

**From:** Sheila Martin

**Sent:** Tuesday, December 02, 2014 4:47 PM

**To:** Planning Commission

**Subject:** FW: South Cooper Mountain Community Plan - Revisions to proposed Text Amendments

Dear Commissioners,

Please find attached revisions to proposed text modification previously presented in the packet (delivered on November 26<sup>th</sup>). These revisions include:

- Ex 9 - Vol I - Chapter 3
  - Revision to foot note 4, clarifying reference to Tables 1 and 2 of the Community Plan.
- Ex 12 - Chapter 20
  - Clean-up of revisions including placement of superscripts in more accurate locations
  - Removal of revisions to Commercial zoning section
  - Clarification in Section 20.25.05.C, reference to Table 2 of the Community Plan
- Ex 12 - Chapter 40
  - Removal of revisions to 40.15.15.3
  - Removal of 'residential' within proposed section 40.15.15.4.A.3
  - Removal of revisions to 40.97.15.3
  - In section 40.97.15.4, revert to existing threshold and revisions to approval criteria 3 and 4.
- Ex 12 - Chapter 60
  - Revisions to Section 60.05.25.9.E.1
- Ex 12 - Chapter 90
  - Added revision to Compact Detached Housing
  - Added definition for View Corridor

Sincerely,

Leigh

Your message is ready to be sent with the following file or link attachments:

Ex 12 - Chapter 90 Definitions - Revised 12-02-2014  
Ex 9 - Vol I - Chapter 3 Land Use Element - Revised 12-02-2014  
Ex 12 - Chapter 20 Land Use - Revised 12-02-2014  
Ex 12 - Chapter 40 Applications - Revised 12-02-2014  
Ex 12 - Chapter 60 Special Reqs - Revised 12-02-2014

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



## LAND USES

### 3.1 OVERVIEW

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### 3.2 PLANNING CONTEXT

Within the Portland Metropolitan Area, local governments must comply with both state and regional land use laws. Consistency with the Statewide Planning Goals (referenced in Appendix A), Transportation Planning Rule and other Oregon Administrative Rules (OAR) and Oregon Revised Statutes (ORS) is required. Metro, the elected regional government serving the tri-county area, has adopted a number of planning documents for guiding the region's future growth. In 1995 Metro adopted a future vision titled "Regional Urban Growth Goals and Objectives" and a map titled "2040 Growth Concept". Compiling data from within the region and using the context of the future vision and the map, Metro formulated the Regional Framework Plan (Framework Plan). The Framework Plan highlights programs and provides the basic concepts adopted as directives in the Urban Growth Management Functional Plan (Functional Plan). The city must comply or substantially comply with the directives found within the Functional Plan or justify an exception to the directives. The 2040 Growth Concept provided a general approach to approximately where and how much the urban growth boundary should expand, the mix of uses and range of densities to accommodate projected growth within the boundary.

Specifically, section 3.07.130 of the Functional Plan requires the following:

*"For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map:*

Regional Centers – *Nine regional centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks.*

Station Communities – *Nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment.*

Town Centers – *Local retail and services will be provided in town centers with compact development and transit service.*

Main Streets – *Neighborhoods will be served by main streets with retail and service developments served by transit.*

*Corridors* – Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.

*Employment Areas* – Various types of employment and some residential development are encouraged in employment areas with limited commercial uses.

*Inner Neighborhood* – Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods.”

Beaverton’s Downtown is designated a Regional Center on the 2040 Growth Concept Map. A portion of southeast Beaverton, adjacent to Highway 217, is part of the Washington Square Regional Center. Generally, the zoning districts allowed within the Beaverton Regional Center Comprehensive Plan designation include Regional Center – East, Regional Center – Old Town, and Regional Center – Transit Oriented. Other zoning districts consistent with the City’s goals within the Washington Square Regional Center will be developed. The developments known as Koll Business Center, Marathon Industrial Park and Nimbus Industrial Park are located within the Washington Square Regional Center. Generally, densities in the Regional Center are intended to meet Metro’s target of 60 persons per acre.

Station Communities in Beaverton include Beaverton Transit, Beaverton Central, South Tektronix, Beaverton Creek and Merlo. The Sunset and 170<sup>th</sup>/Elmonica Station Communities are located within Beaverton’s urban service area, as is the eastern portion of the Willow Creek Station Community. Beaverton’s zoning districts focus on the immediate station, within ½ mile, and the outer perimeter, ½ to 1 mile. These zoning district categories are labeled Station Community and Station Area, respectively. The Development Code specifies two Station Community zoning districts: Station Community – High Density Residential and Station Community – Multiple Use. Two Station Area zoning districts are identified as follows: Station Area – Medium Density Residential and Station Area – Multiple Use. Metro’s target density is 45 persons per acre for the Station Community design type.

Beaverton has one Town Center, located in the vicinity of the intersection of Scholls Ferry Road and Murray Boulevard. The Bethany, Raleigh Hills, and Cedar Hills/Cedar Mill town centers are within Beaverton’s urban service area. Additionally, the Sunset Transit Center is also designated as a town center. (Many of the design type boundaries overlap on the Growth Concept Map, especially in areas adjacent to light rail stations.) City Town Center zoning districts include Town Center – Multiple Use, Town Center – High Density Residential, and Town Center – Medium Density Residential. The Neighborhood Residential Medium Density (R-4) zoning district is also allowed within the Murray/Scholls Town Center. Densities are intended to reach the Metro target of 40 persons per acre.

Metro designated Main Streets on the 2040 Growth Concept Map including the following areas within Beaverton:

Murray Boulevard intersection with Allen Boulevard, and  
Hall Boulevard intersection with Allen Boulevard.

An additional planned Main Street has been identified through planning efforts in the South Cooper Mountain Community Plan area, an area added to the Urban Growth Boundary and annexed to Beaverton after publication of the original 2040 Growth Concept Map. The planned Main Street will be along a future collector road on the north side of that road's intersection with Scholls Ferry Road, between 175<sup>th</sup> Avenue and Tile Flat Road.

Metro also designates Main Streets in the following areas that include both incorporated city areas and unincorporated county areas:

Farmington Road from the Regional Center westerly to the city limits,  
Allen Boulevard intersection with Scholls Ferry Road, and  
Cornell Road.

Main Streets allow a mix of commercial and medium to high density residential zoning districts. Main Streets within the City and its environs are currently developed or planned to develop primarily as commercial centers with some moderate and high density residential interspersed. Densities within this land use designation are intended to reach the target of 39 persons per acre as the areas redevelop. Although Metro designates Farmington Road as a Main Street, the City applied the Corridor designation due to the character of development adjacent to Farmington Road within the city limits.

Corridors in Beaverton include Walker Road, Cedar Hills Boulevard, Murray Boulevard, Hall Boulevard, Allen Boulevard, Farmington Road, Canyon Road, Scholls Ferry Road, Beaverton-Hillsdale Highway and Tualatin Valley Highway. Corridor development differs from Main Street development with respect to density and mix of uses. In the long term, Main Streets are intended to provide for an integrated mix of residential and employment opportunities. Whereas, Corridors provide nodes of residential and employment that may be integrated, but more likely reside side by side. The Metro density target for the Corridor design type is 25 persons per acre.

Employment Areas within Beaverton generally include the following areas commonly known as the Twin Oaks Industrial Park and Cornell Oaks Corporate Center. These areas are generally within Beaverton's Industrial zoning districts. The majority of Woodside Corporate Park is within the City's urban service boundary and Science Park in Cedar Mill is in the City's urban service area. Target densities within this design type are 20 persons per acre.

Industrial Areas are generally developed with low density industrial development. Designated Industrial Areas in Beaverton include the developments known as Southern Pacific Industrial Park, Allen Business Park, and Bevest Industrial Park. Generally, the block shown on the Comprehensive Plan Land Use Map as Industrial Areas are designated with Beaverton industrial zoning districts. No new commercial zoning will be allowed in these areas.

Generally, all other areas within the city are designated Inner Neighborhood on the Metro 2040 Growth Concept Map. Areas designated on the Comprehensive Plan Land Use Map as Neighborhood Residential generally comply with the Metro Inner Neighborhood Design Type, providing densities of 14 persons per acre. Within the Neighborhood Residential land use designation, four densities are allowed as follows: Low Density, Standard Density, Medium Density and High Density. In addition, commercial development within the Medium and High Density Neighborhood Residential designations will not, generally, be permitted. Existing capacity for residential development within these land use designations is needed to help meet the Metro growth targets. Development of another nature would lessen the City's compliance with these targets, consequently; conversions of Medium and High Density Neighborhood Residential land to other uses will be limited. Where conversions are desired, it must be demonstrated that the "substantial compliance" with the Metro housing capacity targets can be met with the remaining available land as allocated.

Figure III-1, Comprehensive Plan Land Use Map, appropriately designates land uses in compliance with the Statewide Planning Goals and Metro Functional Plan Title 1 requirements to define boundaries of Metro Design Types.

The Comprehensive Plan text is a policy document guiding land use within the City of Beaverton. As such, a hierarchy of policy language is provided in the following manner:

- Goals            are brief guiding statements, which describe a desired result.
- Policies        are statements of the City's general approach to meeting a goal.
- Actions        direct specific City activities or events, consistent with goals and policies.
- Text Boxes    provide references to source materials used when developing the goal, policy or action statement. Text boxes can also clarify the intent of a policy, but are not intended to serve as the policy direction itself. Text boxes appear with the typeface shown in this sentence.

### **3.3 COMMUNITY PLAN CONTEXT**

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### **3.4 COMMUNITY IDENTITY**

Beaverton's eleven general City planning goals are found in the introduction to the Comprehensive Plan. Each Element of the Comprehensive Plan refines those goals, and creates new goals, within the context of state and regional mandates and the topic of that particular element.

The first general goal states "Retain Beaverton as an outstanding City." An outstanding City is a place of quality for people to live and work. Fundamental to the achievement of this goal is the appearance of the community. There is no doubt that the community will continue to grow and

change as new people, businesses, and industries establish themselves in the area. A deliberate and continuous effort will be necessary to see that the multitude of decisions made in the process of growth collectively constitute progress toward an attractive, livable community.

**3.4.1 Goal: Provide a policy framework for a community designed to establish a positive identity while enhancing livability.**

**Policies:**

- a) The City, through its development review process, shall apply urban design standards to guide public and private investment toward creating a positive community identity.

*Action 1: Adopt and apply land use regulations for landscaping, screening and buffering standards for interfaces between differing zones to reduce impacts of lighting and noises to retain a degree of privacy.*

*Action 2: Adopt and apply land use regulations respecting the natural and physical features of the landscape, including but not limited to, natural areas, site design for hillside areas, flood hazards, earthquake hazards and other environmental constraints.*

*Action 3: Adopt and apply land use regulations promoting development in ways that promote healthy watersheds and natural resources, use a natural system approach to development, and avoid impacting natural resources. A natural system approach includes sustainable stormwater management using habitat friendly development practices and low impact development techniques.*

*Action 4: Adopt and apply land use regulations allowing and encouraging techniques to reduce impacts to natural resources, known as Habitat Friendly Development and Low Impact Development.*

- b) The City's urban design standards shall promote creation of public spaces and a good pedestrian environment.
- c) Existing overhead utilities shall be placed underground in all parts of the community in conjunction with development.
- d) Sign regulations shall limit the size, location, and number of signs throughout the City. Non-conforming signs shall be removed at the time of a change in use. Off-site advertising signs shall be prohibited in all districts of the City.

*Action 1: To ensure fairness, the City shall apply the sign amortization program to annexed properties that had their signs approved by Washington County.*

- e) The City shall preserve significant natural resources identified on the City's Statewide Planning Goal 5 Inventories, Volume III of this Plan, through application of regulations requiring the careful siting of development.

***Action 1:** Adopt mapping showing habitat benefit areas. Habitat benefit areas, Clean Water Services' vegetated corridors and Beaverton identified Goal 5 Inventory areas frequently mutually support and are coincidental to one another.*

***Action 2:** Adopt and apply land use regulations that allow and encourage habitat friendly development practices that reduce impacts to habitat benefit areas, including preservation of the habitat benefit areas.*

***Action 3:** Develop a program to monitor reductions in density to allow for preservation and improvement of habitat benefit areas so that the reduction in density may be reported to Metro.*

***Action 4:** Promote habitat friendly development practices and low impact development techniques through the pre-application conference with development applicants.*

- f) Historic buildings, structures, and sites shall be identified on the City's Statewide Planning Goal 5 Inventories, Volume III of this Plan. These resources shall be protected to the extent practicable to preserve community identity and retain important links with the past.
- g) Significant scenic views and sites, as described in Section 7.4 of this plan, shall be identified on the City's Statewide Planning Goal 5 Inventories, Volume III of this Plan, and protected to the extent practicable. Other scenic views and sites that are not locally significant should be preserved for public enjoyment through voluntary, incentive-based measures to the extent practicable.
- h) Private, semi-public, and public uses such as churches, non-commercial schools and parks that contribute to the livability of Beaverton shall be permitted or conditionally allowed in most City zoning districts.
- i) Subsequent to their development in another zoning district, quasi-public and public uses should be converted to the Public/Quasi-Public zoning district on a regular basis through a City-initiated process. This will assist the general public in being aware of the location of such developments in their community and respond to the community's investment in public resources. Modifying only the zoning district and not the land use designation provides for future redevelopment opportunities through the zoning process.
- j) Ensure public and private facilities, especially essential public facilities, are available and provided at the time of development to reduce initial and long-range costs to City businesses and residents.

***Action 1:** On and off-site improvements should add to the character and quality of the area as a place for people to live and work. This includes such measures as utility undergrounding and basic pedestrian improvements such as street trees and sidewalks. Street trees are central to creating neighborhood community; therefore, land use regulations shall be adopted requiring street trees or a fee-in-lieu.*

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### **3.9 MAIN STREET DEVELOPMENT**

The Main Street land use designation is a mixed use designation. Each mixed use designation must comply with the policies and actions set forth in Section 3.5 as well as those promulgated for the individual designation. Main Streets are intended to develop as cohesive communities with design features promoting an urban scale and pedestrian environment.

**3.9.1 Goal: *Main Street Areas with a vibrant mix of neighborhood commercial and residential uses in a pedestrian friendly environment that includes wide sidewalks with pedestrian amenities.***

#### **Policies:**

- a) Regulate new development along designated Main Streets to promote transit-supportive development that is relatively dense, mixed in use, and designed for the safety, interest, and convenience of pedestrians.

*Action 1: Adopt and apply land use regulations allowing increased building heights along main streets to promote an urban scale.*

*Action 2: Adopt and apply land use regulations requiring design of ground floor facades to support pedestrian uses. Examples of supportive ground floor design include, but are not limited to,*

- *at least 50 % glazing or window displays along the ground floor building frontages facing the main street,*
- *building entrances facing the main street,*
- *retail or small office space on the ground floor inviting activity, and*
- *awnings sheltering the sidewalk area facing the main street.*

*Action 3: Adopt and apply land use regulations generally requiring street trees planted so that the canopy provides continuous sidewalk coverage at full growth.*

Main Street regulations should require ground floor windows for commercial development to promote urban character and pedestrian - orientation, according to the Metro 2040 Land Use Code Workbook: A Guide for Updating Local Land Use Codes. The Corvallis Mixed use Residential and Mixed use Commercial districts require 60% glazing. Gresham and Portland require 50%.

Glazing provides security through "eyes on the street" and provides an interesting environment for pedestrians.

The recommended minimum residential density for Main Street development is 15 units per acre according to the Metro 2040 Land Use Code Workbook: A Guide for Updating Local Land Use Codes. Similarly, the Metro Guide recommends minimum commercial floor area ratios of 0.40:1 up to 0.60:1. In areas where lease rates are low, there may be a need to allow shadow plans that demonstrate compliance through future site intensification. Office Commercial zoning, within Main Streets, should provide for 1 to 4 story buildings supplying professional services to the community.

**Action 4:** Adopt and apply minimum densities and floor area ratios in designated Main Street areas.

**Action 5:** Adopt and apply modified landscape standards that allow a reduction in the amount of landscaping required for non-residential and mixed use development within Main Streets in exchange for pedestrian amenities.

According to the Metro 2040 Land Use Code Workbook: A Guide for Updating Local Land Use Codes, the extent of landscaping needed in mixed use areas will depend on the type of development proposed. More landscaping may be needed to ensure privacy for residential uses, while less landscaping may be desirable for commercial visibility.

**Action 6:** Allow limited commercial within residential projects where it can be appropriately integrated.

Office development typically provides an integrated office and housing unit, which is typically attached vertically or horizontally to the office with internal access.

- b) Apply the Main Street land use designation to the areas identified in the Metro 2040 Urban Growth Concept Map and those identified through subsequent community plans.

**Action 1:** Designate the following roads, and appropriate properties along the roads, as Main Streets:

- the intersection of Murray and Allen Boulevards,
- the intersection of Allen and Hall Boulevards, and
- the intersection of Allen Boulevard and Scholls Ferry Road,
- the intersection of the North-South collector road (between 175<sup>th</sup> Avenue and Tile Flat Road) and Scholls Ferry Road (within the limits of the City of Beaverton) in the South Cooper Mountain Community Plan area.

- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.

**Action 1:** Adopt land use regulations in the Development Code providing criteria for rezones in Main Street Areas pursuant to subsection 3.14 Comprehensive Plan and Zoning District Matrix. Recommended criteria include, but are not limited to, minimum and maximum zoning district sizes, floor area ratios, housing densities, distances to other similar zoning classifications, uses, and schools.

Within the Main Street land use designation, commercial zoning is intended to provide for the shopping and service needs of the immediate neighborhood and should be readily accessible by foot, bicycle, and automobile. Two types of commercial activity are expected, individual stores, generally not exceeding 10,000 square feet in gross floor area and centers where any individual business should not exceed 15,000 square feet, with the exception of food markets. Residential zoning, within the Main Street land use designation, is intended to provide for single family attached and detached and multi-family developments. Generally, housing density will range from 8 to 43 units per acre. Where possible, residential and commercial uses should be part of an integrated mixed use development.

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### **3.13 RESIDENTIAL NEIGHBORHOOD DEVELOPMENT**

**3.13.1 Goal: Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.**

**Policies:**

- a) Regulate residential development to provide for diverse housing needs by creating opportunities for single and multi-family development of various sizes, types and configurations.

*Action 1: Adopt and apply land use regulations requiring buffering of properties designated Neighborhood Residential (Standard and Low Density) from commercial and higher density residential uses to mitigate the impacts of such development on adjacent lower density residential development.*

Recommended land use regulations include:

- stepping the heights of buildings down to 35 feet within 100 feet of existing single family residences,
- developing a screening and buffering matrix providing required plant landscaping and screening structures, and
- increasing setbacks when adjacent to residential zones.

- b) Encourage a variety of housing types in residential areas, by permitting or conditionally permitting any housing type (one, two or more, family dwellings) within any zoning district so long as the underlying residential density of the zoning district is met. Accessory dwelling units shall not be considered in the calculation of the underlying housing density.

*Action 1: Adopt and apply land use regulations permitting mobile homes in mobile home parks or on individual lots within mobile home subdivision and requiring conformity to the density regulations of the underlying land use designation.*

- c) Require Planned Unit Development application procedures for projects proposing two or more **families-attached dwelling units** within the Low Density and Standard Density land use designations. Planned Unit Developments encourage flexibility in standards and provide a mechanism for staff to make adequate findings with respect to compatibility in size, scale, and dimension. Exceptions to this requirement are dwellings designed as primary units with an accessory dwelling unit, as specified in the Development Code.

*Action 1: Adopt and apply regulations ensuring that home occupations are limited in scale within the Low Density and Standard Density Residential Neighborhood land use designations to businesses that do not display outward manifestations of a business. This includes limiting the number of customers visiting the site, signage, and number of employees.*

- d) Apply Residential Neighborhood designations (Low Density, Standard Density, Medium Density and High Density) consistent with the Metro 2040 Growth Concept Map and the City's housing target implementing strategy.

Residential Neighborhood Designations	Net Square Feet per Dwelling Unit
Low Density	10,000 – 12,500
Standard Density	5,000 – 8,750
Medium Density	2,000 – 4,999
High Density	1,000 – 1,250

- e) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.
- f) New Commercial zoning districts are not allowed within Residential Neighborhood Standard and Low Density land use designations. Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified in the Development Code.
- g) Enhance the City’s landscape through design measures considering the natural setting of the land and the character of existing residential neighborhoods.

*Action 1: Adopt and apply land use regulations requiring residential development to provide public, semi-public, and/or private open space.*

- h) Foster innovation and variety in design to enhance the visual character of the City’s landscape. Innovation in design can include designing infill structures to integrate into existing neighborhoods through compatible scale, similar design features, and similar setbacks.

*Action 1: Adopt and apply land use regulations that provide flexibility in the Development Code to encourage creative infill and redevelopment solutions where the strict application of typical development standards will not meet the intent of efficient use of the land and preserve existing neighborhoods.*

*Action 2: Adopt and apply land use regulations to provide design standards for infill and redevelopment within existing neighborhoods.*

- i) Residential development, in compliance with regional mandates, shall achieve at least 80% of the maximum density allowed in the respective zoning districts as applied through 3.14 Comprehensive Plan and Zoning District Matrix.

For the purposes of density calculation, dwelling unit is defined as the primary dwelling unit. Accessory dwelling units are allowed anywhere a single-family dwelling is permitted. Accessory dwelling units are considered subordinate and accessory to the primary dwelling and are not counted in the density calculation above.

Persons per acre may be calculated using the 1990 US Census Bureau ratio of 2.5 persons per household for Oregon. Generally, Low Density yields approximately 7 to 10 people per acre, Standard Density returns approximately 12 to 20 persons per acre, Medium Density results in a range of 20 to 52 persons per acre and High Density may yield 84 to 107 persons per acre.

**LOW DENSITY RESIDENTIAL DEVELOPMENT:**

***3.13.2 Goal: Retain established large lot zoning in limited areas.***

**Policies:**

- a) Due to regional planning efforts to maintain minimal expansion of the regional Urban Growth Boundary, opportunities to increase land designated low density residential shall be limited.

- b) Existing pockets of low density residential may continue, but expansion of low density residential areas shall not occur.

Regional inner neighborhood residential densities are 14 persons per acre. At maximum development, low density residential development, as specified herein, nets 10 persons per acre. In April 2000, 200 parcels were designated low density residential totaling approximately 89 acres. Overall, this area yields 356 persons fewer than envisioned by the regional model. To limit the City's deficit in its regional share of population, expansion of the low density residential areas must be prohibited.

**STANDARD DENSITY RESIDENTIAL DEVELOPMENT:**

***3.13.3 Goal: Establish Standard Density Residential areas to provide moderate sized lots for typical single family residences with private open space.***

**Policies:**

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix to allow a variety of housing choices.

*Action 1: In recognition of the urban/suburban character of Beaverton, the City shall eliminate the Residential Agriculture zoning district and apply appropriate zoning consistent with the Comprehensive Plan and Zoning District Matrix (3.14).*

**MEDIUM DENSITY RESIDENTIAL DEVELOPMENT:**

***3.13.4 Goal: Establish Medium Density Residential areas to allow for single family attached and detached, and multiple-family developments.***

**Policies:**

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix
  
- b) Medium Density Residential zoning is located generally in areas with good access to arterial streets, good transit service, commercial service, and public open space, or should be designed in a coordinated manner to provide such amenities in the immediate vicinity.

***HIGH DENSITY RESIDENTIAL DEVELOPMENT:***

***3.13.5 Goal: Establish High Density Residential areas to allow for a variety of housing types.***

**Policies:**

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix in areas with good access to arterial streets, transit service, commercial service, and public open space.

**3.14 COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX**

The City's Comprehensive Plan provides the overall planning perspective for the City. Integrating state and regional mandates, the plan provides land use patterns that are further implemented through zoning. The following Matrix prescribes the relationship between the Comprehensive Plan land use designations and zoning districts. Compliance with the Comprehensive Plan is achieved through development application approval consistent with the regulations of the Development Code.

# COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX

Comprehensive Plan Designation	Zoning District
Downtown Regional Center	RC-E, RC-OT, RC-TO
Washington Square Regional Center	C-WS, OI-WS
Station Community	SC-HDR, SC-MU, SC-E1, SC-E3, SC-S <sup>1</sup>
Town Center	TC-HDR, TC-MU
Main Street <sup>4</sup>	Neighborhood Service, R-1, R-2
Corridor	General Commercial, Community Service, Neighborhood Service, R1, R2, R4, Corridor Commercial
Employment Areas	Office Industrial
Industrial	Industrial, Office Industrial
Neighborhood Residential <sup>4</sup> (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R10 <sup>2</sup>
Standard Density	R7, R5 <sup>3</sup>
Medium Density	R4, R2
High Density	R1
Any of the plan designations cited above	Institutional

1. Limited to parcels formerly identified with Washington County Plan designations TO40-80, TO80-120, and TO:BUS within approximately ½ mile of the Sunset Transit Light Rail Station.
2. Existing pockets of low density residential may continue, but expansion of low density neighborhood residential areas shall not occur.
3. Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified by the Development Code.
4. For the South Cooper Mountain Community Plan area, refer to 'Table 1: Comprehensive Plan and Zoning District Matrix' and 'Table 2: Land Use Designations and Capacity Estimates' within the South Cooper Mountain Community Plan for area specific zoning implementation requirements.

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CHAPTER 20 – LAND USES

20.05. RESIDENTIAL LAND USE DISTRICTS

20.05.15. SITE DEVELOPMENT STANDARDS

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below. [ORD 4584; June 2012]

Development Standards Superscript Refers to Footnotes		R1	R2	R4	R5	R7	R10
A.	Minimum Land Area <sup>1</sup> (sq ft)	1,000	2,000	4,000	5,000	7,000	10,000
B.	Minimum and Maximum Residential Density	Refer to Sections 20.25.05. and 20.25.15.B.					
C.	Lot Dimensions <sup>16</sup>						
1.	Minimum Width						
a.	Interior	14	14	24 / 40 <sup>2</sup>	0	65	80
b.	Corner	20	20	24 / 40 <sup>2</sup>	0	70	90
2.	Minimum Depth						
a.	Interior	None	None	80	0	90	120
b.	Corner	None	None	80	0	80	110
D.	Minimum Land Area (sq ft) for Land Divisions on Sites Less than Two Acres <sup>3 16</sup>	N/A	N/A	N/A	4,500	6,300	9,000
E.	Lot Dimensions for Land Divisions Less than Two acres <sup>16</sup>						
1.	Minimum Width						
a.	Interior	N/A	N/A	N/A	0	65	75
b.	Corner	N/A	N/A	N/A	0	70	85
2.	Minimum Depth						
a.	Interior	N/A	N/A	N/A	0	90	110
b.	Corner	N/A	N/A	N/A	0	80	100

Development Standards						
Superscript Refers to Footnotes						
	R1	R2	R4	R5	R7	R10
<b>F. Minimum Yard Setbacks<sup>4, 16</sup></b>						
1. Front	10	10	10	15	17	25
2. Side	0 or 5 or 10 <sup>5</sup>	0 or 5 or 10 <sup>5</sup>	0 or 5 10 or 5 <sup>6</sup>	5	5	5
3. Rear	15	15	15	20	25	25
4. Garage <sup>7</sup>	5 or 18.5 <sup>8</sup>	5 or 18.5 <sup>8</sup>	20	20	20	20
5. Garage Door to Rear <sup>9</sup>	24	24	24	24	24	24
6. Minimum Between Buildings <sup>10</sup>	6	6	6	6	6	6
<b>Development Standards</b>						
Superscript Refers to Footnotes						
<b>G. Reduced Yard Setbacks<sup>11, 16</sup></b>						
1. Front	N/A	N/A	10	10	10	10
2. Rear	N/A	N/A	5	5	5	5
3. Side	5 <sup>12</sup>	5 <sup>12</sup>	5	5	5	5
4. Garage	N/A	N/A	20	20	20	20
<b>H. Building Height</b>						
1. Maximum	60	40	35	35	35	35
<b>Wireless Communication Facilities</b>						
<b>I. Maximum Height</b>						
1. WCF <sup>13</sup>	80	80	80	80	80	80
2. Equipment Shelters <sup>15</sup>	12	12	12	12	12	12
3. Roof Mounted Antennas	Shall not extend above maximum height of underlying zone or increase the height of any building which is nonconforming due to height.					
<b>J. Yard Setbacks<sup>15</sup></b>						
1. Requirements	Shall comply with underlying zoning district requirements					
2. Other	Refer to 60.70.35.14.A and B					

All Dimensions are in Feet.

1. For Detached, minimum land area per dwelling unit in the R5, R7, and R10 zones. For Attached and Detached, minimum parent parcel of land area per dwelling unit in the R1, R2, and R4 zones. [ORD 4584; June 2012]
2. 24 foot lot width is required for attached dwellings, 40 feet for detached dwellings.

- 1 3. Minimum lot area in conjunction with a land division application where the resulting average lot size within the land division is no less than the minimum  
2 lot size of the zone. Refer to Section 40.45.
- 3 4. R4 lots that abut property zoned R5, R7, or R10 shall provide the abutting district setbacks for any setback, which abuts that district.
- 4 5. If dwellings are attached 0 side yard. Side which is not attached 5 feet. If abutting lower density residential zone 10 feet.
- 5 6. If dwellings are detached, 5 feet. If dwellings are attached, 0 feet with 10 feet for sides not attached. [ORD 4584; June 2012]
- 6 7. Carports shall meet the same yard setbacks as the dwelling. Garage setbacks shall be measured from the elevation containing the garage door and vehicle  
7 entrance of carports to the property line. For all other garage elevations, the building setback applies.
- 8 8. Either no greater than 5 feet or a minimum of 18.5 feet.
- 9 9. Measured from garage door elevation to opposite side of the alley right-of-way, common accessway, common driveway, or access easement line.
- 10 10. Minimum spacing between buildings on the same parcel or in the same development.
- 11 11. Upon approval of Flexible Setback 40.30 application.
- 12 12. Allowed except where abutting a lower density zone where standard setback is applied.
- 13 13. Inclusive of antenna.
- 14 14. At-grade equipment shelters.
- 15 15. Applicable to all WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters
- 16 16. In the South Cooper Mountain Community Plan Area Lot Dimensions and Yard Setbacks for proposed Compact Detached Housing shall comply with the  
17 standards in Section 60.05.15.9 or the guidelines of Section 60.35.20.5.
- 18

**20.05.20. LAND USES**

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 Residential Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.05.25. [ORD 4584; June 2012]

<b>Category and Specific Use</b> Superscript Refers to Use Restrictions		<b>R1</b>	<b>R2</b>	<b>R4</b>	<b>R5</b>	<b>R7</b>	<b>R10</b>
<b>Residential<sup>12</sup></b>							
1. Care	A. Care Facilities	P	P	P	P	P	P
	A. Accessory Dwelling Units	P	P	P	P	P	P
	B. Attached <sup>1</sup>	P	P	C <sup>2</sup>	NC <sup>3</sup>	N	N
	C. Detached	P	P	P	P	P	P
	D. Home Occupation	P	P	P	P	P	P
	E. Manufactured and Mobile Homes <sup>4</sup>	N	P <sup>5</sup>	P	P	P	P
2. Dwellings	F. Manufactured and Mobile Homes Parks and Subdivisions	N	C	C	P	N	N
	G. Planned Unit Development	C	C	C	C	C	C
<b>Commercial</b>							
3. Care	A. Hospitals	C	C	C	C	C	C
	B. Medical Clinics	C	C	C	C	C	C
	C. Child Care Facilities	C	C	C	C	C	C
4. Lodging	D. Residential Care Facilities	C	C	C	C	C	C
	A. Temporary Living Quarters	C <sup>6</sup>	C <sup>6</sup>	C <sup>6</sup>	N	N	N
5. Storage	A. Self Storage Facilities	C	C	C	N	N	N
	B. Storage Yards <sup>7</sup>	C	C	C	C	C	C
<b>Civic</b>							
6. Cemetery		C	C	C	C	C	C
7. Education	A. Educational Institutions	C	C	C	C	C	C

<b>Category and Specific Use</b> Superscript Refers to Use Restrictions		<b>R1</b>	<b>R2</b>	<b>R4</b>	<b>R5</b>	<b>R7</b>	<b>R10</b>
		<b>P: Permitted C: Conditional N: Prohibited</b>					
8. Places of Worship	B. Commercial Schools	N	N	N	N	N	N
		C	C	C	C	C	C
	A. Non-Profit Public Services in Public Buildings	P <sup>s</sup>	N	N	N	N	N
	B. Public Buildings	C	C	C	C	C	C
9. Public Buildings and Uses	C. Public Sewer and Water and Utility Transmission Lines	P	P	P	P	P	P
	D. Public Sewer, Water Supply, Water Conservation and Flood Control Facilities other than Transmission Lines	C	C	C	C	C	C
	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	C	C	C	C	C
10. Recreation	B. Public Recreational Facilities	C	C	C	C	C	C
11. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C	C	C

<b>Category and Specific Use</b> Superscript Refers to Use Restrictions		<b>R1</b>	<b>R2</b>	<b>R4</b>	<b>R5</b>	<b>R7</b>	<b>R10</b>
		<b>W1: WCF Type 1 W2: WCF Type 2 W3: WCF Type 3 N: Prohibited</b>					
<b>Wireless Communication Facilities (WCF)</b>							
12. New WCF	A. Tower Construction	W3	W3	W3	W3	W3	W3
	B. Attachment to existing or new building or structure not using stealth design	W3	W3	W3	W3	W3	W3
	C. Replacement tower to	W1	W1	W1	W1	W1	W1

<b>Category and Specific Use</b> Superscript Refers to Use Restrictions							R1	R2	R4	R5	R7	R10	
							W1: WCF Type 1	W2: WCF Type 2	W3: WCF Type 3	N: Prohibited			
	provide collocation opportunity <sup>9</sup>												
	D. Attachment of a new WCF to buildings or structures and utilize stealth design	W1	W1	W1	W1	W1						W1	
	E. Attachment of WCF to existing structures, tower or pole structures <sup>10</sup>	W1	W1	W1	W1	W1						W1	
13. WCF in Right-of-Way	A. Installation of WCF within right-of-way <sup>11</sup>	W2 / W3						W2 / W3					
	A. New WCF on existing WCF tower	W1	W1	W1	W1	W1						W1	
14. Collocation	B. New WCF inclusive of antennas on existing WCF tower exceeding height standard	W2	W2	W2	W2	W2						W2	
15. Antennas	A. Attachment of antennas to WCF tower or pole structures other than used for cellular phone service	W1	W1	W1	W1	W1						W1	

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<b>Category and Specific Use</b> Superscript Refers to Use Restrictions							R1	R2	R4	R5	R7	R10	
							W1: WCF Type 1	W2: WCF Type 2	W3: WCF Type 3	N: Prohibited			
<b>Wireless Communication Facilities (WCF)</b>													
16. Satellite Antennas and Direct to Home	A. DHSS antennas >1 m. in diameter	W2	W2	W2	W2	W2						W2	
	B. Up to 2 antennas >2 m. in diameter	N	N	N	N	N						N	

Category and Specific Use Superscript Refers to Use Restrictions		R1	R2	R4	R5	R7	R10
		W1: WCF Type 1 W2: WCF Type 2 W3: WCF Type 3 N: Prohibited					
Satellite Services	C. Up to 5 antennas >2 m. in diameter	N	N	N	N	N	N
	D. More than 5 antennas >2 m. in diameter	N	N	N	N	N	N

[ORD 4595; February 2013]

**20.05.25. USE RESTRICTIONS**

The following Use Restrictions refer to superscripts found in Section 20.05.20. [ORD 4584; June 2012]

1. Existing duplexes as of effective date of this ordinance in the R10, R7, and R5 zones are Permitted uses.
2. Two attached dwellings are Conditional Uses; three or more attached dwellings subject to PUD approval.
3. Duplexes are Conditional Uses, other attached dwellings are Prohibited.
4. The placement of a manufactured home is subject to the design and placement criteria found in Section 60.20.20.
5. Manufactured Homes and Mobile Homes are Permitted in approved Manufactured Home Subdivisions and Parks.
6. Limited to uses of Boarding, Rooming, and Lodging House.
7. Storage yards for recreational vehicles, boats, and trailers owned by residents in a residential development or planned unit development.
8. Only when abutting or directly across the street from Regional Center zones.
9. On a location containing an existing tower supporting one carrier and shall be consistent with previous land use approvals.
10. Not permitted on single family dwellings.
11. W3 when located on streetlights, or traffic signal lights, or high voltage power utility poles in the right-of-way of designated Collector, Neighborhood Route, or Local Streets; W2 in the right-of-way of designated Freeways and Arterial Street.
12. For proposed development sites that are located within the boundary of the South Cooper Mountain Community Plan Area and are equal to or greater than 10 gross acres in size a Conditional Use - Planned Unit Development application, pursuant to 40.15.15.4, shall be required for residential development.

**20.10. COMMERCIAL LAND USE DISTRICTS**

**20.10.05. Corridor and Main Street Areas.** These areas of the City implement the Corridor and Main Street policies of the City's Comprehensive Plan and are identified on the City's Zoning Map. Full urban services are to be provided.

Four commercial zones establish varied levels of commercial uses and residential densities.

**20.10.10. Purpose.****1. Neighborhood Service (NS)**

The NS District is intended to provide minimal areas of service and convenience uses to meet the frequent needs of nearby residents.

**2. Community Service (CS)**

The CS District is intended to provide for a variety of business types compatible with and of similar scale to commercial activities found principally along the City's major streets.

**3. Corridor Commercial (CC)**

The CC District is intended to provide Corridors to develop into multiple use employment and service centers.

**4. General Commercial (GC)**

The GC District is intended to provide businesses requiring extensive land intensive outdoor storage and/or display of merchandise, equipment, or inventory.

**20.10.15. SITE DEVELOPMENT STANDARDS**

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below. [ORD 4584; June 2012]

<b>Development Standards</b> <i>Superscript Numbers Refer to Footnote</i>		<b>NS</b>	<b>CS</b>	<b>CC</b>	<b>GC</b>
A.	Minimum Parcel Area - Non-Residential	7,000	7,000	None	7,000
B.	Minimum Land Area <sup>1</sup> - Residential	Refer to Section 20.25.05.			
	1. Attached	1,000 / unit	1,000 / unit	1,000 / unit	1,000 / unit
	2. Detached	4,000 / unit	4,000 / unit	4,000 / unit	4,000 / unit
C.	Lot Dimensions				
	1. Minimum Width	70	70	None	70
	2. Minimum Depth	100	100	None	100
D.	Minimum Yard Setbacks				
	1. Front <sup>2</sup>	20	20	None	20
	2. Side <sup>3</sup>				
	a. Interior	10	10	None	10
	b. Corner	20	20	None	20
	3. Rear <sup>4</sup>	20	20	None	20
E.	Minimum Open Air Display Setbacks <sup>5</sup>				
	1. Front	20	20	None	20
F.	Building Height				
	1. Maximum <sup>6</sup>	35	60	60	60

1. For Attached, minimum parent parcel of land area per dwelling unit; For Detached, minimum land area per dwelling unit.  
 2. Under the conditions outlined in Section 60.05.15.6. of this Code, buildings in commercial zones located on parcels that exceed 60,000 square feet shall be exempt from Section 20.10.15.D.1., minimum front setbacks. Front yard setbacks for parcels in excess of 60,000 gross square feet shall be governed by the Design Review Design Standard specified in Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline.  
 3. Under the thresholds outlined in Section 40.30., application may be made for zero side yard setbacks.  
 4. Rear yard setback is applicable to only the portion of the rear yard which abuts a residential zone; otherwise the minimum rear yard setback is 0 feet.  
 5. Where permitted, open air sales / display / storage of merchandise shall be setback at least 20 feet from the front property line. The area shall be designated and subject to Decision Maker approval.  
 6. Maximum building height of any building within 100 feet of a residentially zoned property is 35 feet.

**Development Standards**  
Superscript Numbers Refer to Footnote

CC

CS

NS

GC

**Wireless Communication Facilities**

G. Maximum Height			
1. WCF <sup>7</sup>	100	100	100
2. Equipment Shelters <sup>8</sup>	12	12	12
3. Roof Mounted Antennas	Shall not extend above maximum height of underlying zone or increase the height of any building which is nonconforming due to height.		
H. Yard Setbacks <sup>9</sup>			
1. Requirements	Shall comply with underlying zoning district requirements		
2. Other	Refer to 60.70.35.14.A and B		

All Dimensions are in Feet.

7. Inclusive of antenna.
8. At-grade equipment shelters.
9. Applicable to all WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters.

**20.10.20. LAND USES**

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Commercial Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.10.25.

<b>Category and Specific Use</b> Superscript Refers to Use Restrictions		<b>NS</b>	<b>CS</b>	<b>CC</b>	<b>GC</b>
<b>Residential</b>					
<b>P: Permitted C: Conditional N: Prohibited</b>					
1. Care	A. Care Facilities	P	P	P	P
	B. Accessory Dwelling Units	P	P	P	P
	C. Attached	C <sup>1</sup>	P	P	P
	D. Detached	C <sup>1</sup>	P	P	P
2. Dwellings	E. Home Occupation	P	P	P	P
	F. Manufactured and Mobile Homes	N	N	N	N
	G. Manufactured / Mobile Homes Parks and Subdivisions	N	N	N	N
	H. Planned Unit Development	C	C	C	C
<b>Commercial</b>					
3. Animal	A. Animal Care, Major	C	C	C	C
	B. Animal Care, Minor	P	P	P	P
4. Care	A. Hospitals	C	C	C	C
	B. Medical Clinics	C	C	C	C
	C. Child Care Facilities	C	P	P	P
5. Eating and Drinking Establishment	D. Residential Care Facilities	C	C	C	C
		P	P	P	P
6. Financial Institutions		P	P	P	P
		P	P	P	P
7. Live / Work Uses		P	P	P	P
		P <sup>2</sup>	P	P	P
8. Office		N	N	C	P
		P	P	P	P
9. Parking as the Principal Use		P	P	P	P
		P	P	P	P
10. Retail Trade <sup>s</sup>		P	P	P	P
		P	P	P	P
11. Service Business / Professional Services		P	P	P	P
		P	P	P	P

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**Category and Specific Use**

Superscript Refers to Use Restrictions

NS CS CC GC

P: Permitted C: Conditional N: Prohibited

12. Storage	A. Self Storage Facilities	N	N	C	P
	B. Storage Yards	N	N	C	P
13. Temporary Living Quarters	A. Automotive Service, Major	N	C <sup>4</sup>	P	P
	B. Automotive Service, Minor	C	C	N	C
14. Vehicles	C. Bulk Fuel Dealerships	C	P	C	P
	D. Sales or Lease	N	N	N	P
	E. Rental	N	C	C	P
<b>Civic</b>					
15. Cemetery		N	N	N	N
16. Education	A. Commercial Schools	C	P	P	P
	B. Educational Institutions	P	P	P	P
17. Places of Worship		C	P <sup>C7</sup>	P	P
18. Public Buildings, Services and Uses		C	C	C	C
19. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	P	P	P	P
	B. Recreational Facilities	P	P	P	P
20. Social Organizations		C	P <sup>C7</sup>	P	P
21. Transit Centers		N	C	C	N
22. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C
	B. Transmission Lines	P	P	P	P
<b>Hours of Operation</b>					
23. Uses Operating between 10:00 p.m. and 7:00 a.m. <sup>5</sup>		P <sup>C6</sup>	P <sup>C67</sup>	P	P <sup>C8</sup>



**20.10.25. USE RESTRICTIONS**

The following Use Restrictions refer to superscripts found in Section 20.10.20.

1. Detached or Attached Dwellings; only 50% of the contiguous area within any NS zone may be developed residentially.
2. No freestanding office structure or group of office structures shall exceed a combined total of 15,000 square feet.
3. No sales or outdoor storage of animals or livestock are allowed with this use.
4. Limited to Hotels and Extended Stay Hotels located on a lot or parcel adjoining U.S. Highway 26, Canyon Road, Tualatin Valley Highway or Oregon State Highway 217, subject to the following:
  - a. It shall be located on the portion of the lot immediately adjoining the highway.
  - b. Signage is allowed as per Section 60.40.35.3. of this code. However, only one freestanding sign, up to 32 square feet per face, 64 square feet for all four faces combined or one wall sign up to 64 square feet may orient toward an abutting Arterial or regional traffic route.
  - c. Signage shall not be allowed for auxiliary uses such as restaurants, meeting rooms, etc.
  - d. Auxiliary uses such as restaurants and meeting rooms shall be designed to meet the needs of the guests of the facility and not the general public.
5. Applicable to all uses.
6. Office uses do not require a Conditional Use for extended hours of operation.
7. If property is greater than 500 feet from an existing Residential use in a Residential zone the use is Permitted. If property is within 500 feet from an existing Residential use in a Residential zone the use requires Conditional Use approval.
8. Conditional Use required when abutting a Residential Zone.
9. On a location containing an existing tower supporting one carrier and shall be consistent with other approvals.
10. Provided the buildings or structures are not exclusively used for single-family or multi-family residential purposes.

1 20.10.25.

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3 11. Not permitted on single family dwellings.

4  
5 12. W3 when located on streetlights, or traffic signal lights, or high voltage  
6 power utility poles in the right-of-way of designated Collector,  
7 Neighborhood Route, or Local Streets; W2 in the right-of-way of  
8 designated Freeways and Arterial Streets.  
9

10 **20.10.30. OTHER NS ZONING REQUIREMENTS**

11  
12 Uses shall be subject to the following (excludes parks and playgrounds):

- 13 1. Activity is conducted wholly within an enclosed structure, except for
- 14 outside play areas for child care and educational facilities and as allowed
- 15 in item 2, below.
- 16 2. Accessory open air sales / display / storage shall constitute no more than
- 17 5% of the gross building floor area of any individual establishment.
- 18 3. Excluding food stores, individual establishments shall not exceed 15,000
- 19 square feet gross floor area.

20  
21 **20.10.35. OTHER CS ZONING REQUIREMENTS**

22  
23 Uses shall be subject to the following (excludes parks and playgrounds):

- 24 1. Activity is conducted wholly within an enclosed structure, except for
- 25 outside play areas for child care and educational facilities and as allowed
- 26 in item 2, below.
- 27 2. Accessory open air sales / display / storage shall constitute no more than
- 28 5% of the gross building floor area of any individual establishment.

29  
30 **20.10.40. OTHER CC ZONING REQUIREMENTS**

31  
32 Uses shall be subject to the following (excludes parks and playgrounds):

- 33 1. Activity is conducted wholly within an enclosed structure, except for
- 34 outside play areas for child care and educational facilities, transit
- 35 centers and as allowed in items 2 and 3 below.
- 36 2. Accessory open air sales / display / storage shall be Permitted for
- 37 horticultural and food merchandise only and shall constitute no more
- 38 than 5% of the gross building floor area of any individual establishment.

39  
40 \*\*\*\*\*

**20.25. DENSITY CALCULATIONS****20.25.05. Minimum Residential Density.**

- A. New residential development in all Residential, Commercial, and Multiple Use districts which permit residential development must achieve at least the minimum density for the zoning district in which they are located. Projects proposed at less than the minimum density must demonstrate on a site plan or other means, how, in all aspects, future intensification of the site to the minimum density or greater can be achieved without an adjustment or variance. If meeting the minimum density will require the submission and approval of an adjustment or variance application(s) above and beyond application(s) for adding new primary dwellings or land division of property, meeting minimum density shall not be required.

For the purposes of this section, new residential development shall mean intensification of the site by adding new primary dwelling(s) or land division of the property. New residential development is not intended to refer to additions to existing structures, rehabilitation, renovation, remodeling, or other building modifications or reconstruction of existing structures.

Minimum residential density is calculated as follows:

1. Refer to the definition of Acreage, Net. Multiply the net acreage by 0.80.
2. Divide the resulting number in step 1 by the minimum land area required per dwelling for the applicable zoning district to determine the minimum number of dwellings that must be built on the site.
3. If the resulting number in step 2 is not a whole number, the number is rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number.

1 20.25.05.  
2

3 B. **Residential Density Averaging.** Within a single land use zone,  
4 residential densities may be averaged across a property in order to allow  
5 for a variety of housing types, provided that the property is within a  
6 single, contiguous ownership, except that within a PUD may be  
7 averaged across multiple land use zones provided that the applicant  
8 demonstrates that the proposed development is compatible with existing  
9 and planned development on neighboring parcels. For the purposes of  
10 this standard, properties within a single, contiguous ownership also  
11 include those properties separated only by a street. [ORD 4584; June  
12 2012]  
13

14 C. **South Cooper Mountain Community Plan.** Within the South  
15 Cooper Mountain Community Plan *Table 2: Land Use Designations and*  
16 *Capacity Estimates* outlines the density capacity expectations for  
17 development of land within the South Cooper Mountain Community  
18 Plan Area. The Land Use Implementation Policies of the Community  
19 Plan include policies that outline application of zoning and deviations  
20 from the capacity estimates of Table 2.

## CHAPTER 40 APPLICATIONS

[ORD 4224; September 2002]

### 40.15. CONDITIONAL USE

#### 40.15.15. Application.

There are four (4) Conditional Use applications which are as follows: Minor Modification of a Conditional Use, Major Modification of a Conditional Use, New Conditional Use, and Planned Unit Development.

#### 3. New Conditional Use.

A. Threshold. An application for a New Conditional Use shall be required when the following threshold applies:

1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.  
[ORD 4332; January 2005] [ORD 4473; March 2008]

\*\*\*\*\*

#### 4. Planned Unit Development. [ORD 4432; April 2007]

A. Threshold. A Planned Unit Development is an application process which: [ORD 4578; March 2012]

1. May be chosen by the applicant when one or more of the following thresholds apply: [ORD 4578; March 2012]
  - a. The Planned Unit Development (PUD) may be applied to Commercial, Industrial, Multiple Use, and Residential properties that are 2 acres or greater in size within any City zoning district. [ORD 4584; June 2012]
  - b. When a land division of 2 acres or greater in size within any City zoning district requires collectively more than 3 of the following land use applications or combination thereof: [ORD 4584; June 2012]
    - (1). Minor Adjustment;
    - (2). Major Adjustment;
    - (3). Flexible Setback; or

(4). Variance.  
[ORD 4578; March 2012]

2. [ORD 4578; March 2012] Is required prior to, or concurrent with, other development applications when development is proposed on land within the SC-S (Station Community-Sunset) zoning district. Sign Applications excepted. [ORD 4597; February 2013]

3. Is required for proposed development of a site that is equal to or greater than 10 acres, including all phases, and located within the South Cooper Mountain Community Plan Area.

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**40.93. TUALATIN HILLS PARK AND RECREATION DISTRICT  
ANNEXATION WAIVER [ORD 4388; May 2006]**

\*\*\*\*\*

**40.93.15. Application.**

There is a single THPRD annexation waiver application which is subject to the following requirements.

**1. THPRD Annexation Waiver.**

A. Threshold. An application for a THPRD annexation waiver shall be required when the following threshold applies:

1. The property proposed for development is not in the Tualatin Hills Park and Recreation District (THPRD) and the applicant wishes to provide park and recreation facilities and services for the development rather than annex the site to THPRD.

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for a THPRD annexation waiver.

C. Approval Criteria. In order to approve a THPRD annexation waiver application, the decision making authority shall make

findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a THPRD annexation waiver application.
2. All City application fees related to the application under consideration by the decision making authority have been submitted.
3. Detailed plans and documentation demonstrating compliance with Section 60.33.15. Park facilities shall be deemed similar if provided for the projected number of future residents and/or employees of the proposed development at cost, quality and services levels equal to or greater than the minimum set for the core park system in the THPRD Comprehensive Master Plan. Improvements within provided park facilities shall be deemed similar if at least two of the following are provided: a tennis court, a basketball court, a swimming pool, or a children's play structure; and at least one of the following is also provided: a baseball/softball field, a soccer field, or a community/recreation center. Recreation services shall be deemed similar if provided for future residents or employees of the proposed development at cost, quality and service levels equal to or greater than the minimum set for such services in the THPRD Comprehensive Master Plan and is consistent with applicable provisions within an adopted Community Plan.
4. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

\*\*\*\*\*

**40.97. ZONING MAP AMENDMENT**

**40.97.15. Application.**

3. **Non-Discretionary Annexation Related Zoning Map Amendment.**

- A. Threshold. An application for Annexation Related Zoning Map Amendment shall be required when one or more of the following thresholds apply:
  - 1. The change of zoning to a City zoning designation as a result of annexation of land into the City.
  - 2. The Urban Planning Area Agreement (UPAA) is specific as to the City zoning designation to be applied to the parcel being annexed and does not allow for discretion.
  
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Non-Discretionary Annexation Related Zoning Map Amendment to the City's zoning map. The decision making authority is the City Council.
  
- C. Approval Criteria. In order to approve a Non-Discretionary Annexation Related Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
  - 1. The proposal satisfies the threshold requirements for a Non-Discretionary Annexation Related Zoning Map Amendment application.
  - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  - 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]
  - 4. The proposed zoning designation is consistent with the Washington County - Beaverton UPAA.
  - 5. Applications and documents related to the request, which will require further City approval, have been submitted to the City in the proper sequence.

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4. **Discretionary Annexation Related Zoning Map Amendment.**

A. Threshold. An application for Discretionary Annexation Related Zoning Map Amendment shall be required when one or more of the following thresholds applies:

1. The change of zoning to a City zoning designation as a result of annexation of land into the City and the Urban Planning Area Agreement (UPAA) does not specify a particular corresponding City zoning designation and discretion is required to determine the most similar City zoning designation.

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Discretionary Annexation Related Zoning Map Amendment to the City's zoning map. The decision making authority is the Planning Commission.

C. Approval Criteria. In order to approve a Discretionary Annexation Related Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Discretionary Annexation Related Zoning Map Amendment application.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

3. The proposed zoning designation most closely approximates the density, use provisions, and development standards of either:

a. the Washington County designation which applied to the subject property prior to annexation if no adopted Community Plan applies; or

b. the City of Beaverton land use designation(s) as outlined in an adopted Community Plan.

4. The proposed zoning designation is consistent with any guidance contained within either:
  - a. the UPAA concerning the application of non-specified zoning district designations; or
  - b. an adopted Community Plan within the Comprehensive Plan for the City of Beaverton.
5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

## CHAPTER 60 - SPECIAL REQUIREMENTS

**60.05. DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES [ORD 4332; January 2005]**

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**60.05.25. Landscape, Open Space, and Natural Areas Design Standards.**  
Unless otherwise noted, all standards apply in all zoning districts.

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**9. Fences and walls.**

- A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.
- B. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.
- C. Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.
- D. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, the preceding standards apply when visible from and within 200 feet of a public street.
- E. Fences and walls:
  - 1. May not exceed:
    - a. three feet in height in a required front yard along streets; **or**

SPECIAL REQUIREMENTS

b. three feet in height in any yard along multi-use paths and trails within the South Cooper Mountain Community Plan area; and

c. eight feet in all other locations;

2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.

3. [ORD 4576; January 2012] For detached housing along streets and housing facing common greens and shared courts in Multiple Use zones, 3 feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.

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**60.05.55. Major Pedestrian Route Maps.**

EXPECT AN UPDATE OF THIS SECTION IN 2015 TO INCLUDE IMPLEMETATION OF MAJOR PEDESTRIAN ROUTE MAP FOR SOUTH COOPER MOUNTAIN AND THE CREEKSIDE DISTRICT MASTER PLAN, INCLUSIVE OF MODIFICATION TO THE MPR STANDARDS IN GUIDELINES WITHIN SECTION 60.05.

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60.12. HABITAT FRIENDLY DEVELOPMENT PRACTICES

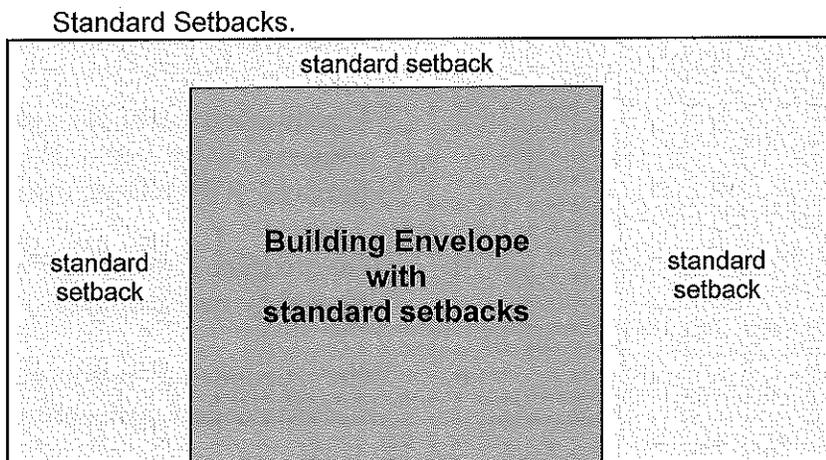
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60.12.35. **Habitat Benefit Area (HBA) Preservation.** Locations of HBAs are depicted on the *Comprehensive Plan Volume III Habitat Benefit Area Map*. Habitat resource classification and delineation methodologies are included in the *Comprehensive Plan for the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*.

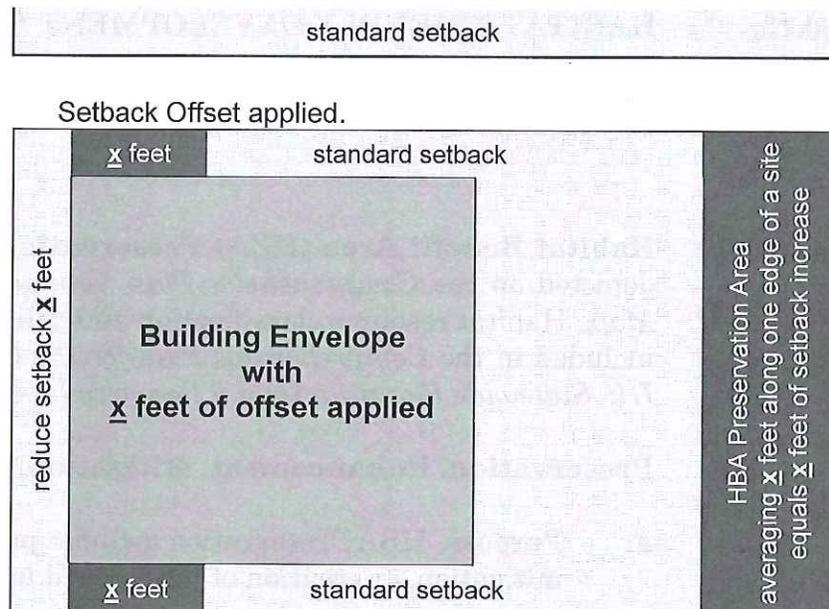
1. **Preservation, Enhancement, Mitigation, Creation.**

- A. Purpose. HBA Preservation includes preservation, enhancement, mitigation, or creation of HBA based upon habitat delineation.
- B. Credits. Use of the following credits is limited to the amount of HBA preservation proposed. One (1) square foot of HBA preserved results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of HBA preservation.
  - 1. Building Envelope Offset in Commercial and Industrial zoning districts. An applicant can request a yard setback decrease of one (1) foot for every one (1) lineal foot that a proposed HBA preservation encroaches into a project site from the opposite side; in exchange the opposite yard setback shall be increased one (1) lineal foot.

**Building Envelope Offset Example.**



## SPECIAL REQUIREMENTS



Standards. Building Envelope Offset credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.1.C.

- a. Credit Limit. The proposed Building Footprint Offset does not reduce a yard setback to less than five (5) feet.
- b. The requested setback reduction is not requested for any property within the R4, R5, R7, or R10-zoning districts unless the site is located within the South Cooper Mountain Community Plan area and subdivision of the site is part of a Conditional Use Planned Unit Development application. [ORD 4584; June 2012]
- c. A requested setback reduction does not abut any property within the R4, R5, R7, or R10 zoning districts. [ORD 4584; June 2012]
- d. The proposed reduction will meet applicable fire or life safety requirements.
- e. The proposed reduction will meet applicable building code requirements.

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**60.35. PLANNED UNIT DEVELOPMENT.** [ORD 4430; April 2007]

EXPECT AN UPDATE OF THIS SECTION WITH IMPLEMENTATION PLAN PROJECT #1, PLANNED UNIT DEVELOPMENT CODE AMENTMENTS.

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**60.55. TRANSPORTATION FACILITIES.**

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**60.55.25. Street and Bicycle and Pedestrian Connection Requirements.**  
[ORD 4302; June 2004]

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9. Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.13. [ORD 4397; August 2006]

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

A. Accessways shall be provided as follows:

1. In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.
2. If any of the conditions described in Section 60.55.25.13. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block. [ORD 4397; August 2006]
3. Where a street connection is not feasible due to conditions described in Section 60.55.25.13., one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park. [ORD 4397; August 2006]

SPECIAL REQUIREMENTS

4. The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.
5. In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.
6. The City may require an accessway to connect from multi-use paths or trails to streets, multi-use paths, or trails.

B. Accessway Design Standards.

1. Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.
2. Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations. [ORD 4332; January 2005]

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**SPECIAL REQUIREMENTS**

**60.60. TREES AND VEGETATION.** [ORD 4224; August 2002] [ORD 4348;  
May 2005]

THIS SECTION TO BE REVIEWED WITH IMPLEMENTATION PLAN PROJECT #12,  
URBAN FORESTRY REVIEW.

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## CHAPTER 90 - DEFINITIONS

The following words and phrases shall be construed to have the specific meanings assigned to them by definition.

Words used in present tense include the future tense, and the singular includes the plural, unless the context clearly indicates the contrary.

The term "shall" is always mandatory and the word "may" is permissive.

The masculine gender includes the feminine and neuter.

[ORD 4224; September 2002]

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**Acreage, Net.** [ORD 4046; June 1999] The net acreage for a site is defined as the proposal size expressed in acreage minus any unbuildable area. The following areas are deemed undevelopable for the purposes of calculating net acreage:

1. Street dedications and those areas used for private streets and common driveways; and
2. Environmentally constrained lands, such as open water areas, floodplains, water quality facilities, wetlands, natural resource areas, tree preservation areas, and Habitat Benefit Areas set aside in conservation easement, separate tract, or dedicated to a public entity; and
3. Land set aside in separate tracts or dedicated to a public entity for schools, parks, or open space purposes; and [ORD 4414; January 2007]
4. Topographical features with a slope equal to or greater than:
  - a. 25 percent and within a landslide hazard area may deduct 100 percent of the applicable area, or
  - b. 15 percent and within a landslide hazard area may deduct 50 percent of the applicable area.

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**Compact Detached Housing.** [ORD 4584; June 2012] Dwelling units that front onto a shared court, common green, or public street and meet the minimum density requirements of the underlying Residential or Multiple Use zone.

## DEFINITIONS

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**Habitat Benefit Area (HBA).** [ORD 4414; January 2007] An area of land determined to provide a benefit to wildlife. Identification of HBA is accomplished by referencing the *Comprehensive Plan Volume III Habitat Benefit Area Map* that is included in the *Comprehensive Plan of the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*. Habitat resource classification and delineation methodologies are included in the *Comprehensive Plan of the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*. HBAs are in addition to any areas required for natural resource protection by other jurisdictional regulations.

For the South Cooper Mountain Community Plan area Class I and II riparian habitat areas and Class A and B upland wildlife areas are also considered to be Significant Natural Resource Areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro Title 13 implementation for areas brought within the Metro UGB after December 28, 2005.

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**Significant Natural Resource Area (SNRA).** [ORD 4224; September 2002] Resources identified in Volume III of the Comprehensive Plan as “significant” pursuant to Statewide Planning Goal 5.

For the South Cooper Mountain Community Plan area Significant Natural Resource Areas include Class I and II riparian habitat areas and Class A and B upland wildlife areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro Title 13 implementation for areas brought within the Metro UGB after December 28, 2005.

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**View Corridor.** A three-dimensional area extending out from a public space, such as parks, trails, streets, open space, or other civic spaces that have particular significance in preserving the unique character of an area. View corridors in Beaverton may provide a vista of the Tualatin Valley, Cascade Mountains, Chehalem Ridge, or other land forms, vegetation or water courses with aesthetic value to the surrounding area.