



Department of Land Conservation and Development 635 Capitol Street NE, Suite 150 Salem, Oregon 97301-2524 Phone: (503) 373-0050 First Floor/Costal Fax: (503) 378-6033 Second Floor/Director's Office: (503) 378-5518 Web Address: http://www.oregon.gov/LCD

NOTICE OF ADOPTED AMENDMENT

October 2, 2006

TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment DLCD File Number 008-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 16, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*<u>NOTE:</u> THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Gloria Gardiner, DLCD Urban Planning Specialist Meg Fernekees, DLCD Regional Representative Steven Sparks, City of Beaverton

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E 2 Notice of Ado THIS FORM <u>MUST BE MAILED</u> TO DLCI <u>WITHIN 5 WORKING DAYS AFTER THE FINAL</u> PER ORS 197.610, OAR CHAPTER 660 - DIVISI	DECISION
Jurisdiction: City of Beaverton	Local file number: TA2006-0005
Date of Adoption: September 19, 2006	Date Mailed: September 22, 2006
Date original Notice of Proposed Amendment was	nailed to DLCD: <u>May 24, 2006</u>
Comprehensive Plan Text Amendment	Comprehensive Plan Map Amendme
Land Use Regulation Amendment	Zoning Map Amendment
New Land Use Regulation	Other:
Summarize the adopted amendment. Do not use te Amendment to procedures within the Developmen most of the City's land use applications. The new a the Facilities Review Committee section of the Cod	Code which will revise the applicable approval cr pproval criteria address technical issues and were
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Forty-five (45) days prior to first evidenti If no, do the statewide planning goals app If no, did Emergency Circumstances requ	ly?	☑ Yes☑ Yes☑ Yes	 No No No
Affected State or Federal Agencies, Local Governments None	s or Special Districts:		
Local Contact: <u>Steven Sparks</u> Address: PO Box 4755	- Phone: <u>503-526-2429</u> City: Beaverton	Extens	ion:

ADOPTION SUBMITTAL REQUIREMENTS

Email Address: ssparks@ci.beaverton.or.us

This form <u>must be mailed</u> to DLCD <u>within 5 working days after the final decision</u> per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO (2)** Copies of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT 635 CAPITOL STREET NE, SUITE 150 SALEM, OREGON 97301-2540

- 2. Submit TWO (2) copies the adopted material, if copies are bounded please submit TWO (2) complete copies of documents and maps.
- 3. <u>Please Note</u>: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
- 4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
- 5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
- 6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
- 7. Need More Copies? You can copy this form on to <u>8-1/2x11 green paper only</u>; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to mara.ulloa@state.or.us ATTENTION: PLAN AMENDMENT SPECIALIST.

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Zip Code + 4: 97076-4755

revised: 7/7/2005

ORDINANCE NO. 4404

AN ORDINANCE AMENDING ORDINANCE NO. 2050, THE DEVELOPMENT CODE.

WHEREAS, the purpose of the Facilities Review Text Amendment is to make changes to selected sections of the Beaverton Development Code (BDC) to clarify the Facilities Review Committee process and relocate certain Facilities Review Committee approval criteria to selected applications; and,

WHEREAS, the affected chapters of the BDC include Chapter 10 (General Provisions), Chapter 40 (Applications), and Chapter 50 (Procedures); and,

WHEREAS, the Planning Commission held a public hearing on July 26, 2006 and approved the proposed Facilities Review Text Amendment, based upon the criteria, facts and findings set forth in the staff report dated July 19, 2006; and

WHEREAS, the Planning Commission has issued Land Use Order #1895 memorializing its recommendation; and

WHEREAS, pursuant to Section 50.50.11 of the Development Code, the City Council considered the Planning Commission recommendation of approval as summarized in Land Use Order #1895; and

WHEREAS, the City Council adopts as to criteria, facts and findings, described in Land Use Order #1895 dated July 28, 2006 and the Planning Commission record, all of which the Council incorporates by this reference and finds to constitute an adequate factual basis for this ordinance; and now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 2050, the Development Code, is amended to read as set out in Appendix "A" to this Ordinance attached hereto and incorporated herein by this reference.

Section 2. All Development Code provisions adopted prior to this Ordinance which are not expressly amended or replaced herein shall remain in full force and effect.

Section 3. It shall be considered the legislative intent that if any part of this ordinance, including exhibits, shall be held invalid or unconstitutional or not in compliance with statewide planning goals, the remaining parts of this ordinance shall remain in force and acknowledged, and any revisions of a prior ordinance amended or repealed by the stricken portion of this ordinance shall again be considered in full force and effect.

ORDINANCE NO. 4404 - Page 1 of 2

Agenda B111: 06164

First reading this 11 th day of	, 2006.	
Passed by the Council this 18t bay of September	, 2006.	a series a series a series a series a series a series a series a series a series a series a series a series a series a s
Approved by the Mayor this 19 Bay of <u>Septembe</u>	2 <u>/</u> , 2006.	
ATTEST		
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ORDINANCE NO. 4404 - Page 2 of 2

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 City Council ***** Planning Commission ***** Board of Design Review ***** Board of Design Review ***** Facilities Review Committee. ***** Facilities Review Committee. ***** Powers and Duties. The Facilities Review Committee shall review all Type 2, Type 3, and Type 4 proposals and shall make the necessary recommendations in the Interview Conterning technical aspects of the proposals based upon the technical criteria listed in Section 40.03 of this Code for after following provident environment in the interview of the int	10.95.	
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D. <u>Committee Recommendations</u>. The conditions recommended by 1 $\mathbf{2}$ the Facilities Review Committee shall represent a consensus of 3 the Committee. Moreover, the conditions recommended by the Facilities Review Committee are for the purpose of ensuring 4 $\mathbf{5}$ compliance with the technical criteria listed in Section 40.03 of 6 this Code for the following Type 2, and Type 8 land use applications all Conditional Use. Design Review Two, Design 7Review Three, all Land Division, Public Transportation Facility 8 9 The Director, Planning Commission, and Street Wacation. 10 Board of Design Review, or City Council acting as the decision 11 making authority on an application(s) may change the 12 . conditions recommended by the Committee only after requesting 13and receiving a written report from the Facilities Review 14 Committee detailing the technical aspects concerning the 15purpose and need for the recommended condition(s). 16 17Section 2: The Development Code, Ordinance No. 2050, Chapter 40 -1819 Applications, Section 40.03., will be amended to read as follows: 202140.03. FACILITIES REVIEW COMMITTEE 2223Consistent with Section 10.95.4 (Facilities Review Committee) of this Code, $\mathbf{24}$ the Facilities Review Committee shall review the following Type 2 and Type 3 land use applications: all Conditional Use, Design Review Two, Design 25 $\mathbf{26}$ Review Three, all Land Division, Public Transportation Facility, and Street 27Wacation, all Type 2, Type 3, and Type 4 applications listed in Chapter 40 $\mathbf{28}$ (Applications). In the case of Non-Discretionary Annexation Related Zoning $\mathbf{29}$ Map Amendments and Discretionary Annexation Zoning Map Amendments 30processed by the City, review by the Facilities Review Committee shall not be 31required. The purpose of the Facilities Review Committee is to review the 32technical aspects of Type 2, Type 3, and Type 4 applications. The Facilities 33Review Committee shall provide the necessary recommendations concerning $\mathbf{34}$ technical aspects of the proposal to the Director. In making a 35recommendation on a proposal, the Facilities Review Committee shall base 36 its recommendation on all the following technical criteria. All of these 37 criteria shall be addressed at time of application by an applicant for 38 development for conformity to Section 50.25.1.B. [ORD 4265; September 39 20031 40 ***** 41 4243

PC Recommended Version

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CITY OF BEAVERTON DEVELOPMENT CODE TEXT AMENDMENT Added devices deleted-text

Section 3: The Development Code, Ordinance No. 2050, Chapter 40 -1 Applications, Section 40.10., will be amended to read as follows: $\mathbf{2}$ 3 ADJUSTMENT 4 40.10. $\mathbf{5}$ ***** 6 7 40.10.15. Application. 8 ***** 9 101. **Minor Adjustment.** 11 **** 12 13С. 14 Approval Criteria. In order to approve a Minor Adjustment 15application, the decision making authority shall make findings 16 of fact based on evidence provided by the applicant 17 demonstrating that all the following criteria are satisfied: 18 191. The proposal satisfies the threshold requirements for a 20Minor Adjustment application. 212 $\mathbf{2}$. All City application fees related to the application under 23consideration by the decision making authority have been $\mathbf{24}$ submitted. 25263. Special conditions exist which are unique to the land, 27structure, or building involved. $\mathbf{28}$ 29 4. Granting the adjustment will result in a project that 30 equally or better meets the regulation to be modified. $\mathbf{31}$ 325. Granting the adjustment as part of the overall project will 33 not obstruct pedestrian or vehicular movement. $\mathbf{34}$ 356. The adjustment will allow City designated scenic 36 resources, natural areas, and/or historic resources, if 37 present, to be preserved. 38 $\mathbf{39}$ 7. If more than one (1) Minor Adjustment is being 40 requested, the cumulative effect of the adjustments will 41 result in a project which is still consistent with the overall 42purpose of the applicable zone. 13

PC Recommended Version

CITY OF BEAVERTON DEVELOPMENT CODE TEXT AMENDMENT Marca Text deleted text

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	8. Any Minor A djustment granted shall be the minimum that will make possible a reasonable use of land, building and structures.
h	9. The proposal incorporates building, structure, or site design features or some combination thereof which compensate for adjusting the Site Developmen Requirement.
0	10. The proposablis consistent withvall applicable provisions of Chapter 20 (LandrUsee), unless the applicable provision are subject to an Acquisiment, Planned Unit Development or variance which slith be ableady approved or consultance concurrently with the subject proposal
	11 The proposables consistent with all applicable provisions o Chapter 60 (Special Requirements) and that cal improvements, dedications, or both required by the applicable provisions of Chapter 60 (Specia Requirements) are provided or can be provided in rough
n N N	proportion to the identified impact(s) of the proposal 12 Adequate means are provided or can be provided to ensure continued periodic maintenance. and necessary normal replacement of the following private common facilities, and areas, dramage ditches, roads, and other improved, rights of way, structures, recreation facilities
	landscaping, fill, and excavation areas, screening and fercing, ground cover, gailbage and recycling storage areas and other, facilities, not subject to periodic maintenance by the City or other public agency. 13. The proposal contains all applicable application submitta requirements as specified in Section 50°25 h of the
	Development Code: [ORD 4265. September 2003] 104. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

CITY OF BEAVERTON DEVELOPMENT CODE TEXT AMENDMENT Addie of text deleted text

$\bigcirc_{\frac{1}{2}}$	2.	Major Adjus	itment.
3		****	
4 5 6 7 8 9		applica of fac	val Criteria. In order to approve a Major Adjustment ation, the decision making authority shall make findings at based on evidence provided by the applicant strating that all the following criteria are satisfied:
10 11 12			The proposal satisfies the threshold requirements for a Major Adjustment application.
13 14 15		Ċ	All City application fees related to the application under consideration by the decision making authority have been submitted.
16 17 18 19			Special conditions exist which are unique to the land, structure, or building involved.
$\bigcirc \begin{array}{c} 20 \\ 21 \\ 22 \\ \end{array}$			Granting the Major Adjustment will result in a project that equally or better meets the regulation to be modified.
23 24 25			Granting the adjustment will not obstruct pedestrian or vehicular movement.
26 27 28 29		1	The Major Adjustment will allow City designated scenic resources, natural areas, and/or historic resources, if present, to be preserved.
30 31 32 33 34		1	If more than one (1) <u>Major A</u> djustment is being requested, the cumulative effect of the adjustments will result in a project which is still consistent with the overall purpose of the applicable zone.
35 36 37 38		8	Any Major A djustment granted shall be the minimum adjustment that will make possible a reasonable use of and, building, and structures.
39 40 41 42 43		Ċ	The proposal incorporates building, structure, or site lesign features which compensate for adjusting the Site Development Requirement.

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		Added Rext deleted text
1	10. 4.	The proposal is consistent with all applicable provisions of
2 3	•	Chapter 20 (Land Uses) unless the applicable provisions are subjective an Adjustment. Rianned Unit Development
4		or Vanance which shall be already approved or considered
5		concurrently, with the subject proposal
6		
7	11.	The proposal is consistent with all applicable provisions of
8 9		Chaptien (60, (Special Requirements), and all imployements, dedications, or both required by the
0		applicable, provisions of a Chapters 60 (Special
1		Requirements interprovided or can be provided merough
2		enconcentioners and the indernationed insupressing of the populations of
3		
4 5	12.0	Adequate moduly are provided or cam be provided to ensure the provided to ensure the module provided and measure and measure the second of the second s
6		ensure computed periodic membren are and receiven with a monitority and received and the second second second s
7		faulthies and areas dramage driches, roads and other
8		improved nghts-of way, structures, recreation facilities,
9		landscaping, fill, and excavation areas, screening, and
0 1		femones ground cover, garbage, and recycling storage areas, and other facilities, not subject, to periodic
2		maintenance by the City or other public igency.
3	kruktania (2 vice/15 krativa	
4	13.	The proposal contains all applicable application submittal
5 6 .		requirements as specified in Section 50.25.1 of the Development Code
7		
8	104.	Applications and documents related to the request, which
9		will require further City approval, shall be submitted to
0 1		the City in the proper sequence.
2	****	
3		
		Development Code, Ordinance No. 2050, Chapter 40 -
	ons, Section 4	10.25.15.1.C, will be amended to read as follows:
6 7 40.25.	DIRECTOR	S INTERPRETATION
8	DINGUIUI	
9 40.25.05.	Purpose.	
0		
1 ****	**	
2 3		

O_1	40.25.10.	Annl	icability.
2	101201201	~~ PP ~	
.3	***	***	
4	40.25.15.	Appl	ication.
5			
6	***	***	
· 7	1.	Direc	ctor's Interpretation.
8			
9		****	
10			
11		С.	Approval Criteria. In order to approve a Director's
12			Interpretation application, the decision making authority shall
13			make findings of fact based on evidence provided by the
14			applicant demonstrating that all the following criteria are
15 10			satisfied:
16 17			1 The money leating the threshold meminents for a
$\frac{17}{18}$			1. The proposal satisfies the threshold requirements for a Director's Intermentation appliestion
10			Director's Interpretation application.
15 20			2. All City application fees related to the application under
-21			consideration by the decision making authority have been
$()_2$			submitted.
23			
24			3. That the interpretation is consistent with the City's
25			Comprehensive Plan and other provisions within this
26			Code.
27			
28			4. When interpreting that a use not identified in the
29			Development Code is a permitted, a conditional, or
30			prohibited use, that use must be substantially similar to a
31			use currently identified in the subject zoning district or
32			elsewhere in the Development Code.
33			
34			5. The proposal contains all applicable application submittat
35			requirements as specified in Section 50.25.1 of the
36 27			Development (Code)
37			6 Applications and documents related to the respect which
38 39			6. Applications and documents related to the request, which will require further City approval, shall be submitted to
39 40			the City in the proper sequence.
40 41			the Oity in the proper sequence.
41		*****	
13			
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40.20.	DESIG	N REVIEW [ORD 4332; November 2004]
40.20.05.	Purpos	se.
****	*	
40.20.10.	Applic	ability.
**** 10.20,15.	* Applic	ation
10.20,10.	Applica	ation.
		ee (3) Design Review applications which are as follows: Design iance Letter, Design Review Two, and Design Review Three.
1.	Design	Review Compliance Letter.

	C. <u>A</u>	pproval Criteria.
	*	****
	5	
		building, is consistent with all applicable provisions of
		Sections 60.05.15 through 60.05.30 (Design Standards).
	6	. If applicable, the proposed addition to an existing
		building, and only that portion of the building containing
		the proposed addition, complies with the applicable
		provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:
		Standards) as they apply to the following.
		a. Building articulation and variety (Section
		60405. TEXDX
		b. Roof forms (Section 60.05.15.2). c. Primary building entrances (Section 60.05.15.3).
		d. Building materials (Section 60.05.15.4)
		e. Perimeter/f Boundation landscaping requirements
		(Section, 60:05, 25, 3; D.).
		f. Screening roof-mounted equipment requirements

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\mathbf{h}				g. Screening loading areas, solid waste facilities and
2 3 4				similar improvements (Section 60.05.20.2). h. Lighting requirements (Section 60.05.30)
5 6			7.	The proposal complies with all applicable provisions in Chapter 60 (Special Regulations).
7 8 9 10 11			8.	Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.
12 13			****	
14 15	2.	Desi	gn Rev	view Two.
16			0	
17		А.	Thres	hold.
18				
19			*****	
20			8.	[ORD 4365; September 2005] Removal of more than five
21				(5) and up to and including ten (10) Landscape Trees on a
2				site within a one calendar year period .
23			****	
24				
25	3.	Desi	gn Rev	view Three.
26		*****	.	
27				
28		С.	Appro	oval Criteria.
29			*****	
30 31				
31 32			4.	For proposals meeting Design Review. Three application
32 33				thresholds numbers 1 through 6 the proposal is
33 34				consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).
34 35			*****	oo.oo.oo untougn oo.oo.oo (Design Guidennes).
36				
30 37			7	For proposals meeting Design Review Three application
38				The shold numbers 7 or 8, the proposal is consistent with
39				all applieable provisions of Sections 60.05 15 through
40				60.05.30 (Design: Standards) except for the Design
41				Standard(S) where the proposal is applying to instead
42				meet the applicable Design Guideline(s).
3				TI WAR AND THE PRODUCT OF THE DIGHT CHILD CHILD (2)

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1		8 Forsproposals meeting Design Review. Enco application	
$\frac{1}{2}$		Muceshold mumbers: 77 on S: the proposed as consistent with	
3		the applicable provisions of Sections 60.00.35 through	
4		60.05.50 (Design Guidelines) where the proposal does not	
5		meet the related provisions of Sections 60.05 15 through	
6		60.05.30 (Design Shandands).	
7		haan ahaa ahaa ahaa ahaa ahaa ahaa ahaa	
8		97. Applications and documents related to the request, which	
9		will require further City approval, shall be submitted to	
10		the City in the proper sequence.	
11			
12		****	
13			• •
14			
15		tion 6: The Development Code, Ordinance No. 2050, Chapter 40 -	
16	Applicatio	ons, Section 40.30., will be amended to read as follows:	
17			
18	40.30.	FLEXIBLE AND ZERO YARD SETBACKS	
19			
20	40.30.05.	Purpose.	
21	****		
		T C C C C C C C C C C C C C C C C C C C	
22 23 24	40.30.10.	* Applicability.	
23 24		Applicability.	
23 24 25	40.30.10. *****	Applicability.	
23 24 25 26	40.30.10.	Applicability.	
23 24 25 26 27	40.30.10. *****	Applicability. * Application Types.	
23 24 25 26 27 28	40.30.10. ***** 40.30.15.	Applicability. * Application Types.	
23 24 25 26 27 28 29	40.30.10. ***** 40.30.15. *****	Applicability. * Application Types.	
23 24 25 26 27 28 29 30	40.30.10. ***** 40.30.15. *****	Applicability. * Application Types.	
23 24 25 26 27 28 29 30 31	40.30.10. ***** 40.30.15. *****	Applicability. Application Types. Flexible Setback for Individual Lot With Endorsement. 	
23 24 25 26 27 28 29 30 31 32	40.30.10. ***** 40.30.15. ***** 1.	Applicability. Application Types. Flexible Setback for Individual Lot With Endorsement. ******	
23 24 25 26	40.30.10. ***** 40.30.15. ***** 1.	Applicability. Application Types. * Flexible Setback for Individual Lot With Endorsement. ******	
23 24 25 26 27 28 29 30 31 32 33 33 34 35	40.30.10. ***** 40.30.15. ***** 1.	Applicability. * Application Types. * <td></td>	
23 24 25 26 27 28 29 30 31 32 33 34 35 36	40.30.10. ***** 40.30.15. ***** 1.	Applicability. * Application Types. * Flexible Setback for Individual Lot With Endorsement. ****** Flexible Setback for Individual Lot Without Endorsement. ****** C. Approval Criteria. In order to approve a Flexible Setback on Individual Lot Without Endorsement application, the decision	
23 24 25 26 27 28 29 30 31 32 33 33 34 35 36 37	40.30.10. ***** 40.30.15. ***** 1.	Applicability. * Application Types. * * Flexible Setback for Individual Lot With Endorsement. ***** Flexible Setback for Individual Lot Without Endorsement. ****** C. Approval Criteria. In order to approve a Flexible Setback on Individual Lot Without Endorsement application, the decision making authority shall make findings of fact based on evidence	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38	40.30.10. ***** 40.30.15. ***** 1.	Applicability. Application Types. Flexible Setback for Individual Lot With Endorsement. ***** Flexible Setback for Individual Lot Without Endorsement. ***** C. Approval Criteria. In order to approve a Flexible Setback on Individual Lot Without Endorsement application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39	40.30.10. ***** 40.30.15. ***** 1.	Applicability. * Application Types. * * Flexible Setback for Individual Lot With Endorsement. ***** Flexible Setback for Individual Lot Without Endorsement. ****** C. Approval Criteria. In order to approve a Flexible Setback on Individual Lot Without Endorsement application, the decision making authority shall make findings of fact based on evidence	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40	40.30.10. ***** 40.30.15. ***** 1.	Applicability. * Application Types. * Flexible Setback for Individual Lot With Endorsement. ****** Flexible Setback for Individual Lot Without Endorsement. ****** C. Approval Criteria. In order to approve a Flexible Setback on Individual Lot Without Endorsement 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:	
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39	40.30.10. ***** 40.30.15. ***** 1.	Applicability. Application Types. Flexible Setback for Individual Lot With Endorsement. ***** Flexible Setback for Individual Lot Without Endorsement. ***** C. Approval Criteria. In order to approve a Flexible Setback on Individual Lot Without Endorsement application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following	

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1 2 3		2.	All City application fees related to the application under consideration by the decision making authority have been submitted.
4 5 6 7		3.	The proposal does not violate any recorded Solar Access Permit requirements.
8 9		4.	The proposal meets the minimum standards specified in Section 20.05.50.3.D of this Code.
0 1 2 3 4 5		5.	The proposal is compatible with the surrounding area regarding topography, vegetation, building character, and site design. In determining compatibility, consideration shall be given to harmony in: scale, bulk, coverage, density, rooflines, and materials.
6 7 8 9		6****	All embrain familities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.
1 2 3 4 5 6		7.89999	The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an Adjustment, Plainted Unit Development or Variance which shall be absendy approved or considered concurrently with the subject proposal.
7 8 9 0 1 2 3		8	The proposal is consistent with all applicable provisions of Chapter 60 ((Special Requirements)) and that all improvements dedications of both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the dentified impact(s) of the proposal.
4 5 6 7		9.5-20	The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
8 9 0 1	·	6 <u>10</u> .	Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
2 3	**	***	

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CITY OF BEAVERTON DEVELOPMENT CODE TEXT AMENDMENT Added Hext deleted text

3. Fl	exible Setback for a Proposed Residential Land Division.
***	**
C.	<u>Approval Criteria.</u> In order to approve a Flexible Setback for a Proposed Residential Land Division 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 Flexible Setback for a Proposed Residential Land Division application.
	2. All City application fees related to the application under consideration by the decision making authority have been submitted.
	3. The proposal is compatible with the surrounding area, which is defined as abutting properties and properties directly across the street from the proposal site. Properties directly across the street from the development shall be those properties perpendicular from any property line of the proposal. Findings for compatibility must be made with regard to topography, vegetation, building character, and site design. In determining compatibility, consideration shall be given to harmony in: scale, bulk, coverage, density, rooflines, and materials.
	4. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an Adjustment Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal.
	5. The proposal is consistent with all applicable provisions of Chapter 60 (Spanel Requirements) and that all improvements filedications, on both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion for the relation provided in proposal.

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\bigcirc_1		6.00	The proposal contains all amplicable application submitted
23			requirements as espectived in Section, 50.25.1 of the Development Godes
4 5 6 7	. ·	4 📶.	Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
8 9 10		****	
$10\\11\\12$	4	Flexible Sc	tback for a Proposed Annexation.
13 14 15 16 17 18 19		Annex applie	<u>hold.</u> An application for Flexible Setback for a Proposed ation shall be required when the following threshold s: The property is located within a residential zoning district which is the subject of a petition for annexation into the City.
$ \begin{array}{c} 20 \\ 21 \\ 22 \\ 23 \\ 24 \\ 25 \\ 26 \\ \end{array} $		50.45 Setbac concur amene	<u>lure Type.</u> The Type 3 procedure, as described in Section of this Code, shall apply to an application for Flexible ok for a Proposed Annexation and shall be considered crently with any Comprehensive Plan and Zoning Map lments. The decision making authority is the Planning ission.
27 28 29 30 31 32		Propo shall	<u>val Criteria.</u> In order to approve a Flexible Setback for a sed Annexation application, the decision making authority make findings of fact based on evidence provided by the ant demonstrating that all the following criteria are ed:
33 34 35 36 37 38 39 40 41 42		1. 2. 3. 4.	The proposal satisfies the threshold requirements for a Flexible Setback for a Proposed Annexation application. All City application fees related to the application under consideration by the decision making authority have been submitted. The proposal is consistent with previous applicable land use decisions regarding the subject property rendered by the former jurisdiction. Applications and documents related to the request, which will require further City approval, shall be submitted to
(3			the City in the proper sequence.

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•		 consideration by the decision making authority have been submitted. 3. The side or rear yard setback on all adjacent lots which abut the proposed zero side or rear setback are either zero feet (0') or ten feet (10') or more. 4. The zero side or zero rear yard is not abutting a public right-of-way or any access easement.
		 consideration by the decision making authority have been submitted. 3. The side or rear yard setback on all adjacent lots which abut the proposed zero side or rear setback are either zero feet (0') or ten feet (10') or more.
		 consideration by the decision making authority have been submitted. 3. The side or rear yard setback on all adjacent lots which abut the proposed zero side or rear setback are either zero
		consideration by the decision making authority have been submitted.3. The side or rear yard setback on all adjacent lots which
·		consideration by the decision making authority have been submitted.
		consideration by the decision making authority have been
		consideration by the decision making authority have been
		v
		4. In ony approacion less related to the approacion under
		2. All City application fees related to the application under
		Residential Land Division application.
		Zero Side Yard or Zero Rear Yard Setback for a Proposed Residential Land Division application
		1. The proposal satisfies the threshold requirements for a Zoro Side Yard or Zoro Boor Yard Sathack for a Proposed
		1 The proposal activities the threshold requirements for
		demonstrating that all the following criteria are satisfied:
		of fact based on evidence provided by the applicant
		application, the decision making authority shall make findings
		Rear Yard Setback for a Proposed Residential Land Division
		Approval Criteria. In order to approve a Zero Side Yard or Zero

- X110		ential Land Division.
54.	Zero	Side or Zero Rear Yard Setback for a Proposed
	•	Extension of a Decision. Refer to Section 50.93.
		Expiration of a Decision. Refer to Section 50.70.
		Appeal of a Decision. Refer to Section 50.70.
		approval criteria.
		Proposed Annexation application to ensure compliance with the
		<u>Conditions of Approval.</u> The decision making authority may impose conditions on the approval of a Flexible Setback for a
		Pre-Application Conference. Conditions of Approval The decision making outherity may
		Completeness), and any other information identified through a
		the application form, and by Section 50.25 (Application
		application shall be accompanied by the information required by
		Director. The Flexible Setback for a Proposed Annexation
		form provided by the Director and shall be filed with the
		of the subject property, or the owner's authorized agent, on a
·	T	Setback for a Proposed Annexation shall be made by the owner

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- -	<u> </u>		Added Rest deleted text
1		5.	No portion of a structure or architectural feature shall
2 3 4			project over a property line related to the zero side or rear yard setback unless a permanent easement allowing such projection has been granted.
5			x 3
6 7 8	. *	6.	A four foot (4') non-exclusive maintenance easement appears on the plat within the adjacent side or rear yard setback of the adjacent lot where it abuts the zero
9			setback of the adjacent for where it abuts the zero setback.
10			
11 12		7.	Satisfactory deed restrictions are submitted with the preliminary land division which address maintenance
13			requirements for the zero setback wall.
14		Ö	
15 16		8.	Five foot utility easements are provided along all side and
16 17			rear property lines except where the zero setback is
17 18			designated.
10 19		9.	The proposal is compatible with the surrounding area
19 20		э.	The proposal is compatible with the surrounding area regarding topography, vegetation, building character, and
20 21			site design. In determining compatibility, consideration
<u>ک</u>			shall be given to harmony in: scale, bulk, coverage,
23			density, rooflines, and materials.
24		whole shares. Once we we wanted	
25	х.	10.	The proposal is consistent with all applicable provisions of
26			Chapter 20 (Land Uses) unless the applicable provisions
27			are subject to an Adjustment, Planned Unit Development,
28			or Vaniance which shall be already approved or considered
29			concurrently with the subject proposal.
30		2. Statements	a second and a second secon
31		II.	The proposal is consistent with all applicable provisions of
32			Chapter 60. (Special Requirements) and that all
3			improvements, dedications: or both required by the
14 15			applicable provisions of Chapter 60 (Special
5			Requirements) are provided or can be provided in rough
86 977			proportion to the identified impact(s) of the proposal
7			
8 9		123.	The proposal contains all applicable application submittal
		'n	requirements as specified in Section 5025.1 of the
10 11			Dewelopment Code:
12 12			

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		will require further City approval, shall be submitted to the City in the proper sequence.

6.	Zero Divis	Side Yard Setback for a Proposed Non-Residential Land ion.

	C.	<u>Approval Criteria.</u> In order to approve a Zero Side Yard Setback for a Proposed Non-Residential Land Division in the Commercial, Industrial, or Multiple Use zoning districts 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 Zero Side Yard Setback for a Proposed Non-Residential Land Division application in the Commercial, Industrial, or Multiple Use zoning districts.
		2. All City application fees related to the application under consideration by the decision making authority have been submitted.
		3. The minimum adjacent side yard setback on all adjacent lots which abut the proposed zero setback parcel are either zero feet (0') as well or twenty feet (20') or more.
• •		4. The zero side yard is not abutting a public right-of-way or any access easement.
1	•	5. The zero side yard does not abut any residential district.
		6. The proposal is consistent with all applicable provisions of Chapter 20 (Eard Uses) unless the applicable provisions are subject to an Adjustment, Planned Unit Development, of Variance which shall be all eady approved or considered concurrently with the subject proposal.

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Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence. ***** Section 7: The Development Code, Ordinance No. 2050, Chapter 40 Applications, Section 40.35, will be amended to read as follows: 40.35. HISTORIC REVIEW 40.35.05. Purpose. ***** 40.35.10. Applicability ***** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by th		DEVELOPMENT CODE TEXT AMENDMENT
 6 Applications and documents related to the request, whic will require further City approval, shall be submitted to the City in the proper sequence. ***** Section 7: The Development Code, Ordinance No. 2050, Chapter 40 Applications, Section 40.35, will be amended to read as follows: 40.35. HISTORIC REVIEW 40.35.05. Purpose. ****** 40.35.10. Applicability ****** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria and the city of the constration of the con		Chapter 500 (Special Requirements) and that a implicitements, dedications, on both regulated by fil applicable provisions of Chapter 60 (Speci Requirements) are provided or can be provided in roug
 will require further City approval, shall be submitted to the City in the proper sequence. ***** Section 7: The Development Code, Ordinance No. 2050, Chapter 40 Applications, Section 40.35, will be amended to read as follows: 40.35. HISTORIC REVIEW 40.35.05. Purpose. ***** 40.35.10. Applicability ****** 40.35.15. Application. ****** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria and the fo		acquinements as specified, in Section, 50.25.1 of all
Section 7: The Development Code, Ordinance No. 2050, Chapter 40 Applications, Section 40.35, will be amended to read as follows: 40.35. HISTORIC REVIEW 40.35.05. Purpose. ***** 40.35.10. Applicability ***** 40.35.15. Application. ***** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar	•	will require further City approval, shall be submitted
Applications, Section 40.35, will be amended to read as follows: 40.35. HISTORIC REVIEW 40.35.05. Purpose. ****** 40.35.10. Applicability ****** 40.35.15. Application. ****** 1. Alteration of a Landmark. ****** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar		****
 40.35. HISTORIC REVIEW 40.35.05. Purpose. ****** 40.35.10. Applicability ****** 40.35.15. Application. ****** 1. Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by thapplicant demonstrating that all the following criteria ar 		
 40.35.05. Purpose. ***** 40.35.10. Applicability ***** 40.35.15. Application. ****** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority shamake findings of fact based on evidence provided by the applicant demonstrating that all the following criteria arteria. 		
 40.35.10. Applicability ***** 40.35.15. Application. ***** 1. Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar 	40.35.	HISTORIC REVIEW
 40.35.10. Applicability ***** 40.35.15. Application. ***** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria art 	40.35.05.	Purpose.
 40.35.10. Applicability ***** 40.35.15. Application. ***** 1. Alteration of a Landmark. ***** C. Approval Criteria. In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria arteria. 		
 ***** 40.35.15. Application. ***** 1. Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar 		
 40.35.15. Application. ***** Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria arteria. 	40.33.10.	Applicability
 ***** Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar 	****	r
 Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar 	40.35.15.	Application.
 Alteration of a Landmark. ***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are set of the se		
***** C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar	•	
C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar	1.	Alteration of a Landmark.
C. <u>Approval Criteria.</u> In order to approve an Alteration of Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar		****
Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar		
Landmark application, the decision making authority sha make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar		C. Approval Criteria. In order to approve an Alteration of
make findings of fact based on evidence provided by th applicant demonstrating that all the following criteria ar		
satisfied:		applicant demonstrating that all the following criteria an
		satisfied:

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	1.	The proposal satisfies the threshold requirements for an Alteration of a Landmark application.
	2.	All City application fees related to the application under consideration by the decision making authority have been submitted.
	3.	The distinguishing original historic or architectural qualities or character of a building, structure, or site and its environment are being preserved.
•	4.	Any alteration to buildings, structures, and sites are in keeping with the time period of the original construction.
	5.	Any distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site have been preserved unless said features are a threat to public health and safety or are in violation of building, fire, or access regulations.
	6.	Deteriorating architectural features will be repaired rather than replaced, wherever possible.
	7.	New material used for replacement will match the material being replaced in terms of composition, design, color, texture, and other visual qualities.
	8.	The repair or replacement of missing architectural features is based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence.
	9.	The design of the proposed addition or alteration does not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, material, and character of the property, neighborhood, or environment.
	10	The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an adjustment, planned unit development or vatiance which shall be already approved or considered concurrently with the subject proposal.

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•		CITY OF BEAVERTON DEVELOPMENT CODE TEXT AMENDMENT AUTOURIES deleted text
\bigcirc_1		11.2. The proposal is consistent with all applicable provisions of
2		Chaptier 60 (Special Requirements) and that all
3 4		mproveness, dedicertons, or both required by the applicable provisions of Chapter (60 (Special
$\hat{5}$		Requirements) are provided on cample provided in movided in rough
6		proposition (contracted and sheet interaction) of the proposal.
7 8		12. The proposal contains all applicable application submittal
9		requiring as specified in Section 50,25.1 of the
$\begin{array}{c} 10 \\ 11 \end{array}$		Development Crde
11 12		1018. Applications and documents related to the request, which
13		will require further City approval, shall be submitted to
14 15		the City in the proper sequence.
16		****
17		
$\frac{18}{19}$	Sect	ion 8: The Development Code, Ordinance No. 2050, Chapter 40 -
20		ons, Section 40.40, will be amended to read as follows:
_21		
1 0	40.40	HOME OCCUPATION
$()_2$ 23	40.40.	HOME OCCUPATION
23 24	40.40. 40.40.05.	HOME OCCUPATION Purpose.
23 24 25		Purpose.
23 24	40.40.05.	Purpose.
23 24 25 26 27 28	40.40.05. ***** 40.40.10.	Purpose. Applicability.
23 24 25 26 27 28 29	40.40.05. ***** 40.40.10. *****	Purpose. Applicability.
23 24 25 26 27 28 29 30 31	40.40.05. ***** 40.40.10.	Purpose. Applicability.
23 24 25 26 27 28 29 30 31 32	40.40.05. ***** 40.40.10. ***** 40.40.15. *****	Purpose. Applicability. Application.
23 24 25 26 27 28 29 30 31 32 33	40.40.05. ***** 40.40.10. ***** 40.40.15.	Purpose. Applicability. Application.
23 24 25 26 27 28 29 30 31 32	40.40.05. ***** 40.40.10. ***** 40.40.15. *****	Purpose. Applicability. Application. Home Occupation One
23 24 25 26 27 28 29 30 31 32 33 34 35 36	40.40.05. ***** 40.40.10. ***** 40.40.15. ***** 1.	Purpose. Applicability. Application. Home Occupation One
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	40.40.05. ***** 40.40.10. ***** 40.40.15. ***** 1.	Purpose. Applicability. Application. Home Occupation One C. <u>Approval Criteria.</u> In order to approve a Home Occupation One
23 24 25 26 27 28 29 30 31 32 33 34 35 36	40.40.05. ***** 40.40.10. ***** 40.40.15. ***** 1.	Purpose. Applicability. Application. Home Occupation One
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40	40.40.05. ***** 40.40.10. ***** 40.40.15. ***** 1.	Purpose. Applicability. Application. Home Occupation One C. <u>Approval Criteria.</u> In order to approve a Home Occupation One application, the decision making authority shall make findings
23 24 25 26 27 28 29 30 31 32 33 31 32 33 34 35 36 37 38 39	40.40.05. ***** 40.40.10. ***** 40.40.15. ***** 1.	 Purpose. Applicability. Application. Home Occupation One C. <u>Approval Criteria.</u> In order to approve a Home Occupation One application, the decision making authority shall make findings of fact based on evidence provided by the applicant

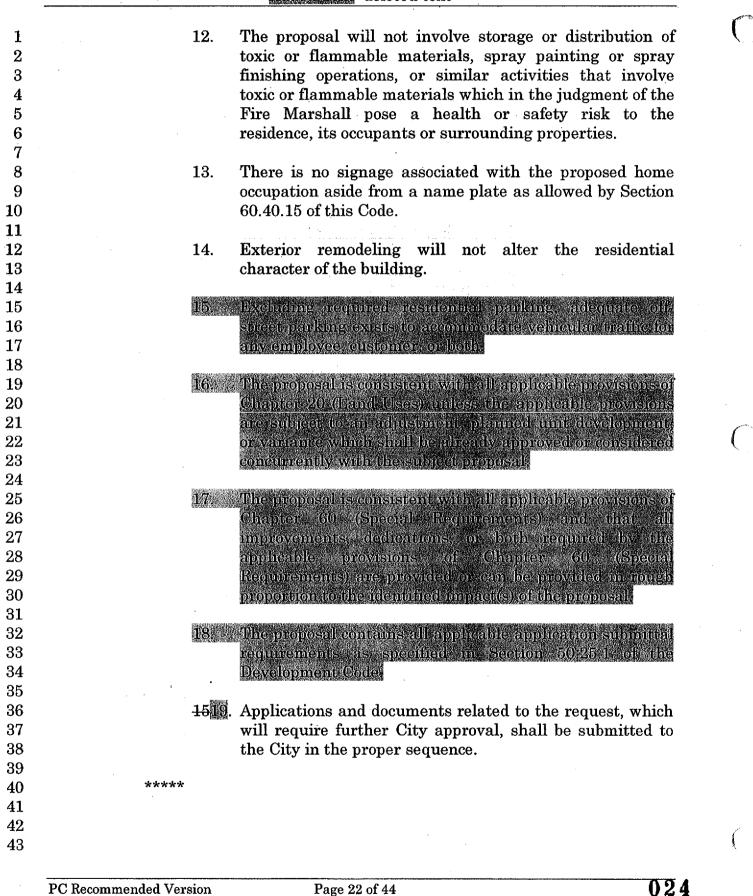
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1 2 3			2.	All City application fees related to the application under consideration by the decision making authority have been submitted.	(
4 5 6 7			3.	The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code. [ORD 4265; September 2003]	
8 9 10 11	,	•	4.	The home occupation is being undertaken only by an occupant of the residence.	
12 13 14			5. •	The proposed home occupation is participating in and is consistent with the City's Business License Program and other agency licenses as appropriate to the proposed use.	
15 16 17 18 19 20			6.	The on-site operation of the proposed home occupation shall be conducted operated entirely within the dwelling, a conforming accessory structure, or both. No exterior storage of materials or equipment shall occur on the promises	
20 21 22 23			****	premises.	(
24 25 26	2.	Hom(e Occi	ıpation Two	
27 28 29 30 31		C.	applie of fa	oval Criteria. In order to approve a Home Occupation Two cation, the decision making authority shall make findings act based on evidence provided by the applicant nstrating that all the following criteria are satisfied:	
32 33 34			1.	The proposal satisfies the threshold requirements for a Home Occupation Two application.	
35 36 37 38 20			2.	All City application fees related to the application under consideration by the decision making authority have been submitted.	
39 40 41 42			3.	The proposed home occupation is being undertaken by an occupant of the residence.	. (
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		ELOPMENT CODE TEXT AMENDMENT
1 2 3 4	4.	The proposed home occupation is participating in and i consistent with the City's Business License Program an other agency licenses as appropriate to the proposed use.
4 5 6 7 8 9 10	5.	The onesite operation of the proposed home occupation shall be conducted operated entirely within the dwelling a conforming accessory structure, or both. No exterior storage of materials or equipment shall occur on the premises.
11 12 13 14 15	6.	The proposed home occupation will not change the us classification of the dwelling unit or accessory structure as determined by the City Building Official applying th State Building Code.
16 17 18 19	7.	The proposed home occupation and associated storage of materials and products shall not occupy more than 70 gross square feet of floor area.
20 21 22 23 24	8.	The subject property will continue to be used an maintained as a residence and will conform to a requirements of this and other City Codes as they pertai to residential property.
25 26 27 28	9.	The home occupation, including deliveries from othe businesses, shall not include the use of tractor trailers fork lifts, or similar heavy equipment.
29 30 31 32	10.	There shall be no noise, vibration, smoke, dust, odors heat or glare at or beyond the property line resulting from the operation of the home occupation.
33 34 35 36 37 38	11.	There shall be no exterior storage of vehicles of any kin used for the business except that one (1) commerciall licensed vehicle, which is not larger than a 3/4 ton pick up, passenger van, or other vehicle of similar size, may b parked outside on the subject property, provided suc parking complies with applicable parking restrictions.
39 40 41 42 .3		

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		Development Code, Ordinance No. 2050, Chapter 40 40.45, will be amended to read as follows:
40.45.	LAND DI	/ISION
40.45.05.	Purpose.	
****	e	
40.45.10.	Applicabi	lity.
101101101		
****	e e e e	
40.45.15.	Applicatio	on.

****	•	
1.	Lot Line 4	Adjustment.
**	TOT THIS L	xxj u 5 01110110.

	C. Appr	coval Criteria. In order to approve a Lot Line Adjustmen
		ication, the decision making authority shall make finding
		fact based on evidence provided by the applican
	demo	onstrating that all the following criteria are satisfied:
	1.	The runneral actisfies the threshold requirements for
	1.	The proposal satisfies the threshold requirements for Lot Line Adjustment application.
		Lot Dife Aujustment application.
	2.	All City application fees related to the application unde
		consideration by the decision making authority have bee
		submitted.
	3.	The proposal contains all applicable application submitte
		requirements as specified in Section 50.25.1 of th
		Development Code. [ORD 4265; September 2003]
	4.	An additional lot is not created.
	т,	
	5.	The proposal is consistent with all applicable provisions of
		Chapter 20 (Land Uses) unless the applicable provision
		are subject to an Adjustment, Planned Unit Developmen
		or Variance application which shall be considere
		concurrently with the subject proposal.

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	1 2		6. The proposal is consistent with all applicable provisions of Chapter 60 (Special Regulations).	\bigcirc
	3 4 5 6 7	• •	7. All empical facilities and services related to the development have or can be improved to have, adequate capacity, to serve the proposal at the time of its completion.	
	.8 9 10 11		8. There are safe and efficient vehicular and pedesiruan on a stream within the boundaries of the site and in connecting with the surrounding checklation system.	
	12 13 14		9. The proposal does not create a parcel which will have more than one (1) zoning designation.	,
-	15 16 17 18 19		10. The proposal contains all applicable application submittial requirements, as specified on Section 50.25.1 of the Development Code	
	20 21 22 23		7 11. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.	()
2	24		****	
	25 26 27	****		
	28 29 30 31		<u>on 10:</u> The Development Code, Ordinance No. 2050, Chapter 40 - ns, Section 40.50.15.1.C, will be amended to read as follows:	
, i	32	40.50.	LOADING DETERMINATION	
i	33 34	40.50.05.	Purpose.	
	35 36	****	·	
	37			
	38 39	40.50.10.	Applicability.	
	40	****		
	41	40.50.15.	Application.	
	42 43	****		(

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DEVELOPMENT CODE TEXT AMENDMENT Added Text deleted text /1 Loading Determination. 1. ***** $\mathbf{2}$ 3 C. 4 Approval Criteria. In order to approve a Loading Determination $\mathbf{5}$ application, the decision making authority shall make findings 6 of fact based on evidence provided by the applicant $\mathbf{7}$ demonstrating that all the following criteria are satisfied: 8 9 1. The proposal satisfies the threshold requirements for a 10 Loading Determination application. 11 122. All City application fees related to the application under 13consideration by the decision making authority have been 14 submitted. 153. 16The determination will not create adverse impacts, taking 17into account the total gross floor area and the hours of 18 operation of the use. 19 204. The proposal will not interfere with pedestrian or 21vehicular traffic on a street. There are safe and efficient vehicular and pedestrian circulation patterns within the 22)3 boundaries of the site and in connecting with the $\mathbf{24}$ surrounding circulation system. 25265. The proposal will be able to reasonably accommodate the 27off street loading needs of the structure. $\mathbf{28}$ 296. The proposal is consistent with all applicable provisions of 30 Chapter 60 (Special Requirements) and that al improvements, dedications, or both required by the 31applicable provisions: of Chapter, 60 (Special 32Requirements) are provided or can be provided in rough 33 $\mathbf{34}$ proportion to the identified impact(s) of the proposal. 3536 7. Adequate means are provided or can be provided to 37emsure, contained periodic mannikenrance and recessing 38 nonmal replacement of the following private common 39 taolunes and areas: dramage dutches, roads and other improved nights of way, structures, deoreaction facilities 40 landscaping, fill and excavation areas, screening, and 41 teneng, ground cover, ganhage and recycling istorage 42 arcas and other faultries, not subject to penodic 43 ٩4 maintenance by the City or other public agency 45

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CITY OF BEAVERTON DEVELOPMENT CODE TEXT AMENDMENT Addications deleted text			
	8. The proposation tains all applicable application submittai requirements, as specified in Section 50.25.1 of the Development Code		
	8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.		
	<u>on 11:</u> The Development Code, Ordinance No. 2050, Chapter 40 - ns, Section 40.55, will be amended to read as follows:		
40.55.	PARKING DETERMINATION		
40.55.05.	Purpose.		

40.55.10.	Applicability.		

40.55.15.	Application.		

1.	Parking Requirement Determination.		

	C. <u>Approval Criteria.</u> In order to approve a Parking Requirement Determination 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 Parking Requirement Determination application.		
	2. All City application fees related to the application under consideration by the decision making authority have been submitted.		

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$\bigcirc_1 \\ 2 \\ 3 \\ 4 \\ 5 \end{bmatrix}$		4.	The determination will not create adverse impacts, taking into account the total gross floor area, number of employees, potential customer volume, and the hours of operation of the use.
5 6 7 8 9		5.4	The proposal contains all applicable application submitted requirements: as specified in Section 50-25.1 of the Development Code
10 11 12 13		6.	Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
14 15	2.	Shared Pa	arking.
16 17		****	
18 19 20 21 22 2 2 2 2 2		appl of t	<u>roval Criteria.</u> In order to approve a Shared Parking ication, the decision making authority shall make findings fact based on evidence provided by the applicant onstrating that all the following criteria are satisfied:
23 24 25		1.	The proposal satisfies the threshold requirements for a Shared Parking application.
26 27 28 29 30		2.	All City application fees related to the application under consideration by the decision making authority have been submitted.
31 32 33 34 35	•	3.	The location of the shared off street parking is on an abutting property and is within 200 feet of the subject use in which the shared parking is intended to serve, except in Multiple Use zoning districts where the location may be at any distance.
36 37 38 39		4.	If multiple properties are involved, the owners of each of the properties has agreed to the shared parking by entering into a shared parking agreement.
40 41 42 23	·	5.	The time of peak parking demand for the various uses located on the subject properties occur at different times of the day.

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		6. Adequate parking will be available at all times when the various uses are in operation.	(
		7. The proposal is consistent with all applicable provisions of	,
		Chapter 60 (Special Requirements) and that all improvements subdications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.	
		8 There are safe and efficient vehicular and percestrian of the she	
		9. The proposal contains all applicable application submitted	
		requirements as specified in Section 3025.1 of the	
5		Development Code:	
, ;)		10. Applications and documents related to the request, which will require further City approval, shall be submitted to	
)		the City in the proper sequence.	
2			(
3		ion 12: The Development Code, Ordinance No. 2050, Chapter 40 -	
ļ	Applicatio	ns, Section 40.90., will be amended to read as follows:	
;	40.90	Tree Plan	
,			
5	40.90.05.	Purpose.	
)	*****		
)	40.90.10.	Applicability.	
2	40.00.10.	Application of the second se	
3	****	·	
ŀ	40.90.15.	Application.	
5	****		
\$	1	Tree Plan One.	
\$ 7	1.		
\$ 7 3	L,		
\$ 7 3		***** Troce Plan Two	
\$ 7 })	1. 2.	***** Tree Plan Two.	
\$ 7 3			

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С.	<u>Approval Criteria.</u> In order to approve a Tree Plan Two 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 Tree Plan Two application.
	2. All City application fees related to the application under consideration by the decision making authority have been submitted.
•	3. If applicable, removal of a Community Tree(s) is necessary to enhance the health of the tree, grove, group of trees, or an adjacent tree or to eliminate conflicts with structures or vehicles.
	4. If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.
	5. If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.
	6. If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.
	7. If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.
	8. If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees to eliminate conflicts with structures or vehicles.

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	9. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.
	10. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.
	11. The proposal isconsession, with all applicable provisions of Section, 60,60, Treestand, Vegetation, and Section 60.67 Significant National Resources
	12. Gradung and contouring of the site is designed to accommodate the proposed use and to mitigate adverse offect(s) on neighboring properties, public right-of way surface drainage water storage facilities, and the public storm drainage system.
	13. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
	14. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

3.	Tree Plan Three.
•	****
	C. <u>Approval Criteria.</u> In order to approve a Tree Plan Three 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 Tree Plan Three application.
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() ₁ 2 3	2.	All City application fees related to the application under consideration by the decision making authority have been submitted.
4 5 6 7	3.	If applicable, removal of a diseased tree or a tree is necessary because the tree has been weakened by age, storm, fire, or other condition.
8 9 10 11	4.	If applicable, removal is necessary to enhance the health of the grove or adjacent tree(s) to reduce maintenance, or to eliminate conflicts with structures or vehicles.
$ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ 17 $	5.	If applicable, removal is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.
$ \begin{array}{r} 18 \\ 19 \\ 20 \\ 21 \\ 22 \\ 23 \\ 24 \\ 25 \\ \end{array} $	6.	If applicable, removal is the minimum necessary to accommodate physical development because no reasonable alternative exists for the development at another location on the site and variances to setback provisions of the Development Code will not allow the tree(s) to be saved or will cause other undesirable circumstances on the site or adjacent properties.
26 27 28 29 30	7.	If applicable, removal is necessary because a tree has become a nuisance by virtue of damage to personal property or improvements, either public or private, on the subject site or on an adjacent site.
31 32 33 34 35 36	8.	If applicable, removal is necessary to accomplish a public purpose, such as installation of public utilities, street widening, and similar needs where no reasonable alternative exists without significantly increasing public costs or reducing safety.
37 38 39 40 41	9.	If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.
42 13		

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1 2 3 4		10. If applicable, removal of tree or trees within a Significant Grove will not reduce the size of the grove to a point where the remaining trees may pose a safety hazard due to the effects of windthrow.	\bigcirc
5 6 7 8 9 10	• .	11. If applicable, removal of a tree within a Historic Grove will not substantially reduce the significance of the grove in terms of its original designation on the list of Historic Groves.	
10 11 12 13 14		12. The proposition consistent with all applicable provisions of Section 60.60: Thees and Vegenation and Section, 60.67 Significant Natural Resources	
15 16 17 18 19		13. Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public dight-of way sufface drainage water storage facilities, and the public storm drainage system.	
20 21 22 23 24		14. The proposal contains all applicable application submittal requirements as specified in Section 50:25.1 of the Development Code	\cap
25 26 27 28		15. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.	
29 30 31 32	Applicatio	ion 13: The Development Code, Ordinance No. 2050, Chapter 40 - ons, Section 40.95.15.1.C, will be amended to read as follows:	
33 34 35	40.95 40.95.05.	Variance Purpose.	
36	*****		•
37 38 39	40.95.10.	Applicability.	
40	*****		
$\begin{array}{c} 41 \\ 42 \end{array}$	40.95.15.	Application.	ŕ
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1.	Variance.	

	the on e	roval Criteria. In order to approve a Variance application decision making authority shall make findings of fact base vidence provided by the applicant demonstrating that all wing criteria are satisfied:
	1.	The proposal satisfies the threshold requirements for Variance application.
	2.	All City application fees related to the application unc consideration by the decision making authority have be submitted.
	З.	Special conditions exist which are peculiar to the lass structure, or building involved and which are applicable to other lands, buildings, or structures in t same zoning district.
	4.	Strict interpretation of the provisions of this ordinar would deprive the applicant of the rights common enjoyed by other properties in the same zoning distr under the terms of this Code.
	5.	The special conditions and circumstances do not res from the actions of the applicant and such conditions a circumstances do not merely constitute financial hards or inconvenience.
	6.	If more than one (1) variance is being requested, a cumulative effect of the variances result in a proj which is still consistent with the overall purpose of a applicable zone.
	7.	Any variance granted shall be the minimum variance the will make possible a reasonable use of land, building, a structures.

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1 8. For a proposal for a variance from sign regulations, no $\mathbf{2}$ variance shall be granted unless it can be shown that 3 there are special circumstances involving size, shape, 4 topography, location or surroundings attached to the $\mathbf{5}$ property referred to in the application, which do not apply 6 generally to other properties in the same zoning district, $\mathbf{7}$ and that the granting of the variance will not result in material damage or prejudice to other property in the 8 9 vicinity and not be detrimental to the public safety and 10 welfare. Variances shall not be granted merely for the convenience of the applicant or for the convenience of 11 12regional or national businesses which wish to use a $\mathbf{13}$ standard sign. 14 159. The proposal is consistent with all applicable provisions o Chapter 20 (Dand Uses) unless the applicable provisions 16 ane subject toran Adjustment, Planned Unit Development 17or Vanance which shall be already approved or considered 18 concurrently with the subject proposal. 19 $\mathbf{20}$ $\mathbf{21}$ 10. The proposal is consistent with all applicable provisions of Chapters 60 (Special Requirements) and that al $\mathbf{22}$ improvements, dedications, or both required by the $\mathbf{23}$ applicable provisions of Chapter 60 (Specia $\mathbf{24}$ Requirements) are provided or can be provided in rough 25proportion to the identified impact(s) of the proposal. $\mathbf{26}$ 27 $\mathbf{28}$ 11. The proposal contains all applicable application submittai $\mathbf{29}$ requirements as specified in Section 50.25.1 of the Development Code. 30 $\mathbf{31}$ 32Applications and documents related to the request, which 12.33 will require further City approval, shall be submitted to 34the City in the proper sequence. 35 36 37 38 39 **4**0 41 $\mathbf{42}$ 43

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		e Development Code, Ordinance No. 2050, Chapter 40 1 40.96, will be amended to read as follows:
40.96	Wireless	Facility
40.96.05.	Purpose.	
40.30.03.	i urpose.	
****	*	
40.96.10.	Applicab	ility.

40.96.15.	Applicati	on.
****	÷	
		Es silitz One
1.	wireless	Facility One.

2.	Wireless	Facility Two.

		roval Criteria. In order to approve a Wireless Facility Tw
		lication, the decision making authority shall make finding
		fact based on evidence provided by the applican
	den	nonstrating that all the following criteria are satisfied:
	1.	The proposal satisfies the threshold requirements for
	1.	Wireless Facility Two application.
		The second a desired of the approximation.
	2.	All City application fees related to the application under
		consideration by the decision making authority have bee
		submitted.
	3.	The size, dimensions, configuration, and topography
		the site and natural and man-made features on the site
		can reasonably accommodate the proposal.
	4.	The proposal will not obstruct any existing or approve
	- I ,	vehicular, pedestrian, or bicycle connection identified i
		the Comprehensive Plan.

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42		· · · · · · · · · · · · · · · · · · ·	
±0 41		the City in the proper sequence.	
9 10	12. ð	Applications and documents related to the request, which will require further City approval, shall be submitted to	
18 19	12.8	Applications and documents related to the request which	
87		Development Code	
6		requirements as specified in Section 50,25.1 of the	
5	J IP 3	The proposal contains all applicable application submittal	
4	287 98449 30		
3		proportion to the identified impact(s) of the proposal:	
2		Requirements) are provided or can be provided in rough	
1		applicable provisions of Chapter 60 (Special	
0		improvements, dedications, or both required by the	
9		Chapters 60 (Special Requirements) and that so all	
8	10.	The proposal is consistent with all applicable provisions of	•
7		Long Fall Barner and Andrew Street Stre	
6		subject proposal	
5		alfeady approved or considered concurrently with the	
$\frac{1}{4}$		Planned Unit Development, or Variance which shall be	
3		applicable provisions are subject to an Adjustment.	
2		20.10.50, 20.15.50, and 20.20.50 of this Code unless the	
1	14 F/ 4 S	Development Requirements of Sections 20.05.50.	
0	Ø	The proposal is consistent with all applicable. Site	
9 9		START FREE LAVAITS	
8		completion	
6 7		capacity to serve the proposit at the time of its	
อ 6	OF 1	development have, or can be improved to have, adequate	
4 5	Q1 ²¹	All annoal facilities and services related to the	
3 4	• •	or approved abuiling land uses.	,
2 3		or approved abutting land uses.	
1 2		walls, fences, berms, hedges, screen planting and landscape areas have minimal adverse effect on existing	
)	7.	That the quality, location, size and aesthetic design of	
9		The table and liter leasting of and a distribution of	•
3		appearance of the site.	
7		grading on the natural vegetation and physical	
3		attention to minimizing the possible adverse effect of	
5	6.	That grading of the site shall take place with particular	
L .	A		
3		vegetation of significant size and species.	
2		possible, incorporate and preserve existing trees and	
L	5.	That the development has been designed to, where	

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\bigcap_{1}	3.	Wireless F	acility Three.
23		****	
4 5 6 7 8 9		appli of f	oval Criteria. In order to approve a Wireless Facility Three cation, the decision making authority shall make findings act based on evidence provided by the applicant onstrating that all the following criteria are satisfied:
10 11		1.	The proposal satisfies the threshold requirements for a Wireless Facility Three application.
12 13 14 15		2.	All City application fees related to the application under consideration by the decision making authority have been submitted.
16 17 18 19 20		3.	In relationship to the existing surroundings and future allowed uses, the location, size, shape, height, spatial and visual arrangement of the use and structure is compatible.
$\begin{array}{c} 21\\ 22\\ 23\\ 24\\ 24 \end{array}$		4.	The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.
25 26 27 28 29		5.	The proposal will not obstruct any existing or approved vehicular, pedestrian, or bicycle connection identified in the Comprehensive Plan.
20 30 31 32 33		6.	That the development has been designed to, where possible, incorporate and preserve existing trees and vegetation of significant size and species.
34 35 36 37 38	•	7.	That grading of the site shall take place with particular attention to minimizing the possible adverse effect of grading on the natural vegetation and physical appearance of the site.
39 40 41 42 43	·	8.	That the quality, location, size and aesthetic design of walls, fences, berms, hedges, screen planting and landscape areas have minimal adverse effect on existing or approved abutting land uses.

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1		9 All conneal statilities randes by the related to with	
$\overline{2}$		development have, or can be improved to have adequate	×.,
3		capacity to serve the proposal at the some of us	
4		completion	
5			
6		10. The proposal is consistent with all applicable Site	
7		Development Requirements of Sections 20.0550	
.8		20,10,506,20,15,50, and 20,20,50 of the Code inless the	
9		applicable, provisions, and subject to an Adjustingit.	
10		Phanned Whith Development, or Vaniance which shall be	
$\frac{11}{12}$		sincedy approved for considered, conclusionly with the subject proposal.	
12			*
14		11. Mineproposal is consistent with all applicable provisions of	
15		Chapter 10 (Special Remunerity) and that all	
16		improvements, dedications, or both inequired, by the	
17		applicable provisions of Chapter 60. (Special	
18		Requirements) are provided or can be provided in rough	
19		proportion to the identified impact(s) of the proposal.	
20			
21		12. The proposal contains all applicable application submittal	\cap
22		requirements as specified in Section 50.25.1 of the	
$\begin{array}{c} 23 \\ 24 \end{array}$		Development-Code.	
$\frac{24}{25}$		13. 9 Applications and documents related to the request, which	
$\frac{26}{26}$		will require further City approval, shall be submitted to	
$\overline{27}$		the City in the proper sequence.	
28			
29			
30		ion 15: The Development Code, Ordinance No. 2050, Chapter 40 -	
31	Applicatio	ns, Section 40.97, will be amended to read as follows:	
32	40.05		
33	40.97	Zoning Map Amendment	
$\frac{34}{35}$	40.97.05.	Purpose.	
36 36	40.57.05.	r urpose.	
37	****	•	
38	40.97.10.	Applicability.	
39			
40	*****	*	
41	40.97.15.	Application.	
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] 1	1.	Quasi-Judicial Zoning Map Amendment.
2	•	
3		****
4 5 6 7 8 9 10		C. <u>Approval Criteria.</u> In order to approve a Quasi-Judicial Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
$\frac{11}{12}$		1. The proposal satisfies the threshold requirements for a Quasi-Judicial Zoning Map Amendment application.
13 14 15 16		2. All City application fees related to the application under consideration by the decision making authority have been submitted.
17 18 19 20		3. The proposal conforms with applicable policies of the City's Comprehensive Plan.
20 21 22 23 24		4. All ontreal facilities and solvines are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.
24 25 26 27 28		5. Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.
29 30 31		6. The proposal is or can be made to be consistent with all applicable provisions of Chapter 20 (Land Uses).
32 33 34 35		7.5. In addition to the criteria stated in Section 40.97.15.1.C.1 through 6, above, the following criteria shall apply to Quasi-Judicial Zoning Map Amendment which would change the zone designation to the Convenience Service
36 37 38 39 40		 (C-V) zoning district. a. There is a public need for the proposal and that this need will be served by changing the zoning district classification of the property in question as compared with other available property.
41 42 13		b. The public interest is best carried out by approving the proposal at this time.

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1 2 3 4 5 6 7 8 9 10		8 6.	The proposal shall include a Traffic Impact Analysis the meets the requirements of 60.55.20. The analysis she demonstrate that development allowed under the proposed zoning can meet the requirements of 60.55.10 60.55.10.2, 60.55.10.3, and 60.55.10.7. The analysis she identify the traffic impacts from the range of uses allow under the proposed zoning and demonstrate that the impacts can be reasonably mitigated at the time development. [ORD 4302; May 2004] As an alternative to 40.97.15.1.C.6, the applicant m	all he 0.1, all ved ese of
12 13 14 15		*** ***	As an alternative to 40.57.15.1.0.0, the applicant in provide evidence that the potential traffic impacts fro development under the proposed zoning are no great than potential impacts from development under existin zoning. [ORD 4302; May 2004]	om ter
16 17 18 19 20 21 22	. •		In cases where the Comprehensive Plan identifies mo than one zone to implement the applicable Land Use m designation, the applicant is to demonstrate how to proposal conforms with applicable District Requirement of the zone(s) subject to Quasi-Judicial Zoning M Amendment consideration. (ORD 4382; April 2006)	ap :he nts
23 24 25 26 27		11.	The proposal contains all applicable application submit requirements, as specified on Section 50.25 boof t Development Code	Repercently and a second se
28 29 30 31		12.	Applications and documents related to the request, wh will require further City approval, shall be submitted the City in the proper sequence	
32		****		
33 34 35	2.	Legislativ	e Zoning Map Amendment.	
36		****		
37 38 39 40 41 42 43		Ame mak	<u>coval Criteria.</u> In order to approve a Legislative Zoning M ndment application, the decision making authority sh e findings of fact based on evidence provided by t icant demonstrating that all the following criteria a fied:	all :he
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	1.	The proposal satisfies the threshold requirements for a Legislative Zoning Map Amendment application.
•	2.	All City application fees related to the application under consideration by the decision making authority have been submitted.
	3.	The proposal conforms with applicable policies of the City's Comprehensive Plan.
	4	Affectional facilities and services are grailable or can be made available to an adequate capacity to serve the suc another allowed by the proposed zoning design actors.
	5	Bissential facilities and services are available or can be made available to serve the <u>stie and</u> uses allowed by the proposed zoning designation.
	6.4.4.4	The proposal is or can be made to be consistent with all applicable provisions of Chapter 20, (Land Uses).
	7.5855	The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
	48.	Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
	5 9 .	In addition to the criteria stated in Section 40.97.15.2.C.1 through 4 , above, the following criteria shall apply to Legislative Zoning Map Amendment which would change the zone designation to the Convenience Service (C-V) zoning district.
• •		a. There is a public need for the proposal and that this need will be served by changing the zoning district classification of the property in question as compared with other available property.
****		b. The public interest is best carried out by approving the proposal at this time.
		2. 3. 4. 5. 6. 7. 4. 8. 5. 5.

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$egin{array}{c} 1 \\ 2 \end{array}$		ion 16: The Development Code, Ordinance No. 2050, Chapter 50 - es, Section 50.25.1.B, will be amended to read as follows:	l
3			
4	50.25.	Application Completeness	
5	1.	A complete explication is one which contains the information required	
6 7	1.	A complete application is one which contains the information required by the Director to address the relevant criteria, development	
8		requirements, and procedures of this Code. Non-Discretionary	
9		Annexation Related Zoning Map Amendment and Discretionary	
10		Annexation Zoning Map Amendment applications processed by the	
11		City shall be determined to be complete upon submittal of a valid	
$\cdot 12$	· · · · · ·	annexation petition or executed annexation agreement. All other	
13		complete application shall consist of the requisite number of copies of	
14		the following: [ORD 4265; September 2003]	
15			
16		****	
17			
18		B. A written statement, supported by substantial evidence, that	
19		identifies the criteria and development regulations considered	
$\frac{20}{21}$		relevant to the application, states the facts alleged to show that the application complies with applicable criteria and	
$\frac{21}{22}$		development regulations, and explains why the application	C
$\frac{22}{23}$		should be approved based on the criteria and development	(
$\overline{24}$		regulations and facts set forth in the application. In addition to	
25		addressing applicable criteria and development regulations	
26		relevant to the application type, the written statement shall	
27		address all the technical criteria specified in Section 40.03	
28		(Facilities Review Committee) of the Code for the following Fyme	
29		2 and Type 3 land use applications. all Conditional Use. Design	
30		Review Two. Design Review Three, all Land Division, Rublic	
31		Transportation Facility and Street Nacation. [ORD 4265;	
32 33		September 2003]	
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1 Section 17: The Development Code, Ordinance No. 2050, Chapter 50 - $\mathbf{2}$ Procedures, Section 50.40, will be amended to read as follows: 3 4 50.40. Type 2 $\mathbf{5}$ ***** 6 $\mathbf{7}$ 8 4. Within approximately seven (7) calendar days after the application has 9 been determined to be or deemed complete and in no case less than 10 twenty (20) calendar days before the decision making authority's 11 decision, the Director shall publish in a newspaper of general 12circulation in the City of Beaverton a summary of the application, the 13comment closing date on the application, the date of the Facilities 14 Review Committee technical meeting with the applicant, and the date on which a decision will be made on the application. 1516**** 17 18 197. Approximately twenty eight (28) calendar days after the application 20has been determined to be or deemed complete, the Director shall 21 convene the Facilities Review Committee to review technical-aspects of 2 the application with the applicant. $\mathbf{23}$ ***** $\mathbf{24}$ 25 $\mathbf{26}$ 9. Within approximately seven (7) calendar days after the Facilities 27Review Committee technical meeting, the Facilities Review Committee $\mathbf{28}$ shall forward a written report to the Director. $\mathbf{29}$ 30 3110. Within approximately fourteen (14) calendar days after the Facilities 32Review Committee technical meeting, the Director shall issue a 33written decision on the application to the applicant, the property $\mathbf{34}$ owner, the NAC in which the subject property is located, and 35interested parties that submitted written comments prior to or on the 36 comment closing date; provided, [ORD 4265; September 2003] 37 ***** 38 39 40 41 42 .3

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50.45.	Type 3
*	***
4	Within approximately seven (7) calendar days after the application has been determined to be or deemed complete and in no case less than twenty (20) calendar days before the decision making authority's initial hearing, the Director shall publish in a newspaper of general circulation in the City of Beaverton a summary of the application, a date by which public comment on the application should be submitted to the Director, in applicable the date of the Facilities Review Committee technical meeting with the applicant, and the place, date, and time of the decision making authority's hearing on the application under review.
*:	***
1	9. Within approximately twenty eight (28) calendar days after the application has been determined to be or deemed complete, the Director shall convene the Facilities Review Committee to review applicable technical aspects of the application with the applicant, if the applicable technical Review Committee review.
**	***
1	2. Within approximately seven (7) calendar days after the Facilities Review Committee technical meeting, the Facilities Review Committee shall forward a written report to the Director.
1	3. Approximately twenty-one (21) calendar days after the Facilities Review Committee technical meeting, the decision making authority's initial hearing on the application shall take place.
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