

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

IN THE MATTER OF A REQUEST TO)	ORDER NO. 3012
AMEND THE BEAVERTON)	TA42024-00680 ORDER
DEVELOPMENT CODE TO)	RECOMMENDING APPROVAL OF
IMPLEMENT THE COOPER)	LU42024-00682 COOPER
MOUNTAIN COMMUNITY PLAN)	MOUNTAIN COMMUNITY PLAN
PROJECT AND UPDATE AND)	TEXT AMENDMENT
IMPROVE THE CLARITY OF CODE		
LANGUAGE CITYWIDE. CITY OF		
BEAVERTON, APPLICANT		

The matter came before the Planning Commission on October 16, 2024, on a request for a recommendation of approval of a Text Amendment of Ordinance 2050 (Development Code) to implement the Cooper Mountain Community Plan Project and update and improve the clarity of code language citywide. The amendments affect Development Code Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90 – Definitions.

Testimony from the public opposed to the changes included property owners that objected to the city planning for future development in the area. Statewide Land Use Planning Goal 14 requires urban growth boundaries to be established to provide land for urban development and expanded based on need consistent with state law. Beaverton in 2018 applied for an expansion of Metro’s Urban Growth Boundary to meet significant housing needs for the city and region. The Metro regional government approved the expansion in 2018,

and the Cooper Mountain Community Plan was developed to establish how new housing could be allowed in the plan area, while protecting natural resources in Cooper Mountain neighborhoods. As planned, Cooper Mountain could account for 5,000 units of the approximately 15,000 housing units that the city needs to meet housing demand in the next 20 years.

In addition, testimony from the public opposed to the changes included property owners that objected to the city annexing their land. Staff responded by clarifying that the proposed amendments do not address annexation. The proposed amendments add or modify policies, regulatory maps, and development rules that will guide how future development occurs when Cooper Mountain is within Beaverton city limits. Therefore, the Planning Commission did not consider or vote on any property annexation, which is ultimately a decision that can only be considered by City Council.

Pursuant to Development Code Section 50.50, the Planning Commission conducted a public hearing and considered testimony and evidence on the subject proposal.

After the staff presentation, Commissioners asked the staff questions about the proposed amendments, and then Commissioner Nye recommended three updates to the proposed amendments:

1. Change Section 60.05.25.3.J.2 from "... A Community Room shall meet the following requirements... Provides a minimum floor-to-floor height of 12 feet..." to "... A Community Room shall meet the following requirements... Provides a minimum floor-to-floor height

of 11 feet...” since an 11-foot floor-to-floor height is standard practice in the construction of wood-frame buildings.

2. Change Section 20.22.35.2.B.2 to replace all references of “1,500 square feet” with “1,800 square feet.” Section 20.22.35.2.B.2 refers to the maximum square footage allowed for small-scale commercial uses (except for Child Care Facilities) on lots depending up on how many dwelling units are on the lot. Increasing the allowable square footage to 1,800 square feet increases the flexibility that might be required for accommodating small-scale commercial uses on a lot.
3. Change Section 20.22.35.3.F.1 from “Except for Child Care Facilities, hours of operation may not be extended through the Conditional Use process as identified in this Code” to “Except for Child Care Facilities, hours of operation may not be extended past 10 p.m. through the Conditional Use process as identified in this Code. The conditional use applications are allowed for extending the hours of operation for businesses before 7 a.m.” This change provides more flexibility to businesses, such as coffee shops, that may benefit from an earlier start in the morning, but still limits extending hours past 10 p.m. since that may be more disruptive in mostly residential areas.

Chair McCann then closed the public hearing, and Vice Chair Winter made a motion to approve the proposed amendments with three modifications recommended by Commissioner Nye. Commissioner Lawler seconded the motion. The Commission, after holding the public hearing and

considering all testimony and evidence in the record, adopts Staff's recommendation to approve LU42024-00682 (TA42024-00680) as presented in the Staff Report dated October 2, 2024, with three amendments as described above.

Therefore, **IT IS HEREBY ORDERED** that the Planning Commission **RECOMMENDS APPROVAL** of **LU42024-00682 (TA42024-00680)** to the City Council, based on the testimony and evidence in the record, and on the facts, findings, and conclusions in the Staff Report dated October 2, 2024, with the following modifications:

1. Revise Section 60.05.25.3.J.2 to replace "12 feet" with "11 feet."
2. Revise Section 20.22.35.2.B.2 to replace all references of "1,500 square feet" with "1,800 square feet."
3. Revise Section 20.22.35.3.F.1 to read, "Except for Child Care Facilities, hours of operation may not be extended past 10 p.m. through the Conditional Use process as identified in this Code. The conditional use applications are allowed for extending the hours of operation for businesses before 7 a.m."

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

AYES: Winter, Lawler, Adams, McCann, Nye.
NAYS: None.
ABSTAIN: None.
ABSENT: Ellis, Glenewinkel

Dated this 30 day of October, 2024.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

Rob Zoeller

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ROB ZOELLER
Senior Planner

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BRIAN MARTIN
Long Range Planning Manager

APPROVED:



CHELSEA MCCANN
Chair