

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOMMENDING)	RESOLUTION NO. <u>80-130</u>
THE CITY OF BEAVERTON'S REQUEST)	
FOR ACKNOWLEDGMENT OF COMPLIANCE)	Introduced by the
WITH THE LCDC GOALS)	Planning and
		Development Committee

WHEREAS, Metro is the designated planning coordination body under ORS 197.765; and

WHEREAS, Under ORS 197.255 the Council is required to advise LCDC and local jurisdictions preparing comprehensive plans whether or not such plans are in conformity with the statewide planning goals; and

WHEREAS, LCDC Goal #2 requires that local land use plans be consistent with regional plans; and

WHEREAS, The city of Beaverton is now requesting that LCDC acknowledge its comprehensive plan as complying with the statewide planning goals; and

WHEREAS, Beaverton's comprehensive plan has been evaluated using the criteria and procedures contained in the "Metro Plan Review Manual" and, as summarized in the staff report attached as Exhibit "A," is found to comply with all LCDC goals and to be consistent with regional plans adopted by CRAG or Metro prior to November, 1979, with the exception of Goal #10 (Housing); and

WHEREAS, Adoption of provisions for mobile homes adequate to implement plan policy are necessary for Goal #10 compliance; now, therefore,

BE IT RESOLVED,

1. That the Beaverton comprehensive plan is recommended

for acknowledgment by the LCDC conditional upon adoption of plan and ordinance amendments for mobile homes adequate to comply with Goal #10.

2. That the Executive Officer forward copies of this Resolution, and the staff report attached hereto as Exhibit "A," to LCDC, the city of Beaverton and appropriate agencies.

3. That subsequent to adoption by the Council of any goals and objectives or functional plans after November, 1979, the Council will again review Beaverton's plan for consistency with regional plans and notify the city of Beaverton of any changes that may be needed at that time.

ADOPTED by the Council of the Metropolitan Service District this 28th day of February, 1980.


Presiding Officer

MB:gl
7040/92

EXHIBIT "A"

BEAVERTON: ACKNOWLEDGMENT REVIEW

Introduction:

The city of Beaverton is located in Washington County just west of Portland beyond the Tualatin Hills. The City has evolved from a residential suburb to a major commercial and industrial center. Beaverton's population has increased substantially from 5,937 in 1960 to 23,800 in 1977. The City is projected to reach a plan holding capacity of approximately 51,000 population.

The Beaverton area general plan was adopted in July, 1972, and has gone through a series of revisions subsequent to Land Conservation and Development Commission (LCDC) goal requirements. The plan sets out policy and land use designations for the plan area, although compliance is requested for land within the City limits. A process has been established to resolve all Beaverton plan/Washington County plan land designation inconsistencies prior to County plan submittal to LCDC.

The 1972 Beaverton plan was developed with the assistance of the consulting firm Patterson, Lanford and Stewart. Subsequent updates to the plan were carried out by the City. On the whole, the plan is thorough and represents an evolving planning effort.

Conclusions and Recommendations:

The Beaverton City Council recently adopted a number of plan amendments which address compliance issues raised during the acknowledgment review process. However, one proposed amendment, addressing the creation of an R-5 zoning district allowing mobile home parks subject to site development review, is still subject to further hearings before final adoption. Metro finds this amendment, or other provisions for mobile homes, is necessary for compliance with Goal #10 (Housing), since the plan does identify a need for this type of housing. We find the plan in compliance with all other applicable State goals and regional plans. Metro recommends, therefore, that LCDC grant Beaverton a continuance to adopt implementing measures for its policy on mobile homes in order to comply with Goal #10.

0. General Requirements:

All the general requirement items are included within the comprehensive plan package.

Goal #1 Citizen Participation:

The City established a Citizen Involvement Advisory Committee in 1975, but the Committee was abandoned soon after December, 1976, following completion of a program document that was not adopted by the Council. Next the Council formed a Committee for Citizen

Involvement which has proven effective. In June, 1979, the Council adopted an ordinance recognizing neighborhood associations as their citizen involvement mechanisms.

Conclusion: The City complies.

Goal #2 Land Use Planning:

Generally the plan contains problem identification, policy and implementing measures. Although the Beaverton area general plan was completed in 1972, most of the base data/inventory information is still relevant today. The salient inventories such as buildable vacant lands and traffic volumes have been recently revised. Task force reports were developed for each element which update most of the inventories. Further, the plan population projections are consistent with Metro's '208' projections.

Concern has been raised that the 1972 Beaverton plan and its numerous amendments have resulted in a written form that is difficult to understand. After LCDC acknowledgment the City intends to reprint the entire plan, incorporating the amendments in the appropriate places within the plan. Given the costs involved in printing and the possibility of further changes, Metro believes Beaverton's delay in reprinting their plan is justified.

The plan and zoning maps are consistent. A few parcels remain in the RA (five acre lot) zoning district. The general plan designation for these areas allow 6,000 sq. ft. lots which provides sufficient market incentive for a zone change to a higher density before development.

Conclusion: The City complies.

Goal #3 Agricultural Lands: Not applicable.

Goal #4 Forest Lands:

Significant forested/natural areas are identified for acquisition by the Tualatin Park and Recreation District to ensure preservation. Additionally, removal of natural vegetation on land in excess of 5,000 sq. ft. requires a permit. Also all development except single family houses and duplexes are subject to site and design review which address tree preservation.

Conclusion: The City complies.

Goal #5 Open Space, Scenic and Historic Areas and Natural Resources:

Open space, fish and wildlife, significant natural areas and scenic views and sites have adequate inventories and policy. Acquisition of these areas is the main tool for preservation. The plan map has identified these areas either as existing or proposed park sites. Aggregate sites which may have future potential are by and large under an existing Thriftway store and a freeway. The existing

Progress-Cobb quarries (just outside the City limits) are recommended for park development once the operation expires. A permit is required for all development locating in or near a natural water course. The floodplain ordinance serves as an additional tool to preserve most of the above along stream courses. Groundwater was not addressed in the plan. However, Public Facilities staff at Metro indicated there were no known problems associated with groundwater in the Beaverton area. Historic structures are protected, in part, through a non-conforming use designation for historically significant structures and through the site and design review process. The City intends to consider historic preservation in the urban renewal plan and proposed downtown development element.

Because Metro has no regional plans or policies requiring specification on historic preservation, we are willing to rely on the City's efforts to assess what needs to be done in this area and act accordingly. While we believe no direct regional interests are at jeopardy, we make no recommendation on whether current policy and proposed planning activity are adequate to protect the State interest in historic preservation.

Goal #6 Air, Water and Land Resources Quality

The Beaverton plan has a good inventory of air pollution sources and components; however, it does not reflect the most recent data of the Air Quality State Implementation Plan. Policy is generally adequate, relying on the DEQ permit process to ensure protection of the airshed.

The City has developed a Beaverton Parking, Transportation and Circulation Plan and an Air Quality Analysis of that plan. The desired air quality Metro coordination language is not in place. Metro has recommended that this language, or its equivalent, be included in local plans as a way of insuring that jurisdictions are (1) aware that the region is a non-attainment area for ozone, that a regional control strategy is being developed to solve the problem, and (2) willing to cooperate with respect to local plan changes or program participation required to implement this strategy.

Although Beaverton planning staff are both aware of and willing to cooperate with regional air quality planning programs, the "sample language" reflecting this was inadvertently omitted from the package of proposed plan amendments. To ensure that City officials give public notice to both the problems and Metro's and Beaverton's role in its solution, Metro is sending a letter to Mayor Nelson discussing the situation and the importance of including Metro's "sample language" in its plan when it is next updated.

We believe this is adequate to ensure awareness of the problem; we do not believe that Metro's interest in voluntary local support and cooperation can be served by mandating inclusion of policy on cooperation as a requirement for acknowledgment.

The City has already expressed its commitment to air quality in local planning efforts. No further local action is necessary or desirable at this time. When a regional control strategy is adopted, Beaverton's plan may need to be "re-opened" for plan changes. The plan now contains "opening language" recognizing Metro's role in this regard and there is no indication that they will not fully cooperate in this process.

For these reasons, Metro finds that the absence of appropriate language on air quality does not jeopardize regional interests in air quality protection nor in regional coordination generally, nor does it otherwise preclude compliance with this goal.

With regard to water resources quality, the Unified Sewerage Agency (USA) serves the Beaverton area and has primary responsibility for sewage treatment. Fanno and Beaverton Creeks are mentioned in the Fish and Wildlife reports as having water quality problems. The main problem is one of temperature and siltation. There is very little which could be done to resolve this problem. Site runoff control measures, as part of the site and design review process, appear adequate to ensure no further degradation of these creeks. The plan includes the '208'/Metro coordination language.

A good description of solid waste disposal problems and Metro's role exist in a task force report, plus the plan contains policy on cooperation with Metro on landfill siting. The plan has a good noise policy and ordinance.

Conclusion: The City complies.

Goal #7 Areas Subject to Natural Hazards

The plan contains good inventory and policy. Policies are implemented through a flood plan, excavation/fill and general hazard area permit process. The floodplain regulations specify zone designations for any parcel located in the floodplain shall be followed by the notation of floodplain. Although this has not yet been done, the Army Corps of Engineers is still in the process of updating its floodplain maps for the Beaverton area. Amendment of the zoning map to reflect the floodplain notations should be undertaken as an update item when this work is completed. Current floodplain maps on file with the City Engineer and referenced in floodplain ordinance are adequate for compliance now.

Conclusion: The City complies.

Goal #8 Recreation

Existing and proposed park sites are identified on the plan map and are in concert with acquisition plans of the Tualatin Hills Park and Recreation District.

In the event proposed sites are lost to development or excessive costs, alternative sites may be substituted or combined with other

parcels to serve a larger area. The plan calls for possible park land dedication or fee for new subdivision. This latter recommendation is only a guideline and thus not carried out through the implementing measures at this time.

Conclusion: The City complies.

Goal #9 Economy of the State

The plan includes a good identification of the local and regional economic base, local retail space inventory and demand and the industrial market demand. Policies include limiting strip commercial development and fostering clustered development. Policies are implemented through the zoning and subdivision ordinances. An urban renewal plan is being developed for the downtown area. Also a downtown element is proposed to be developed subsequent to plan acknowledgment. All commercial and industrial development proposals are subject to site and design review.

Conclusion: The City complies.

Goal #10 Housing

The housing goal is addressed in the comprehensive plan and in supporting materials, such as the "Public Facilities Requirements" report, the "Community Attitude and Housing Conditions Survey," and the "Citizen Housing Report," and in implementing ordinances. In general, the housing section contains a good information base and analysis of the issues.

The City has submitted a current vacant lands inventory as of January, 1980. The City has stated, in a personal communication, that there are no undeveloped residentially zoned lands that are building constrained or within the floodplain (i.e., all residential/floodplain land is currently developed and only consists of about four parcels totaling 2-5 acres). Therefore, the vacant lands inventory can be considered as a buildable lands inventory and Metro staff is satisfied that this inventory is adequate.

Although plan materials include some general housing projections based on plan map designations, these projections have not been updated and refined to reflect actual zoning. All the information necessary for this analysis is available in plan materials and Metro staff has summarized it in the table on the following page.

BEAVERTON ZONING CAPACITY FOR NEW HOUSING

	SINGLE FAMILY			Total Single Family	MULTI-FAMILY			Total Multi Family	TOTAL
	<u>RA*</u>	<u>R-10</u>	<u>R-7</u>		<u>R-3.5</u>	<u>R-2</u>	<u>R-1</u>		
Gross Residential Acres-Vacant Buildable	116.2	1.9	297	415	3.82	71	36	111	526
Net Acres (gross less 25% for non-residential use)	87.15	1.4	223	312	2.9	53.25	25	81	393
Density Allowed (units/net acre)	.2	4.4	6.2	4.5	12.4	21.8	43.6	28.2	9.84
Potential new Units	174	6	1383	1406	36	1160	1090	2286	3692
% Units of Total				(38%)				(62%)	100%

*Most RA-zoned land has been planned for higher residential densities and is likely to be rezoned and developed on that basis (see discussions under Goal #2).

Beaverton provides for a single family/multi-family split in which the multi-family is favored and for an overall density considerably higher than the projected regional average. Metro finds that Beaverton's generous provisions for multi-family development are consistent with goal requirements and well in excess of that assumed needed regionwide in the regional Urban Growth Boundary Findings.

LCDC's action on Multnomah County's acknowledgment request established the principle that a jurisdiction need not specifically address the need for mobile homes if it has met its housing needs by providing a range of other types of lower cost housing. Metro finds, for the reasons discussed above, that Beaverton's provisions for multi-family housing at varying densities from duplexes to walk-up apartments, would be adequate to meet its housing needs generally.

However, the City itself has chosen, in plan policy (p. 21 as amended by Ordinance 3084), to provide for mobile homes and Metro believes that Goal #10, in conjunction with Goal #2 (Land Use Planning), still requires that a jurisdiction implements its plan for each type which is the subject of plan policy. The "St. Helens" policy further requires that policies which provide for particular housing types be implemented with clear and objective approval standards.

However, the current zoning excludes mobile homes from R10, R7 and R1 zones and allows them elsewhere only in low density subject to vague and discretionary conditional use approval standards (except on lots of above five acres) such as:

"99.1 The Planning Commission may approve, approve with conditions or deny the application for a Conditional Use Permit.

"99.3 In order to grant a Conditional Use Permit, the Planning Commission shall make findings of fact to support the following conclusions:

B. The proposed development will comply with the Comprehensive Plan.

C. That the location, size, design and functional characteristics of the proposed use are such that it can be made reasonably compatible with and have a minimum impact on the livability and appropriate development of other properties in the surrounding area."

We find, therefore, that Beaverton must adopt ordinance provisions adequate to implement its policy on mobile homes in order to comply with this goal.

The planning staff has proposed a zoning ordinance amendment which create an R-5, (5,000 sq. ft. minimum lot size), that will allow

mobile home parks as a permitted use, subject to site development review. An accompanying plan amendment will ensure that, although it is not immediately applied, the R-5 zone will be applicable to the Urban Standard Plan designation, which contains many large vacant buildable parcels. The provisions of the R-5 zone and the availability of land for application is sufficient to resolve the inconsistency between the plan policies encouraging mobile homes and the failure of existing measures to adequately implement such policies.

The Planning Commission has tabled this proposal for further discussion so no action will have been taken the time of the City's acknowledgment hearing. Adoption of the amendments as proposed would be adequate to address Metro's compliance concerns. However, Beaverton does have system development charges to fund system-wide improvements for a variety of basic services. Plan policy expressly states that ordinances and regulations should not unnecessarily increase housing costs beyond the extent housing creates or increases burdens on government services. This policy, coupled with the fact that such charges appear to be reasonable and have not been shown to have a serious impact on housing costs, should be sufficient to ensure that the systems development charge will not affect compliance.

In summary, Beaverton has done an excellent job in identifying and providing for housing needs, but must follow through on its commitments to provide for mobile homes.

Conclusion: The City must implement its policy on mobile homes with clear and objective approval standards in order to comply. Adoption of the proposed amendment would be adequate for this purpose.

Goal #11 Public Facilities and Services

The Beaverton comprehensive plan policies, staff reports, and implementation measures are sufficient to ensure an orderly, timely and efficient extension of public services. In particular, Beaverton has undertaken numerous studies of public facilities with respect to its moratorium and systems development charges and an ambitious and complete Capital Improvements Program.

Problem areas, which include water and storm drainage problems, are also discussed by the City. The water problem centers around supply and the City has prepared a report, entitled "Capital Improvements Water System" and dated May, 1979, which examines present and future water requirements and supply, and sets out a program of improvements to increase the supply of water available to Beaverton.

As for the storm drainage situation, Beaverton has recognized that a problem exists. As development continues, the magnitude of this problem increases. The City states in a personal communication that "Beaverton supports and will be subject to provisions that may be promulgated under the storm drainage element of the '208' Regional Management Plan for Urban Storm Water Run-off," and appropriate

language was adopted, as a plan amendment, supporting the '208' plan. They are also preparing a study to determine capital improvements necessary to correct flooding problems within the Beaverton Creek area. Metro staff is satisfied with the direction Beaverton has taken with this problem and find plan provisions sufficient for goal compliance.

The plan does not include any discussion of energy and communication services, but the City does not have responsibility for providing such services and there are no outstanding problems in this area.

Police protection is discussed in the "Public Facilities Requirements" report (p. 7). No problems are identified; the ratio of police to residents is within the average for the State. The City does state that police service will increase as population increases. Further information on future police services is noted in the "Capital Improvement Strategy" (Cogan report). This Capital Improvement report also addresses public health and safety and general government services.

Solid Waste provisions are discussed under Goal #6.

Conclusion: The City complies.

Goal #12 Transportation

The Beaverton plan contains a good inventory of transportation facilities and an analysis of needed improvements. Roadway standards have been developed and incorporated into the subdivision ordinance. The City has an excellent bikeway plan. Although the Beaverton plan does not directly address the issue of services for the transportation disadvantaged, Tri-Met and Metro have the primary planning responsibility in this area. Metro's plan for the transportation disadvantaged will be included as part of its Regional Transportation Plan (RTP). The Beaverton plan has policy supporting the RTP, as well as policy generally in support of mass transit. Metro is satisfied with the level of support and cooperation we have received from Beaverton in planning for Westside Transit. Support of the Westside Transit project is addressed in the plan through pending amendments slated for adoption prior to the City's acknowledgment hearing.

The Beaverton plan proposed a number of road closures affecting Hall Blvd., Allen Ave., and Murray Blvd. The Metro Transportation Department indicates the major highway facilities transversing the Beaverton area will be severely congested by the year 2000. A detailed technical analysis would need to be performed to determine the actual impact of the road closures. In the absence of any indication that the proposed closures will significantly affect the regional system, no immediate action by Metro appears warranted. The RTP will provide a framework for an overall evaluation of the problem and appropriate solutions including plan changes, if necessary, identified on that basis. In addition, Metro can provide Beaverton with technical assistance in evaluating the impacts of the

closures, if the City so requests. The City has forwarded a letter to the Planning and Development Committee, dated February 11, 1980, indicating their willingness to support a special arterial analysis of the Beaverton area as part of the Westside Alternative Project.

Conclusion: The City complies.

Goal #13 Energy Conservation

The plan contains an adequate factual base and inventory of energy use. Comprehensive energy policy is developed and implemented generally through the land use plan and zoning ordinance. An ordinance or set of standards will be developed during 1980 to encourage energy conservation.

Conclusion: The City complies.

Goal #14 Urbanization

The majority of land within the City and immediately outside is developed and can be serviced within the immediate future. The City does not contain, therefore, any urbanizable (future urban) land, so goal requirements for conversion do not apply.

Conclusion: The City complies.

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