



CITY OF BEAVERTON

CITY ORDINANCES

ORDINANCE

#3887 AMENDING CHAPTER NINE OF THE BC RELATING
TO PERMITS FOR REMOVING VEGETATION AND TO
DEVELOPMENT WITHIN THE BEAVERTON CREEK
FLOODPLAIN AND REPEALING SECTIONS 9.05.035 (F) (3)
AND 9.05.060 (D) (2) (E)

NUMBER OF PAGES 3

CODE

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**AN ORDINANCE AMENDING CHAPTER NINE OF THE BEAVERTON CODE
RELATING TO PERMITS FOR REMOVING VEGETATION
AND TO DEVELOPMENT WITHIN THE BEAVERTON CREEK FLOODPLAIN
AND REPEALING SECTIONS 9.05.035(F)(3) AND 9.05.060(D)(2)(e).**

WHEREAS, The Council by minute action on September 13, 1993 directed that enforcement of Beaverton Site Development Code Section 9.05.020 requiring a permit to remove any tree greater than 30 feet in height, be suspended except for tree removals separately regulated by Section 268 of the Development Code; and

WHEREAS, The Council now desires to amend the Site Development Code to effectuate its intent and to conform Beaverton Code to the additional regulations of the Unified Sewerage Agency of Washington County relating to large-scale removal of groundcover and vegetation as it implicates soil erosion; and

WHEREAS, The Council by Ordinances 3770 and 3775 in 1991 found that the improvements constructed in the form of the Murray Culvert LID allowed exceptions to development regulation in the Beaverton Creek floodplain for a certain distance upstream of those improvements, and now finds that clarification of those exceptions is necessary and desirable, now, therefore

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Beaverton Code Section 9.05.020(B) is amended to read as follows:

"9.05.020 Permits Required.

B. No person shall cause or allow the following on private property or the public right of way without a current, valid permit from the City Engineer:

3. Removal of the vegetation or ground cover from an area that exceeds 500 square feet on private property or removal of the vegetation, ground cover or any tree within the public right of way;

*******."**

Section 2. Beaverton Code Section 9.05.060 is amended by adding new provisions to be numbered and to read as follows:

"9.05.060(A)(3). For property within the floodway fringe of Beaverton Creek (main stem) from Murray Boulevard upstream to State Highway 8 (Canyon Road), fill for development may be placed without regard for the holding capacity of the property in question provided

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that the fill is shown not to raise the base flood elevation or create additional flooding inside and outside the established flood hazard area of tributaries to Beaverton Creek that cross the floodway fringe and converge with Beaverton Creek within those boundaries."

Section 3. Beaverton Code Section 9.05.060(D) (1) (a) is amended to read as follows:

"a. In new construction or the substantial improvement of any residential structure the lowest floor, including the basement, shall be elevated to not less than one foot, and if within the special flood hazard of Beaverton Creek (main stem) from Murray Boulevard upstream to State Highway 8 (Canyon Road), two feet above the base flood elevation or above the floodway."

Section 4. Beaverton Code Section 9.05.060(D) (2) (a) is amended to read as follows:

"a. be floodproofed to an elevation one foot, and if within the special flood hazard area of Beaverton Creek (main stem) between Murray Boulevard upstream to State Highway 8 (Canyon Road), two feet above the base flood level so that the structure is watertight and with walls substantially impermeable to the passage of water."

Section 5. Beaverton Code Sections 9.05.035(F) (3) and 9.02.060(D) (2) (e) are repealed.

First reading this 1st day of March, 1994.

Passed by the Council this 2nd day of March, 1994.

Approved by the Mayor this 2nd day of March, 1994.

ATTEST:

Darlene D. Cogburn
DARLENE COGBURN, City Recorder

APPROVED:

Rob Drake
ROB DRAKE, Mayor

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