designation.

FINDING: Staff finds that the request satisfies the threshold requirements for a non-discretionary annexation related zoning map amendment application.

Criterion: **40.97.15.3.C.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 Community Development Department, which is a general fund program, initiated the application. Therefore, the payment of an application fee is not required.

FINDING: Staff finds that this criterion is not applicable.

Criterion: **40.97.15.3.C.3** *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

Response Development Code Section 50.25.1 states, "Non-Discretionary Annexation Related Zoning Map Amendments shall be determined

to be complete upon submittal of a valid annexation petition or executed annexation agreement." A valid petition for annexation has been submitted and the annexation process is advancing to completion through a separate process.

FINDING: Staff finds that the request satisfies the application submittal requirements for a non-discretionary annexation related zoning map amendment application.

Criterion: **40.97.15.3.C.4** *The proposed zoning designation is consistent with the Washington County - Beaverton UPAA.*

Response As noted previously in this report, the UPAA is specific for the proposed amendment. Washington County R5 goes to the equivalent zoning designation as shown in Exhibit B of the UPAA, which is the city's R7 zoning. Therefore, the City of Beaverton R7 zoning designation is the appropriate designation for the subject site, according to the UPAA.

FINDING: The R7 zoning district is specified by, and is therefore consistent with, the Washington County – Beaverton UPAA.

Criterion: **40.97.15.3.C.5** *Applications and documents related to the request, which will require further city approval, shall be submitted to the city in proper sequence.*

Response No further applications and documents are required of this request.

FINDING: Staff finds this criterion is not applicable.

CONCLUSION

Based on the facts and findings presented, staff concludes that amending the Comprehensive Plan Land Use Map to depict the Standard Density Neighborhood land use designation and amending the city's Zoning Map to depict the R7 zoning district is appropriate for the subject parcel and is consistent with the Washington County – Beaverton Urban Planning Area Agreement.