



CITY OF BEAVERTON
Community Development Department
Planning Division
12725 SW Millikan Way
PO Box 4755
Beaverton, OR 97076
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www.BeavertonOregon.gov

PUBLIC HEARING NOTICE

Project Name: **Downtown District Development Code Text Amendments, Comprehensive Plan Amendment, and Zoning Map Amendment**

Case File No.: **CPA2020-0004, TA2020-0002, TA2020-0004, ZMA2020-0004**

Hearing Body: Planning Commission
Date and Time: Wednesday, September 23, 2020, at 6:30 p.m.
Hearing Location: City Council Chambers, First Floor of The Beaverton Building
12725 SW Millikan Way, Beaverton, OR
The meeting will be held virtually and can be accessed live via the City's webpage at:
<https://www.beavertonoregon.gov/268/Agendas-Minutes>

Applicant: City of Beaverton
Location: The proposed amendments apply to properties in and adjacent to the Downtown Regional Center.
Approval Criteria: To be approved, the proposal must comply with the following approval criteria:
Comprehensive Plan Section 1.5.1.A.1-3.
Development Code Section 40.85.15.1.C
Development Code Section 40.95.15.2.C
Staff Contact: Steve Regner, Senior Planner
sregner@BeavertonOregon.gov / 503-526-2675

A DESCRIPTION OF THE PROPOSED UPDATES CAN BE FOUND ON THE FOLLOWING PAGE

***NOTE: The City of Beaverton has declared a State of Emergency due to COVID-19 and the Community Development Division is closed to the public until further notice. The Community Development Department is evaluating temporary changes to processes and procedures to respond appropriately to the COVID-19 State of Emergency and is committed to ensuring that the land use review process continues to fulfill the requirements of state and local law while protecting the health and wellbeing of the community. ***

Brief Description of Proposed Updates

Comprehensive Plan Update

The Comprehensive Plan sets land use policy and implementation strategies for the City of Beaverton. The City of Beaverton is initiating amendments to the Comprehensive Plan to help implement the Downtown Urban Design Framework, adopted in 2018, and the proposed Development Code changes discussed below.

Development Code Update

The Development Code is the main tool for implanting land use regulations in the City of Beaverton. The City of Beaverton is initiating amendments to the Development Code and Zoning Map to implement the Downtown Urban Design Framework adopted in 2018.

Proposed Changes

Proposed amendments to the Comprehensive Plan and Development Code include, but are not limited to:

- Expansion of the Downtown Regional Center land use designation.
- Addition of a new Comprehensive Plan policy supporting improved bicycle and pedestrian facilities.
- New zoning and allowed uses for properties in the Downtown District.
- New design regulations for development of properties within the Downtown District.
- Off-street parking and off-street loading requirements within the Downtown District.
- Adoption of a Multimodal, Mixed-use Area designation covering a majority of the Downtown District. This will allow proposed changes to the Development Code and Comprehensive Plan to be exempt from statewide traffic congestion standards. Traffic congestion standards set by the City of Beaverton will still apply.

How to Provide Public Comment

- Before the hearing:
Interested persons may submit written comments regarding this proposal during the public comment period before the proposal is reviewed by the Planning Commission. The due date for written comments to be addressed in the staff report is **Friday, September 11, 2020, at 4:30 p.m.** If you submit written comments after September 11, 2020, and your comments are longer than two (2) letter-sized pages, you must provide at least ten (10) printed copies. **Mailed written comments should be sent to the attention Steve Regner, Planning Division, PO Box 4755, Beaverton, OR 97076.** Please reference the Case File Numbers (CPA2020-0004, TA2020-0002, TA2020-0004, ZMA2020-0004) and Project Name (Downtown

District Development Code Text Amendments, Comprehensive Plan Amendment, and Zoning Map Amendment) in your written comments.

- At the hearing:

Members of the public may provide oral testimony on the proposal at the Planning Commission hearing on **Wednesday, September 23, 2019, at 6:30 p.m.** . The City has implemented a phone-based tool for submitting oral testimony at Planning Commission meetings and/or provide an opportunity to testify via webcam at the Beaverton Building during the hearing. The telephone call-in line for public testimony during the public hearing is 503-755-9544. If you do not have the technology to view documents, watch, or participate in the meeting, please contact the project planner for additional support.

Staff strongly encourages you to participate in the public process by reviewing documents online and viewing the public meeting at <https://www.beavertonoregon.gov/291/Agendas-Minutes>. Staff reports are available a minimum of seven (7) calendar days before the public hearing. A copy of the staff report will be available for viewing at <https://apps2.beavertonoregon.gov/DevelopmentProjects/>

Decision-Making and Appeal Information

The Planning Commission shall conduct hearings in accordance with adopted rules of procedure and shall make a decision on the proposed amendments after the hearing closes. Failure to raise an issue in a hearing, by testifying in person or by letter, or failure to provide statements or evidence with sufficient specificity to afford the decision making authority an opportunity to respond to such issue, precludes appeal to the Land Use Board of Appeals on the issue.

Accessibility Information

This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request

these services, contact Steve Regner by emailing sregner@beavertonoregon.gov or by calling 711-503-526-2675.

This document is available in other languages and formats upon request

Este documento está disponible en otros idiomas y formatos para quien lo solicite

本文档是可用在其他语言和格式

Tài liệu này có sẵn trong các ngôn ngữ khác và các định dạng theo yêu cầu

توفر هذه الوثيقة باللغات وغيرها من الأشكال بناء على طلبها

이 문서는 요청에 따라 다른 언어와 형식으로 사용할 수 있습니다

このドキュメント(文書)は、ご希望に応じて、他の言語と形式にてご利用頂けます

Этот документ доступен на других языках и форматах по запросу



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THIS IS TO NOTIFY YOU THAT THE CITY OF BEAVERTON HAS PROPOSED LAND USE REGULATIONS THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

On September 23, 2020, the City of Beaverton will hold a public hearing regarding the adoption of casefiles CPA2020-0004, TA2020-0002, TA2020-0004 and ZMA2020-0004. The City of Beaverton has determined that adoption of these casefiles may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

Casefiles CPA2020-0004, TA2020-0002, TA2020-0004 and ZMA2020-0004 are available for inspection at Beaverton City Hall located at 12725 SW Millikan Way. A copy of casefiles CPA2020-0004, TA2020-0002, TA2020-0004 and ZMA2020-0004 will also be available to review online at www.BeavertonOregon.gov/DowntownDesign, and a hard copy can be purchased at a cost of 0.15 per page, double-sided.

For additional information concerning casefiles CPA2020-0004, TA2020-0002, TA2020-0004 and ZMA2020-0004, you may call the City of Beaverton Planning Department at 503-526-2420, or e-mail Project Manager Steve Regner at sregner@beavertonoregon.gov.

Although state law requires the city to include the language that the proposals “may change the value of your property,” no determination has been or is expected to be made as to the effect of the proposal referenced in this notice on the value of your property.

Your property identified as Washington County taxlot number «**TLNO**» is currently zoned «**CURRENT_ZONE**». The proposed provisions of the casefiles referenced above will cause that property to become zoned «**PROPOSED_ZONE**». Please refer to the enclosed Land Use Tables labeled Attachment A for a detailed list of permitted, conditionally permitted, and not permitted uses in each proposed zone. Even if your zone is not changing, the allowed uses in that zone may change.

For information regarding permitted uses in your current zone, please refer to Chapter 20 of the Beaverton Development code, which can be found at <https://www.beavertonoregon.gov/463/Development-Code>.

Additional proposed regulations require certain types of uses on specified streets in ground floor tenant spaces, with the intent of promoting active street life. Those regulations can be found in Attachment B.

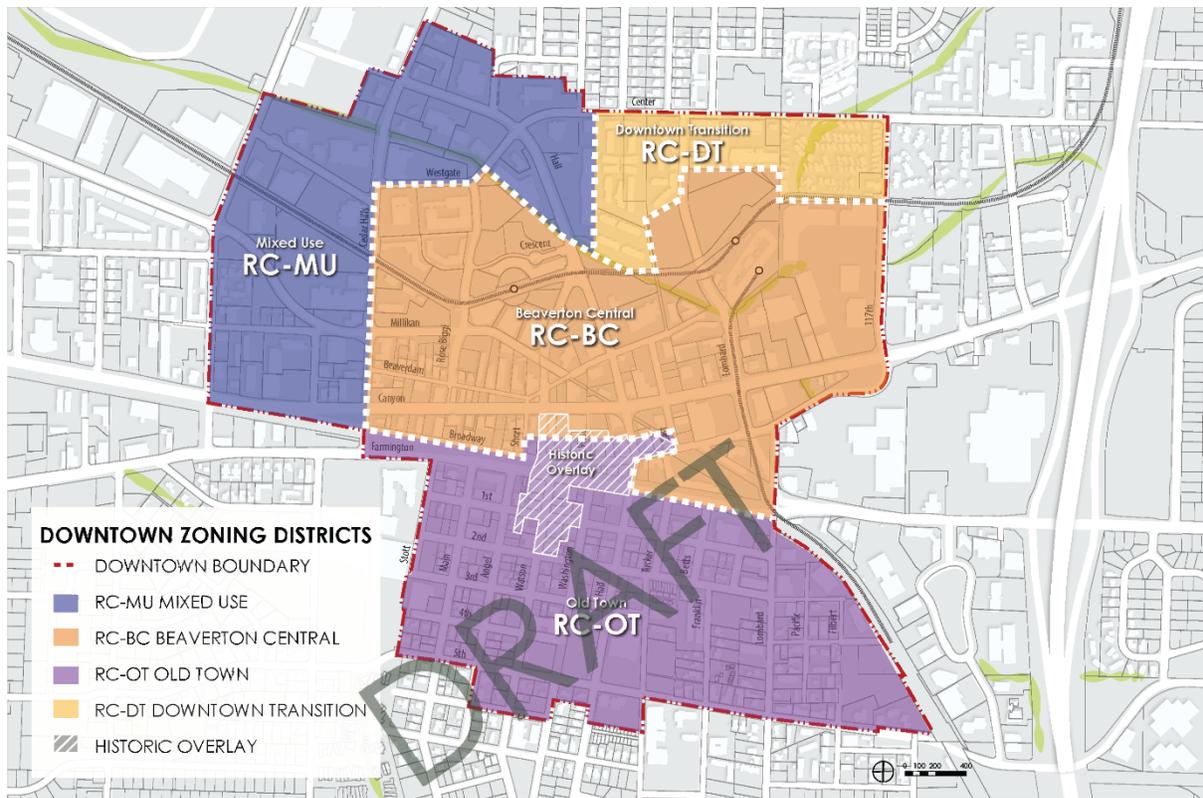


Figure 70.03.1.1: Downtown Zoning Districts

70.03.1 Zoning Districts

Each Zoning District description includes a purpose statement and standards that regulate height, floor area ratio, density, and setbacks. Land uses for each zone are regulated in Section 70.03.3.1.

The four zoning districts in Downtown are:

- Beaverton Central (RC-BC)
- Old Town (RC-OT)
- Mixed Use (RC-MU)
- Downtown Transition (RC-DT)

Downtown also includes one overlay:

- Historic Overlay

Figure 70.03.1.1 Downtown Zoning District identifies the boundaries of the zoning districts and overlay.

Disclaimer: The above map is intended for informational purposes only. It is not intended for legal, engineering, or surveying purposes. Please consult with Beaverton Planning staff for interpretation.

70.03.4.1 Downtown Use Regulations

70.03.4.1 Downtown Use Regulations

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for all four Zoning Districts. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below.

CATEGORY AND SPECIFIC LAND USES		RC-BC	RC-OT	RC-MU	RC-DT
Residential					
1. Dwelling	A. Attached	P	P	P	P
	B. Detached	N ¹	N ¹	N ¹	N ¹
	C. Home occupation	P	P	P	P
	D. Planned unit development	C	C	C	C
Commercial					
2. Animal	A. Animal care, major	N	N	N	N
	B. Animal care, minor	P	P	P	P ³
3. Care	A. Hospitals	C	C	C	C
	B. Medical clinics	P	P	P	C
	C. Child care facilities	P	P	P	C
	D. Residential care facilities	P	P	P	C
4. Commercial amusement		P	P	P	N
5. Drive-Up window facilities		N ⁸	N ⁸	N ⁸	N ⁸
6. Eating and drinking establishments		P	P	P	P ³
7. Financial institutions		P	P	P	N
8. Live/Work units		P	P	P	C
9. Meeting facilities		P	P C ²	P	N
10. Office		P	P	P	P ³
11. Parking as the principal use		C	C	C	N
12. Rental business		C	C	C	N
13. Rental of equipment only		N	N	N	N
14. Retail		P ⁹	P ⁹	P ⁹	P ³⁹
15. Personal service business		P	P	P	P ³
16. Service business / Professional services		P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
17. Marijuana dispensaries		N	N	N	N
18. Retail and wholesale marijuana sales		N	N	N	N
19. Storage	A. Self-storage	N	N	N	N
	B. Storage yards	N	N	N	N

70.03.4.1 Downtown Use Regulations

CATEGORY AND SPECIFIC LAND USES		RC-BC	RC-OT	RC-MU	RC-DT
20. Temporary living quarters/hotels		P	P	P	C ⁴
21. Vehicles	A. Automotive service, major	N	N	N	N
	B. Automotive service, minor	N	N	N	N
	C. Bulk fuel dealerships	N	N	N	N
	D. Sales or lease	N	N	N	N
	E. Rental	C ⁷	C ⁷	C ⁷	N
22. Food cart pods ⁵		P	P	P	N
23. Education	A. Commercial schools	P	P	P	N
	B. Educational institutions	P	P	P	C
24. Places of worship		P	P C ²	P	P
25. Public buildings, services and uses		P	P	P	P
26. Railroad tracks and facilities	A. Passenger	P	P	P	P
	B. Freight	P	P	P	N
27. Recreation	A. Public parks, parkways, playgrounds, and related facilities	P	P	P	P
	B. Public Dog Parks or Dog Runs	P	P	P	P
	C. Recreational facilities	P	P	P	P ¹²
	D. Community Gardens	P	P	P	P
28. Social organizations		P ²	P ²	P ²	N
29. Transit centers		P	P	P	N
30. Utilities	A. Utility substations and related facilities other than transmission lines.	C	C	C	C
	B. Transmission lines	P	P	P	P
Industrial					
31. Manufacturing, fabricating, assembly, processing, and packing ¹³		P C ⁶	P C ⁶	P C ⁶	N
32. Marijuana processing		N	N	N	N
33. Warehousing ¹¹		P	P	P	N
34. Laboratory ¹³		P	P ³	P	N

1. Detached dwellings in existence as of September 19, 2002, are Permitted. Replacement of detached dwelling permitted.
2. Buildings larger than 10,000 square feet are subject to approval of a Conditional Use.
3. Uses limited to 10,000 square feet per site.
4. Limited to uses of Boarding, Rooming, and Lodging House.

70.03.4.1 Downtown Use Regulations

5. Food Cart Pods are exempt from the Site Development Standards of 70.03 but are subject to regulations in 60.11 of the Development Code.
6. Uses up to 10,000 square feet are permitted. Uses larger than 10,000 square feet are subject to a Conditional Use Permit.
7. Only as an accessory uses with no on-site storage of vehicle inventory.
8. Drive-through uses are Prohibited; walk-ups Permitted.
9. This activity is conducted wholly within an enclosed structure. Accessory open air sales or display related to the principal use may be permitted, provided that the outdoor space devoted to these uses does not occupy an area greater than the equivalent of 15 percent of the gross floor area. No outdoor sales or outdoor storage of animals or livestock are allowed with this use.
10. The maximum building footprint size for a building involving a single use shall be 10,000 square feet. In addition, the maximum square footage for these uses within a multiple use development shall be 25 percent of the total square footage of the development.
11. As an accessory use, not to exceed 25 percent of the primary use.
12. Indoor uses are limited to 10,000 square feet per site.
13. Uses subject to additional restrictions below.
- Outdoor manufacturing activity, including but not limited to testing of products or processes, is prohibited.
 - Outdoor storage is prohibited, including both raw materials and finished products.
 - Movement of heavy equipment on and off the site, except truck deliveries, is prohibited.
 - Exterior display or storage of industrial equipment, such as tools, equipment, vehicles, products, materials, or other objects that are part of or used for the business operation is prohibited.
 - Processes involving live animals or the waste or by product of dead animals is prohibited.
 - Electrical disturbances that interfere with the normal operation of equipment or instruments on adjacent properties are prohibited.
 - Processes involving highly combustible, explosive or hazardous materials or waste is prohibited.
 - Potential nuisances are subject to Beaverton Code Chapter 5.05.IV Nuisances Affecting Public Health.

70.03.4.1 Downtown Use Regulations

CATEGORY AND SPECIFIC LAND USES		RC-BC	RC-OT	RC-MU	RC-DT
Wireless Communications Facilities (WCF)					
35. New WCF	A. Tower Construction	W3	W3	W3	W3
	B. Attachment to existing or new building or structure not using stealth design	W3	W3	W3	W3
	C. Replacement tower to provide collocation opportunity	W1	W1	W1	W1
	D. Attachment of a new WCF to buildings or structures and utilize stealth design	W1	W1	W1	W1
	E. Attachment of WCF to existing structures, tower or pole structures	W1	W1	W1	W1
36. Collocation	A. New WCF on existing WCF tower	W1	W1	W1	W1
	B. New WCF inclusive of antennas on existing WCF tower exceeding height standard	W2	W2	W2	W2
37. Antennas	A. Attachment of antennas to WCF tower or pole structures other than used for cellular phone service	W1	W1	W1	W1
38. Satellite Antennas and Direct to Home Satellite Service	A. DHSS antennas >1 m. in diameter	W1	W1	W1	W1
	B. Up to 2 antennas >2 m. in diameter	W1	W1	W1	W1
	C. Up to 5 antennas >2 m. in diameter	W2	W2	W2	W2
	D. More than 5 antennas >2 m. in diameter	W3	W3	W3	W3
Wireless Communications Facilities (WCF) in the Right of way					
39 New or Collocation of WCF in the Right-of Way	A. Tower Construction using stealth design	W3	W3	W3	W3
	B. Tower Construction not utilizing stealth design	N	N	N	N
	C. Attachment to existing or new building or structure utilizing stealth design	W2 / W3	W2 / W3	W2 / W3	W2 / W3
	D. Attachment to existing or new building or structure not using stealth design	W2 / W3	W2 / W3	W2 / W3	W2 / W3
	E. Attachment of WCF to existing tower or pole structures and utilizing stealth design	W2 / W3	W2 / W3	W2 / W3	W2 / W3
	F. Attachment of WCF to existing tower or pole structures and not utilizing stealth design	N	N	N	N
	G. Replacement tower to provide collocation opportunity utilizing stealth design	W2 / W3	W2 / W3	W2 / W3	W2 / W3
	H. Replacement tower to provide collocation opportunity not utilizing stealth design	N	N	N	N
	I. Attachment of WCF to traffic signal light pole	N	N	N	N

70.03.4.2 Active Ground-floor Land Use Regulations

ATTACHMENT B

70.03.4.2 Active Ground-floor Land Use Regulations

Buildings fronting on streets identified in Figure 70.03.4.2.1 shall have uses occupying ground-floor spaces consistent with the designated frontage type. Only tenant spaces fronting the designated streets shall be subject to these rules. For a tenant space to be considered fronting a street, the facade must be located within the minimum and maximum setback as defined by the underlying zone. Ground-floor spaces not fronting on streets designated in Figure 70.03.4.2.1, as well as all upper-floor and below-grade uses, shall be regulated by the underlying zone.

Buildings subject to the Active Ground-floor Land Use Regulations shall comply with the following provisions:

- a. Ground floor uses in buildings with facades within the maximum setback of frontages identified in Figure 70.03.4.2.1 shall be consistent with the land uses listed per each frontage type.
- b. Active ground floor uses shall occupy the minimum percentage of the building frontage for each frontage type identified.
- c. Active ground floor uses shall have a minimum depth of 25 feet measured from the street-facing facade.
- d. Buildings with facades within the maximum setback of frontages identified in Figure 70.03.4.2.1 shall meet all applicable regulations of Section 70.04.2.3 Active Ground Floor Design.
- f. Tax lots 1S110CC00400, 1S110CC01300, and 1S110CC01303 are designated Area D and shall be subject to the rules of Figure 70.03.4.2.2 Active Frontages Table.
- g. Tax lots 1S110CD00900, 1S110CD01300, 1S110CD00790, 1S110CD01301, 1S115BB00203, and 1S115BB00200 are designated Area E and shall be subject to the rules of Figure 70.03.4.2.2 Active Frontages Table.

Active Residential Frontage (Portland, OR)

Ground floor residential units create an active ground floor. Units are elevated from the sidewalk grade and include individual entries, landscaping to create privacy and a transition from the street, and weather protected front porches.



Active Restaurant Frontage (Seattle, WA)

Non-Residential buildings can create active ground floors through using transparent glazing and locating uses that provide visual interest to enhance the pedestrian experience through visual connections between inside and outside spaces.



70.03.4.2 Active Ground-floor Land Use Regulations

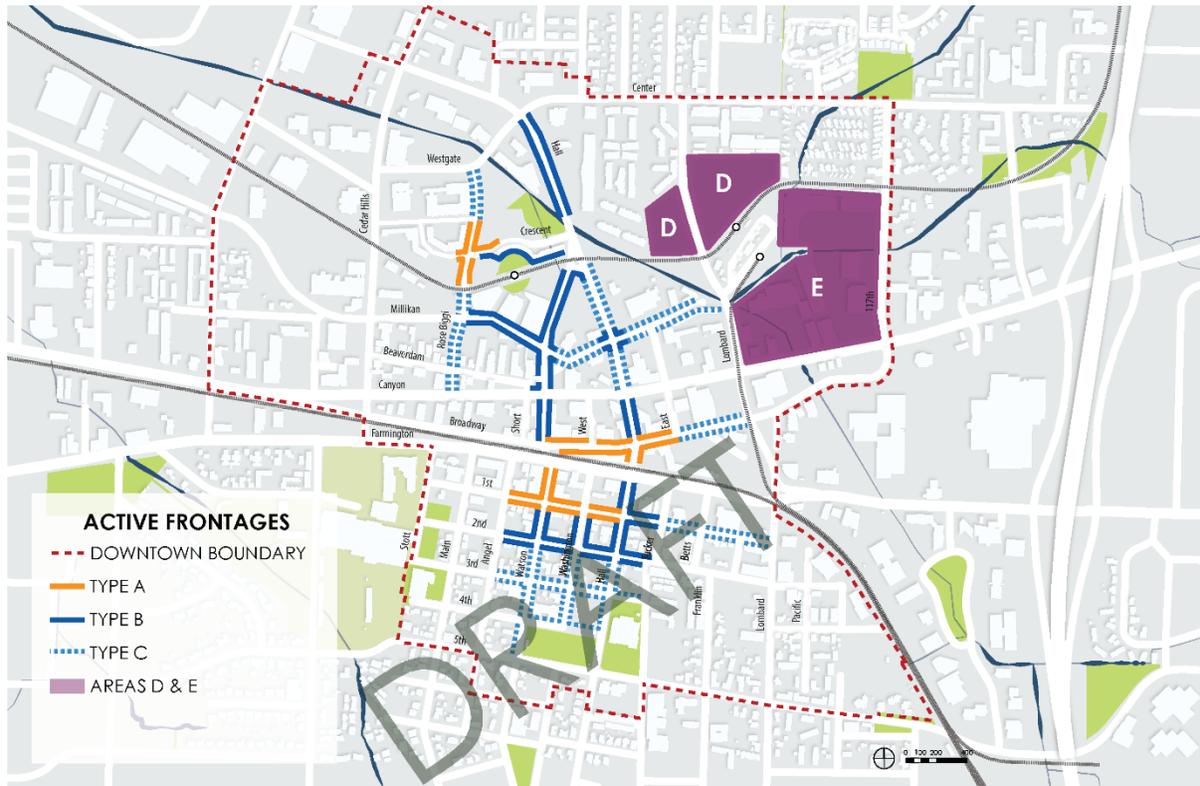


Figure 70.03.4.2.1 Active Frontages Map

Figure 70.03.4.2.2 Active Frontages Table

Street Type	Minimum Active Use Frontage	Allowed Ground Floor Uses
TYPE A	80%	Eating and drinking establishments, retail trade, personal service businesses, food cart pods, brewery/distillery/winery with tasting room, and primary lobby access to other parts of the building.
TYPE B	60%	Type A allowed ground floor uses, commercial amusements, medical clinics, office, meeting facilities, places of worship, service business/professional services, financial institutions, public services and uses, residential amenity spaces, hotels/temporary living quarters, recreational facilities, and commercial schools.
TYPE C	60%	Uses allowed under Type A and Type B allowed ground floor uses and ground floor residential uses with primary access facing the right of way, served by a porch, stoop, patio, terrace, forecourt, or similar design element, elevated or at grade.
AREA D	N/A	At the time of development, a Type B frontage must be assigned along a public right of way or other publicly accessible space on the site that is equal in length to 1/2 of the longest diagonal measurement of the site.
AREA E	N/A	When dedicated, the future extension of SW Millikan Way shall be designated a Type B frontage.

«TLNO»

«OWNER1»

«OWNER2»

«OWNER3»

«OWNERADD»

«ownercity», «OWNERSTAT» «OwnerZip»