



# Code Maintenance Project

## Index – Chapter 50

### Introduction

The purpose of this table is to provide an overview of the proposed Beaverton Development Code changes being considered with the Code Maintenance Project, to be considered by the Beaverton Planning Commission on July 31, 2024 and Beaverton City Council on September 3, 2024.

This is a list of proposed changes and a summary of the reason for the proposed changes. Additional changes may also occur in response to Planning Commission or City Council feedback at the public hearings.

This table corresponds to proposed “redlines” which are also available as exhibits to the staff report. This index is intended to provide a brief description of the Development Code changes being considered. Highlighted portions of the table are to identify additions or changes since the distribution of earlier shared drafts of proposed changes for the Commission to more easily identify updates from earlier versions.

Draft redlines can be found [here](#).

Other Code Section(s)	Summary of Proposed Text Amendment	Staff Comments
<b>CHAPTER 50 – PROCEDURES</b>		
<a href="#">Section 50.10.4</a>	The proposed amendment clarifies that notice of a withdrawn land use project is required once a notice of the proposed development has been distributed. However, notice is not required if only, or a some of the applications, part of a consolidated land use application package is withdrawn but the project itself is still moving forward.	Notification of withdrawn applications are not required by state law. However, staff is proposing keeping a noticing requirement in place if a proposal is being withdrawn completely. Submittals typically include more than one application and occasionally during the review process it's determined that one or more applications in a consolidated application package may no longer be necessary. The proposed changes to the Code would only require a notice if the project is fully withdrawn, not if less than all of the

		consolidated applications are withdrawn.
<a href="#">Section 50.20.3</a>	Change the time within which a pre-application conference must be held.	The proposed change removes the timeframe within which a pre-application conference is held. There is no state mandated timeframe. The internal goal of holding the pre-application conference within two weeks is not proposed to change but the code amendment reflects that demand may be high at certain times and it may take staff additional time to accommodate the request.
<a href="#">Section 50.20.6</a>	Clarify language regarding application completeness. The current code language indicates that an application must be deemed complete within a year of having had a pre-application conference.	Applications are often submitted within the 1-year timeframe but sometimes are deemed complete after the 1-year mark. The proposed language would require that the application be submitted within a year of the pre-application conference but not required to be deemed complete. The proposed change removes the word "complete" from Section 50.20.6.
<a href="#">Section 50.25.8</a>	Update procedure timelines for housing and affordable housing.	The changes are required to comply with HB 3395.
<a href="#">Section 50.25.11</a>	Update language to match ORS. The Code says "withdrawn"; ORS says "voided".	Update necessary to be consistent with state law, ORS 227.178. The proposed change replaces "withdrawn" with "void".

<a href="#">Section 50.35.2</a>	Add a reference to Section 50.25.8 which includes updated timelines in response to HB3395.	Proposed change is necessary to comply with HB3395.
<a href="#">Section 50.40.5</a>	Include the requirement that the site posting is to be completed 20 days prior to the comment period ending rather than 10 calendar days after being deemed complete.	The proposed language is consistent with how the Type 3 procedure addresses onsite notice requirements and makes the deadline for posting clearer.
Section 50.90.1.C	Add the new proposed land use application, Housing Adjustment (Section 40.10.15.5) to the list of applications which expire two years from the effective date of the decision.	This application is likely to accommodate other applications for housing, such as Design Review Two, Downtown Design Review Two and the Single Detached and Middle Housing Design Review applications, all which are also listed under the two-year timeline.
<a href="#">Section 50.90.1.E</a>	The Legal Lot Determination application is not listed within Section 50.90 Expiration of a Decision.	The proposed change adds a section for the Legal Lot Determination application, which expires 365 days from the effective date of the decision pursuant to ORS 92.176(5).
<a href="#">Section 50.90.2</a>	An update to this section is needed to clearly identify the correct procedure for all Types of decisions. Current code assumes that a land use order is prepared for Type 1 decisions, which is not usually the case if they are processed independently. Additionally, some Type 3 applications require ordinance adoption.	Proposed change includes adding language to this section that acknowledges that some decisions do not require ordinance adoption. While also acknowledging that some Type 3 applications could require ordinance adoption. These changes are necessary to clarify specific requirements for various processes and comply with the City Charter.



CODE MAINTENANCE PROJECT  
BEAVERTON DEVELOPMENT CODE  
UPDATED: JULY 23, 2024

<a href="#">Section 50.95.3</a>	Add a reference to Section 50.25.8 which includes updated timelines in response to HB3395.	Proposed change is necessary to comply with HB3395.
<a href="#">Section 50.97.1-2&amp;5</a>	Allow Temporary Use – Temporary Displaced Parking decisions to also be renewed.	Currently, only Temporary Use – Mobile Sales can be renewed. The proposed change would allow Temporary Use – Temporary Displaced Parking (a different application) to also be eligible for renewal.
<a href="#">Section 50.97.6</a>	Add a reference to Section 50.25.8 which includes updated timelines in response to HB3395.	Proposed change is necessary to comply with HB3395.