



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

May 3, 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 002-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 16, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

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

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FORM 2

D L C D NOTICE OF ADOPTION

DEPT OF

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

APR 26 2006

(See reverse side for submittal requirements)

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Beaverton Local File No.: TA 2006-0001
(If no number, use none)

Date of Adoption: 04/18/06 Date Mailed: 04/25/06
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 1/27/06

Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other: _____
(Please Specify Type of Action)

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

Text amendment to Section 60.40, Sign Code, to allow scoreboard sponsor logo as permitted signage.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame. If you did not give notice for the proposed amendment, write N/A.

The Planning Commission adopted amended text from what was originally submitted to DLCD.
At the direction of the City Attorney the Planning Commission removed the text reference to "corporate logo" to avoid potential content neutrality concerns. The adopted language refers to the new signs as simply "scoreboard signs" rather than sponsor logo signs.

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

Zone Map Changed from: N/A to _____

Location: N/A Acres-Involved: N/A

Specify Density: Previous: N/A New: _____

Applicable Statewide Planning Goals: Goal 2 _____

Was an Exception Adopted? Yes: _____ No: X

DLCD File No.: 002-06
(14966)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: X No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: None

Local Contact: Colin Cooper Area Code + Phone Number: 503-526-2425

Address: PO Box 4755 City: Beaverton Zip Code+4: 97076-4755

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 ANotice of Adoption is sent to DLCD.

6. In addition to sending the ANotice 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 Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 4389

AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE DEVELOPMENT CODE,
CHAPTERS 60 and 90;
TA 2006-0001 Scoreboard Sign

WHEREAS, the purpose of the Scoreboard Sign Text Amendment is to amend selected sections of the Beaverton Development Code currently effective through Ordinance 4365 (November 2005) to allow for the insertion of signs on Scoreboards that are visible from the public right-of-way. Affected chapters of the Development Code include Chapter 60 (Special Regulations) and Chapter 90 (Definitions); and

WHEREAS, pursuant to Section 50.50.5 of the Development Code, the Beaverton Development Services Division, on March 1, 2006, published a written staff report and recommendation a minimum of seven (7) calendar days in advance of the scheduled public hearing before the Planning Commission on March 8, 2006; and,

WHEREAS, the Planning Commission held a public hearing on March 8, 2006 and approved the proposed Scoreboard Sign Text Amendment based upon the criteria, facts, and findings set forth in the staff report dated May 19, 2003, and as amended at the hearing; and

WHEREAS, on March 8, 2006 the Planning Commission conducted a public hearing for TA 2006-0001 Scoreboard Sign at the conclusion of which the Planning Commission voted to recommend to the Beaverton City Council to adopt the proposed amendments to the Development Code as summarized in Planning Commission Land Use Order No. 1854; and,

WHEREAS, no written appeal pursuant to Section 50.75 of the Development Code was filed by persons of record for TA 2006-0001 Scoreboard Sign following the issuance of the Planning Commission Land Use Order No. 1854; and,

WHEREAS, the City Council adopts as to criteria, facts, and findings described in Land Use Order No. 1854 dated March 23, 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, effective through Ordinance No. 4365, the Development Code, is amended to read as set out in Exhibit "A" of 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.

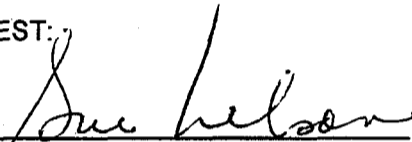
Section 3. Severance Clause. The invalidity or lack of enforceability of any terms or provisions of this Ordinance or any appendix or part thereof shall not impair or otherwise affect in any manner the validity, enforceability or effect of the remaining terms of this Ordinance and appendices and said remaining terms and provisions shall be construed and enforced in such a manner as to effect the evident intent and purposes taken as a whole insofar as reasonably possible under all of the relevant circumstances and facts.

First reading this ^{10th} day of April, 2006.

Passed by the Council this 17th day of April, 2006.

Approved by the Mayor this 18th day of APRIL, 2006.

ATTEST:


SUE NELSON, City Recorder

APPROVED:


ROB DRAKE, Mayor

ORDINANCE NO. 4389 - EXHIBIT A

Section 1: The Development Code, Ordinance No. 2050, Ordinance 4248, Chapter 60 - Special Regulations, Section 60.40, Signs, specifically Section 60.40.15.3., will be amended to read as follows:

60.40.20. Signs Subject to Ordinance Regulation - Permit Required. The following signs are subject to all ordinance regulations and permits are required prior to on-site construction, installation or placement.

Scoreboard Sign - Public and private school and public park facility athletic scoreboards visible from a public right-of-way may include one scoreboard sign that comprises no more than 25 percent of the area of the scoreboard and is no larger than 85 square feet in size, and no portion of the sign shall be located higher than 15 feet above grade on which the sign is located.

Section 2: The Development Code, Ordinance No. 2050, Ordinance 4248, Chapter 90 - Definitions, will be amended to read as follows:

Scoreboard Sign - A sign located on a scoreboard that is accessory to an athletic field used to record or tally scores at athletic or sporting events.