



Staff Report

STAFF REPORT DATE: May 13, 2020

HEARING DATE: May 20, 2020

TO: Interested Parties

FROM: Lauren Russell, AICP, Associate Planner

PROPOSAL: **SC-MU Zone Footnote Clarification Text Amendment (TA2020-0003)**

SUMMARY: The City proposes to amend the Beaverton Development Code (BDC) to clarify code language to make the Code easier to understand and apply. The updates will affect the two new footnotes that were approved through Case File No. TA2019-0001, SC-MU Zone Site Development Standards Text Amendment. These footnotes were added to the Multiple Use Land Districts' Site Development Standards found in BDC Section 20.20.15 for the Station Community – Multiple Use (SC-MU) zoning designation to increase the allowed Maximum Floor Area Ratio from 1.00 to 2.00 and increase the allowed Maximum Building Height from 60 feet to 100 feet for the SC-MU zone within 1,320 feet (approximately ¼ mile) of a Light Rail Transit station platform.

APPLICANT: City of Beaverton
12725 SW Millikan Way
Beaverton, OR 97005

DECISION: **RECOMMENDATION OF APPROVAL of SC-MU Zone Footnote Clarification Text Amendment (TA2020-0003)**

Planning Commission approval would be forwarded as a recommendation to City Council to adopt an ordinance amending the Development Code, effective 30 days after adoption of the proposed ordinance.

SUMMARY OF PROPOSED TEXT AMENDMENT

The City proposes to amend the Beaverton Development Code (BDC) to clarify code language to make the Code easier to understand and apply. The updates will affect the two new footnotes that were approved through Case File No. TA2019-0001, SC-MU Zone Site Development Standards Text Amendment. These footnotes were added to the Multiple Use Land Use Districts' Site Development Standards found in BDC Section 20.20.15 for the Station Community – Multiple Use (SC-MU) zoning designation to increase the allowed Maximum Floor Area Ratio from 1.00 to 2.00 and increase the allowed Maximum Building Height from 60 feet to 100 feet for the SC-MU zone within 1,320 feet (approximately ¼ mile) of a Light Rail Transit station platform.

The phrase “for sites” will be added to each of the footnotes to clarify how the increased allowed Maximum Floor Area Ratio and increased allowed Maximum Building Height is applied within 1,320 feet of a station platform. Without this additional phrase, it is not clear from a plain reading of the footnote text whether property that is only partially located within the one-quarter mile radius can take advantage of the increased Floor Area Ratio and Building Heights across the entire property or only for the portion of the property that is within the radius. Staff intended for the increases to apply to the entire property, as described in the staff report for Case File No. TA2019-0001, and proposes to tie these footnotes to the term “site,” which is already defined in the Development Code to clarify the application of these footnotes. BDC Chapter 90 defines “site” as “that parcel of real property in common ownership, notwithstanding that the particular application may be for development of a portion of the site only.” Further, Chapter 90 defines “parcel,” or “lot,” as “any continuous area, tract, or parcel of land owned by or under the lawful control and in the lawful possession of one distinct ownership undivided by a dedicated street or alley or another ownership.”

The proposed amendments to the footnotes are shown on the pages SR-3 and SR-4.

20.20.15. SITE DEVELOPMENT STANDARDS

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below. [ORD 4584; June 2012] [ORD 4706; May 2017]

Development Standards <i>Superscript Refers to Footnotes</i>	RC-TO	RC-OT	RC-E	RC-E WS	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
	Refer to Sections 20.25.05, and 20.25.15.												
A. Parcel Area	None	None	None	None	None	7,000	None	None	None	None	None	None	None
1. Minimum	None	None	None	None	None	7,000	None	None	None	None	None	None	None
2. Maximum	None	None	None	None	None	None	None	None	None	None	None	None	None
B. Residential Density	Refer to Sections 20.25.05, and 20.25.15.												
1. Minimum for residential only project (per acre)	20	12	12	12	N/A	N/A	24	24	30 ¹ 24	30 ¹ 24	30 ¹ 24	N/A	N/A
2. Maximum for residential only projects (per acre)	60	40 ¹⁷	40	40	N/A	N/A	36	36	None	None ²	None	N/A	N/A
C. Floor Area Ratio (FAR)	Refer to Sections 20.25.10, and 20.25.15.												
1. Minimum	0.60 ³	0.35	0.30	0.30	0.40	0.30	0.50	0.30	0.40	0.40	0.60	0.35	None
2. Minimum with a PUD or DRBCP	0.45	0.25	0.20	0.20	0.30	0.20	0.35	0.20	0.30	0.30	0.0	0.25	0.0
3. Maximum	None	None	1.00 ⁴	1.00 ⁴	None	None	1.00	0.60	2.00 ¹⁸ 1.00	1.20 ⁶ 1.00	None	2.00	0.50
4. Maximum with a PUD or DRBCP	None	None	None	None	None	None	2.00	1.00	None	None	None	None	None
D. Lot Dimensions	Refer to Sections 20.25.10, and 20.25.15.												
1. Minimum Width	None	None	None	None	None	70	None	None	None	None	None	None	None
2. Minimum Depth	None	None	None	None	None	100	None	None	None	None	None	None	None
E. Maximum FAR	2.00	1.320	1.320	1.320	1.320	1.320	1.320	1.320	1.320	1.320	1.320	1.320	1.320

1. 30 units within 400 feet of LRT station platform, 24 beyond 400 feet
 2. Within 120 feet of Washington County E5 zoning, the maximum residential density is 12 units per acre [ORD 4547; July 2010]
 3. To accommodate smaller lot sizes in the RC-TO zone, refer to Section 20.25.20.A.1.
 4. Maximum FAR for multiple use development involving residential use in RC-E zone, refer to Section 20.25.20.A.2.
 5. Maximum FAR 1.20 within 400 feet of LRT station platform, 1.00 beyond 400 feet
 17. The maximum density is not applicable to a development within RC-OT if the development is within the areas where the maximum height is 40 feet (see footnote 11 of Section 20.20.15 and Figure A) and the proposed development can demonstrate compliance with additional requirements found in Section 60.05.15.10 Design Review Standards or Section 60.05.35.10 Design Review Guidelines if the proposal is subject to a Type 3 Design Review application.
 18. Maximum FAR 2.00 for sites within 1,320 feet of LRT station platform, 1.00 beyond 1,320 feet

LAND USES
Multiple Use

Development Standards Superscript Refers to Footnotes	RC-TO	RC-OT	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-EI	SC-E3
E. Yard Setbacks	0	0	0	10	0	0	0	0 ⁶	0 ⁶	0	None	None
1. Front Minimum												
2. Front Maximum On Major Pedestrian Route ⁷												
3. Front Maximum Not On Major Pedestrian Route With Ground Floor Residential	20	20	20	N/A	N/A	5	10	20	20	10	N/A	N/A
Without Ground Floor Residential	10	10	20	10	20	20	20	10	10	20	N/A	N/A
4. Side Minimum	None	None	None	10	10	None	None	None ⁶	None ⁶	None	None	None
5. Side Maximum	None	None	None	None	None	None	None	None	None	None	None	None
6. Rear Minimum	None	None	None	None	None	None	None	None ⁶	None ⁶	None	None	None
7. Minimum Side or Rear Yards Abutting Property Zoned Residential ⁸	20	20	20	75 ⁹	20	20	20	Abut Res / MU ¹⁰	Abut Res / MU ¹⁰	20	Abut Res ⁹	Abut Res ⁹
F. Building Height												
1. Minimum												
2. Maximum	120	75 ¹¹ 40	80	60	60	60	50	60	100 ¹² 60	120	100	40

Refer to Footnote Reference 7

Refer to 60.05.15.7, or 60.05.35.7., as applicable; Building Scale on MPR

- Where detached dwellings and duplexes on lots fronting common greens and shared courts are proposed, the following setbacks shall apply: Minimum front yard setback- 3 feet / Minimum side yard setback- 3 feet / Minimum alley width is 24 feet between buildings.
- Under the conditions outlined in Section 60.05.15.6. of this Code, buildings in multiple use zones located on parcels that front on a designated Major Pedestrian Route shall be exempt from minimum and maximum setbacks. Front yard setbacks for parcels located on Major, Pedestrian Routes shall be governed by the Design Review Design Standard specified in Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and corresponding Design Review Guideline.
- Rear yard setback is applicable to only the portion of the rear yard which abuts a residential zone; otherwise the minimum rear yard setback is 0 feet.
- 75 feet if abutting a residentially developed property, otherwise 20 feet.
- Side or rear yards abutting Residential or Multiple Use zoning where the Multiple Use zoning designation allows residential development, the minimum setback shall equal the abutting zoning district's required rear yard setback.
- 75 feet permitted in areas within a block of SW Canyon Road, SW Farmington Road, SW Hall Boulevard, SW Watson Avenue, and SW Lombard Avenue between SW Canyon Road and SW 2nd Street; 40 feet permitted in other areas of the zoning district.
- Maximum height is 50 feet. Where residential use is above ground floor commercial, maximum height is 60 feet.
- 100 feet permitted within 400 feet of LRT station platform. 60 feet permitted beyond 400 ft
- 100 feet permitted for sites within 1,320 feet of LRT station platform, 60 feet permitted beyond 1,320 feet

LAND USES
Multiple Use

PUBLIC COMMENT

Public notice was provided consistent with BDC Section 50.50. No public testimony has been received.

FACTS AND FINDINGS

Section 40.85.05. Purpose.

The purpose of a Text Amendment application is to provide a mechanism for legislative amendments to the Development Code. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires, to fulfill regional obligations, and to address changes in the law. This Section is carried out by the approval criteria listed herein.

Section 40.85.15.1.C Approval Criteria. In order to approve a Text 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:

1. The proposal satisfies the threshold requirements for a Text Amendment application.

FINDING:

The City proposes to amend the Beaverton Development Code (BDC) to clarify footnotes 18 and 19 of the Multiple Use Land Districts' Site Development Standards found in BDC Section 20.20.15 for the Station Community – Multiple Use (SC-MU) zoning designation, which meets threshold:

- 1. Any change to the Development Code, excluding changes to the zoning map.*

Therefore, staff finds that the proposal meets the approval criterion.

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

FINDING:

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 this application so payment of the application fee is not required.

Therefore, staff finds that the proposal meets the approval criterion.

3. The proposed Text Amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.

FINDING:

Metro’s Urban Growth Management Functional Plan is the document that defines how local governments are to implement the Metro Regional Goals and Objectives. This Plan is comprised of the following titles:

- Title 1: Housing Capacity
- Title 2: Regional Parking Policy (Repealed)
- Title 3: Water Quality and Flood Management
- Title 4: Industrial and Other Employment Areas
- Title 5: Neighbor Cities and Rural Reserves (Repealed)
- Title 6: Centers, Corridors, Station Communities, and Main Streets
- Title 7: Housing Choice
- Title 8: Compliance Procedures
- Title 9: Performance Measures (Repealed)
- Title 10: Functional Plan Definitions
- Title 11: Planning for New Urban Areas
- Title 12: Protection of Residential Neighborhoods
- Title 13: Nature in Neighborhoods
- Title 14: Urban Growth Boundary

Staff has identified three applicable provisions of the Metro Urban Growth Management Functional Plan, paraphrased as follows:

Title 1: Housing Capacity – Requires each city and county to maintain or increase its housing capacity per the Regional Framework Plan, which calls for a compact urban form and a “fair share” approach to meeting regional housing needs.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which allowed for more housing capacity within Beaverton city limits. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Increased housing capacity will help meet regional housing needs.

Title 6: Centers, Corridors, Station Communities, and Main Streets – Calls for enhancements of these areas as principal centers of urban life via actions and investments by cities and counties, complemented

by regional investment.

The region has made large investments in the TriMet Light Rail Transit system and footnotes 18 and 19 consistent with the intent of these investments within the City of Beaverton. The increases to the Maximum Floor Area Ratio and allowed Maximum Building Height for properties in the SC-MU zone that are closest to transit stations provides more opportunities for residential, employment, and commercial uses so that Beaverton's Station Communities can meet the goals of being multi-modal, mixed-use hubs for the entire region.

Metro Code Section 3.07.620(d) calls for enhancing Station Communities by revising land use regulations, if necessary, to allow the mix and intensity of uses specified in Metro Code Section 3.07.640. Metro Code Section 3.07.640(a) recommends that Station Communities, on average, have at least 45 residents and workers per acre in order to be vibrant and successful. Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which provided more opportunities for residential, employment, and commercial uses. Adding the phrase "for sites" to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This increased density will better enable Beaverton's Station Communities to acquire the critical number of residents and workers needed to be vibrant and successful areas.

Metro Code Section 3.07.640(b) recommends that Station Communities have a mix of uses in order to be vibrant and walkable, including amenities such as grocery stores and restaurants, institutional uses such as schools and medical facilities, and civic uses such as libraries and public spaces. Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which provided more opportunities for commercial, institutional, and civic uses. Adding the phrase "for sites" to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This increased density will encourage vibrant and walkable development within Beaverton's Station Communities.

Metro Code Section 3.07.640(c) recommends that Station Communities have a mix of housing types in order to be vibrant and successful, including the types of housing listed in the "needed housing" statute, ORS 197.303(1). Attached and detached single-family and multiple family housing for both owner and renter occupancy is included in the State's "needed housing" definition. Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone

that are within 1,320 feet of a Light Rail Transit station platform, which provided more opportunities for attached multiple family housing. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This increased density will encourage vibrant and successful development within Beaverton’s Station Communities and the increased housing capacity will help meet regional housing needs.

Title 8: Compliance Procedures – Ensures all cities and counties are fairly and equitably held to the same standards and that the Metro 2040 Growth Concept is implemented.

This Title outlines the procedural process which includes notification requirements when amendments to the comprehensive plan or land use regulations are being proposed. As part of the City’s standard noticing procedures, Metro was mailed a copy of the notice, which contained a summary of the proposed changes, 35 days prior to the initial public hearing. The City has not received comments from Metro on the proposed Text Amendment as of the date that the staff report was published.

For these reasons, staff finds that the proposed text amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.

Therefore, staff finds that the proposal meets the approval criterion.

4. The proposed Text Amendment is consistent with the City’s Comprehensive Plan.

FINDING:

Beaverton’s Comprehensive Plan provides policy direction on matters related to future growth and physical development of the city including land use, economy, transportation, housing, natural resources, and other relevant topics. Oregon state law requires all cities and counties to prepare and adopt comprehensive plans that are consistent with Statewide Planning Goals.

Staff has identified seven applicable provisions of the City’s Comprehensive Plan, as follows:

Goal 3.1.1: Encourage development and land use patterns that support a variety of transportation options.

Policy 3.1.1.d states that land use designations and development regulations should be applied 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 3.1.1.e encourages increased

intensity development within Mixed Use, Commercial, and Employment areas that are located within a half-mile of high capacity transit stops or stations.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which supports higher density development and provided more opportunities for people to use transit to meet their daily needs. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This increased density within one-quarter mile of LRT platforms will encourage increased intensity development in close proximity to high capacity transit stations.

Goal 3.2.1: Provide for thoughtful and strategic infill and redevelopment.

Policy 3.2.1.a encourages compact infill development that allows a wider variety of housing choices that can accommodate a range of ages, household sizes, and/or income levels while ensuring the new housing responds to the scale and form of the neighborhood; and in areas well-served by transit, offers more flexibility for infill housing and innovative housing types that meet city goals for affordability and livability and provide housing for diverse household sizes, types, and age ranges.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio (FAR) and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit (LRT) station platform, which provided more opportunities for compact infill development. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This increased density within one-quarter mile of LRT platforms will provide more opportunities for a variety of housing choices while still maintaining consistency with the scale and form of the neighborhood as the SC-MU height and FAR standards become less intensive beyond one-quarter mile from the LRT platform. More opportunities for housing in the part of the SC-MU zones well-served by transit will support the City’s goals for affordability and livability.

Goal 3.3.1: Promote sustainable development, resilience, and resource protection.

Policy 3.3.1.a states that land should be used effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests, and natural resources. Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the

SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will encourage the development of residential, commercial, and employment uses in Beaverton's Station Communities. Adding the phrase "for sites" to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Developing in Station Communities effectively uses land in urban areas to relieve development pressure in rural areas and helps protect important rural resources.

Goal 3.4.2: Coordinate with Washington County on planning for the Urban Planning Area.

Policy 3.4.2.b states that the planning work done by Washington County should be recognized when applying City policies and development regulations as annexation occurs. Policy 3.4.2.c states that city policies should be updated or City of Beaverton Community Plans should be created for newly annexed areas as needed to reflect changing conditions or where County plans offer little guidance. Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform. Adding the phrase "for sites" to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This proposal updates City policies related to density in Station Communities to better align with both changing conditions and also the nearby City and County zones, which is especially needed for properties near Sunset Transit Center, which were not yet annexed into the City when the SC-MU zone was created.

Goal 3.6.1: Support pedestrian-oriented mixed use areas.

Policy 3.6.1.a states that a mix of commercial, residential, employment, and civic uses should be provided at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit. Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will provide for a dense mix of commercial, residential, employment, and civic uses in Beaverton's Station Communities. Adding the phrase "for sites" to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. A dense mix of uses will contribute to vibrant and walkable communities where people can meet their daily needs using transit and on foot or by bike.

Goal 3.6.4: Station Communities – 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.

Policy 3.6.4.a encourages vertical mixed use development that provides for street-level retail while accommodating housing or office uses above to support businesses that rely on foot traffic. Policy 3.6.4.b states that high-density residential development should be incorporated, particularly within a half-mile walking distance of a light rail station, to provide the highest accessibility to light rail to the greatest number of households. Policy 3.6.4.e states that within a half-mile of a light rail station platform and along routes that are likely to be used by pedestrians to access public transportation, development should be required to provide pedestrian-oriented design features such as windows, awnings, detailed building facades, and street furniture. Policy 3.6.4.g states that the Station Community designation may be applied in areas within approximately a half-mile of light rail that can support higher intensity uses.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will encourage dense vertical mixed-use development with both ground floor commercial uses and housing on upper floors. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This high-density development will support businesses that rely on foot traffic and a large number of households having high accessibility to transit. Any development proposed in the portions of the SC-MU zone that would be impacted by this Text Amendment will still be subject to all applicable provisions of the Development Code, including sections that address pedestrian-oriented design features. Staff will review specific proposals for compliance with the Development Code through the land use review process.

Goal 4.1.1: Provide an adequate supply of housing to meet future needs.

Policy 4.1.1.a states that available land within the City should be used efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate. Policy 4.1.1.b supports high density infill development that capitalizes on existing infrastructure and where impacts can be mitigated. Policy 4.1.1.c encourages high density residential development on mixed-use and commercial zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will

encourage new residential development at high densities to efficiently use available land within the city. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This increased density will allow mixed-use residential developments to capitalize on existing infrastructure. High-density, mixed-use residential developments in close proximity to transit will promote 18-hour neighborhoods.

For these reasons, staff finds that the proposed Text Amendment is consistent with the City’s Comprehensive Plan.

Therefore, staff finds that the proposal meets the approval criterion.

5. The proposed Text Amendment is consistent with other provisions within the City’s Development Code.

FINDING:

The City proposes to amend the Beaverton Development Code (BDC) to clarify footnotes 18 and 19 of the Multiple Use Land Districts’ Site Development Standards found in BDC Section 20.20.15 for the Station Community – Multiple Use (SC-MU) zoning designation. No other changes are proposed. Staff finds that the proposed amendments do not create conflicts with other provisions of the Development Code.

Therefore, staff finds that the proposal meets the approval criterion.

6. The proposed Amendment is consistent with all applicable City ordinance requirements and regulations.

FINDING:

Staff has not identified any other applicable City ordinance requirements or regulations that would be affected by the proposed Text Amendment. For this reason, staff finds that the proposed Amendment is consistent with all applicable City ordinance requirements and regulations.

Therefore, staff finds that the proposal meets the approval criterion.

7. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

FINDING:

Staff has determined that there are no other applications or documents related to this request that will require further City approval.

Therefore, staff finds that the proposal meets the approval criterion.

Other Applicable Approval Criteria.

As a post-acknowledgement amendment to the City's Development Code, the proposed text amendment is subject to ORS 197.175(1), which requires the City to demonstrate that the proposed Text Amendment is consistent with the relevant Statewide Planning Goals. Staff has determined that Goals 1, 2, 9, 10, 11, 12, 13, and 14 are applicable.

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.

Consistent with procedures outlined in the Beaverton Development Code, notices of the proposed Text Amendment were sent to all Neighborhood Association Committee Chairs with properties zoned SC-MU within their boundaries, the Chair of the Beaverton Committee for Community Involvement, Washington County's Department of Land Use and Transportation, and the Department of Land Conservation and Development. Copies of the hearing notice were posted at City Hall and the City Library, as well as published in a newspaper of general circulation, consistent with Type 4 noticing requirements. The notice was also posted on the City's website. Staff finds that the City has provided adequate notice and opportunity for public involvement for the proposed text amendment and public hearing.

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 base for such decisions and actions.

Changes to the Development Code require a Type 4 process, which includes noticing and a comment period prior to an initial public hearing before the Planning Commission. The hearing is open to the public and testimony, if any, will be received. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, which is the ultimate decision-making authority for text amendments.

As described above in the findings to the Citizen Involvement Goal, staff has provided noticing consistent with the requirements identified in the Development Code to provide opportunities for community members to review and comment on the proposed changes. Copies of the staff report are made available to the public at least seven days prior to the Planning Commission hearing for review. Prior to the adoption of a Text Amendment, the City Council will consider all the evidence in the record, including any public testimony provided at the Planning Commission hearing and any recommended changes to the proposal. Staff finds that the proposed Text Amendment has followed the established process and framework.

Furthermore, staff finds that the findings contained within this report establish an adequate factual base for any decision on this proposal.

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.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will expand opportunities for business development within Beaverton’s Station Communities. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Staff finds that the proposal will not have a negative impact on the economy of the State.

Goal 10: Housing – To provide for the housing needs of citizens of the state.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will encourage the development of needed housing within Beaverton’s Station Communities. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Staff finds that the proposal will enhance the ability of the City to meet its share of the housing needs of citizens of the State.

Goal 11: Public Facilities and 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.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will encourage more density in Station Communities that are already well served by public facilities and services. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Staff finds that the proposal will not impair the City’s ability to provide necessary services.

Goal 12: Transportation – To provide and encourage a safe, convenient, and economic transportation system.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will support the use of public transportation by expanding the development potential on parcels within Station

Communities that are close to MAX Light Rail Transit stations. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Proposed development on these parcels must comply with all applicable provisions of the Beaverton Development Code. In addition, a Transportation Impact Analysis report may be required in order to mitigate any potential negative traffic impacts. For these reasons, staff finds that the proposal will encourage a safe, convenient, and economic transportation system.

Goal 13: Energy Conservation – To conserve energy.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will encourage more density in Station Communities. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. Staff finds that the proposal will not change the City’s ability to conserve energy or promote energy-efficient measures.

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.

Footnotes 18 and 19 increased the Maximum Floor Area Ratio and the allowed Maximum Building Height for properties in the SC-MU zone that are within 1,320 feet of a Light Rail Transit station platform, which will encourage the development of residential, commercial, and employment uses in Beaverton’s Station Communities. Adding the phrase “for sites” to these footnotes will clarify how to apply these increases, which will make the Development Code easier to understand and utilize. This efficiently uses land inside the urban growth boundary and provides for livable communities. Staff finds that the proposal only applies to already urbanized land and therefore does not alter the transition from rural to urban land use.

For these reasons, staff finds that the proposal is consistent with all relevant Statewide Planning Goals.

CONCLUSION

Staff concludes that the proposed amendment to the Development Code is consistent with all Text Amendment approval criteria of BDC Section 40.85.15.1.C.

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **TA2020-0003 (SC-MU Zone Footnote Clarification Text Amendment)**.