

Cooper Mountain Community Plan Project

Proposed Beaverton Code Amendments

- Commentary is for information only.
- Proposed new language is underlined.
- Proposed deleted language is ~~stricken~~.
- Language that has been skipped is indicated by “***”

Commentary:

This section has been updated to include the Cooper Mountain Zoning Districts in Section 10.25 (Classification of Zoning Districts) and add a new section 10.32 (Overlays).

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

Effective on: 6/1/2012

10.25. Classification of Zoning Districts and Overlay Zones.

The City is divided into the following zoning districts, each of which shall include a suffix letter designator with its map symbol to indicate its classification. Each zone provides a set of regulations governing the uses, lot size, building setbacks, height, and other development standards. Property may also be subject to an overlay. An overlay zone establishes additional regulations beyond the base zone to address specific community objectives. In some cases, an overlay zone may provide exceptions to or supersede the regulations of the base zone.

Commentary:

The proposed amendments update the zoning district classification table to incorporate the proposed new zones for Cooper Mountain, including two residential districts, one commercial district, and one multiple-use district as well as two new overlays: Cooper Mountain Parks Overlay and Resource Overlay.

The Resource Overlay map has different approval processes because the initial geography was established based on available information (including but not limited to aerial photographs and topographic maps).

The city anticipates that once properties are annexed and development is proposed, on-the-ground, site-specific data will provide more accurate information on the location of the protected resources, which will inform the precise location of the Resource Overlay boundary as property owners supply that information and apply for modifications.



Classification of Zoning Districts

ZONING DISTRICT	ABBREVIATION
Residential Districts [ORD 4822; June 2022]	
Multi-Unit Residential	MR
<u>Cooper Mountain - Multi-Unit Residential</u>	<u>CM-MR</u>
Residential Mixed A	RMA
Residential Mixed B	RMB
Residential Mixed C	RMC
<u>Cooper Mountain - Residential Mixed</u>	<u>CM-RM</u>
Commercial Districts [ORD 3352; January 1984]	
Neighborhood Service Center	NS
Community Service	CS
<u>Cooper Mountain - Community Service</u>	<u>CM-CS</u>
Corridor Commercial	CC
General Commercial	GC
Industrial Districts	
Office Industrial	OI
Office Industrial - Nike Campus	OI-NC
Industrial	IND
Multiple Use Districts	
Regional Center - Mixed Use	RC-MU
Regional Center - Beaverton Central	RC-BC
Regional Center - Old Town	RC-OT
Regional Center - Downtown Transition	RC-DT
Regional Center - East	RC-E
Office Industrial - Washington Square	OI-WS
Commercial - Washington Square	C-WS
Town Center - Multiple Use	TC-MU
Town Center - High Density Residential	TC-HDR
<u>Cooper Mountain – High Density Residential</u>	<u>CM-HDR</u>
Station Community - Multiple Use	SC-MU
Station Community - High Density Residential	SC-HDR
Station Community - Sunset	SC-S
Station Community - Employment Sub Area 1 & 3	SC-E1 & 3
Overlays	
<u>Historic Overlay</u> <u>HO</u>	
[ORD 4005; February 1998] [ORD 4058; September 1999] [ORD 4075; December 1999] [ORD 4224; August 2002] [ORD 4265; October 2003] [ORD 4542; June 2010] [ORD 4799; January 2021] [ORD 4822, June 2022]	

10.30 Zoning Map.

1. The boundaries of the zoning districts established in this Code are indicated on a map entitled "Zoning Map of the City of Beaverton" which shall hereinafter be referred to as the "City zoning map". The City zoning map and all amendments and changes thereto, and all legends, symbols, notations, references, and other matters shown thereon, are hereby adopted by reference.
2. Amendments to the City zoning map may be made in accordance with Section 40.97. of this Code. Copies of all map amendments shall be dated with the effective date of the document adopting the map amendment and shall be maintained without change, together with the adopting document, on file in the office of the City Recorder. -[ORD 4224; August 2002]
3. The Director shall maintain an up-to-date copy of the City zoning map to be revised from time to time so that it accurately portrays changes of zone boundaries. The Zoning Map may be maintained in digital form. [ORD 3739; September 1990] [ORD 4224; August 2002]

[ORD 3494, 03/27/1986; ORD 3739, 09/08/1990; ORD 4224, 09/19/2002]

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10.32. Overlays.

An overlay zone establishes additional regulations beyond the base zone to address specific community objectives. In some cases, an overlay zone may provide exceptions to or supersede the regulations of the base zone. The overlay zones applicable to land within the City are:

<u>Overlays</u>	
<u>Historic Overlay</u>	<u>HO</u>
<u>Resource Overlay</u>	<u>RO</u>
<u>Cooper Mountain Parks Overlay</u>	<u>CMPO</u>

The Director will maintain an updated version of the Resource Overlay that will reflect changes if the overlay is adjusted through approved Development Code applications (in Section 40.70) to revise the Resource Overlay. Adjustments to the Historic Overlay and the Cooper Mountain Parks Overlay require approval by City Council in accordance with Section 40.97. The overlay maps may be maintained in digital form.

Commentary:

The proposed amendment clarifies that the city may consider approving zoning prior to annexation to be effective upon annexation. It also clarifies that that scenario applies to concept, neighborhood, and community plans and is consistent with the Washington County – Beaverton Urban Planning Area Agreement. In that case, the city may approve the zoning in advance but apply it upon annexation, when the city has jurisdiction over the property or properties that are annexed.

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:
 - 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 4224; August 2002] [ORD 4759; March 2019]
 - 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 hearing will be conducted by the City Council in accordance with Section 50.50 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] [ORD 4809; September 2021]
4. [ORD 4224; August 2002] Development, uses, or both which have received approval from the former jurisdiction shall continue to be approved and subject to the conditions of approval established by the former jurisdiction, if any. After the effective date of either Annexation Related Zone Change application, any change to any development or uses annexed into the City shall be subject to the City zoning regulations in effect at the time of the proposed change.
5. The City may consider zoning prior to annexation in anticipation of that zoning being effective upon annexation. This includes zoning consistent with Washington County – Beaverton Urban Planning Area Agreement Section V.B. for concept, neighborhood, and community plans adopted by the City prior to annexation.

[ORD 4135, 12/28/2000; ORD 4224, 09/19/2002; ORD 4312, 07/22/2004; ORD 4397, 08/10/2006; ORD 4759, 03/22/2019; ORD 4809, 09/16/2021]

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