



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

3/12/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment
DLCD File Number 018-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, March 26, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Scott Whyte, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

MAR 5 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Beaverton**

Local file number: **TA 2009-0006**

Date of Adoption: **March 2, 2010**

Date Mailed: **Hand Delivered March 5, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend Section 40.10.15., 40.95., 40.20.15. of the City Development Code, thresholds and approval criteria for Adjustments, Variance and Design Review, respectively, found in Chapter 40 thereof, to adjust existing language in the thresholds and approval criteria thereof. Also, amend Section 60.05 of the City Development Code, Design Review Principles, Standards and Guidelines, found in Chapter 60 thereof to adjust existing standards and guidelines. Also minor text changes to Chapter 20, land use, to reference new changes in Chapter 60 as noted above.

Does the Adoption differ from proposal? Please select one

No. Adoption is consistent with the proposal.

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved: **n/a**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: **Scott Whyte, Senior Planner**

Phone: **(503) 526-2652** Extension:

Address: **4755 SW Griffith Drive**

Fax Number: **503-526-3720**

City: **Beaverton**

Zip: **97076**

E-mail Address: **swhyte@ci.beaverton.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 4531

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE DEVELOPMENT CODE, CHAPTER 20 (LAND USES)
CHAPTER 40 (APPLICATIONS) AND CHAPTER 60 (SPECIAL
REQUIREMENTS); TA 2009-0006 (TEXT AMENDMENT TO THE
DESIGN REVIEW STANDARDS AND GUIDELINES - UPDATE)**

WHEREAS, the Beaverton Community Development Department has proposed a text amendment to the Beaverton Development Code, Ordinance No. 2050, effective through Ordinance No. 4515, intended to modify specific design standards and guidelines found in Chapter 60, Section 60.05 and specific thresholds and approval criteria as contained in Chapter 40 and a provision to the building setback regulations for the City's Multiple Use zoning districts as contained in Chapter 20; and

WHEREAS, pursuant to Section 50.50.2-5 of the Development Code, the Beaverton Community Development Department provided required public notice for the Text Amendment application; and,

WHEREAS, pursuant to Section 50.50.6 of the Development Code, the Beaverton Community Development Department on November 10, 2009, published a written staff report and recommendation at a minimum of seven (7) calendar days in advance of the scheduled public hearing before the Planning Commission on November 18, 2009; and,

WHEREAS, on November 18, 2009, the Planning Commission conducted a public hearing for TA 2009-0006 and continued the hearing to January 6, 2010, and at the conclusion of the hearing, voted to recommend to the Beaverton City Council adoption of the proposed amendments to the Development Code as stated in Planning Commission Land Use Order No. 2181; and,

WHEREAS, no written appeal, pursuant to Section 50.75 of the Development Code, was filed for TA 2009-0006 following the issuance of the Planning Commission Land Use Order No. 2181; and,

WHEREAS, the City Council adopts as to approval criteria the facts and findings described in Land Use Order No. 2181 dated January 19, 2010 and the Planning Commission record, and the Council's Agenda Bill dated February 8, 2010, all of which the Council incorporates by this reference and finds to constitute an adequate factual basis for this ordinance; and now therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 20 – Land Uses, Section 20.20. Multiple Use Districts, Subsections 20.20.50.A.3, 20.20.50.B.3, 20.20.50.D.3 and 20.20.5.E.3, are amended to read as set out in Exhibit “A” of this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 40 - Applications, Section 40.10. Adjustment, Section 40.20. Design Review and Section 40.90 Variance are amended to read as set out in Exhibit “B” of this Ordinance, attached hereto and incorporated herein by this reference.

Section 3. The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 60 - Special Regulations, Section 60.05., is amended to read as set out in Exhibit “C” of this Ordinance, attached hereto and incorporated herein by this reference.

Section 4. All Development Code provisions adopted prior to this Ordinance which are not expressly amended or replaced herein shall remain in full force and effect.

Section 5. Severance Clause. The invalidity or lack of enforceability of any terms or provisions of this Ordinance or any appendix or part thereof shall not impair or otherwise affect in any manner the validity, enforceability or effect of the remaining terms of this Ordinance and appendices and said remaining terms and provisions shall be construed and enforced in such a manner as to effect the evident intent and purposes taken as a whole insofar as reasonably possible under all of the relevant circumstances and facts.

First reading this 22 day of February, 2010.

Passed by the Council this 1 day of March, 2010.

Approved by the Mayor this 2 day of March, 2010.

ATTEST:



SUE NELSON, City Recorder

APPROVED:



DENNY DOYLE, Mayor

Section 1: The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 20 – Land Uses, Section 20.20. Multiple Use Districts, Sections 20.20.50.A.3, 20.20.50.B.3, 20.20.50.D.3 and 20.20.5.E.3 will be amended to read as follows:

20.20 MULTIPLE USE DISTRICTS

20.20.50. Site Development Requirements

A. STATION AREAS [ORD 4224; August 2002]

**3. Yard Setbacks:
(in feet)**

		<u>SA-MU</u>	<u>SA-MDR</u>
A.	Front		
	1. Minimum	0'	0'
	2. Maximum for developments without residential units on the ground floor.	20'	20'
	3. Maximum for developments with residential units on the ground floor.	20'	20'
B.	Side		
	1. Minimum	none	none
	2. Maximum	none	none
C.	Rear		
	1. Minimum	none	none
	2. Maximum	none	none
D.	Reduction to setback standards. Up to twenty (20) feet additional front yard setback is allowed upon a demonstration that not less than 60% of the additional setback area is used to provide		

enhanced pedestrian amenities such as plazas, courtyards, benches, street furniture or similar useable pedestrian space.

E. Under the conditions outlined in Section 60.05.15.6 of this Code, buildings in multiple use zones located on parcels that front on a designated Major Pedestrian Route shall be exempt from Section 20.20.50 A.3 A. minimum and maximum setbacks. Front yard setbacks for parcels located on Major Pedestrian Routes 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 corresponding Design Review Guideline.

20.20.50. Site Development Requirements

B. STATION COMMUNITIES [ORD 3998, December 1997] [ORD 4005, January 1998] [ORD 4188; January 2002] [ORD 4224; August 2002]

3. Yard Setbacks:
(in feet)

	<u>SC-MU</u>	<u>SC-HDR</u>	<u>SC-E Sub Areas</u>		
			1	2	3
A. Front					
1. Minimum	0'	0'	none	none	none
2. Maximum for developments without residential units on the ground floor	5' on Major Pedestrian Routes; 10' on all other streets	5' on Major Pedestrian Routes; 10' on all other streets			
3. Maximum for developments with residential units on the ground floor	20'	20'	N/A	N/A	N/A

	<u>SC-MU</u>	<u>SC-HDR</u>	<u>SC-E Sub Areas</u>		
			1	2	3
B. Side					
1. Minimum	none	none	none	none	none
2. Maximum	none	none	none	none	none
C. Rear					
1. Minimum	none	none	none	none	none
2. Maximum	none	none	none	none	none

D. Reduction to setback standards. Up to twenty (20) feet additional front yard setback is allowed upon a demonstration that not less than 60% of the additional setback area is used to provide enhanced pedestrian amenities such as plazas, courtyards, benches, street furniture or similar useable pedestrian space.

- E. Within SC-E sub area 3, if the side or rear yards of a proposed development abut lands which are zoned residential or are zoned with a Multiple Use zoning designation where the applicable Multiple Use zoning designation allows residential development, the setback shall equal the applicable required residential rear yard setback. [ORD 4224; August 2002]
- F. Within the Merlo Station Area Community Plan, no side or rear yard setbacks are required where property lines abut a railroad right-of-way or spur track.

C. Under the conditions outlined in Section 60.05.15.6 of this Code, buildings in multiple use zones located on parcels that front on a designated Major Pedestrian Route shall be exempt from Section 20.20.50.B.3.A. minimum and maximum setbacks. Front yard setbacks for parcels located on Major Pedestrian Routes 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 corresponding Design Review Guideline.

20.20.50. Site Development Requirements

D. TOWN CENTERS [ORD 4058, August 1999]

**3. Yard Setbacks:
(in feet)**

	<u>TC-MU</u>	<u>TC-HDR</u>	<u>TC-MDR</u>
A. Front			
1. Minimum	0'	0'	0'
2. Maximum for developments without Residential units on the ground floor:			
a. Fronting on a Major Pedestrian Route	0'	10'	20'
ab Not fronting on a Major Pedestrian Route	5'	10'	20'
3. Maximum for developments with Residential units on the ground floor:			
a. Fronting on a Major Pedestrian Route	20'	20'	20'
ab Not fronting on a Major Pedestrian Route	20'	20'	20'
B. Side			
1. Minimum	none	none	none
2. Maximum	none	none	none
C. Rear			
1. Minimum	none	none	none
2. Maximum	none	none	none
D. Modification to setback standards. Up to twenty (20) feet additional front yard setback is allowed upon a demonstration that not less than 60% of the additional setback area is used to provide			

enhanced pedestrian amenities such as plazas, courtyards, benches, street furniture or similar useable pedestrian space.

- E. Yards abutting single family residential zones, when not separated by a public street, shall have a minimum setback of twenty (20) feet
- F. No side or rear yard setbacks are required where side or rear property lines abut a railroad right-of-way or spur track.

G. Under the conditions outlined in Section 60.05.15.6 of this code, buildings in multiple use zones located on parcels that front on a designated Major Pedestrian Route shall be exempt from Section 20.20.50.D.3.A., minimum and maximum setbacks. Front yard setbacks for parcels located on Major Pedestrian Routes 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 corresponding Design Review Guideline.

20.20.50. Site Development Requirements

E. REGIONAL CENTERS [ORD 4058, August 1999]

3. Yard Setbacks: (in feet)

		<u>RC-TO</u>	<u>RC-OT</u>	<u>RC-E</u>
A.	Front			
	1. Minimum	0'	0'	0'
	2. Maximum for developments without Residential units on the ground floor:			
	a. Fronting on a Major Pedestrian Route	5'	5'	20'
	a b Not fronting on a Major Pedestrian Route	10'	10'	20'
	3. Maximum for developments with Residential units on the ground floor.	20'	20'	20'
B.	Side			
	1. Minimum	none	none	none
	2. Maximum	none	none	none
C.	Rear			
	1. Minimum	none	none	none
	2. Maximum	none	none	none
D.	Modification to setback standards. Up to twenty (20) feet additional front yard setback is allowed upon a demonstration that not less than 60% of the additional setback area is used to provide enhanced pedestrian amenities such as plazas, courtyards, benches, street furniture or similar useable pedestrian space. Modifications under this provision may be allowed in addition to other variances and adjustments available under this ordinance.			

- E. Maximum setbacks do not apply along street that form a boundary of the Regional Center Districts, unless specifically required and identified in Section 20.20.60. [ORD 4312; June 2004]
- F. Yards abutting single-family residential zones, when not separated by a public street, shall have a minimum setback of twenty (20) feet.
- G. No side or rear yard setbacks are required where side or rear property lines abut a railroad right-of-way or spur track.

H. Under the conditions outlined in Section 60.05.15.6, of this code, buildings in multiple use zones located on parcels that front on a designated Major Pedestrian Route shall be exempt from Section 20.20.50.B.3.A, minimum and maximum setbacks. Front yard setbacks for parcels located on Major Pedestrian Routes 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 corresponding Design Review Guideline.

Section 2: The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 40 - Applications, Section 40.10. Adjustment, Section 40.20. Design Review, and Section 40.90 Variance will be amended to read as follows:

40.10. ADJUSTMENT

40.10.05. Purpose.

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in this Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

40.10.10. Applicability.

An Adjustment may be requested only for numerical Site Development Requirements contained in Chapter 20 (Land Uses) or the grading standards contained in Chapter 60 (Special Requirements) Section 60.15.15.5. [ORD 4397; July 2006]

40.10.15. Application.

There are Two (2) Adjustment applications which are as follows: Minor Adjustment, Major Adjustment. [ORD 4397; July 2006]

1. Minor Adjustment.

A. Threshold. An application for Minor Adjustment shall be required when one or more of the following thresholds apply:

1. Involves up to and including a 10% adjustment from the numerical Site Development Requirements specified in Chapter 20 (Land Uses). **This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices as described Section 60.12, 40.4, 5, 6 and 7.**
2. Involves up to and including a 10% adjustment from the numerical Development Standards for Grading specified in Section 60.15.15.05, Land Division Grading standards of this Code.[ORD 4397; July 2006]

40.10.15.

2. Major Adjustment.

A. Threshold. An application for Major Adjustment shall be required when one or more of the following thresholds apply:

1. Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirement specified in Chapter 20 (Land Uses). ~~This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4, 5, 6 and 7.~~
2. Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Development Standards for Grading specified in Section 60.15.15.05, Land Division, Grading standards of this Code. [ORD 4397; July 2006]
3. Any change from the numerical requirements contained in Section 60.30 (Off-Street Parking). [ORD 4473; February 2008]

40.20. DESIGN REVIEW [ORD 4332; November 2004]

40.20.05. Purpose.

The purpose of Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by insuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

To achieve this purpose, the Design Review process is divided into two major components; Design Standards and Design Guidelines. Both standards and guidelines implement Design Principles, which are more general statements that guide development of the built environment. The Design Standards are intended to provide a "safe harbor" approach to designing a project. Depending on the design thresholds, designing a project to the standards would result in an administrative review process. However, the applicant may elect to bypass design review under the Design Standards and go straight to Design Review under the Design Guidelines, ~~where review is subject to a public hearing~~, at the applicant's option.

An applicant for Design Review approval can address design review requirements through a combination of satisfying certain Design Standards, and in instances where it elects not to utilize Design Standards, satisfy applicable Design Guidelines. In such a case, the public hearing and decision will focus on whether or not the project satisfies the requirements of the applicable Design Guidelines only.

Because the Design Standards are a "safe harbor", there is no penalty for not meeting the Design Standards. Rather, the public hearing process would be required to consider the project by relying solely on the Design Guidelines. ~~The Design Guidelines which correspond to the Design Standards but~~ are intended to ~~maintain as much~~ allow more flexibility and originality ~~as desired.~~ ~~Design Guidelines are also intended to recognize unique circumstances where corresponding standards are found to be unnecessary or undesirable. Where Design Guidelines apply,~~ the project proponent will simply be required to demonstrate how the project meets these ~~Design Principles and Design Guidelines~~ at a public hearing. The decision making authority must make findings how the guidelines are met or if they apply to the proposal.

The purpose of Design Review as summarized in this Section is carried out by the approval criteria listed herein.

40.20.10. Applicability.

1. The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development is located.
2. Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three and unless exempted by Section 40.20.10.3, Design Review approval shall be required for the following:
 - A. All uses listed as Conditional Uses in the RA, R10, R7, R5, and R4 zoning districts.
 - B. All uses listed as Permitted and Conditional Uses in the R3.5, R2, and R1 residential zoning districts.
 - C. All uses listed as Permitted and Conditional Uses in all commercial, industrial, and multiple use zoning districts.
 - D. Site grading.
3. Design Review approval shall not be required for the following:
 - A. All uses listed as Permitted Uses in the RA, R10, R7, R5, and R4 residential zoning districts.
 - B. Detached dwellings and related residential accessory structures in any zoning district.
 - C. Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.
 - D. Painting of any building in any zoning district.
 - E. Wireless communication facilities.
4. Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design principles, standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, demolitions and redevelopments associated with them, will be treated according to the following principles:

40.20.10.4

- A. Development constructed or approved prior to December 15, 2004 is not subject to new principles, **Design Review** standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments **constructed prior to December 15, 2004** are not considered non-conforming if they do not meet new design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:
1. If structural damage or destruction is less than or equal to fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction can be replaced as legally existed on the site before the casualty loss.
 2. If structural damage or destruction is more than fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction must meet the provisions of this Code in every regard unless otherwise authorized by the provisions of this Code.
- B. Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards.
- C. ~~Proposed redevelopment of existing structures and project site area, where demolition of up to and including 25% of the area of the existing structure is proposed, and where improvements are proposed to be located within the area of demolition, design standards or design guidelines are not applicable. If demolition is proposed greater than 25% up to and including 50% of the existing structure, and where improvements are proposed to be located within the area of demolition, 10% of the overall construction budget for new building improvements will be required to be devoted to improving portions of the building, site, or both so as to meet applicable design standards or design guidelines. If demolition is proposed greater than 50% of the area of the existing structure, the full redevelopment project is subject to all applicable design standards or design guidelines. [ORD 4365; September 2005]~~ **is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable.**

40.20.10.

5. Design Review approval is required for all applicable new and existing developments. The City recognizes, however, that meeting all applicable design standards in an early phase of a multi-phased development on a large site may be difficult. It also recognizes that creating high quality pedestrian environments along Arterial Streets poses many challenges. In recognition of these and other issues, the following options are available.

A. Projects may use a Design Review Build-out Concept Plan (DRBCP), approved through a Type 3 process, to develop a site by demonstrating conceptually full compliance at build-out with the design review standards established in Section 60.05. Such projects must demonstrate in a DRBCP how future development of the site, to the minimum applicable floor area development standards contained in Chapter 20 of the Beaverton Development Code and to the minimum applicable design standards contained in Chapter 60.05 or greater, can be achieved at ultimate build out of the DRBCP. A DRBCP shall:

1. ~~Include an overall site area of at least three (3) acres; include a plan and narrative intended to address feasibility of constructing future phases, consistent with applicable development standards of the Development Code within the total site area where the project is proposed, and may include abutting properties if under same ownership.~~
2. Not rely on the removal of a structure greater than 20% of the gross floor area of a development constructed in an early phase in order to demonstrate compliance in later phases.

B. When a development site abuts two (2) or more Arterial Streets that are also designated Major Pedestrian Routes, application of the applicable design standards may be moved from along the Arterial Streets. This alternative is to provide parking lot drive aisles developed as internal private streets, and to locate buildings along the internal private streets, subject to the following:

1. The internal private streets shall extend from the Arterial Street to another public street, or back to an Arterial Street in such a way that street continuity is maintained along the entire internal street, and with abutting properties.

40.20.10.5.B.

2. A public access easement shall be required along the internal private streets.
3. Buildings shall occupy a minimum percentage of the frontage of the internal private streets that is equal to the amount of lineal building frontage that would have been required under the standards for the Major Pedestrian Routes, and a minimum of 50% of the internal private streets shall have building frontage on both sides of the street.
4. All applicable design standards contained in Section 60.05, particularly 60.05.15.6 Building location and orientation along streets in Multiple Use Districts, 60.05.15.7 Building scale along streets in Multiple Use Districts, 60.05.20.9 Street frontages in Multiple Use Districts, and 60.05.20.10 Ground floor uses in parking structures shall be met by buildings along the internal private streets.

40.20.15. Application.

There are three (3) Design Review applications which are as follows: Design Review Compliance Letter, Design Review Two, and Design Review Three.

1. Design Review Compliance Letter.

- A. Threshold. An applicant may utilize the Design Review Compliance Letter process when the application is limited to one or more of the following categories of proposed action:
 1. Minor design changes to existing building or site including, but not limited to:
 - a. Façade changes, except changes in color.
 - b. Addition, elimination, or change in location of windows.
 - c. Addition, elimination, or change in location of person doors and loading doors.
 - d. Addition of new and change to existing awnings, canopies, and other mounted structures to an existing façade.
 - e. Demolition or other reduction of up to 25 percent of the existing building square footage.

40.20.15.1.A.1.

- f. Modification of up to 15 percent on-site landscaping with no reduction in required landscaping.
 - g. Modification of off-street parking with no reduction in required parking spaces or increase in paved area.
 - h. Addition **or modification** of **new** fences, retaining walls, or both.
 - i. Changing of existing grade.
 - j. Removal of up to 5 Landscape Trees [ORD 4365; November 2005]
 - k. Addition of no more than twenty-five (25) percent landscape features that consist only of natural materials. [ORD 4397; July 2006]
 - l. **Addition or modification of on-site lighting, limited to an illuminated area of no more than 15% of the total site area.**
2. Proposed additions of gross floor area to buildings in residential, commercial, or multiple use zones up to and including building area equal to 25% of the gross square feet of floor area of the existing building, but not to exceed 2,500 gross square feet of floor area.
 3. Proposed additions to buildings in industrial zones up to and including building area equal to 15% of the gross square feet of floor area of the existing building, but less than 30,000 gross square feet of floor area.
 4. **New construction of non-habitable buildings in commercial, industrial or multiple use zones up to and including a gross building area of 1,000 square feet.**
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Design Compliance Letter. The decision making authority is the Director.
- C. Approval Criteria. [ORD 4365; September 2005] In order to approve a Design Review Compliance Letter 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 Design Compliance Review Letter.

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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.
4. The proposal meets all applicable Site Development Requirements of Sections 20.05.50, 20.10.50, 20.15.50, and 20.20.50 of this Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application which shall be already approved or considered concurrently with the subject proposal.
5. The proposal, which is not an addition to an existing building, is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).
6. If applicable, the proposed addition to an existing building, and only that portion of the building containing the proposed addition, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:
 - a. Building articulation and variety. (Section 60.05.15.1).
 - b. Roof forms. (Section 60.05.15.2).
 - c. Building materials. (Section 60.05.15.4).
 - d. Foundation landscaping requirements. (Section 60.05.25.3.D.).
 - e. Screening roof-mounted equipment requirements. (Section 60.05.15.5).
 - f. Screening loading areas, solid waste facilities and similar improvements. (Section 60.05.20.2).
 - g. Lighting requirements. (Section 60.05.30).
 - h. Pedestrian circulation.
7. The proposal complies with all applicable provisions in Chapter 60 (Special Regulations).
8. Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.

40.20.15.1.C.

9. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

[ORD 4404; September 2006]

- D. Submission Requirements. An application for a Design Compliance Letter shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Compliance Letter application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Compliance Letter application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

2. Design Review Two.

A. Threshold. An application for Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal:

1. New construction of and up to and including 50,000 gross square feet of non-residential floor area where the development does not abut any Residential District. [ORD 4462; December 2007]
2. New construction of up to and including 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential District. [ORD 4462; December 2007]
3. New construction of attached residential dwellings excluding duplexes, in any zone where attached dwellings are a permitted or conditional use. [ORD 4410; November 2006]
4. ~~Additions to buildings exceeding 25% of the gross square feet of floor area of the existing building(s), but less than 30,000 gross square feet of floor area. that do not qualify for consideration under the Thresholds for Design Review Compliance Letter.~~
Additions to buildings in residential, commercial, or multiple use zones exceeding 25% of the gross square feet of floor area of the existing building(s), but less than 30,000 gross square feet of floor area. that do not qualify for consideration under the Thresholds for Design Review Compliance Letter.
5. ~~Proposed additions to buildings in industrial zones exceeding 15% of the gross square feet of floor area of the existing building(s), but less than 30,000 gross square feet. that do not qualify for consideration under the Thresholds for Design Review Compliance Letter.~~
Proposed additions to buildings in industrial zones exceeding 15% of the gross square feet of floor area of the existing building(s), but less than 30,000 gross square feet. that do not qualify for consideration under the Thresholds for Design Review Compliance Letter.
6. Any change in excess of 15 percent of the square footage of on-site landscaping or pedestrian circulation area with the exception for an increase in landscape art of up to 25 percent.[ORD 4397; July 2006]
7. Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds paving or parking spaces.
8. New parks in non-residential zoning districts.

9. Removal of more than five (5) Landscape Trees. [ORD 4365; September 2005] [ORD 4404; September 2006]

10. New on-site lighting or any addition or modification to on-site lighting that illuminates more than 15 percent of the total site area.

- B. Procedure Type. The Type 2 procedure, as described in Section 50.40 of this Code, shall apply to an application for Design Review Two. The decision making authority is the Director.
- C. Approval Criteria. [ORD 4365; September 2005] In order to approve a Design Review Two 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 Design Review Two 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.
 4. The proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).
 5. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the **proposed** additions or modifications are moving towards compliance of **with** specific Design Standards if any of the following conditions exist:
 - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable standard; or

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- b. The location of existing structural improvements prevent the full implementation of the applicable standard; or
- c. The location of the existing structure to be modified is more than 300 feet from a public street.

If the above listed conditions are found to exist and it is not feasible to locate a proposed addition in such a way that the addition abuts a street, then all applicable design standards except the following must be met:

- d. If in a Multiple-Use District, building location, entrances and orientation along streets, and parking lot limitations along streets (Standards 60.05.15.6 and 60.05.20.8)
 - e. If in a Multiple-Use or Commercial District, ground floor elevation window requirements (Standard 60.05.15.8).
6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

- D. Submission Requirements. An application for a Design Review Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Two application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Review Two application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.65.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

3. Design Review Three.

- A. Threshold. An application for Design Review Three shall be required when an application is subject to applicable design guidelines and one or more of the following thresholds describe the proposal:
1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential District. [ORD 4397; July 2006] [ORD 4410; Nov. 2006] [ORD 4462; December 2007]
 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential District. [ORD 4410; Nov. 2006] [ORD 4462; December 2007]
 3. ~~Additions to buildings~~ **additions** in residential, commercial, or multiple use zones ~~exceeding 25% of the gross square feet of floor area of the existing building(s) and more than 30,000 gross square feet of floor area.~~
 4. ~~Additions to buildings~~ **additions** in industrial zones ~~exceeding 15% of the gross square feet of floor area of the existing building(s) and more than 30,000 gross square feet.~~
 5. Projects proposed utilizing the options described in Section 40.20.10.5.
 6. New parks in residential zoning districts.
 7. A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).
 8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

40.20.15.3.

- B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to an application for Design Review Three. The decision making authority is the Board of Design Review.
- C. Approval Criteria. [ORD 4365; September 2005] In order to approve a Design Review Three 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 Design Review Three application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).
 4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance ~~with~~ of specific Design Guidelines if any of the following conditions exist:
 - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
 - b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or
 - c. The location of the existing structure to be modified is more than 300 feet from a public street.
 5. For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development

standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

40.20.15.3.C.

6. For proposals meeting Design Review Three application Threshold numbers 7 or 8, ~~where the applicant has decided to address a combination of standards and guidelines~~ the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is ~~applying to instead~~ ~~subject to~~ meet the applicable ~~corresponding~~ Design Guideline(s).
7. For proposals meeting Design Review Three application Threshold numbers 7 or 8, ~~where the applicant has decided to address Design Guidelines only~~ the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) ~~where the proposal does not meet the related provisions of Sections 60.05.15 through 60.05.30 (Design Standards).~~
8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

[ORD 4404; September 2006]

- D. Submission Requirements. An application for a Design Review Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Three application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Review Three application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.70.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

40.95. VARIANCE

40.95.05. Purpose.

The purpose of a Variance application is to provide for the consideration of varying from the applicable provisions of this Code where it can be shown that, owing to special and unusual circumstances, the literal interpretation of these provisions would cause an undue or unnecessary hardship without a corresponding public benefit. This Section is carried out by the approval criteria listed herein.

40.95.10. Applicability.

A Variance application may only be requested for those proposals that request a variance of more than fifty percent (50%) from the numerical Site Development Requirements contained in Chapter 20 (Land Uses) or any numerical requirements contained in Section 60.30 (Off-Street Parking), Section 60.40 (Sign Regulations), and Section 60.55 (Transportation Facilities), excluding Section 60.55.30.

40.95.15. Application.

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

1. Variance.

A. Threshold. An application for Variance shall be required when the following threshold applies:

1. A change of more than fifty percent (50%) to the numerical standards specified in the Site Development Requirements contained in Chapter 20 (Land Uses). **This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4, 5, 6 and 7.**
2. Any change from the numerical requirements contained in Section 60.40 (Sign Regulations).
3. Excluding Section 60.55.30, any change from the numerical requirements contained in Section 60.55 (Transportation Facilities).

Section 3: The Development Code, Ordinance No. 2050, effective through Ordinance 4515, Chapter 60 – Special Regulations, Section 60.05., will be amended to read as follows:

60.05 DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES [ORD 4332; November 2004]

60.05.05 Purpose. The following design principles, standards and guidelines shall be met by new development, and redevelopment where applicable, throughout the City in the following zoning districts:

1. Attached residential developments in the R-3.5, R-2 and R-1 zones and in planned unit developments in the R-10, R-7, R-5 and R-4 zones when attached residential developments are proposed,
2. Conditional uses in residential zoning districts where a new building or major remodeling of an existing building is proposed and public parks,
3. Development in multiple-use districts,
4. Commercial office, retail, and service developments, and
5. Industrial developments.

60.05.10. Design Principles. The following design principles are general statements to guide the development of the built environment, the appearance of that development, and the affect of that development to the existing surroundings. The design guidelines and standards implement these principles.

1. **Building Design and Orientation.** Design buildings that enhance the visual character of the community and take into account the surrounding neighborhoods, provide permanence, and create a sense of place. In residential, commercial and multiple-use districts, design buildings that contribute to a safe, high quality pedestrian-oriented streetscape.

60.05.10.

2. **Multiple Use District Building Orientation and Design.** Locate buildings so they are conveniently and safely accessible from on-site and off-site sidewalks and streets, and so buildings near the edge of a right of way provide a high quality, pedestrian oriented streetscape, contribute to safety by offering "eyes on the street" and promote pedestrian safety and use. Provide a pedestrian-friendly environment through building and site design treatments that may vary in nature and degree depending on the character of the urban area, the characteristics of the street, and the type of use and development proposed.
3. **Circulation and Parking Design.** Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.
4. **Landscape, Open Space, and Natural Areas Design.** Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.
5. **Lighting Design.** Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.

Design Standards Start

60.05.15. Building Design and Orientation Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. **Building articulation and variety.**
 - A. Residential buildings in residential zones shall be limited in length to two hundred (200) feet.

60.05.15.1.

B. Buildings visible from and within 200 feet of an adjacent public street ~~except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principal use of a building in industrial districts where elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances, excluding roofs,~~ shall have a minimum portion of the elevation devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18"), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is:

1. Thirty (30) percent in residential zones, and all uses in multiple-use and commercial zones.
2. Fifty (50) percent in commercial zones where glazing is less than thirty five (35) percent pursuant to Section 60.05.15.8.A.3.
3. Fifteen (15) percent in industrial zones.[ORD 4462; December 2007]

~~In industrial zones, where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities, the above standards shall apply only to elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances, excluding roofs.~~

C. The maximum spacing between permanent architectural features shall be no more than:

1. Forty (40) feet in residential zones, and all uses in multiple-use, and commercial zones.
2. Sixty (60) feet in industrial zones.

2. Roof forms.

- A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.
- B. Sloped roofs on residential uses in residential zones, and all uses in multiple-use and commercial zones, shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches.
- C. All flat roofs with a slope of less than 4/12 pitch shall be architecturally treated or articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches.
- D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.
- E. Smaller feature roofs are not subject to the standards of this Section.

3. Primary building entrances. Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.

4. Exterior building materials

- A. For residential uses in residential districts, a minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances shall be double wall construction.
- B. For conditional uses in residential zones and all uses in multiple-use, ~~and commercial and industrial zones, except for manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities which is a principle use of the site in industrial zones,~~ a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or

a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances, may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. **The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment.**

This standard shall also apply to all uses in the industrial zones, except for buildings containing ~~In the case of~~ manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities ~~which is as a principle principal~~ use of the site in industrial zones, **where** this standard shall apply **only** to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space. ~~The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment.~~

- C. For conditional uses in residential zones and all uses in multiple use and commercial districts, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In industrial districts, foundations may extend up to four (4) feet above the finished grade level.

5. Roof-mounted equipment.

- A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:
1. A parapet wall; or
 2. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or

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3. Setback from the street-facing elevation such that it is not visible from the public street(s).

B. The vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade of the abutting property line or public right-of-way adjacent to abutting the development site's front yard setback for a distance of one hundred (100) lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines.

C. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.

6. Building location and orientation along streets in Multiple Use and Commercial zoning districts.

A. Buildings in Multiple Use zones shall occupy a minimum public street frontage as follows:

1. 50 percent of the street frontage where a parcel abuts a Class 1 Major Pedestrian Route.

2. 35 percent of the street frontage where a parcel abuts a Class 2 Major Pedestrian Route.

3. 35 percent of the street frontage where a parcel does not abut any Major Pedestrian Route and the parcel exceeds 60,000 gross square feet. [ORD 4462; December 2007]

B. [ORD 4462; December 2007] Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet.

C. Buildings subject to the street frontage standard shall be located no further than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.3.B or 60.05.25.3.C.

60.05.15.6.

- D. Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes. Where a site has more than one corner on a Major Pedestrian Route, this requirement must be met at only one corner.
- E. All buildings **on lots** that abut a Class 1 Major Pedestrian Route shall have at least one primary building entrance oriented toward, or with a direct pedestrian connection to an abutting street or pedestrian way. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall have a reasonably direct pedestrian connection to a minimum of one abutting Class 1 Major Pedestrian Route or shall be oriented to a Class 1 Major Pedestrian Route corner. Pedestrian connections shall:
 - 1. Be no more than 100 feet long (between the building entrance and street), and
 - 2. Shall not cross vehicular circulation and parking areas.
- F. Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards.

7. Building scale along Major Pedestrian Routes

- A. The height of any portion of a building at or within 20 feet of the property line as measured from the finished grade at the property line abutting a Major Pedestrian Route shall be a minimum of twenty-two (22) feet and a maximum of sixty (60) feet. ~~The City shall authorize Building heights greater than sixty (60) feet are allowed if the portion of a building that is greater than sixty (60) feet in height is at least twenty (20) feet from the property line that abuts the Major Pedestrian Route and in all cases, building the proposed height is shall meet the requirement of consistent with Section 20.20.50. for the specific zoning district.~~ [ORD 4462; December 2007]
- B. The maximum heights specified in Section 20.20.50 shall not be exceeded, unless separately authorized through an adjustment or variance application ~~or where credits are earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4.B.2~~

8. Ground floor elevations on commercial and multiple use buildings.

A. Except those used exclusively for residential use, ground floor elevations visible from and within 200 feet of a public street, Major Pedestrian Route, or a public park, public plaza or other public open space, and elevations that include a primary building entrance or multiple tenant entrances, shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings.

1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.
3. Buildings on parcels in excess of 25,000 gross square feet within a Commercial zoning district: Thirty-five (35) percent.

Less glazing may be provided in a commercial zoning district when increased building articulation and architectural variety is provided pursuant to Section 60.05.15.1.B.2 of this Code.

For the purpose of this standard, ground floor elevation area shall be measured from three (3) feet above grade to ten (10) feet above grade the entire width of the elevation. The ground floor elevation requirements shall be met from grade to twelve (12) feet above grade.

B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk shall provide weather protection to the following minimum percent of the length of the elevation.

1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

60.05.20. Circulation and Parking Design Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. **Connections to the public street system.** **Pedestrian, bicycle and motor vehicle** Connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element.

2. Loading areas, solid waste facilities and similar improvements.

- A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, **recycling containers** transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.
- B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.
- C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, **recycling containers** transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
 - 1. Solid screen wall constructed of primary exterior finish materials utilized on primary buildings,
 - 2. Solid hedge wall with a minimum ninety-five (95) percent opacity within two (2) years.
 - 3. Solid wood fence
- D. Screening from public view by chain-link fence with or without slats is prohibited.
- E. Screening of loading zones may be waived in commercial and multiple-use districts if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses.

3. Pedestrian circulation.

- A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities

60.05.20.3.A.

where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:

1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
 2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts occur,
 3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
 4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.
- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.
- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.
- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.
- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material than the primary on-site paving material.

F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance, and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.

~~G. Walkways shall be paved with scored concrete or modular paving materials.~~

~~H. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.~~

4. Street frontages and parking areas.

A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:

1. A minimum five (5) ~~five (5)~~ ~~six (6)~~ foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or

2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.

5. Parking area landscaping.

- A. Landscaped planter islands shall be required according to the following:
1. Residential uses in residential zones, one for every eight (8) contiguous parking spaces.
 2. All uses in multiple-use and commercial zones, one for every ten (10) contiguous parking spaces.
 3. All conditional uses in residential zones and industrial uses, one for every twelve (12) contiguous parking spaces.
- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.
- C. Linear raised sidewalks ~~and walkways~~ within the parking area connecting the parking spaces and on-site building(s) may be counted towards the total required number of landscaped islands, provided that all of the following is met:
1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
 2. The minimum unobstructed sidewalk width is five feet.
 3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.
 4. Trees are located in planting area with groundcover or planted in covered tree wells.

5. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.
 - D. Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist.
6. **Off-Street parking frontages in Multiple-Use Districts.** Off-street surface parking areas shall be located to the rear or side of buildings. Surface parking areas located adjacent to public streets are limited to a maximum of:
- A. 50% of the street frontage along Class 1 Major Pedestrian Routes, and
 - B. 65% along Class 2 Major Pedestrian Routes.
7. **Sidewalks along streets and primary building elevations in Multiple-Use and Commercial Districts.**
- A. A sidewalk is required on all streets. **Except where approved through Sidewalk Design Modification (40.58)** The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide.
 - B. A sidewalk **or walkway internal to the site** is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb.

60.05.20.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts.

A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets **consistent with the standard as described under Section 60.05.20.8.B**, unless one of the following is met:

1. The parking lot drive aisle is less than 100 feet long;
2. The parking lot drive aisle serves 2 or less residential units; or
3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.

B. Private streets shall meet the following standards:

1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.
2. Private streets serving less than five (5) **residential** units shall have raised curbs and a minimum five (5) foot wide unobstructed sidewalk on at least one side.

9. Ground floor uses in parking structures. Parking structures located on Major Pedestrian Routes shall incorporate one or more active retail or commercial uses other than parking at ground level along the entire portion of the structure fronting onto such routes. Compliance to this standard is not required when a semi-subterranean parking structure is proposed, provided that the height of such structures, or portions thereof, is not greater than three and one-half (3 1/2) feet above the elevation of the adjoining walkway or sidewalk.

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

- 1. Minimum Landscape Requirements for Duplexes, Multi-Dwelling Structures and Single Family Attached Dwellings containing two (2) to three (3) units in R-3.5, R-2 and R-1 Zones.**

60.05.25.1.

- A. All areas of the lot not occupied by structures or pavement shall be landscaped as defined in Section 60.05.25.4.

[ORD 4515; August 2009]

2. Minimum Landscape Requirement for Multi-Dwelling Structures and Single Family Attached Dwellings consisting of four (4) or more units but less than eight (8) units in R-3.5, R-2 and R-1 Zones.

- A. For Multi-Dwelling Structures, areas to be landscaped as defined in Section 60.05.25.4 shall be a minimum of 15% of the gross site area in R-3.5, R-2 and R-1 zones.
- B. For Single Family Attached Dwellings, an attached private patio or yard area of at least 300 square feet in size shall be provided. No dimension of private open space area shall be less than ten (10) feet.
- C. Adjustments to these requirements are not permitted.

[ORD 4515; August 2009]

3. Minimum Common Open Space Requirement for Multi-Dwelling Structures and Single Family Attached Dwellings consisting of eight (8) or more units in R-3.5, R-2, and R-1 zones.

- A. Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:
1. A minimum of 15% of the gross site area in R-3.5, R-2 and R-1 zones. [ORD 4515; August 2009]
 2. For developments that are part of a Planned Unit Development, provisions of Section 60.35.15.4 shall apply. [ORD 4486; June 2008]
- B. At least twenty-five (25) percent of the total required open space area for multi-dwelling structures and single family attached dwellings shall be active open space. [ORD 4515; August 2009]
- C. For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum common open space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum common open space requirement.

60.05.25.3.

- D. For the purposes of this Section, vehicular circulation areas and parking areas shall not be considered common open space.
- E. For the purposes of this section, individual exterior spaces such as outdoor patios and decks constructed to serve individual units shall:
 - 1. not be considered common open space when associated with Multi-Dwelling Structures.
 - 2. not be considered common open space when associated with Single Family Attached Dwellings and provided above the ground floor elevation level, and
 - 3. be allowed to be counted toward the minimum common open space requirement up to a maximum of 120 square feet per unit when associated with Single Family Attached Dwellings and provided at the ground floor elevation level.
[ORD 4515; August 2009]
- F. Common open space shall not abut a collector or greater classified street as identified in the City's adopted Functional Classification Plan, unless that common open space shall be allowed adjacent to these street classifications where separated from the street by a constructed barrier at least three (3) feet in height.
- G. Common open space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet.
[ORD 4515; August 2009]
- H. In phased developments, common open space shall be provided in each phase of the development consistent with or exceeding the requirements for the size and number of dwelling units proposed.
- I. Active common open spaces shall be included in all developments, and shall include at least two (2) of the following improvements:
 - 1. A bench or other seating with a pathway or other pedestrian way;
 - 2. A water feature such as a fountain;
 - 3. A children's play structure;
 - 4. A gazebo;
 - 5. Clubhouse;
 - 6. Tennis courts
 - 7. An indoor or outdoor sports court; or

- 8. An indoor or outdoor swimming and/or wading pool.
- 9. Plaza

- J. The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsection I, provided that these improvements provide a similar level of active common open space usage.

4. Minimum Landscaping Requirements for Required Front Yards and Required Open Space in Multiple Family Residential Zones

- A. All front yard areas in the R-3.5, R-2 and R-1 districts, and required open space areas in the R-2 and R-1 districts not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped.

- B. Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than twenty-five (25) percent of the landscape area.

- C. For the purposes of this Section, vehicular circulation areas and parking areas shall not be considered landscape area. [ORD 4515; August 2009]

- D. All street-facing **building** elevations shall have landscaping along their foundation. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards:
 - 1. The landscaped area shall be at least three (3) feet wide; and,
 - 2. For every three (3) lineal feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted; and,
 - 3. Groundcover plants shall be planted in the remainder of the landscaped area.

60.05.25.4.

E. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.
3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

[ORD 4515; August 2009]

F. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement, and shall be comprised of the following:

1. Brick pavers, or stone, scored, or colored concrete; and,
2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
3. Street furniture including but not limited to benches, tables, and chairs; and,
4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards; and,
5. Trash receptacles.

[ORD 4515; August 2009]

60.05.25.

5. Minimum Landscaping Requirements for Conditional Uses in Residential Districts, and for Developments in Multiple-Use, Commercial and Industrial Districts

- A. A minimum portion of the total gross lot area shall be landscaped:
1. Conditional uses in residential districts, and all uses in commercial and industrial districts, fifteen (15) percent;
 2. All uses in multiple-use districts, ten (10) percent.
 3. Environmentally sensitive areas shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.
- B. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:
1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.
 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

60.05.25.5.

C. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement for conditional uses in residential districts, and shall be comprised of the following:

1. Brick pavers, or stone, scored, or colored concrete; and,
2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
3. Street furniture including but not limited to benches, tables, and chairs; and,
4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards; and,
5. Trash receptacles.

D. All building elevations visible from and within 200 feet of a public street that do not have windows on the ground floor shall have landscaping along their foundation, which shall be counted toward the minimum landscaped requirement. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, for plazas adjacent to the building, or when the building is

within three (3) feet of the property line. The foundation landscaping shall be at least five (5) feet wide; and shall be comprised of the following:

1. One (1) tree having a minimum planting height of six (6) feet shall be planted for every thirty (30) lineal feet of foundation.
2. One (1) shrub having a minimum mature height of twenty-four (24) inches shall be planted for every three (3) lineal feet of foundation and shall be planted between required trees; and,
3. Groundcover plants shall be planted in the remainder of the landscaped area not occupied by required trees and shrubs, and shall not be planted in rows, but in a staggered manner for more effective covering.

6. Retaining Walls. Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.

7. 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 three feet in height in a required front yard along streets and 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.

60.05.25.

8. Minimize significant changes to existing on-site surface contours at residential property lines.

Exempting the circumstances listed in Section 60.15.10.2, the following standards shall apply to design review proposals where grading is proposed: [ORD 4487; July 2008]

- A. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
1. 0 to 5 feet from property line. Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 2. More than 5 feet and up to and including 10 feet from property line. Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 3. More than 10 feet and up to and including 15 feet from property line. Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 4. More than 15 feet and up to and including 20 feet from property line. Maximum of eight (8) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 5. More than 20 feet and up to and including 25 feet from property line. Maximum of ten (10) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
- B. Notwithstanding the requirements of subsection A. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified significant grove or tree, or an identified historic tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.

- C. The grading standards listed in subsection A. above shall not apply to the following:
1. Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.
 2. Storm water detention facilities subject to review and approval of the City Engineer.
 3. On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.

[ORD 4498; December 2008]

9. **Integrate water quality, quantity, or both facilities.** Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.
10. **Natural Areas.** Development on sites with City-adopted natural resource features such as streams, wetlands, ~~significant trees and significant tree groves~~ and rock outcroppings, shall be preserved to ~~and~~ maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements.
11. **Landscape Buffering Requirements.** All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2 and the following standards. For purposes of this Section, a landscape buffer is required along the side and rear of properties between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer area and

landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.45.9.

60.05.25.11

A. Applicability of Buffer Standards.

1. The buffer standards shall not be applicable to individual single-family buildings on individual parcels.
2. The buffer standards shall not apply to areas where emergency access is required.
3. The buffer standards shall not apply to areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a natural feature or an open space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the natural feature or open space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.

5. The buffer standards shall not apply where required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover.

- B. B1-Low Screen Buffer.** This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required buffer area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street.

- C. B2-Medium Screen Buffer.** This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B2 buffer required for across the street.
- D. B3-High Screen Buffer.** This buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum six (6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within three (3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of five (5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

E. Changes to Buffer Widths and Standards. Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be reviewed through the public hearing process, except for the following: and standards shall be limited to the following:

1. ~~A request for a reduction in buffer width when a B3 buffer standard is required shall be reviewed through the public hearing process;~~
2. ~~A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the applicant does not want to change the buffer standard, or when the reduction in buffer width is greater than five (5) feet, shall be reviewed through the public hearing process; and,~~
3. ~~A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is five (5) feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implemented.~~

~~Requests for changes in buffer widths and buffer standards shall only be authorized in review of Design Review Guidelines for Landscape Buffering and Screening (60.05.45.8). because of physical site constraints, or unique building or site design. An applicant shall be required to provide an adequate detailed written and plan demonstration of the physical site constraints or unique building or site design including, but not limited to, an enhanced site plan, or cross-section detail drawings, or manipulated aerial photography.~~

F. Landscaping Buffering Installation. All required buffering shall be installed prior to occupancy permit issuance.

G. Pedestrian Plazas in Required Buffer Areas for Non-Residential Development. For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided.

60.05.30. Lighting Design Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. Adequate on-site lighting and minimize glare on adjoining properties.

- A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.
- B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.
- C. Lighting shall be provided in pedestrian plazas, if any developed.
- D. Lighting shall be provided at building entrances.
- E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.

2. Pedestrian-scale on-site lighting.

- A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:
 - 1. Fifteen (15) feet in height for on-site pedestrian paths of travel.
 - 2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in residential zoning districts.
 - 3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.
 - 4. Fifteen (15) feet for the top deck of non-covered parking structures.
 - 5. The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.
 - 6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.
 - 7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.

60.05.30.2.

- B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.
- C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

Design Guidelines Start

60.05.35. Building Design and Orientation Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

1. Building Elevation Design Through Articulation and Variety

- A. Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A.)
- B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standard 60.05.15.1.A and B)
- C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)
- ~~D. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.1.B)~~
- E.D Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principal use of the building is** Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and or distribution activities which are the principle use of a building in industrial districts, buildings should promote and enhance a comfortable pedestrian scale and orientation. (Standard 60.05.15.1.B)

- F.E Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street or major parking area should be avoided. (Standards 60.05.15.1.B and C)
- G.F Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)

2. Roof Forms as Unifying Elements

- A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be **highlighted emphasized**. (Standards 60.05.15.2.A and B)
- B. Flat roofs should include distinctive cornice treatments. (Standard 60.05.15.2.C)
- C. Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)

3. Primary building entrances.

- A. **The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in industrial districts where the principal use of the building is** ~~Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and or distribution activities which are the principle use of a building in industrial districts, the design of buildings should incorporate features such as arcades, roofs, porches,~~

~~alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. (Standard 60.05.15.3)~~

60.05.35.3.

- B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)

4. Exterior Building Materials

- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standards 60.05.15.4.A and B)

B. ~~Excluding development in Industrial zones, where masonry is used for exterior finish, Where masonry is used~~ decorative patterns (other than running bond pattern) should be considered ~~provided~~, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. ~~This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes.~~ (Standards 60.05.15.4.B and C)

- 5. **Screening of Equipment.** All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)

6. Building Location and Orientation in Multiple Use and Commercial districts.

- A. Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression, particularly on Class 1 Major Pedestrian Routes, should be that architecture is the predominant design element over parking areas and landscaping. ~~Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location~~

and orientation of buildings (Standard § 60.05.15.6.A and B)
[ORD 4462; December 2007]

60.05.35.6.

- B. **On Class 1 Major Pedestrian Routes**, The design of buildings located at the intersection of two streets, should consider the use of a corner entrance to the building. (Standard § 60.05.15.6.B **and D**)
- C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standard § 60.05.15.6.C and D) [ORD 4365; September 2005]

7. Building Scale along Major Pedestrian Routes.

- A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged. (Standard 60.05.15.7.A)
- B. Building heights at **or near** the **street** right-of-way edge should help form a sense of street enclosure, but should not create a **sheer undifferentiated high** wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A)

8. Ground Floor Elevations On Commercial And Multiple Use Buildings.

- A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and provide **treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building,** views into retail, office or lobby space, pedestrian entrances or retail display windows. **This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes.** (Standard 60.05.15.8.)
- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)

60.05.40. Circulation and Parking Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

- 1. Connections to public street system.** The on-site **pedestrian, bicycle and motor vehicle** circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets **in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan** (Standard 60.05.20.1)
- 2. Loading area, solid waste facilities, and similar improvements.**
 - A. On-site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)
 - B. Except in industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2.)
- 3. Pedestrian circulation.**
 - A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)
 - B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)
 - C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)
 - D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standard 60.05.20.3.C through E)
 - E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.3.A through H)

- F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)

- 4. **Street frontages and parking areas.** Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)

- 5. **Parking area landscaping.** Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standard 60.05.20.5.A through D)

- 6. **Off-Street parking frontages in Multiple Use districts. [ORD 4462; December 2007]**
 - A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)

 - B. Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standard 60.05.20.6)

- 7. **Sidewalks along streets and primary building elevations in Multiple Use and Commercial districts.**
 - A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A).

 - B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B.)

- 8. **Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple Use, and Commercial districts.**
 - A. On-site **vehicle** circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)

60.05.40.8.

- B. Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)

- 9. **Parking Structures in Multiple-Use Districts.** Active ground floor uses should be incorporated in parking structures, particularly on **street level** elevations facing Major Pedestrian Routes. (Standard 60.05.20.9)

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.
Unless otherwise noted, all guidelines apply in all zoning districts.

1. Common Open Space for Residential Uses in Residential Districts

- A. Common open spaces should be provided that are sized and designed for anticipated users, and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standard 60.05.25.1 through 3)
- B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standard 60.05.25.1 through 3)
- C. Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standard 60.05.25.1 through 3)
- D. Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face on to the common open space. (Standard 60.05.25.1 through 3)

2. Minimum landscaping in Residential districts.

- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)

60.05.45.2.

- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.2.4)

3. Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.

- A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.5.A, B, and D)
- B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)
- C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standard 60.05.25.5.A and B)
- D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standard 60.05.25.5.A and B)
- E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)

4. Retaining Walls. Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.6)

5. Fences and Walls

- A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.5)
- B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.7)

60.05.45.

6. **Changes to existing on-site surface contours at residential property lines.** The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.8)
7. **Integrate water quality, quantity, or both facilities.** Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.9)
8. **Landscape Buffering and Screening**
 - A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer standards shall ~~should~~ not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.11)
 - B. ~~When potential impacts of a conditional use are determined or~~ When potential conflicts of use exist between adjacent zoning districts, such as industrial uses adjacent to ~~abutting~~ residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial zoning district ~~use~~ abutting an industrial zoning district ~~use~~, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.11)
 - C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.11)
 - D. ~~When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (No corresponding standard).~~
9. **Natural Areas.** Natural features that are indigenous to a development site, such as streams, wetlands, ~~rock outcroppings,~~ and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. ~~(No companion s~~Standard 60.05.25.10)

60.05.50. Lighting Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standard 60.05.30.1 and 2)
2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)
3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standard 60.05.30.1 and 2)
4. On-site lighting should comply with the City's Technical Lighting Standards. (Standard 60.05.30.1 and 2) Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary.

60.05.55 Major Pedestrian Route Maps.

[Note: No Change to Major Pedestrian Route Maps as shown under 60.05.55]

Table 60.05-1 TECHNICAL LIGHTING STANDARDS

- A. Types of Lighting.** The Technical Lighting Standards shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.
- B. Areas to Be Applied.** The roadways, access drives, parking lots, vehicle maneuvering areas, pathways and sidewalks of all new developments and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.
- C. Conformity of Lighting Plans to this Section.** All lighting plans submitted to the City shall comply with the standards of this table.
- D. Standards.** The following standards are required of all exterior lighting:

 - 1. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.
 - 2. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.
- E. General Provisions.** Notwithstanding any other provision of this Section to the contrary:

 - 1. Design Standards for Residential, Commercial, Industrial and Multiple-Use Districts:**

 - a. No flickering or flashing lights shall be permitted.

- b. No bare bulb lights shall be permitted for single-family attached development and multi-family attached development.
 - c. No strobe lights shall be permitted.
 - d. Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways.
- 2. **Special Design Standard for Residential Districts.** No exterior neon lights shall be permitted.
 - 3. **Special Design Standard for Commercial and Multiple-Use Districts.** Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.

F. Exemption for Specified Public Outdoor Recreation Uses:

- 1. Because of their unique requirements for nighttime visibility, public ball diamonds, public playing fields, and public tennis courts only, inclusive of facilities located on school district properties, are exempted from the exterior lighting standards of Sections **D.1** through **D.2** above. These outdoor recreational uses must meet all other requirements for this Section and of the Code.
- 2. The outdoor recreational uses specified above shall not exceed a maximum permitted post height of eighty (80) feet.
- 3. The outdoor recreational uses specified above may exceed a total cutoff angle of ninety (90) degrees, provided that the luminaire is shielded to prevent light and glare spillover to adjacent properties. The maximum permitted illumination at the property line or, if required, the interior buffering line, shall not exceed two (2) foot-candles.

Table 60.05-1 (continued)

Zoning District Type	Minimum Required Illumination (internal) in Foot-candles	Maximum Permitted Illumination (internal) in Foot-candles	Maximum Permitted Illumination at property line in Foot-candles	Maximum Permitted Height of Luminaires
Residential	>90 1.0 0.7	>90 TBD None	0.5 TBD None	<p>Pole-mounted Luminaires (inclusive of above grade base and light fixture):</p> <ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways. ◆ 20 feet for on-site vehicular circulation areas. <p>Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas:</p> <ul style="list-style-type: none"> ◆ 20 feet above building finished grade.
Commercial and Industrial	1.5 1.0	TBD None	0.5 TBD None	<p>Pole-mounted Luminaires (inclusive of above grade base and light fixture):</p> <ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways. ◆ 30 feet for on-site vehicular circulation areas. ◆ 15 feet for the top deck of non-covered parking structures. <p>Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas:</p> <ul style="list-style-type: none"> ◆ 15 feet above building finished grade for on-site pedestrian circulation areas ◆ 30 feet above building finished grade for on-site vehicular circulations areas.

Table 60.05-1 (continued)

Zoning District Type	Minimum Required Illumination (internal) in Foot-candles	Maximum Permitted Illumination (internal) in Foot-candles	Maximum Permitted Illumination at property line in Foot-candles	Maximum Permitted Height of Luminaires
Multiple Use:		TBD	0.5 (all)	Pole-mounted Luminaires (inclusive of above grade base and light fixture):
Residential only	0.7	TBD	None	<ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways for all development types. ◆ 20 feet for on-site vehicular circulation areas for residential only and multiple use with residential. ◆ 30 feet for on-site vehicular circulation areas for multiple use non-residential development and non-multiple use/non-residential development. ◆ 15 feet for the top deck of non-covered parking structures for all development types.
Multiple use non-residential development	1.5	1.0		Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas:
Non-multiple use / non-residential development	1.5	1.0		<ul style="list-style-type: none"> ◆ 20 feet above building finished grade for residential only and multiple use with residential development. ◆ 15 feet above building finished grade for multiple use non-residential development and non-multiple use / non-residential development.

Table 60.05-2

Minimum Landscape Buffer Requirements Between Contrasting Districts

District of Development	Location	Urban Low (R-10)	Urban Standard (R-7, R-5)	Urban Medium (R-4, R-3.5, R-2)	Urban High Density (R-1)	Commercial (CS, CV, GC, NS, OC)	Industrial (CI, IP, LI)	Station Area (SA-MU, SA-HDR)	Station Community (SC-MU, SC-HDR, SC-E)	Town Center (TC-MU, TC-HDR)	Regional Center (RC-OT, RC-TO, RC-E)
Urban Low (R-10)	Abutting	CU	5'/B1 CU	10'/B2 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU
	Across Street	N/A	5'/B1 CU	5'/B1 CU	10'/B1 CU	10'/B1 CU	10'/B1 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU
Urban Standard (R-7, R-5)	Abutting	5'/B1 CU	N/A	10'/B2 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU
	Across Street	5'/B1 CU	N/A	5'/B1 CU	10'/B1 CU	10'/B1 CU	10'/B1 CU	10'/B2 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU
Urban Medium (R-4, R-3.5, R-2)	Abutting	10'/B2 CU/R-4	10'/B2 CU/R-4	N/A	10'/B2 CU/R-4	20'/B3	20'/B3	10'/B2	10'/B2	10'/B2	10'/B2
	Across Street	5'/B1	5'/B1	N/A	5'/B1	10'/B1	10'/B1	5'/B2	5'/B2	5'/B2	5'/B2
Urban High Density (R-1)	Abutting	20'/B3	20'/B3	10'/B2	N/A	20'/B3	20'/B3	10'/B1	10'/B1	10'/B1	10'/B1
	Across Street	10'/B1	10'/B1	5'/B1	N/A	10'/B1	10'/B1	5'/B1	5'/B1	5'/B1	5'/B1
Commercial (CS, CV, GC, NS, OC)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	N/A	10'/B3	5'/B2	5'/B2	5'/B2	5'/B2
	Across Street	10'/B1	10'/B1	5'/B1	5'/B1	N/A	5'/B1	5'/B1	5'/B1	5'/B1	5'/B1

Table 60.05-2 (continued)

Minimum Landscape Buffer Requirements Between Contrasting Districts

District of Development	Location	Urban Low (R-10)	Urban Standard (R-7, R-5)	Urban Medium (R-4, R-3.5, R-2)	Urban High Density (R-1)	Commercial (CS, CV, GC, NS, OC)	Industrial (CI, IP, LI)	Station Area (SA-MU, SA-HDR)	Station Community (SC-MU, SC-HDR, SC-E)	Town Center (TC-MU, TC-HDR)	Regional Center (RC-OT, RC-TO, RC-E)
Industrial (CI, IP, LI)	Abutting	20'/B3	20'/B3	20'/B3	20'/B3	10'/B3	N/A	20'/B3	20'/B3	20'/B3	20'/B3
	Across Street	10'/B2	10'/B2	10'/B2	10'/B2	5'/B2	N/A	10'/B2	10'/B2	10'/B2	10'/B2
Station Area (SA-MU, SA-HDR)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	N/A	10'/B2	10'/B2	10'/B2
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	N/A	5'/B1	5'/B1	5'/B1
Station Community (SC-MU, SC-HDR, SC-E)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	N/A	10'/B2	10'/B2
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	N/A	5'/B1	5'/B1
Town Center (TC-MU, TC-HDR, TC-MDR)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	10'/B2	N/A	10'/B2
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	5'/B1	N/A	5'/B1
Regional Center (RC-OT, RC-TO, RC-E)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	10'/B2	10'/B2	N/A
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	5'/B1	5'/B1	N/A

NOTES FOR TABLE 60.05-2:

1. 5' / 10' / 20' = Buffer Width
2. B1 / B2 / B3 = Buffer Standard
3. N/A = Not Applicable
4. CU = Conditional Use
5. **Except for non-residential uses and parks in residential districts, B buffering requirements are not in addition to building setback requirements, as described in Chapter 20 of the Development Code. Where a setback width is less than a landscape buffer width described in Table 60.05-2, the minimum setback width of the zone shall apply to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension.**
6. *Buffering requirements for Urban Low & Urban Standard and the R-4 zoning district in Urban Medium shall only be applied when a Conditional Use (CU) is proposed.
7. A minimum 20 foot buffer developed to a B3 standard is required for non-residential land uses and parks in residential zoning districts. **This standard shall apply only to side and rear property lines that abut residentially zoned properties. The Director is authorized to approve exceptions as described under Section 60.05.25.9.A – Applicability of Buffer Standards, otherwise all proposals to modify the 20-foot buffer width or B-3 standard are subject to public hearing consideration in review of applicable guidelines (60.05.45.8).**
8. **Where a site proposed for development abuts property located outside City limits, the equivalent zone shall be applied as described in Exhibit B of the Urban Planning Area Agreement under Chapter 3.15 of the City Comprehensive Plan or similar zone as determined by the Director.**