



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/30/2008

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 012-08

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: Friday, January 09, 2009

This amendment was submitted to DLCD for review 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.

***NOTE:** 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Anjanette Simon, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist

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FORM 2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Beaverton Local file number: TA 2008-0004
Date of Adoption: December 16, 2008 Date Mailed: December 19, 2008
Date original Notice of Proposed Amendment was mailed to DLCD: _____

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Annual amendment to the Development Code to clarify text, simplify language, and correct internal inconsistencies. No policy changes are implemented by the text.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME".
If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map Changed from: N/A to: N/A

Zone Map Changed from: N/A to: N/A

Location: N/A Acres Involved: N/A

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: Goal 2

Was an Exception Adopted? YES NO

DLCD File No.: #012-08 (17118) [15328]

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (45) days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: Anjanette Simon Phone: 503-526-2419 Extension: _____
Address: PO Box 4755 City: Beaverton
Zip Code + 4: 97076-4755 Email Address: asimon@ci.beaverton.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
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. Please Note: 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 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 4498

AN ORDINANCE AMENDING ORDINANCE NO. 2050, THE
DEVELOPMENT CODE, TA2008-0004, 2008 OMNIBUS
DEVELOPMENT CODE TEXT AMENDMENTS

- WHEREAS,** on July 30, 2008, the City of Beaverton Community Development Department staff submitted a proposed text amendment to Chapters 10 (General Provisions), 20 (Land Uses), 40 (Applications), 50 (Procedures), 60 (Special Requirements), and 90(Definitions) to revise and correct internal inconsistencies, reference errors and clarifications to the Development Code; and
- WHEREAS,** the Planning Commission received and considered the submitted staff report, memorandum, and staff recommended approval of this Development Code text amendment as amended by the Planning Commission; and
- WHEREAS,** the Planning Commission conducted public hearings on October 22, 2008 and November 5, 2008 to consider the proposed amendments; and
- WHEREAS,** on November 5, 2008, the Planning Commission conducted a public hearing at the conclusion of which the Planning Commission reached a determination to recommend to the Beaverton City Council to adopt the proposed amendments to the Development Code as summarized in the Planning Commission Land Use Order No. 2110; and
- WHEREAS,** no appeal of the Planning Commission recommendation was filed with the City; and
- WHEREAS,** the Council adopts and incorporates herein the Planning Division Staff Report dated October 15, 2008 for the October 22, 2008 Planning Commission Hearing and the Planning Commission Land Use Order No. 2110 as the applicable criteria and finding which constitute an adequate factual basis for this ordinance. Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

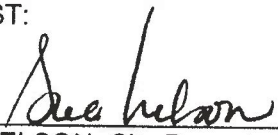
Section 1. Ordinance No. 2050, the Development Code is amended to read as set out in Appendix "A" to this Ordinance attached and incorporated herein by this reference.

First reading this 1st day of December, 2008.

Passed by the Council this 15th day of December, 2008.

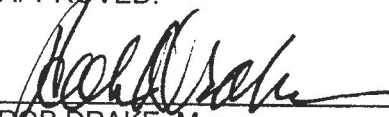
Approved by the Mayor this 16th day of December, 2008.

ATTEST:



SUE NELSON, City Recorder

APPROVED:



ROB DRAKE, Mayor

Appendix A

1
2
3 **Section 1:** The Development Code, Ordinance No.2050, Chapter 10 -
4 General Provisions, Section 10.65.2.B, CONDITIONS OF APPROVALS is
5 amended to read as follows with the new matter in highlight:
6
7

8 **10.65. Conditions of Approvals.**

9
10 *****

- 11
12 2. In addition to conditions imposed pursuant to
13 Section 10.65.1 above, a condition is valid and
14 enforceable when the applicant has:
15
16 A. Requested the condition;
17
18 B. Allowed the decision to become final; or
19
20 C. Taken a substantial step in reliance on the
21 permit that includes the condition.
22

23 *****

24
25 **Section 2:** The Development Code, Ordinance No. 2050, Chapter 10 -
26 General Provisions, Section 10.20, INTERPRETATION AND APPLICATION
27 OF CODE LANGUAGE, is amended to read as follows with deleted matter
28 in ~~strikethrough~~ and new matter in highlight:
29
30

31 **10.20. Interpretation and Application of Code Language.**

32
33 *****

- 34
35 4. [ORD 4224; August 2002] Proposals for uses where
36 the code is silent or where the rules of the Code do
37 not provide a basis for concluding that the use is
38 allowed ~~or~~ are prohibited. [ORD 4462; December
39 2007]
40
41 5. [ORD 4224; August 2002] Uses of land not expressly
42 allowed or not incidental to a permitted ~~use~~ or
43 conditional use are prohibited.
44

1 Section 3: The Development Code, Ordinance No.2050, Chapter 20 -
2 Multiple Use Districts: Site Development Requirements, Section 20.20.50.4,
3 CORRIDOR DISTRICTS is amended to read as follows with the new matter
4 in highlight:

5
6 20.20.50.C Corridor And Main Streets.

7
8 *****

9
10 4. Building Height:
11 (in feet) C-MU

12
13 A. Maximum height. 60'

14
15 B. Refer to Section 60.05.15.7 for additional height
16 requirements for structures adjacent to Major Pedestrian
17 Routes. [ORD 4332; November 2004]

18
19 C. ~~The maximum height for wireless communication facilities~~
20 ~~inclusive of antennas in all corridor and main streets shall~~
21 ~~be one hundred (100) feet. The maximum height of at-~~
22 ~~grade equipment shelters for wireless communication~~
23 ~~facilities in all low-density zoning districts shall be twelve~~
24 ~~(12) feet.~~

25
26 Section 4: The Development Code, Ordinance No. 2050, Chapter 40 -
27 Applications, Section 40.10.15.1.C, MINOR ADJUSTMENT, is amended to
28 read as follows with deleted matter in strikethrough and new matter in
29 highlight:

30
31 C. Approval Criteria. In order to approve a Minor Adjustment
32 application, the decision making authority shall make findings
33 of fact based on evidence provided by the applicant
34 demonstrating that all the following criteria are satisfied:

35
36 *****

37
38 13. The proposal does not include any lot area averaging as
39 specified in Section 20.05.50.1.B, or include any lot
40 dimension reductions as specified in Sections
41 20.05.50.2.A.2 and 4.1 or 20.05.50.2.B.2 and 4.4 as
42 authorized by Section 20.05.50.1.B. [ORD 4487; July
43 2008]

44 *****

1 Section 5: The Development Code, Ordinance No. 2050, Chapter 40 -
2 Applications, Section 40.10.15.2.C, MAJOR ADJUSTMENT, is amended to
3 read as follows with deleted matter in ~~strikethrough~~ and new matter in
4 highlight:

5
6 C. Approval Criteria. In order to approve a Major Adjustment
7 application, the decision making authority shall make findings
8 of fact based on evidence provided by the applicant
9 demonstrating that all the following criteria are satisfied:

10
11 *****

12
13 13. The proposal does not include any lot area averaging as
14 specified in Section 20.05.50.1.B, or include any lot
15 dimension reductions as specified in Sections
16 20.05.50.2.A.2 and 4 or 20.05.50.2.B.2, and 4, as
17 authorized by Section 20.05.50.1.B. [ORD 4487; July
18 2008]

19
20 *****

21
22 Section 6: The Development Code, Ordinance No.2050, Chapter 40 -
23 Permits and Applications, Section 40.15.15.2.A.3 is amended to read as
24 follows with deleted matter in ~~strikethrough~~ and new matter in highlight:

25
26 2. Major Modification of a Conditional Use.

27
28 A. Threshold. An application for Major Modification of a
29 Conditional Use shall be required when one or more of the
30 following thresholds apply:

31
32 1. An increase in the gross floor area of an existing
33 conditional use more than 10% or more than 1,000 gross
34 square feet of floor area for all properties that are located
35 in a residential zoning district or within a distance of up
36 to and including 50 feet of a residential zoning district.

37
38 2. An increase in the gross floor area of an existing
39 conditional use by more than 25% or in excess of 3,000
40 gross square feet of floor area for all properties that are
41 not located in a residential zoning district and are located
42 at a distance of more than 50 feet from a residential
43 zoning district.
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3. ~~The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.~~

3.4. Projected or actual increase in vehicular traffic to and from a site approved for an existing conditional use of more than 100 vehicle trips per day as determined by using the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon for all properties that are located in a residential zoning district or are located at a distance of up to and including 50 feet from a residential zoning district.

4.5. A projected or actual increase in vehicular traffic to and from a site approved for an existing conditional use of more than 200 vehicle trips per day as determined by using the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon for all properties that are not located in a residential zoning district and are located at a distance of more than 50 feet from a residential zoning district.

Section 7: The Development Code, Ordinance No.2050, Chapter 40 - Permits and Applications, Section 40.20.15.2.C, DESIGN REVIEW, is amended to read as follows with deleted matter in ~~strike through~~ and new matter in **highlight**:

40.20 **Design Review Three.**

C. Approval Criteria. [ORD 4365; September 2005] In order to approve a Design Review ~~Compliance Letter 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 **Section 8: The Development Code, Ordinance No.2050, Chapter 40 -**
2 **Permits and Applications, Section 40.20.15.3.C, DESIGN REVIEW, is**
3 **amended to read as follows with deleted matter in strikethrough and new**
4 **matter in highlight:**

5
6 **40.20 Design Review Three.**

7
8 *****

9 C. Approval Criteria. [ORD 4365; September 2005] In order to approve a
10 Design Review ~~Compliance Letter Three~~ application, the decision
11 making authority shall make findings of fact based on evidence
12 provided by the applicant demonstrating that all the following criteria
13 are satisfied:

14
15 *****

16
17 **Section 9: The Development Code, Ordinance No. 2050, Chapter 40 -**
18 **Applications, Section 40.45.15.2.A.4, REPLAT, is amended to read as follows**
19 **with deleted matter in strikethrough and new matter in highlight:**

20
21 **2. Replat. [ORD 4487; July 2008]**

22
23 *****

24
25 4. The reconfiguration of lots, ~~or parcels, or tracts~~ affecting
26 more than one (1) recorded plat, or where the perimeter
27 boundary of a recorded plat would change as a result of
28 the proposed reconfiguration.

29
30 *****

31
32 **Section 10: The Development Code, Ordinance No. 2050, Chapter 40 -**
33 **Applications, Section 40.45.15.7.B, FINAL LAND DIVISION, is amended to**
34 **read as follows with new matter in highlight:**

35
36 **7. Final Land Division.**

37
38 A. Threshold. An application for Final Land Division shall be
39 required when the following threshold applies:

40
41 1. A proposal to finalize a previously approved Preliminary
42 Partition, Preliminary Subdivision, Preliminary Fee
43 Ownership Partition, Preliminary Fee Ownership

Subdivision, Replat, or Legal Lot Determination, as applicable. [ORD 4487; July 2008]

B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Final Land Division, ~~except a Final Land Division shall not be required for a Replat approval which involves only the consolidation of lots pursuant to Section 40.46.16.2.A.1.~~ The decision making authority is the Director.

Section 11: The Development Code, Ordinance No.2050, Chapter 40 – Permits and Applications, Section 40.95.15.1.A.2, VARIANCE, is amended to read as follows with deleted matter in strikethrough and new matter in highlight:

40.95 Variance.

A. **Threshold.** An application for Variance shall be required when the following threshold applies:

1. A change of more than fifty percent (50%) to the numerical standards specified in the Site Development Requirements contained in Chapter 20 (Land Uses).
- ~~2. Any change from the numerical requirements contained in Section 60.30 (Off Street Parking).~~
- ~~2.3.~~ Any change from the numerical requirements contained in Section 60.40 (Sign Regulations).
- ~~2.4.~~ Excluding Section 60.55.30, any change from the numerical requirements contained in Section 60.55 (Transportation Facilities).

1 **Section 12:** The Development Code, Ordinance No. 2050, Chapter 40 –
2 Permits and Applications, Section 40.97.15.1.C.9, ZONING MAP
3 AMENDMENT, is amended to read as follows with deleted matter in
4 ~~strike~~through and new matter in highlight:

5
6
7 **40.97. Zoning Amendments.**

8
9 *****

10 9. As an alternative to 40.97.15.1.C.9 8, the applicant may provide
11 evidence that the potential traffic impacts from development under the
12 proposed zoning are no greater than potential impacts from
13 development under existing zoning. [ORD 4302; May 2004]

14
15 *****

16
17
18 **Section 13:** The Development Code, Ordinance No.2050, Chapter 40 –
19 Permits and Applications, Section 40.97.15.3.D.2, NON-DISCRETIONARY
20 ANNEXATION RELATED ZONING MAP AMENDMENT, is amended to read
21 as follows with the new matter in highlight:

22
23
24 *****

25
26 D. Submission Requirements. An application for a Non-Discretionary
27 Annexation Related Zoning Map Amendment may be initiated by the
28 City pursuant to Section 10.40 after:

- 29
30 1. The adoption of a resolution by the City Council directing
31 initiation of an annexation process for the subject property;
32
33 2. The submittal of a valid annexation petition; or
34
35 3. The submittal of an executed annexation agreement.

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37 *****
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1 **Section 14:** The Development Code, Ordinance No. 2050, Chapter 50 –
2 Procedures, Section 50.05, INITIATION OF AN APPLICATION, is amended
3 to read as follows with deleted matter in ~~strikethrough~~ and new matter in
4 highlight:

5
6 **50.05. Initiation of an Application**

7
8 1. An application subject to a Type 1, Type 2, or Type 3 procedure may be
9 filed by:

10
11 A. The owner or the contract purchaser of the subject property, or
12 any person authorized in writing to act as agent of the owner or
13 contract purchaser.

14
15 B. The City Council, Mayor, or Director, as to property owned by
16 the City, including public right of way and easements, or which
17 the City intends to acquire.

18
19 C. Public agencies that own the property or have passed a
20 resolution declaring that they intend to exercise their statutory
21 authority to condemn the property.

22
23 2. A Text Amendment application subject to a Type 4 procedure may be
24 filed by an interested person, City Council, Mayor, or Director.

25
26 3. A ~~Zoning Map Amendment Change~~ application subject to a Type 1 or
27 Type 3, ~~or Type 4~~ procedure may be filed by the ~~owner or the contract~~
28 ~~purchaser of the subject property,~~ City Council, Mayor, or Director.

29
30 4. A ~~Zoning Map Amendment~~ application subject to a Type 4 procedure
31 may be filed ~~only by the City Council, Mayor, or Director.~~

32
33 *****

34
35 **Section 15:** The Development Code, Ordinance No.2050, Chapter 50 –
36 Procedures, Section 50.25.8, APPLICATION COMPLETENESS is amended
37 to read as follows with deleted matter in ~~strikethrough~~ and new matter in
38 highlight:

39
40
41 **50.25 Application Completeness.**

42
43 *****

1 8. Pursuant to ORS 227.178, the City will reach a final decision on
2 an application within 120 calendar days from the date that the
3 application is ~~was~~ determined to be ~~complete~~ or deemed
4 complete unless the applicant agrees to extend the 120 calendar
5 day time line pursuant to subsection 9 or unless State law
6 provides otherwise. [ORD 4282; January 2004]
7

8 *****
9

10 **Section 16: The Development Code, Ordinance No. 2050, Chapter 50 -**
11 **Procedures, Section 50.90.1, EXPIRATION OF A DECISION, is amended to**
12 **read as follows with deleted matter in strikethrough and new matter in**
13 **highlight:**
14

15 1. Except as otherwise specifically provided in a specific decision or in
16 this Code, a final decision made pursuant to this Chapter shall expire
17 automatically on the following schedule unless the approval is enacted
18 either through construction or establishment of use within the
19 specified time period.
20

21 A. Five (5) years from the effective date of decision: ~~Final Planned~~
22 ~~Unit Development (40.15.15.6)~~ where phasing of the
23 development is proposed:
24

25 ~~Planned Unit Development (40.15.15.4)~~
26 ~~Preliminary Fee Ownership Subdivision (40.45.15.6)~~
27 ~~Preliminary Subdivision (40.45.15.4)~~
28 ~~Replat (40.45.15.2)~~
29

30 B. Two (2) years from the effective date of decision:
31

32 Accessory Dwelling Unit (40.05.15.1)
33 Alteration of a Landmark (40.35.15.1)
34 Commercial Timber Harvest (40.90.15.4)
35 Conditional Use (40.15.15.4)
36 Demolition of a Landmark (40.35.15.3)
37 Design Review Two (40.20.15.2)
38 Design Review Three (40.20.15.3)
39 Emergency Demolition of a Landmark (40.35.15.2)
40 Expedited Land Division (40.45.15.78)
41 Final Land Division (40.45.15.67)
42 ~~Final Planned Unit Development (40.15.15.6) when there is no~~
43 ~~phasing to the development~~

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- Flexible Setback for Individual Lot With Endorsement (40.30.15.1)
- Flexible Setback for Individual Lot Without Endorsement (40.30.15.2)
- Flexible Setback for a Proposed Residential Land Division (40.30.15.3)
- ~~Flexible Setback for a Proposed Annexation (40.30.15.4)~~
- Major Adjustment (40.10.15.3)
- Major Modification of a Conditional Use (40.15.15.2)
- Minor Adjustment (40.10.15.1)
- Minor Modification of a Conditional Use (40.15.15.1)
- New Construction in a Historic District (40.35.15.4)
- ~~Planned Unit Development (40.15.15.4) when there is no phasing to the development~~
- Preliminary Fee Ownership Partition (40.45.15.45)
- Preliminary Fee Ownership Subdivision (40.45.15.56) when there is no phasing to the development
- Preliminary Partition (40.45.15.23)
- ~~Preliminary Planned Unit Development (40.15.15.5)~~
- Preliminary Subdivision (40.45.15.34) when there is no phasing to the development
- Property Line Adjustment (40.45.15.1)
- Public Transportation Facility (40.57.15.1)
- Replat (40.45.15.2) when there is no phasing to the development
- Tree Plan One (40.90.15.1)
- Tree Plan Two (40.90.15.2)
- Tree Plan Three (40.90.15.3)
- THPRD Annexation Waiver (40.93.15)
- Variance (40.95.15.1)
- Wireless Facility One (40.96.15.1)
- Wireless Facility Two (40.96.15.2)
- Wireless Facility Three (40.96.15.3)
- Zero Side or Zero Rear Yard Setback for a Proposed Residential Land Division (40.30.15.54)
- Zero Side Yard Setback for a Proposed Non-Residential Land Division (40.30.15.65)

1 Section 17: The Development Code, Ordinance No. 2050, Chapter 60 -
2 Special Regulations, Section 60.05.25.6, LANDSCAPE, OPEN SPACE, AND
3 NATURAL AREAS DESIGN STANDARDS, is amended to read as follows
4 with deleted matter in ~~strikethrough~~ and new matter in highlight:
5

6 60.05.25. Landscape, Open Space, and Natural Areas Design Standards.
7 Unless otherwise noted, all standards apply in all zoning districts.
8

9 *****

10
11 6. Minimize significant changes to existing on-site surface
12 contours at residential property lines.
13

14 *****

15
16 B. Notwithstanding the requirements of subsection A.1. above,
17 grading within 25 feet of a property line shall not change the
18 existing slopes by more than ten percent within a tree root zone
19 of an identified significant grove or tree, or an identified historic
20 tree located on an abutting property unless evidence provided by
21 a certified arborist supports additional grading that will not
22 harm the subject grove or tree.
23

24 C. ~~The grading standards listed in subsection A. above shall not~~
25 ~~apply to the following:~~

26
27 1. ~~Public right-of-way road improvements such as new~~
28 ~~streets, street widening, sidewalks, and similar or related~~
29 ~~improvements;~~
30

31 2. ~~Storm water detention facilities subject to review and~~
32 ~~approval of the City Engineer.~~
33

34 3. ~~On-site grading where the grading will take place~~
35 ~~adjacent to an existing public street right-of-way, and will~~
36 ~~result in a finished grade that is below the elevation of~~
37 ~~the subject public street right-of-way, provided such~~
38 ~~grading is subject to the approval of the City Engineer,~~
39 ~~who may require appropriate erosion and sediment~~
40 ~~control mitigation measures.~~
41

42 *****
43
44

1 Section 18: The Development Code, Ordinance No.2050,
 2 Chapter 60 – Special Requirements, Section 60.12.40.2.B, LOW IMPACT
 3 DEVELOPMENT (LID) TECHNIQUES, is amended to read as follows with
 4 deleted matter in ~~strikethrough~~ and new matter in **highlight**:

5
6
7 **60.12.40. Low Impact Development (LID) Techniques.**

8 *****

60.12.40. LOW IMPACT DEVELOPMENT (LID) TECHNIQUES - CREDITS			
1. Additional Street Tree Canopy			
A. Purpose	Add tree canopy by adding street trees above standard	Propose	1sf additional street tree canopy
B. Credits		Toward	Amount
	Landscape Standard Reduction	landscape	1 sf 50% landscape std
2. Site Soil Amendment			
A. Purpose	Amend soils for additional water absorption	Propose	1sf amended site soils
B. Credits		Toward	Amount
	1. Landscape Standard Reduction	landscape	1 sf 50% landscape std
	2. Landscape Island Standard Reduction	landscape island	1-1.5 sf 50% landscape island std

11 *****

12
13
14
15 Section 19: The Development Code, Ordinance No.2050,
 16 Chapter 60 – Special Requirements, Section 60.30., OFF-STREET PARKING
 17 is amended to read as follows with deleted matter in ~~strikethrough~~
 18 throughout the Section labeled under Notes for the PARKING RATIO
 19 REQUIREMENTS FOR BICYCLES table, and renumbered to reflect the
 20 removal of notes #3:

21
22
23 **60.30 10. Number of Required Parking Spaces.**

24 *****

25 **PARKING RATIO REQUIREMENTS FOR BICYCLES**

26 *****

27 Notes:

- 28
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31 1. Parking ratios are based on number of spaces per 1,000
 32 square feet of gross floor area unless otherwise noted.

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2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
- ~~3. Refer to Section 60.55.65 for additional bicycle facility requirements.~~
4. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
5. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

6. Old Town Parking Tables. The following tables list the required minimum and maximum vehicle parking requirements for lists land use types in the Regional Center - Old Town zoning district. The RC-OT zoning district is divided into two (2) parking districts.

PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES IN THE RC-OT ZONING DISTRICT

Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Parking Zone 1	Parking Zone 2	Zone A	Zone B
Commercial Uses				
Retail, including shopping centers	0	0	5.1	6.2
Offices, Administrative Facilities	0	0	3.4	4.1
Bank, Financial Institutions	0	0	5.4	6.5
Service Businesses	0	0	5.1	6.2
Rental Businesses, including vehicle and trailer rental	0	0	3.5	4.1
Medical, Dental Clinics	0	0	4.9	5.9
Mortuaries (per seat, maximum occupancy)	0	0	0.5	0.75
Eating, Drinking Establishments				
Fast Food with drive through service.	0	0	12.4	14.9
Other eating, drinking establishments.	0	0	19.1	23.0
Temporary Living Quarters (per guest room)	0	0	1.25	1.5

Places of Assembly					
Places of Worship (per seat at maximum occupancy)	0.25	0.25	0.6	0.8	
Auditoria, meeting facilities; Social or Fraternal Organizations (per seat, maximum occupancy)	0.25	0.25	0.5	0.5	
Educational Institutions: College, University, High School, Commercial School (spaces / number of FTE students and FTE staff)	0.2	0.2	0.3	0.3	
Educational Institutions: Middle School, Elementary School (spaces / number of FTE staff)	1.0	1.0	1.5	1.5	
Nursery Schools, Day or Child Care Facilities (spaces / number of FTE staff)	0.8	1.5-0.8	2.0	2.0	
Library, museum, art gallery	2.5	2.5	4.0	6.0	
Park and Ride facilities	n/a	n/a	n/a	n/a	
Transit Centers	n/a	n/a	n/a	n/a	

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7. Exceeding Parking Ratios. More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.05, ~~Variance~~, ~~40.10.15, Major Adjustment~~, of this Code. However, if the maximum permitted number of parking spaces and any parking in excess of the maximum permitted is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a ~~Variance Major Adjustment~~ for parking. Any parking in excess of the number of required parking spaces may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for excess surplus parking in any zone. [ORD 4224; August 2002]

1 Section 20: The Development Code, Ordinance No.2050, Chapter 60 –
 2 Special Requirements, Section 60.30.15 OFF-STREET PARKING, is
 3 amended to read as follows with deleted matter in strikethrough and new
 4 matter in highlight:

5
6
7 **60.30.15. Off-Street Parking Lot Design.**

8 *****

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A	B	C	D	E	F	G	H	I
12 45 degrees	8.5	18.7	12.0	12.0	49.4	2.0	5.0	43.4
14 60 degrees	8.5	19.8	14.5	9.8	54.1	2.5	5.0	49.9
16 75 degrees	8.5	19.6	23.0	8.8	62.2	2.5	5.0	60.0
18 90 degrees	8.5	18.5	24.0	8.5	61.0	3.0	5.0	61.0
20 90 degrees*	7.5	15.0	24.0	7.5	58.0	2.0	5.0	58.0

22 *"Compact" Car (Section 60.30.10 :11.11)

23 *****

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26
27 Section 21: The Development Code, Ordinance No.2050, Chapter 60 –
 28 Special Requirements, Section 60.35.50, PLANNED UNIT DEVELOPMENT
 29 is amended to read as follows with deleted matter in underlined and new
 30 matter in highlight:

31 **60.35.50 Development Incentive Options.**

32 *****

- 33
34
35 2. **Architectural Development Incentive Options – for**
 36 **a Decrease in Open Space, Front and Rear Setbacks.**
 37 The following architectural incentives that promote
 38 sustainable building practices and architectural detail that
 39 in order to promotes high quality design and character. A
 40 maximum decrease of up to a maximum of twenty (20)
 41 percent of the required open space or front and rear
 42 setbacks of on the parent parcel is at the discretion of the
 43 Planning Commission, where the applicant's site plan and
 44 proposed architecture meet one of the following incentives:

1 *****

2
3 3. Affordable Housing Development Incentive Options
4 = for a Decrease in Open Space.
5

6 *****

7
8 **Section 22:** The Development Code, Ordinance No.2050, Chapter 60 -
9 Special Requirements, Section 60.50.05.1, SPECIAL USE REGULATIONS is
10 amended to read as follows with deleted matter in ~~strikethrough~~ and new
11 matter in **highlight**:

12
13 **60.50.05. Accessory Uses and Structures.** (Other than Accessory Dwelling
14 Units) [ORD 4048; June 1999]

- 15
16 1. Structures or uses incidental and subordinate to the uses
17 allowed as permitted uses and ~~conditional uses~~ in any zone
18 are allowed as accessory uses and structures subject to the
19 provisions of this section. [ORD 4462; December 2007]
20 [ORD 4474; February 2008]

21 *****

22
23
24 **Section 23:** The Development Code, Ordinance No.2050, Chapter 60 -
25 Special Requirements, Section 60.50.10, SPECIAL USE REGULATIONS is
26 amended to read as follows with deleted matter in ~~strikethrough~~ and new
27 matter in **highlight**:

28
29
30 **60.50.10. Height Regulations.** The height limitations contained in this
31 ordinance Code do not apply to normal appurtenances placed on or
32 extending above the roof level, such as spires, belfries, cupolas,
33 chimneys, antennas, ~~except antennas for wireless communication~~
34 ~~facilities~~, ventilators, elevator housing, or other structures; provided,
35 however, that no structure shall be erected which fails to comply with
36 any applicable state or federal law or regulation. ~~Antennas for~~
37 ~~wireless communication facilities are not exempted by this section~~
38 ~~from the applicable height regulations as specified in this Code.~~ (ORD
39 3293; November 1982) [ORD 4107; May 2000] [ORD 4248; April 2003]

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43 *****
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1 Section 24: The Development Code, Ordinance No.2050, Chapter 90 –
2 Definitions, is amended to read as follows with deleted matter in
3 ~~strikethrough:~~
4

5
6 *****
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8 **Parking, As the Principal Use.** [ORD 4058, August 1999] A facility
9 providing for the temporary parking of automobiles and transportation
10 vehicles which arrive and depart daily ~~and remain for a short term.~~
11

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13 *****
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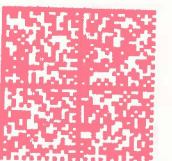


CITY OF BEAVERTON
DEVELOPMENT SERVICES
PO BOX 4755
BEAVERTON OR 97076-4755



700J 2510 0000 0259 9155

FIRST CLASS



02 1A
 0004373521
 MAILED FROM ZIP



PLAN AMENDMENT SPECIALIST
OREGON DEPARTMENT OF LAND CONSERVATION
635 CAPITOL STREET NE SUITE 150
SALEM OR 97301-2540