



CITY OF BEAVERTON
Planning Division
Community Development Department
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STAFF REPORT

Report date: June 2, 2021

Application/project name: Permit Expiration Relief Text Amendment

Application Numbers: TA2021-0002

Proposal: The City proposes to amend the Beaverton Development Code (BDC) to automatically extend the validity of Land Use approvals during the COVID-19 state of emergency. The proposal affects Chapter 50 of the Development Code.

Proposal location: Citywide

Applicant: City of Beaverton

Recommendation: Recommend APPROVAL of TA2021-0002 to City Council

Hearing information: 6:30 p.m. June 9, 2021, online and at City Hall, 12725 SW Millikan Way. See options for viewing meeting and providing testimony at: [Beaverton, OR - Official Website \(beavertonoregon.gov\)](http://beavertonoregon.gov)

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Public Comments

One public comment was received prior to the date of this report. Hayley Siltanen’s letter received May 11, 2021 expresses support for the proposed text amendment. Suggested findings in response to the approval criteria in the Beaverton Development Code were also provided. Both can be found in Exhibit 2.1.

Exhibit 1.1 Text Amendment Background and Summary

When the COVID-19 pandemic hit in early 2020, the real estate and construction industries were among those seriously impacted. Many projects with land use approval, site development permits, and building permits had difficulty moving ahead on a regular timeline due to disruptions in the supply chain and dramatic changes in the cost of building materials, uncertainty over market conditions that impacted financing, and operational and workforce challenges related to social distancing mandates. In addition, the fees associated with new permit applications can increase financial impacts to projects.

Other jurisdictions have provided similar relief during COVID, as was also the case following the 2008 financial crisis. For example, Portland implemented an initiative in 2020 with the Expiration Date Extension Project, granting extensions of up to 42 months for projects originally approved in the three years prior to COVID.

Land Use approvals granted under the Beaverton Development Code are constrained by state law, which requires permit timeframes be strictly applied. Once granted, Land Use approvals are valid for differing time periods prior to vesting depending on the application. For example, a Type 1 Design Review decision is valid for only one year, while a phased Planned Unit Development decision is valid for five years. Timelines for expiration of Land Use decisions can be found in Beaverton Development Code Section 50.90. If a decision is vested prior to expiration by either establishing a use or completing substantial construction (completed building footings) then it remains effective until the project is completed. Some, but not all, Land Use decisions may be extended if the approval criteria can be met, including payment of the application fee. However, not all Land Use decisions are eligible for extension. In addition, the approval criteria for extending decisions were not written with a global pandemic in mind and may not allow for extension of all Land Use decisions.

To address this, staff proposes an amendment to the Beaverton Development Code that would automatically extend the validity of Land Use approvals for a time equivalent to the duration of the COVID-19 state of emergency, and a resolution allowing fees paid for extension applications already submitted and/or approved to be refunded. The proposed approach would be retroactive to the beginning of the COVID-19 State of Emergency, so Land Use decisions in force during that time which may have expired would be automatically extended. The proposed text amendment is detailed in Exhibit 1.3.

Exhibit 1.2 Analysis of Proposed Amendments to the Development Code

Proposed new language is underlined
 Proposed deleted language is ~~stricken~~

Proposed Text Amendment	Staff Comments
Chapter 50 - Procedures	
50.90. Expiration of a Decision 5. <u>Because of the COVID-19 crisis, the time period for final decisions to expire shall be tolled from March 13, 2020 until December 31, 2021. For purposes of this section, "toll" means to stop the running of the time period, resulting in an automatic time extension.</u>	This will provide relief for projects with land use decisions impacted by the COVID-19 pandemic by automatically extending the validity of land use decisions for this defined period.

Exhibit 1.3 Proposed Development Code Text

Proposed new language is underlined
 Proposed deleted language is ~~stricken~~

50.90.1. Expiration of a Decision

Except as otherwise specifically provided in a specific decision or in this Code, a final decision made pursuant to this Chapter shall expire automatically on the following schedule unless the approval is enacted either through construction or establishment of use within the specified time period.

* * *

5. Because of the COVID-19 crisis, the time period for final decisions to expire shall be tolled from March 13, 2020 until December 31, 2021. For purposes of this section, "toll" means to stop the running of the time period, resulting in an automatic time extension.

TA2021-0001 ANALYSIS AND FINDINGS FOR TEXT AMENDMENT

Recommendation: Based on the facts and findings presented below, staff recommends the Planning Commission review the proposal, take public testimony, deliberate on the proposal, and make a recommendation to City Council.

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:

Section 40.85.15.1.C of the Code specifies that in order to approve a Text Amendment application, the decision-making authority shall make findings of fact that all the criteria specified in Section 40.85.15.1.C.1-7 are satisfied. The following findings apply to the City's proposed amendment to Section 50.90, to toll the expiration period for final land use decisions during the period from March 13, 2020 until December 31, 2021 in response to the COVID-19 pandemic:

Section 40.85.15.1.C.1

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

FINDING:

Section 40.85.15.1.A specifies that an application for a text amendment shall be required when there is proposed any change to the BDC, excluding changes to the zoning map. Land Use application TA2021-0002 proposes to amend the Development Code to toll the time period for final land use decisions satisfies the threshold requirements for a text amendment.

Conclusion: Therefore, staff finds the amendment meets the criterion for approval.

Section 40.85.15.1.C.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 the application. Therefore, the payment of an application fee is not required.

Conclusion: Therefore, staff finds the criterion is not applicable to the amendment.

Section 40.85.15.1.C.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 (UGMFP) is the document that defines how local governments are to implement the Metro Regional Goals and Objectives. The UGMFP is made of 11 titles. The applicable titles are addressed below:

- Title 1: Requirements for Housing and Employment Accommodations
- Title 2: Regional Parking Policy (Repealed and moved to Title 4 of the Regional Transportation Functional Plan (RTFP))
- Title 3: Water Quality and Flood Management
- Title 4: Industrial and Other Employment Areas
- Title 5: Neighbor Cities and Rural Reserves
- 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

The City is required to bring its land use regulations into conformance with the UGMFP. The Code has been amended to incorporate several policies of the UGMFP. The proposed amendment is a minor amendment to the Code that is not in conflict with the UGMFP. Therefore, the proposed text amendment is consistent with the applicable provisions of the UGMFP.

Conclusion: Staff finds that the proposed text amendment is consistent with the applicable provisions of the UGMFP. Therefore, staff finds the amendment meets the criterion for approval.

Section 40.85.15.1.C.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. The applicable chapters of the Comprehensive Plan are addressed below.

The Comprehensive Plan includes four major themes: livability, equity, sustainability, and resiliency. The text amendment supports the theme of "equity" by keeping projects that are in the design and permitting stages of development moving forward during the economic disruption caused by COVID-19. The text amendment is likewise consistent with the theme of "resiliency." The text amendment is a response to an unanticipated health and economic disaster. The amendment provides resilience for the development and construction market, an important sector of the City's economic system. This response reduces risk and improves the ability of individuals, communities, and economic systems to withstand, recover from, and adapt to changes from natural hazards and human-made disasters.

Chapter 2: Community Involvement Element

Goal 1: The Planning Commission, City Council, and other decision making bodies shall use their best efforts to involve the community in the planning process.

Following the procedures outlined in the Development Code, notice of the proposed text amendment was sent to all NAC chairs, the Chair of the BCCI, 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, and published in the newspaper, consistent with Type 4 noticing requirements. A notice was also posted on the city's website.

Chapter 3: Land Use

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

Goal 3.1.1 concerns land use patterns that influence transportation options and choices. The text amendment is administrative in nature and does not affect how the goals and policies of the Comprehensive Plan are implemented with land use designations.

Goal 3.2.1 Provide for thoughtful and strategic infill and redevelopment

Goal 3.2.1. addresses policies for infill and redevelopment. The text amendment extends the timelines for land use processes. It does not affect standards for infill or redevelopment.

Goal 3.3.1 Promote sustainable development, resilience, and resource protection

Goal 3.3.1 sets policies for development that mitigates and adapts to climate change impacts, reduces energy and resource consumption in buildings, reduces the energy and fossil fuel consumption associated with transportation, connects people to the environment, protects people, anticipates natural events and disasters, and improves the community's ability to prepare for, adapt to, and recover from potential shocks and stresses. The text amendment is process oriented. The text amendment does not change any development standards or resource standards.

Goal 3.4.1 Provide effective and inclusive planning and development review services

Policies:

- a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.*
- 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.*
- 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.*
- 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.*
- e) Where a land use approval requires demonstration of consistency with the policies of the Comprehensive Plan, the policies of the adopted Comprehensive Plan designation shall apply, regardless of whether the zone is listed as an implementing zone for the applicable Comprehensive Plan designation.*

These findings demonstrate how the text amendment is consistent with the Comprehensive Plan goals and policies, including advancing multiple goals and utilizing regulatory implementation tools that promote current and future interests, provide certainty in terms of development entitlements while allowing flexibility in uncertain times.

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

The text amendment is process oriented and does not impact any plans or coordination for the Urban Planning Area.

Goal 3.5.1 Recognize unique needs of different parts of the city through Community Plans

The text amendment is process oriented and does not change any Community Plans.

Goal 3.6.1 Support pedestrian-oriented mixed use areas

Goal 3.6.2 Downtown Regional Center: Create and strengthen a vibrant downtown and central area for Beaverton

Goal 3.6.3 Town Centers: Provide for a compact, integrated mix of uses that creates a complete community and supports walking and biking

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

Goal 3.6.5 Mixed Use Corridor: Promote a mix of residential and commercial uses that complement and serve adjacent neighborhoods in a pedestrian-friendly environment

Goals 3.6.1 through 3.6.5 provide goals and policies for mixed use areas. The text amendment applies city-wide and does not change the comprehensive plan designations or regulations affecting any currently designated mixed use lands.

Goal 3.7.1 Enhanced Commercial Centers and Corridors

Goal 3.7.2 Regional Commercial: Provide suitable locations for commercial uses that serve the broader region and require large sites, significant access and visibility

Goal 3.7.3 Community Commercial: Provide for commercial services that serve the surrounding community, with limited auto-oriented uses

Goal 3.7.4 Neighborhood Center: Provide opportunities for small-scale commercial development that serves adjacent neighborhoods

Goals 3.7.1 through 3.7.4 provide goals and policies for commercial centers and corridors. The text amendment applies city-wide and does not change the comprehensive plan designations or regulations affecting any currently designated commercial use lands.

Goal 3.8.1 Complete and livable Neighborhoods

Goal 3.8.2 Low and Standard Density Neighborhoods: Provide residential neighborhoods that emphasize detached housing and integrate parks, schools, and other community institutions

Goal 3.8.3 Medium and High Density Neighborhoods: Provide for a variety of housing types and higher residential densities in areas with more amenities and transit service

Goals 3.8.1 through 3.8.3 provide goals and policies for neighborhoods, which generally prioritize residential uses and compatible non-residential uses. The text amendment applies city-wide and does not change the comprehensive plan designations or regulations affecting any currently designated neighborhood use lands.

Goal 3.9.1 Successful employment lands

Goal 3.9.2 Employment Areas: Provide desirable locations for mix of office and flexible employment space and complementary uses

Goal 3.9.3 Industrial Areas: Accommodate industrial and manufacturing uses that may conflict with housing and uses that draw the general public

Goals 3.9.1 through 3.9.3 provide goals and policies for employment and industrial areas. The text amendment applies city-wide and does not change the comprehensive plan designations or regulations affecting any currently designated employment or industrial use lands.

Chapter 4: Housing

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

Policies:

h) Provide an efficient, consistent, and reliable development review process

Goal 4.2.1 Provide a variety of housing types that meet the needs and preferences of residents

Goal 4.3.1: Increase the supply of housing in and near Beaverton's Downtown Regional Center

Goal 4.4.1: Encourage the development and preservation of fair and affordable housing

Goal 4.5.1: Ensure that Beaverton continues to be one of the most livable communities in the region

Chapter 4 of the Comprehensive Plan establishes goals and policies to help the city meet the housing needs of current and future residents in a manner consistent with the Comprehensive Plan's major themes - livability, equity, sustainability, and resiliency.

The text amendment supports these housing goals by tolling the expiration period of approved land use actions, which includes housing development. The text amendment improves the efficiency of the development review process by preserving staff resources for review of new development applications, including residential development applications, rather than having staff resources diverted to extension applications or applications that would be required to be refiled if they expired. The disruption to the national and regional economy due to the COVID-19 pandemic is creating uncertainty for residential development projects. This amendment will alleviate some of that uncertainty, and better enable these projects to move forward. The risk of not extending this timeframe is that projects become less feasible, and consequently may not get built, or are saddled with additional costs associated with pursuing an extension or refileing an application.

The text amendment provides flexibility for applicants impacted by the COVID-19 pandemic. This flexibility will allow proposed housing projects that may have been delayed or abandoned to instead proceed, expanding the housing supply.

Chapter 5: Public Facilities and Services

The goals and policies in Chapter 5 generally address provision of public services, and adequacy of services as it relates to growth and development. These goals and policies are not applicable because they guide public agencies that provide public facilities on how those facilities should be provided or address site design. The text amendment is process oriented and administrative in nature. This amendment does not include changes to any programs or regulations that implement the goals and policies in Chapter 8 and does not address site design or availability of services.

Chapter 6: Transportation

The goals and the policies in Chapter 6 generally address transportation needs, improvements, programming, funding priorities and maintenance. The text amendment does not change the classification of any existing or proposed transportation facility, does not change the standards implementing a functional classification system, does not address the design and use of public streets or manage the right of way, and does not

change or require changes to the Transportation System Plan. The goals and policies of Chapter 6 are not affected by the text amendment.

Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources

The goals and policies in Chapter 7 focus on regulations and programs designed to protect natural, cultural, historic, scenic, energy and groundwater resources. The text amendment is process oriented and administrative in nature, and it does not include any changes to the programs and regulations that implement the resource-protection goals in Chapter 7. The text amendment likewise does not address site design or design standards. For those reasons, the goals and policies in Chapter 7 are not applicable to the text amendment.

Chapter 8: Environmental Quality and Safety

Chapter 8 contains goals and policies intended to protect and maintain the condition of air, water, and land resources and to protect public safety by prohibiting or regulating development of land in hazardous areas or by managing the hazards to protect existing development. The text amendment is process oriented and administrative in nature, and it does include any changes to the environmental quality and safety standards that implement the goals and policies in Chapter 8. Accordingly, the goals and policies in Chapter 8 do not apply to the text amendment.

Chapter 9: Economy

Goal 9.1.1 Maximize efficient use of the city's employment land

Goal 9.2.1 Provide Programs and Services that Support Existing Businesses and Attract New Businesses

h) Help businesses navigate the local, regional, state and federal regulatory processes

i) Continuously improve and streamline the city's development review and permitting process with input from the business community

Goal 9.3.1: Identify and Support Existing and Future Targeted Industries

Goal 9.4.1: Position Downtown Beaverton and Surrounding Areas as a Major Employment Center and an Attractive Urban Lifestyle Center

The text amendment tolls the expiration period of final land use decisions in an effort to provide relief to applicants impacted by COVID-19 and the resulting economic disruption. The amendment supports economic and employment growth by providing

greater flexibility for applicants who may find it taking longer to secure financing and initiate and continue construction during the economic uncertainties created by COVID-19.

Without the options provided by this text amendment, some previously approved projects and some currently pending approval will not be able to be completed within the current code's deadlines. The time delay and additional costs associated with reviewing these projects through either an extension request or a second time through a subsequent land use review procedure decrease the feasibility that such projects would therefore occur. Such reviews also divert staff resources from new projects. Without the relief provided by this amendment, the City's ability to weather the impending economic downturn will be further hampered. This relief for economic activities is vital for supporting prosperity and equitable access to employment opportunities.

Chapter 10: Community Health

The goals and policies in Chapter 10 are intended to provide choices to Beaverton residents related to healthy food, physical activity, healthy environment, access to health care, and social safety net. The text amendment is administrative in nature and does not planning decisions and programs regarding community health. For that reason, the goals and policies in Chapter 10 do not apply to the text amendment.

Conclusion: Therefore, staff finds the amendment meets the criterion for approval.

Section 40.85.15.1.C.5

The proposed text amendment is consistent with other provisions within the City's Development Code.

FINDING:

The text amendment tolls the expiration period for final land use decisions for a limited time period. The proposed change does not create conflicts with any other provisions of the Code.

Conclusion: Therefore, staff finds the amendment meets the criterion for approval.

Section 40.85.15.1.C.6

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

FINDING:

The text amendment tolls the expiration period for final land use decisions for a limited time period. The proposed amendment does not conflict with existing provisions of the City ordinance requirements and regulations.

Conclusion: Therefore, staff finds the amendment meets the criterion for approval.

Section 40.85.15.1.C.7

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

FINDING:

There are no other applications or documents related to the text amendment that will require further City approval.

Conclusion: Therefore, staff finds the amendment meets the criterion for approval

Other applicable approval criteria

As a post-acknowledgement amendment to the City's Code, the proposed text amendment is subject to ORS 197.175(1), which requires that the City demonstrate that the proposed text amendment be consistent with the relevant Statewide Planning Goals. Staff have determined that the following goals apply.

FINDING:

Goal 1 Citizen Involvement: *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Consistent with procedures outlined in the BDC, notice of the proposed text amendment was sent to all NAC chairs, the Chair of the BCCI, 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, and published in the newspaper, consistent with Type 4 noticing requirements. A notice was also posted on the city's website. Staff finds that the City has provided adequate notice and opportunity for public involvement. Therefore, the text amendment is consistent with Goal 1.

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.*

Changes to the BDC 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 any text 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.

Staff finds that the proposed text amendment fits within the established process and framework. Furthermore, the findings contained within this report establish an adequate factual basis for the proposal. Therefore, the text amendment is consistent with Goal 2.

Goal 5. Open Space, Scenic and Historic Areas, and Natural Resources. *To protect natural resources and conserve scenic and historic areas and open spaces.*

The text amendment does not involve map changes, and the proposed Code change does not affect current regulations that apply to designated nature resources, scenic and historic areas, or open spaces. The proposed amendment will not have a negative impact on open space, scenic and historic areas, or natural resources. Therefore, the text amendment is consistent with Goal 5.

Goal 6 Air, Water and Land Resources Quality: *To maintain and improve the quality of air, water and land resources of the state.*

The proposed text amendment is procedural in nature and does not modify regulations pertaining to the quality of air, water, or land resources quality of the state. Therefore, the text amendment is consistent with Goal 6.

Goal 7. Areas Subject to Natural Disasters and Hazards. *To protect people and property from natural hazards.*

The proposal will not expose people to additional hazards because the text amendment does not include amendments to any programs or regulations that implement floodplain or landslide hazard policies. The text amendment concerns the land use review procedural requirements. Floodplain and landslide hazard regulations would continue to apply to any development also subject to the text amendment. Therefore, there is no impact on Goal 7.

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.*

Goal 8 focuses on the provision of destination resorts. However, it does impose a general obligation on the City to plan for meeting its residents' recreational needs: "(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." The text amendment does not affect land designated as open space for recreation use nor development standards or regulations. Therefore, there is no impact on Goal 8.

Goal 9 Economy of State: *To provide adequate opportunities throughout the state for a variety of economic activities vital to health, welfare, and prosperity of Oregon's citizens.*

Goal 9 requires cities to consider economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Comprehensive plans for urban areas are required to include, among other things: an analysis of economic patterns, potentialities, strengths, and deficiencies; policies concerning economic development; and land use maps that provide for at least an adequate supply of sites for a variety of industrial and commercial uses. The Comprehensive Plan demonstrates compliance with Goal 9. Land needs for a variety of industrial and commercial uses are identified in the 2015 Economic Opportunities Analysis (EOA).

The text amendment provides flexibility to deadlines during the land use review process. The amendment is intended to grant some measure of relief to applicants affected by the COVID-19 pandemic during a time of economic uncertainty in the development market.

Without the relief provided by these amendments, some previously approved projects and some currently pending approvals will not be completed within the current Code's deadlines. The time delay and additional costs associated with reviewing projects through either an extension request or a second time through a subsequent land use review procedure decreases the feasibility that such projects would therefore occur. This relief offered by this text amendment is important for the health, welfare, and prosperity of Oregon's citizens.

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

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.

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 proposed text amendment is intended to toll the expiration periods for final land use decisions during a specified period will and does not alter the potential for any property to be developed with housing, nor does it alter regulations governing design and construction of housing. As stated above in response to the goals and policies in Chapter 4 (Housing) of the Comprehensive Plan, the proposal will not negatively impact the ability of the City to meet its share of the housing needs.

Goal 11. Public Facilities and Services. *To plan and develop a timely, orderly, and efficient arrangement of public facilities and service to serve as a framework for urban and rural development.*

Statewide Planning Goal 11, Public Facilities, requires cities to adopt and update public facilities plans. Public facilities plans ensure that urban development is guided and supported by types and levels of water, sewer and transportation facilities appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement. As noted above in response to the goals and policies in Chapter 5 (Public Facilities and Services) of the Comprehensive Plan, the proposal will not impair the City's ability to provide the necessary services.

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

The text amendment does not, by itself, authorize any additional development and therefore will not have a negative effect on the transportation system of the City or surrounding area. As stated above, the proposal is consistent with the goals and policies in Chapter 6 (Transportation) of the Comprehensive Plan.

Goal 13 Energy Conservation: *To conserve energy.*

The proposed text amendment does not adopt or amend a local energy policy or implementing provision. The focus of the amendments is to provide more procedural deadline flexibility for land use review applicants. The amendment does not change any site or building development standards. The proposed amendment is consistent with this goal as it does not change the policy or intent of any of the existing regulations

pertaining to energy conservation. Staff finds that the proposed changes will not change the City's ability to conserve energy or promote energy-efficiency measures.

Goal 14 Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

Staff finds that the proposal only applies to already urbanized land and therefore does not alter the transition from rural to urban land use. The proposed text amendment is consistent with this goal as it does not change the policy or intent of any of the existing regulations pertaining to urbanization.

State Land Use Goal Compliance Summary: Therefore, staff finds that the proposed text amendment complies with all the applicable Statewide Planning Goals.

Conclusion: Therefore, staff finds the criterion is met.

Conclusion and Recommendation

Based on the facts and findings presented, staff offers the following recommendation for the conduct of the June 9, 2021 public hearing for TA2021-0002 Permit Expiration Relief 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 text amendment application TA2021-0002 Permit Expiration Relief Text Amendment to the City Council.