



EXHIBIT 1.3

CHARTER IMPLEMENTATION TEXT AMENDMENT
PROPOSED TEXT**DEVELOPMENT CODE OF THE CITY OF BEAVERTON**

CHAPTER 10 - GENERAL PROVISIONS

10.40. Annexation.

1. Any area annexed to the City shall retain the zoning classification of its former jurisdiction until changed by the City. In the interim period, the City shall enforce the zoning regulations of the former jurisdiction along with any conditions, limitations or restrictions applied by the former jurisdiction as though they were a part of this Code, except that the provisions of Chapters 30 through 80 of this Code shall supersede comparable provisions of the zoning regulations in force in the former jurisdiction at the time of annexation.
2. The City may consider the zoning for any area proposed for annexation at the same time as it considers annexation of the area or at a later time. The zoning decision shall not be a final decision for the purposes of judicial review until the date that the question of annexation has received all approvals required by City and State law and has become effective. [ORD 4135; December 2000] [ORD 4224; August 2002] [ORD 4397; August 2006]
3. [ORD 4135; December 2000] The process for zoning map amendments that are associated with annexations shall be as follows:
 - A. Section V.B of the Washington County – Beaverton Urban Planning Area Agreement (UPAA) says: “Upon annexation, the City shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the County. The City shall maintain a list of County land use designations and corresponding City Comprehensive Plan and zoning designations.” This list has been adopted as Table 1 in Section 1.5.2. of the Comprehensive Plan. For parcels where the table provided in that section identifies a specific City zoning designation and leaves no discretion about which zoning district to assign, the City Council may adopt the required zoning map amendment without a public hearing pursuant to Section 40.97.15.3. (Non-Discretionary Annexation Related Zone Change) of this Code. [ORD 4759; March 2019]
 - B. For parcels where Table 1 in Section 1.5.2. of the Comprehensive Plan does not identify a specific City zone and discretion is required, a public hearing shall be held pursuant to Section 40.97.15.4. (Discretionary Annexation Related Zone Change) of this Code. The Planning Commission may conduct the public hearing on the zone change unless State law requires the City Council to hold a public hearing in which case the zoning map amendment hearing will be conducted by the City Council and the Planning Commission hearing will not be required. Upon annexation, the City shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the County as required by the UPAA. Criteria for annexation-related zone changes requiring discretion are in Section 40.97.15.4.C. [ORD 4224; August 2002] [ORD 4397; August 2006] [ORD 4759; March 2019]



10.65. Conditions of Approvals. [ORD 4224; August 2002]

3. Contract for Conditions. When the approval requires a contract, conditions may be set forth in a contract executed between the City, acting by and through the Mayor, and the property owner and any contract purchasers, and approved as to form by the City Attorney. If a contract is required, no development permits in connection with approval shall be issued until the properly executed contract is recorded with the Department of Records and Elections of Washington County at the expense of the applicant. The condition, as set forth in the contract and recorded, shall constitute a covenant running with the land in favor of the City of Beaverton and, unless otherwise provided, shall be removed only with the express authorization of the City Council. In return for the granting of the application, the property owner, contract purchasers and their heirs, successors and assigns shall be responsible for performing the conditions set forth therein. Said contract shall contain provisions that it is enforceable against the signing parties, their heirs, successors and assigns by the City by appropriate legal proceedings.

10.70. Enforcement.

1. General. It shall be the duty of the Mayor to enforce the provisions of this Code. The term, "this Code", means not only the provisions expressed herein but also the conditions or terms of any permit, certificate, license or approval granted pursuant to this Code. The Mayor may use the resources of any City department to assist in carrying out the City's responsibilities under this section. [ORD 3226; October 1981]
2. Official Action. All officials, departments and employees of the City vested with authority to issue permits, certificates, licenses, or grant approvals, shall adhere to and require conformance with this Code and shall issue no permit, certificate, license or grant approval for any use, building or purpose which violates or fails to comply with conditions or standards imposed by this Code. Any permit, certificate, license or approval issued or granted in conflict with the provisions of this Code, intentionally or otherwise, shall be void.
3. Maintenance. [ORD 4224; August 2002] All improvement(s) constructed pursuant to an approval under this Code shall be maintained in perpetuity by the property owner in compliance with the relevant conditions of approval unless otherwise modified by action of the City.
4. Abatement. Any use which is established, operated, erected, moved, altered, enlarged, painted, or maintained contrary to this Code or to any permit or approval granted under this Code shall be and is hereby declared to be unlawful and a public nuisance, and may be abated as such. [ORD 4224; August 2002]
5. Injunctive Relief. Upon request of the Mayor, the City Attorney may institute a suit in equity in the Circuit Court of the State of Oregon to enjoin the maintenance of any use, occupation, building or structure or any activity being conducted or proposed to be conducted in violation of any provision of this Code. [ORD 3739; September 1990]

10.75 Administrative Rules.

1. The Mayor may promulgate such rules and regulations as he considers necessary to facilitate the administration and interpretation of this Code.



10.75 Administrative Rules.

1. The Mayor may promulgate such rules and regulations as he considers necessary to facilitate the administration and interpretation of this Code

10.95. Development Review Participants.

The following are the primary participants in the planning and development review decision making process in the City of Beaverton. The roles of these participants are outlined in this Section and may be further defined by the City Council through ordinance or resolution.

1. **City Council.**
 - A. Membership. The City Council is composed of five councilors elected at large to serve a four year term.

40.75. Street Vacation

40.75.15. Application.

There is a single Street Vacation application which is subject to the following requirements.

4. **Street Vacation.**

- D. Submission Requirements. An application for a Street Vacation shall be made by the owner of property abutting the right-of-way or easement, or the owner's authorized agent, the City Council, Mayor, or their designee on a form provided by the Director and shall be filed with the Director. The Street Vacation application shall be accompanied by the information required by the application form, and by Section [50.25](#). (Application Completeness), and any other information identified through a Pre-Application Conference.

40.85. Text Amendment

40.85.15. Application.

There is a single Text Amendment application which is subject to the following requirements.

1. **Text Amendment.**

- D. Submission Requirements. An application for Text Amendment to the City's Development Code shall be initiated by the City Council, Mayor, the Director, or any interested person on a form provided by the Director and shall be filed with the Director. The Text Amendment application shall be accompanied by the information required by the application form, and by Section [50.25](#). (Application Completeness), and any other information identified through a Pre-Application Conference.



40.97. Zoning Map Amendment

40.97.15. Application.

1. Quasi-Judicial Zoning Map Amendment.

* * * * *

D. Submission Requirements. An application for Quasi-Judicial Zoning Map Amendment to the City’s zoning map shall be made by the owner of the subject property, or the owner’s authorized agent, the City Council, Mayor, or their designee on a form provided by the Director. All Quasi-Judicial Zoning Map Amendment applications shall be filed with the Director and shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

* * * * *

2. Legislative Zoning Map Amendment.

* * * * *

D. Submission Requirements. An application for Legislative Zoning Map Amendment to the City’s zoning map may only be initiated by the City Council, Mayor, or their designee. All Legislative Zoning Map Amendment applications shall be filed with the Director and shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness)