

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

|  |   |                   |
|--|---|-------------------|
| IN THE MATTER OF TA2015-0001 A REQUEST TO      | ) | ORDER NO. 2403    |
| AMEND THE BEAVERTON DEVELOPMENT CODE TO        | ) | APPROVING REQUEST |
| CORRECT MINOR ERRORS IN TEXT, INCORPORATE CODE | ) |                   |
| INTERPRETATIONS, AND IMPROVE CLARITY OF        | ) |                   |
| APPLICATION PROCESSES AND DEVELOPMENT          | ) |                   |
| STANDARDS (2015 DEVELOPMENT CODE OMNIBUS       | ) |                   |
| TEXT AMENDMENT). CITY OF BEAVERTON, APPLICANT  | ) |                   |

The matter of TA2015-0001 (2015 Development Code Omnibus Text Amendment) was initiated by the City of Beaverton through the submittal of a Text Amendment application from the Beaverton Community Development Department.

Pursuant to the amendment procedures as described in Section 50.50 of Ordinance 2050, the Development Code, effective through Ordinance 4638, the Planning Commission conducted public hearings on April 15 and April 29, 2015, and considered oral and written testimony and exhibits for the proposed amendment to the Beaverton Development Code.

TA2015-0001 (2015 Development Code Omnibus Text Amendment) proposes to amend the Beaverton Development Code to correct minor errors in the text, incorporate Code interpretations, and improve clarity of application processes and development standards. The City also proposes changes to make the Code more internally consistent and easier to understand and apply. The update affects all chapters of the Development Code.

The Commission requested additional language and standards related to Community Gardens at the April 15, 2015 meeting. Staff proposed additional language and a Type 1 application process for the review of Community Gardens in the memoranda dated April 22, 2015 in response to Planning Commission direction. The Commission found the proposed language sufficient to regulate Community Gardens as a new permitted use in residential zoning districts.

At the April 15, 2015 meeting the Commission did not support two code amendments proposed by staff. The first proposed amendment would eliminate a use restriction in the Neighborhood Service (NS) zoning district and permit uses over 15,000 square feet in size with the approval of a Conditional Use application. The Commission found that the NS zoning district is intended to provide small neighborhood level services and that allowing uses in excess of 15,000 square feet would be inconsistent with that intent.

The second proposed amendment would allow applicants the ability to net out utility easements when calculating net acreage. The Commission found that utility easements frequently correspond with required setbacks and the impact for including utility easements in the definition of net density would be to decrease the available density of a development area. Staff removed both of these proposed amendments.

The Planning Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated April 8, 2015 and supplemental memoranda dated April 22, 2015 and April 29, 2015, as amended and

supplemental findings contain herein, as applicable to the criteria contained in Section 40.85.15.1.C.1-7 of the Development Code.

**IT IS HEREBY ORDERED** that pursuant to Section 50.50.1 of the Beaverton Development Code the Planning Commission recommends approval of TA2015-0001 (Omnibus Text Amendment) to the Beaverton City Council and adoption of the Development Code Text Amendment described herein, based on the facts and findings in the Staff Report dated April 8, 2015, as amended, and supplemental memoranda dated April 22, 2015 and April 29, 2015.

Motion **CARRIED** by the following vote:

|                 |   |
|-----------------|---|
| <b>AYES:</b>    | Doukas, Kiene, Kroger, Nye, Overhage, Wilson, Winter. |
| <b>NAYS:</b>    | None.   |
| <b>ABSTAIN:</b> | None.   |
| <b>ABSENT:</b>  | None.   |

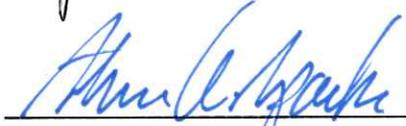
Dated this 1<sup>th</sup> day of may, 2015

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2403, an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 4:00 p.m. on may 18, 2015.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

  
\_\_\_\_\_  
JANA FOX  
Associate Planner

  
\_\_\_\_\_  
STEVEN SPARKS, AICP  
Principal Planner

APPROVED:

  
\_\_\_\_\_  
MIMI DOUKAS  
Chair