

**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

After recording return to:
City of Beaverton, City Recorder:
P.O. Box 4755
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL OF A TEXT)	ORDER NO. 2500
AMENDMENT FOR CHAPTER 30 NONCONFORMING USE TEXT)	TA2016-0004 CHAPTER 30 NONCONFORMING USE TEXT
AMENDMENT. CITY OF BEAVERTON, APPLICANT.)	AMENDMENT
)	
)	

The matter came before the Planning Commission on September 14, 2016, on a request to amend the Beaverton Development Code to clarify the language in Chapter 30 (Non-Conforming Uses) and ensure process and language are up to date and consistent with other code provisions. Modifications to Chapters 30 and 40, and potential minor modifications to other chapters.

Pursuant to Ordinance 2050 (Development Code), Section 50.45 the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission discussed the provision under 30.20.1 that should a legal lot become nonconforming in size and if an adjacent lot is under the same ownership the two lots shall be considered as one. The Commission found that the provision was penalizing people who owned multiple legal lots and struck the sentence stating "Such lots must be in separate ownership and not abut other lots in the same ownership."

The Commission discussed the relevance of Section 30.15 (Existing Office Use and Structure Exemption) and found that the section appeared to be unnecessary they would like to see it removed. However, as staff had not studied the history of this provision the commission recommended to staff that they research the reason for the provision, and if there is an absence of any compelling reason to keep the provision, propose its removal to the City Council.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated September 7, 2016 and the findings contained therein, as applicable to the approval criteria contained in Section 40.85.15.1.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED THAT TA2016-0004 is APPROVED** based on the testimony, reports and exhibits, and evidence presented during the public hearing on the matter and based on the facts, findings, and conclusions found in the Staff Report dated September 7, 2016 and this Land Use Order.

Motion **CARRIED**, by the following vote:

AYES:	Wilson, Kroger, Lawler, Nye, Wilson, Winter.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Overhage.

Dated this 28rd day of September, 2016.

To appeal the decision of the Planning Commission, as articulated in Land Use

the City of Beaverton's Community Development Department's office by no later than
4:30 p.m. on October 3, 2016.

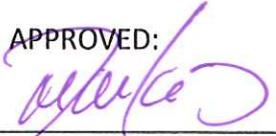
PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:



JANA FOX
Associate Planner

APPROVED:



MIMI DOUKAS
Chair



SANDRA FREUND, AICP
Current Planning Manager