



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

October 9, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment
DLCD File Number 002-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. 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: October 24, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 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.**

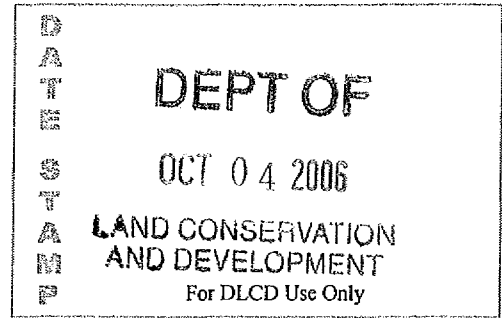
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Steve Oulman, DLCD Transportation Planner
Michael Walter, City of Happy Valley

<paa> ya/



PROF 2 Notice of Adoption

THIS FORM **MUST BE MAILED TO DLCD**
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Happy Valley Local file number: LDO-01-06

Date of Adoption: 9-15-06 Date Mailed: 10-03-06

Date original Notice of Proposed Amendment was mailed to DLCD: 4-18-06

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

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

AMENDMENTS TO CHAPTER 16.32 (DESIGN REVIEW)
OF THE CITY'S DEVELOPMENT CODE.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

SUBSTANTIALLY THE SAME

Plan Map Changed from: N/A to: N/A

Zone Map Changed from: N/A to: N/A

Location: CITY WIDE Acres Involved: N/A

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2

Was and Exception Adopted? YES NO

DLCD File No.: 002-06 (15151)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (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

Affected State or Federal Agencies, Local Governments or Special Districts:

CITY OF HAPPY VALLEY

Local Contact: Michael Walter Phone: (503) 595-6172 Extension: _____

Address: 12915 SE King Road City: Happy Valley

Zip Code + 4: 97086 - Email Address: michaelw@ci.happy-valley.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies 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

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF HAPPY VALLEY
ORDINANCE NO. 339

AN ORDINANCE AMENDING TITLE 16 (DEVELOPMENT CODE) OF THE CITY OF HAPPY VALLEY
MUNICIPAL CODE – DESIGN REVIEW AMENDMENTS

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

WHEREAS, Application LDO-01-06 was a staff initiated request to amend Title 16 (Development Code) of the Municipal Code as detailed within Exhibit "A"; and

WHEREAS a hearing was held before the City of Happy Valley Planning Commission on June 27, 2006 and continued to July 11, 2006; and

WHEREAS, the Planning Commission unanimously recommended the changes to Title 16 of the Municipal Code as detailed in the Staff Report dated June 27, 2006, including updated Exhibits; and

WHEREAS, the City has forwarded a copy of the proposed amendments to the Oregon Department of Land Conservation and Development (DLCD) in a timely manner; and


WHEREAS, the City Council of the City of Happy Valley, Oregon, has determined that it is reasonable, necessary and in the public interest to amend Title 16 of the Municipal Code as detailed within Exhibit "A"; and

WHEREAS, the City Council hereby adopts the proposed amendments as detailed in Exhibit "A", as supported by the Findings of Fact in Exhibit "B", at the regular meeting of the City Council on August 15, 2006.

NOW, THEREFORE, it is hereby declared by the City Council of Happy Valley, Oregon, that the City's Development Code be amended as set forth as part of Exhibit "A" and is fully incorporated herein.


BE IT FURTHER declared that this Ordinance shall become effective thirty (30) days after approval by the City Council.

READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on August 15, 2006 and read for the second time on August 15, 2006, and adopted by unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.



Eugene Grant, Mayor

ATTEST:



Marylee Walden, City Recorder

Adopted Amendments to Title 16 of the City of Happy Valley Municipal Code (Land Development Code)

Language to be omitted is ~~strikethrough~~, proposed language additions are in double underline.

(NOTE: The symbol [...] denotes that intervening code sections exist between those quoted, but are not specifically addressed as part of these findings).

Amend Section 16.12.120 (Community commercial district)

E. Special Standards.

1. Design Review. New development in the Community Commercial ~~CC~~ district shall be subject to LDC Chapter 16.32, Design Review ~~design review~~ and the Happy Valley Style Architectural Design standards.

Amend Chapter 16.13 PLANNED MIXED USE DISTRICT (PMU):

16.13.010 Purpose

[...]

Once a master plan is approved for the PMU district, detailed development plans will be reviewed through the design review process as described in Chapter 16.32. The master plan will establish districts to demarcate the general location of commercial, employment and residential areas (mixed use commercial (MUC); mixed use employment (MUE); MUE neighborhood commercial sub-district; and mixed use residential (MUR) through a comprehensive plan map amendment/zone change process, per the requirements of Chapter 16.40 of the LDC. In addition, for any parcel less than five acres in size, and thus not requiring a master plan, application of a mixed use commercial, employment or residential district shall also be the subject of a comprehensive plan map amendment/zone change, per the requirements of Chapter 16.40 of the LDC.

16.13.020 Mixed use commercial (MUC).

Mixed use commercial will provide for convenience commercial needs of residential neighborhoods and office workers in locations adjacent to and mixed in with residential and office areas. The location of services and offices near residential units and major transportation networks should promote use of alternative modes of transportation such as bus ridership, bicycle and pedestrian activity. Retail uses should be primarily located on the ground floor to encourage an interesting and active streetscape. Pursuant to Section 16.13.050, new development in MUC shall be subject to LDC Chapter 16.32, Design Review and, in addition, non-residential development shall be subject to the Happy Valley Style Architectural Design Standards. ~~Buildings should be oriented towards the street or accessway with clearly marked entrances. Blank frontage walls at street level are discouraged.~~ Development boundaries and patterns are not defined by type of use (i.e., retail and office); instead the district allows a variety of permitted uses to occur throughout the commercial district. The commercial uses are meant to provide a concentration of commercial and office uses to create an active area. Specific uses are listed in Table 16.13.020.

16.13.021 Mixed use employment (MUE).

The mixed use employment district will provide for development of office, employment and medium density residential uses as described in the Rock Creek Comprehensive Plan. The MUE neighborhood commercial sub district provides for neighborhood scale retail needs. Pursuant to Section 16.13.050, new development in MUE shall be subject to LDC Chapter 16.32, Design Review and, in addition, non-residential development shall be subject to the Happy Valley Style Architectural Design Standards.

[...]

16.13.025 MUE neighborhood commercial (NC) sub district.

In order to provide retail uses which serve the surrounding neighborhoods and employment areas of the MUE district, the neighborhood commercial sub district establishes uses and standards for the development of commercial and residential uses with good visibility from arterials, collectors and local streets within the MUE district. Pursuant to Section 16.13.050, new development in NC subdistrict shall be subject to LDC Chapter 16.32, Design Review and, in addition, non-residential development shall be subject to the Happy Valley Style Architectural Design Standards.

[...]

16.13.030 Mixed use residential (MUR).

Mixed use residential will promote compact form, and residential and commercial or residential and office mixed vertically, in addition to across the district. The proposed mixed use residential district is composed of four sub-areas: single-family detached, attached, multifamily and mixed use. The multifamily sub-area provides for a range of densities, each of which should be shown on the master plan map. The multifamily and mixed use sub-areas allow for retail uses that are meant to provide services to local residents, not attract outside traffic. Pursuant to Section 16.13.050, new development in MUR shall be subject to LDC Chapter 16.32, Design Review and, in addition, non-residential development shall be subject to the Happy Valley Style Architectural Design Standards.

The density requirements and minimum/maximum lot sizes are meant as a guide, and will vary based on the amount of unbuildable lands removed from gross acres. The density is calculated for each sub-area: single-family, attached, multifamily (low, medium and high), and mixed use buildings by calculating the average density for the residential district area identified in the master plan. Therefore, some lots may be smaller than the lot sizes given below, except for the single-family sub-area which has minimum lot size. Minimum densities are provided to comply with the Urban Growth Management Functional Plan, Title 1 requirements. Specific housing types and permitted uses for each sub-area are listed in Table 16.13.030.

[...]

16.13.050 Planned mixed use development standard

K. Design Review. New development in the PMU District shall be subject to LDC Chapter 16.32, Design Review and the Happy Valley Style Architectural Design Standards.

Amend Chapter 16.32 DESIGN REVIEW:

16.32.010 Purpose.

The purpose of design review is to guide the development of Happy Valley in a manner that creates a feeling of vitality in order to attract private investment and development that reflects and enhances the character of Happy Valley.

[...]

16.32.020 Applicability

A. For the purposes of this chapter, a design review plan approval is required prior to:

1. ~~Construction of a new building or substantial remodeling of an existing building, except for the construction or remodeling of single-family detached and duplex dwellings;~~

~~a. For the purposes of this chapter, substantial remodeling means:~~

~~i. Exterior remodeling that changes the appearance of more than fifty (50%) percent of any building elevation;~~

~~ii. A building expansion of more than twenty (20%) percent of building area, except for an expansion that is solely designed and constructed to:~~

~~a) Provide accessibility for the disabled;~~

~~b) Provide for energy conservation (e.g., addition of an entry vestibule);~~

~~c) Provide for screened recycling or trash storage; or~~

~~d) Relocate or screen visible exterior mechanical equipment so that such equipment is no longer visible.~~

2. Expansion or exterior modification of existing development which:

a. Increases the building's gross floor area by twenty (20%) percent or greater;

b. Increases the building height; or

c. Modifies more than twenty-five (25%) percent of the façade or, if the property abuts property zoned for residential use, modifies any portion of the facade visible from the residentially zoned property

3. A change in use of a structure from residential to commercial or industrial;

4. Enlarging or extending a nonconforming use under Section 16.24.020 of this title;

5. ~~2. Dredging, filling, g Grading, or paving for the creation of new parking or outdoor storage or sales areas, excavation or drilling operations located within the city. (Ord. 297 (part), 2004)~~

6. Major or minor modifications to approved plans or conditions of approval pursuant to Section 16.32.050 of this title.

B. Exceptions. A design review plan approval is not required prior to:

1. The construction, expansion or modification of single-family detached, duplex dwellings, or single-family attached buildings with not more than two units.

2. Expansions that are solely designed and constructed to:

a) Provide accessibility for the disabled;

b) Provide for energy conservation (e.g., addition of an entry vestibule);

c) Provide for screened recycling or trash storage; or

d) Relocate or screen visible exterior mechanical equipment so that such equipment is no longer visible.

16.32.030 Design review types.

A. Design Review Type I. Design review I decisions are made by the community development director or designee with public notice and an opportunity for a public hearing on appeal. Design review I is required for the following:

1. Expansion of existing nonresidential development which is between twenty (20%) and fifty (50%) percent of the building's gross floor area (less than twenty (20%) percent expansion does not require design review);
2. A change in use of a structure from residential to commercial or institutional;
3. A minor modification as defined under Section 16.32.050 of this chapter;
4. Enlarging or extending a nonconforming use under Section 16.24.020 of this title;
5. Multifamily developments made up of a total of four dwelling units or less.
6. Exterior modification of a structure ~~other than a detached single family dwelling, duplex or zero lot line dwelling or structure accessory to such structures~~ which:
 - a. Increases the building footprint or height; or
 - b. Modifies more than twenty-five (25%) percent of the façade or, if the property abuts property zoned for residential use, modifies any portion of the facade visible from the residentially zoned property.

B. Design Review Type II. Design review II decisions are made by the design review board (when formed). If no design review board exists, the Planning Commission shall serve as the design review board. All development, alterations or structural alterations that are not design review I shall be processed, reviewed and decided as design review II including a major modification of an approved design review plan under Section 16.32.050.

16.32.040 General procedures.

A. Design Review Board.

1. Appointment and Make-up.

- a. The city council shall appoint a design review board to serve as expert professional advisors to aid in the review of certain development applications. Members shall reside in either the city of Happy Valley or within annexation study areas of surrounding Clackamas County. These members may be removed by the city council upon a recommendation from the community development director. Members of the design review board shall be appointed for a term of four years, with a maximum of two terms.
- b. The design review board shall consist of at least five, and up to seven members from the following groups and disciplines:
 - i. One registered landscape architect or other person with a background in landscape design.
 - ii. One registered architect or building designer.
 - iii. One registered engineer.
 - iv. One representative from the field of finance or the construction and development industry.
 - v. Remaining member[s] from the general public. At-large members may be from any discipline or group, including any of the above.
- c. In the event a sufficient number of qualified applicant's volunteer, but one of the above groups is not represented, the design review board may still be formed, utilizing membership

from another of the represented groups “in-lieu-of” the optimal design review board composition. In the event that the city council is unable to successfully form the design review board, the Planning Commission shall serve as the design review board ~~city shall contract the services of a professional architect and/or landscape architect as deemed necessary by the community development director.~~

2. Role of Design Review Board.

- a. The design review board or individual members thereof are responsible for reviewing appeals to design review I applications and design review II applications. The staff or applicant can also request the board to review a design review I application.
- b. The design review board shall adopt rules to govern its deliberations and decisions as a group, and keep a record of its proceedings.

B. Pre-application Conference. Prior to applying for design review plan approval, applicants shall meet with the community development director, or designee, to present a preliminary plan and obtain feedback regarding the development of the land, siting of the project and potential impacts on the city, surrounding property owners and service providers. At the pre-application conference, the community development director or designee shall:

1. Cite the ordinance provisions, including substantive and procedural requirements applicable to the proposal;
2. Provide available technical data and assistance which will aid the applicant;
3. Identify other governmental policies or regulations that relate to the application;
4. Reasonably identify other opportunities or constraints concerning the application; and
5. Provide a list of submittal requirements including the applicable design review approval criteria.
6. Failure of the community development director or designee to provide any of the information required by this section shall not constitute a waiver of any of the standards, criteria or requirements for the application.

C. Consolidated Process. Where a proposed development requires additional approvals as may be required under the land development ordinance, such permits may be combined and reviewed as part of a single review process. However, in the event that land use applications are paired together which require multiple review bodies, the highest review authority shall be the initial review body. For example, a design review application including a conditional use permit would require concurrent land use applications to be reviewed by the planning commission, and thus would not go before the design review board. The fees for the consolidated review process shall be provided by resolution of the city council consistent with Section 16.48.080.

D. Application. An application for design review together with the applicable fee shall be filed using forms prescribed by the city. The application shall be complete and shall contain the information requested on the form, shall address the appropriate submittal requirements under Section 16.32.060 and the applicable approval criteria and standards under this chapter in sufficient detail for review by the city. An application may be filed by the owner of the property or his/her duly authorized representative.

E. Time Limits. Approvals shall be void after two years unless substantial construction on the site has begun, as determined by the city. The planning commission or community development director or designee respectively may extend an approval for an additional period not to exceed one year, based on the following:

1. No changes are made to the original site design review plan;
2. The applicant can show intent of initiating construction on the site within the one year extension period;
3. There have been no changes to the applicable provisions on which the approval was based. If there have been changes to the applicable provisions and the plan does not comply with those changes, then the extension shall not be granted; and
4. The applicant demonstrates that failure to obtain building permits and substantially begin construction within the two year approval period was beyond the applicant's control. An application for an extension shall be filed with the applicable fee within thirty (30) days from the expiration of the approval. No more than three extensions shall be allowed for each approval.

F. Notice of Design Review Application.

1. Design Review I. Notice of application and an invitation to comment shall be mailed to the applicant, recognized neighborhood associations or community planning organizations whose boundaries include the site, and property owners within three hundred (300) feet of the property line of the subject site who are listed on the most recent property tax assessment role. At the request of the applicant, notice shall be provided to the department of land conservation and development. The notice shall include information as provided in Section 16.48.010(C)(2)(a) through (g) in addition to the following:

- a. Provide a twenty-one (21) day period for submitting written comments before a decision is made;
- b. State that all evidence relied on by the community development director to make this decision is in the public record, available for public review. Copies of this evidence can be obtained at a reasonable cost from the city; and
- c. State that after the comment period closes, the community development director shall issue a final decision. The decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice.

The community development director or designee shall accept comment during the twenty-one (21) day comment period and render a final decision.

2. Design Review II. Notice of application, complete with file number and hearing date before the design review committee, is mailed to recognized neighborhood associations within the city limits and property owners within three hundred (300) feet of the subject property. The contents of the notice for design review II shall be consistent with Section 16.48.010(C)(2)(a) through (i) and shall be provided twenty-one (21) days prior to the date of the hearing.

3. Notice. Notice of design review I and II applications shall be sent to all affected government entities, including Clackamas County, METRO, and the Oregon Department of Transportation, when access is proposed to a county or state facility or a street of regional significance as defined by the regional transportation plan.

G. Appeal.

1. Design Review I. A design review I decision may be appealed to the design review board as follows:

- a. Who may appeal. The following people have legal standing to appeal a design review I decision:
 - i. The applicant;
 - ii. Any person who was mailed written notice of the decision; and
 - iii. Any other person who participated in the proceeding by submitting written comments.

b. Appeal Procedure.

i. Notice of Appeal. Any person with standing to appeal, as provided in subsection (F)(1)(a) of this section, may appeal a design review I decision by filing a notice of appeal according to the following procedures:

(A) Time for Filing. A notice of appeal shall be filed with the community development director or designee within ten days of the date the final decision was mailed;

(B) Contents of Notice of Appeal. The notice of appeal shall contain:

(1) An identification of the decision being appealed, including the date of the decision;

(2) A statement demonstrating the person filing the notice of appeal has standing to appeal;

(3) A statement explaining the specific issues raised on appeal;

(4) If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and

(5) Filing fee.

c. Appeal Hearing. The appeal hearing shall be de novo. The design review board's decision on the appeal may be appealed to the city council pursuant to Section 16.48.050 of this title.

2. Design Review II. The design review board's decision on a design review plan may be appealed to the city council pursuant to Section 16.48.050.

H. Noncompliance. A violation of the provisions of this chapter or failure to comply with any conditions of approval are subject to the enforcement and violations provisions provided in Sections 16.48.060 and 16.48.070. Consistent with Section 16.36.030, the city may withhold a certificate of occupancy until such time as the use or development is consistent with this chapter, including any conditions of approval required to assure compliance with this chapter.

[...]

16.32.050 Modifications to approved plans and conditions of approval.

A. Major Modification. The community development director or designee shall determine that a major modification is required if one or more of the changes listed below are proposed:

1. An increase or decrease in the number of dwelling units;

2. A change in the type and/or location of access ways, drives or parking areas that affect off-site traffic;

3. An increase in the floor area proposed for nonresidential use by more than five percent where previously specified;

4. A reduction of more than five percent of the area reserved for common space and/or usable open space;

5. A reduction to specified setback requirements by more than ten percent, or to a degree that the minimum setback standards of the land use district cannot be met;

6. Alterations to the exterior of a structure, landscaping, or other improvements that substantially change the original design review approval;

7. Changes similar to those listed in paragraphs 1 through 6 above, which are likely to have an adverse impact on adjoining properties; and

8. The planning commission may define a major modification consistent with this section on a case-by-case basis to be included as a condition of approval.

B. Minor Modification. Any modification to an existing land use decision or an approved design review plan which is not within the description of a major modification as provided in subsection A of this section. Examples of minor modification include:

1. Limited dimensional or locational changes to building elements such as windows or doors;
2. Changes in building materials where only a limited area is affected;
3. Substitution of landscape materials that do not affect the overall landscape design;
4. A change in use that would not increase parking requirements, vehicle trips to and from the site or other adverse impacts to adjacent property and the surrounding community; and
5. Minor alterations to structures.

16.32.060 Design review submittal requirements.

A. Submittal Requirements. In order to be deemed complete, design review applications shall contain all of the following plans and elements, unless specifically waived by the community development director:

1. Submittal Requirements for Design Review I:

- a. Existing conditions plan;
- b. Site plan;
- c. Landscape plan;
- d. Grading plan;
- e. Architectural elevations;
- f. Additional requirements;
- g. Narrative.

2. Submittal Requirements for Design Review II:

- a. Existing conditions plan;
- b. Site plan;
- c. Landscape plan;
- d. Grading plan;
- e. Architectural elevations;
- f. Site photographs;
- g. Materials board;
- h. Lighting plan;
- i. Additional requirements;
- j. Narrative.

B. Design Review Plans. Information Requirements: Information provided on the design review plan shall be presented as follows:

1. Three copies of full-size plans not larger than twenty-four (24) inches by thirty-six (36) inches to scale. Larger-sized copies are allowed at the discretion of the city;
2. Fourteen (14) copies of eleven inch by seventeen inch (11" x 17") (to scale);
3. Drawings shall be at a scale sufficiently large enough to enable all features of the design to be clearly discerned;
4. All plans should have a north arrow, title, scale and date of plan.

C. Existing Conditions Plan. This element of design review shall indicate the following site characteristics:

1. Assessor's tax map and tax lot number;
2. Boundary dimensions and area of the site;

3. Location of all existing structures, including their distances from the property line;
4. The location and names of all existing streets within or on the boundary of the development;
5. Location and species of trees greater than five inches in diameter when measured four and one-half feet above the natural grade and an indication of which trees are to be removed;
6. On sites that contain slopes greater than twenty (20%) percent, potential geologic hazards or unique natural features including environmental zones or overlays that may affect the proposed development, along with contours mapped at two-foot intervals;
7. Natural drainageways and other significant natural features such as wetlands, riparian corridors, and protected water features;
8. All buildings, roads, retaining walls, curb cuts, and other manmade features;
9. Structures and natural features including significant trees on adjoining property within two hundred (200) feet of the site; and
10. A survey of the subject property by a licensed land surveyor clearly delineating property boundaries shall be provided and shall be accurate as to current state of property.

D. Site Plan. This element of the design review plan shall indicate the following:

1. Area of the site covered by the structures described in this subsection and their percentage of the site;
2. All external dimensions of proposed buildings and structures;
3. Parking and circulation areas including their dimensions;
4. Service areas for such uses as the loading and delivery of goods;
5. Locations, purpose, and dimensions of easements;
6. Pedestrian circulation;
7. The location of mechanical equipment, garbage disposal areas, utility appurtenance, and similar structures;
8. Exterior lighting, including the type and intensity, are to be illustrated;
9. Provisions for handicapped persons;
10. Other site elements, which will assist in the evaluation of site development;
11. The location and names of all existing streets within or on the boundary.
 - a. A block on the plans stating the following:
 - i. For commercial and nonresidential development:
 - (A) The square footage contained in the area proposed to be developed,
 - (B) The percentage of the lot covered by:
 - (1) Structures,
 - (2) Parking areas,
 - (3) Recreation areas,
 - (4) Landscaping,
 - (5) Other impervious surface areas needed to measure lot coverage.
 - ii. For residential development:
 - (A) The total square footage in the development,
 - (B) The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g., ten one-bed-room, twenty-five (25) two-bedrooms, etc.).
 - (C) The percentage of the lot covered by:
 - (a) Structures,
 - (b) Parking areas,

(c) Recreation areas,

(d) Landscaping,

(D) Other impervious surface areas needed to measure lot coverage.

E. Landscape Plan. This element of the design review plan should indicate the following:

1. Landscape plans shall be prepared by a licensed landscape architect;
2. Locations of buildings and structures, including pathways, driveways and parking areas;
3. Location of areas to be landscaped;
4. Private and shared outdoor recreation areas;
5. List of plant materials, including genus, species, common name, sizing, quantity and spacing;
6. Pertinent landscape features including walls, retaining walls, berms, fences and fountains;
7. A note on the plan indicating that an irrigation system will be installed to maintain the landscape materials and the method of irrigation;
8. The size, species, and locations of plant materials to be retained or placed on the site;
9. The locations and design details of walkways, plazas, courtyards, and similar seating areas including related street furniture and permanent outdoor equipment including sculpture;
10. The location and design details of proposed fencing, retaining walls, and trash collection areas; and
11. A proposed plan for the maintenance of the landscape plan including the replacement of plants as may be needed to preserve the visual integrity of the site.

F. Grading Plan. This element of design review shall indicate the following:

1. Grading and drainage plans including spot elevations and contours at close enough intervals to easily convey the slope of the site.

G. Architectural Elevations. This element of the design review plan shall indicate the following:

1. Color exterior elevations, showing finish materials, windows, doors, light fixtures, stairways, balconies, decks, and architectural details. These elevations shall be provided for every exterior wall surface including those that are completely or partially concealed from view by overlapping portions of the structure. Existing and finished grades at the center of all walls shall be shown with elevation of floors indicated and a dimension showing compliance with height limitations.

H. Site Photographs. This element of the design review plan shall indicate the following:

1. Photographs depicting the site and its relationship to adjoining sites;
2. Current aerial photos accurately depicting existing conditions.

I. Materials Board. This element of the design review plan shall indicate the following:

1. The color and texture of finish materials shall be described and samples shall be submitted of the materials and color ranges of siding and other façade treatment, roofing, windows and trim.

J. Lighting Plan. This element of the design review plan shall indicate the following:

1. Illustrate the type of exterior wall light fixtures including the lamp types with manufacturer's specification sheet and the levels of illumination that they provide;
2. Location and type of street and parking lot light fixtures including the lamp types along with manufacturers specification sheet and the levels of illumination that they provide;
3. A comprehensive graphic plan showing the location, size, material, and method of illumination of all monument signs. Individual signs shall go through the sign permit process outlined in Chapter 16.60 of this title; and
4. The location, type, and intensity and manufacturer's specification sheet of light proposed to illuminate outdoor areas.

K. Additional Requirements.

1. The city may require the following in addition to the materials cited in Section 16.32.050. This determination would be made as part of the preapplication process.
2. These additional requirements may include (but are not limited to):
 - a. Traffic impact analysis, completed as per Section 16.16.100;
 - b. Architectural models;
 - c. Natural resource assessment, completed as per Sections 16.16.270 and 16.16.290;
3. Other information as requested by the community development director.

L. Narrative. A design review narrative shall be provided that addresses each of the applicable standards and criteria in the following sections, §§ 16.32.070 through 16.32.110, General design review criteria.

16.32.070 General design review criteria.

A. Applicability. The following criteria apply to design review projects ~~except for single-family detached and duplex residential development.~~

B. Relationship to other standards. The criteria of this section apply in addition to other standards of this title. Where requirements conflict with standards in other sections of this title, the standards of this section shall govern, except; that

1. Where applicable, the Happy Valley Style Design Review standards specific to the PMU district, in Sections 16.32.080 through 16.32.110 shall supersede.

2. Where applicable, the Multi-Family standards in Section 16.32.100 shall supersede.

C. Criteria.

1. The proposed development preserves significant natural features such as natural drainage ways, wetlands, and trees outside the construction area as defined in Section 16.20.090, to the maximum extent feasible, and conforms to the provisions of Sections 16.16.270 and 16.16.290;
2. Phased projects shall be designed to the greatest degree possible so that each phase, in and of itself, is complete in its functional, traffic, parking, visual, drainage and landscaping aspects;
3. Where appropriate, the design includes a parking and circulation system that includes a pedestrian and vehicular orientation including separate service area(s) for delivery of goods;
4. The location, size, shape, height and spatial and visual arrangement of the uses and structures are compatible, with the consideration given to increased setbacks, building heights, shared parking, common driveways and other similar considerations;
5. That there is desirable, efficient and functional interrelationship among buildings, building entrances, existing and proposed transit stops, transit facilities and routes, parking, loading area, circulation, open spaces, landscaping and related activities and uses on the site;
6. Utilize landscaping in parking areas to direct and control vehicular movement patterns, screen headlights from adjacent properties and streets, and lessen the visual dominance of pavement coverage;
7. The proposed development meets all other applicable provisions of this land development ordinance;
8. The proposed development can be adequately served by level 1 services;
9. Provide safe pathways for pedestrians to move from parking areas to building entrances;
10. All building exterior improvements approved through the design review process shall be continually maintained including necessary painting and repair so as to remain substantially similar to the original approval through the design review process;

11. A landscape plan shall be approved consistent with design standards in Sections 16.50 in a manner that will assure the maintenance and visual integrity of the site;
12. All plans shall comply with the purpose statement in Section 16.32.010.

16.32.080 Happy Valley Style design review standards.

A. Purpose. The purpose of the Happy Valley Style design review standards is to guide building siting and design and to promote a comprehensive identity for ~~the non-residential developments within the community that are three stories or below in height~~ Planned Mixed Use (PMU) district through the application of the Happy Valley style (Appendix 16.32) and the standards of ~~this section~~ Section 16.32.090 so that:

1. The location, size, shape, height and spatial and visual arrangement of the uses and structures are compatible with each other, with consideration given to increased setbacks, building heights, shared parking, common driveways and other similar design considerations; and,
2. That there are interrelationships among buildings, building entrances, existing and proposed transit stops, transit facilities and routes, parking and loading areas, vehicular and pedestrian circulation, open spaces, landscaping and related activities and uses on the site.

B. Relationship to other standards. The standards of this section apply in addition to other standards of this title. Where standards in this section conflict with standards in other sections of this Code the standards of this section shall govern.

C. Applicability.

1. ~~The standards of this section apply to all development in the Planned Mixed Use (PMU) District (unless exempted, below).~~ The Happy Valley Style design standards in Section 16.32.090 apply to all mixed-use commercial, retail commercial, office and institutional buildings that are three stories in height or less except as exempted below. Buildings that are greater than three stories in height are encouraged to utilize practical design elements from the Happy Valley style.

2. Exemptions.

- a. Residential dwellings are exempt from the standards of Section 16.32.080-16.32.090. However, single-use developments within the MUR districts (see Section 16.32.100), including single-family attached and/or multi-family dwellings are encouraged to utilize the Happy Valley Design Standards;
- b. Master Plan areas over ten (10) acres in size within the Employment District of the Rock Creek Employment Area containing specific design standards;
- c. The Eagle Landing Sub-Area Plan area; and,
- d. Buildings designed for manufacturing or other industrial uses.

D. Summary and Location of the Happy Valley Style.

~~The Happy Valley Style will create a unified and distinctive visual identity for the Planned Mixed Use (PMU) development district by incorporating elements documented in Appendix 16.32, Happy Valley Style Documentation.~~

The Happy Valley Style promotes a residential character for projects by drawing on features from certain historical architectural styles as well as through the use of complex massing and varied rooflines. Materials of the Happy Valley Style draw on the Pacific Northwest's natural resource heritage. Equally important to incorporating a residential character, the Happy Valley Style also promotes a pedestrian friendly environment, using façade design that creates a storefront appearance at the ground level. The overall development pattern should contribute to a

sense of arrival and departure to and from the city core ~~Town Center~~ area of the PMU. Happy Valley's unique topography and natural features should be incorporated into project design where feasible. While it is influenced by historic architectural styles, the goal of the Happy Valley Style is not a literal replication of historic residential buildings, but appropriate contemporary interpretation of time-tested and proven design principles. The Happy Valley Style is also flexible enough to allow for variety, acknowledging different needs and preferences of various uses. Projects do not need to include all features that make up the Happy Valley Style. However, projects should reflect the Style's characteristic elements in varying combinations.

16.32.090 Happy Valley Style Design Review Standards for Non-Residential Development.

A. Definitions.

1. "Building frontage" means the front façade of a building facing a public or private street, or an access drive more than two hundred (200) feet in length.
2. "Maximum setback" means the maximum distance between a building or other development and a property line which abuts a public street, or to the nearest improved edge of a private street, access drive, or drive aisle.
3. "Access drive" or "accessway" means an improved internal street within a commercial development that provides vehicular access to a commercial complex or parking area, typically bordered by structures.
4. "Drive aisle" means an internal vehicular drive within a commercial complex parking lot, typically bordered by parking spaces.

B. Building Siting and Design Standards and Characteristics.

1. Happy Valley Style Required. Buildings shall be designed using building design elements of the Happy Valley Style to create distinctive buildings with richly textured, visually engaging facades and that are pedestrian friendly (see Appendix 16.32).
2. Complex Massing Required. New buildings shall use massing characteristic of the Happy Valley Style and asymmetrical composition to avoid the monolithic expanse of frontages and roof lines and break up building sections using elements including variable planes, projections, bays, dormers, setbacks, canopies, awnings, parapets, changes in the roof line, materials, color, or textures. (See Element 2, Appendix 16.32)
3. Pedestrian Oriented Siting. In order to orient buildings to the pedestrians walking on the pedestrian network and to activate the pedestrian environment and emphasize pedestrian movements, development shall meet the following standards:
 - a. ~~Commercial buildings.~~ At least fifty (50%) percent of the building frontage must meet the maximum setback of six feet from a property line which abuts a public street, or the nearest improved edge of a private street or access drive. However, in scenarios involving multiple frontages, the developer shall have the option to designate and orient the front, side and rear façades of a structure. In no case shall buildings be required to have dual front facades.
 - b. On sites where public or private streets, or access drives more than two hundred (200) feet in length intersect, the building must meet the maximum setback requirements of paragraph a₂ above, on at least two of the intersecting streets.
 - c. The requirement for building frontage on multiple streets in paragraph b above shall apply first to intersections of public streets, and second to intersections of public and private streets.

Where these specific combinations of intersections do not exist, the applicant may select the intersection for the two required building frontages.

d. The placement of pedestrian amenities within the maximum setback requirements of paragraph a, above, including, but not limited to, seating areas, water features, and plazas measuring a minimum of five hundred (500) square feet, and not to exceed one thousand (1,000) square feet, may count toward the requirements of this section as alternatives to the placement of building frontage within the maximum setback area. Plazas shall include construction materials that differ from the surrounding sidewalk, and shall be approved by the design review board. Materials include (but are not limited to), paving bricks, stamped concrete, etc.

4. Street Corners.

a. Where development is proposed on a corner lot, buildings shall be located to preserve or create strong building edges at public street corners (See Element 5, Appendix 16.32).

b. Buildings located on street corners shall be designed to compliment and be compatible with other corner buildings at the same intersection by repeating or echoing the same pattern of corner treatment by creating similar focal points such as entries, towers, material or window elements, signage, etc.

c. Reinforce street corners by repeating facade elements such as signs, awnings and window and wall treatments on both sides of the corner.

5. Roof Forms. Roof forms shall promote architectural diversity and interest, preferably through the use or appearance of gable and hipped roof forms. Flat roofed buildings without articulation shall only be allowed pursuant to Section 16.32.110, Exceptions. (See Element 3, Appendix 16.32). Roof line offsets shall be provided at intervals of seventy-five (75) feet or less, to create variety to the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight-foot variation either vertically from the gutter line or horizontally.

6. Building Height and Number of Stories.

a. One story construction shall have a minimum height of twenty-two (22) feet at the public or private street side building edge.

b. Buildings located on public street corners shall contain an architectural element at least thirty-four (34) feet or two structural stories in height. Two story building elements include but are not limited to:

a-i) Tower;

b-ii) Enclosed porch;

e-iii) Entrance pavilion;

7. Entrances.

a. To encourage increased pedestrian density on public and private streets and sidewalks, primary building entrances should be oriented to, or be at an angle no more than forty-five (45) degrees from the street (public or private) or access driveway greater than two hundred (200) feet in length, to the maximum extent practicable. For multi-tenanted buildings or buildings with multiple entrances, or both, only one primary entrance must comply with this standard. In addition, for buildings with multiple frontages, only one primary entrance on one building frontage must comply with this standard (see Element 5, Appendix 16.32).

b. Primary building entrances shall be architecturally emphasized.

8. Storefront Appearance. Buildings fronting on public or private streets or an access driveway more than two hundred (200) feet in length shall create a storefront appearance on the ground floor by implementing the following standards:

a) Changing buildings planes, materials or window patterns, or by creating a break in awning or canopy construction at intervals of about forty (40) feet; and

b) Ground Floor Windows. To avoid blank walls and create a storefront appearance at the ground level, exterior building walls facing a public or private street or an access driveway greater than two hundred (200) feet in length shall incorporate ground floor windows.

i. Required window areas. Windows must be a minimum of forty (40%) percent of the length and twenty (20%) percent of the ground level wall area. Ground level walls include all exterior walls from three feet above finished grade up to nine feet above the finished grade.

ii. Qualifying window features. Required window areas must either be windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. Display cases attached to the outside wall do not qualify. The bottom of the windows must be no more than three feet above the adjacent exterior grade.

9. Materials. Building materials shall reflect the Happy Valley Style. (See Element 4, Appendix 16.32).

a. Primary Materials. A "primary material" is the predominant building material that covers a minimum of sixty (60%) percent of the building's exterior walls. Primary materials are:

i. Masonry, which includes natural and natural-looking stone, and rusticated brick or concrete blocks that are residential in character and appearance;

ii. Wood (siding or shingles);

iii. Glass.

b. Secondary Materials. A "secondary material" is not the predominant building material. Any one secondary material shall not cover more than forty (40%) percent of the building's exterior walls. Secondary building materials are:

i. Glass;

ii. Typical commercial-grade stucco;

iii. Typical commercial-grade brick;

iv. Steel.

c. Multiple-story buildings. When buildings have two or more stories, the material used at the ground level shall differ from that used at upper levels in order to create a clear distinction between the ground and upper levels.

d. Roof. New buildings or substantial remodeling that involve modifications to the roof shall use the following roofing materials:

i. Slate, tile, shakes or wood shingles, or synthetic materials (e.g., concrete, pressed wood products, metal or other materials) that are designed to and do appear to be slate, tile, shake or wood shingles.

ii. If a new or remodeled building utilizes a flat roof, materials that will not cause roof repairs (patching) to be readily visible.

e. Prohibited Materials. The following exterior building materials or finishes are prohibited:

i. Plastic, except when use to replicate old styles (e.g., vinyl clad windows, polyurethane moldings, plastic columns, etc.);

ii. Metal or vinyl siding;

- iii. Mirrored glass;
- iv. T-111 Type plywood;
- v. Corrugated metal or fiberglass;
- vi. Standard form concrete block (not including split faced, colored or other block designs that mimic stone, brick or other similar masonry);
- vii. Back-lighted fabrics, except that awning signs may be backlit fabrics for individual letter or logos;
- viii. Typical commercial-grade red brick, unless used as a "secondary material" (See subsection A.8.b. of this section).

10. Façade Design.

a. Buildings shall include changes in relief on facades facing public or private streets or residential development for pedestrian interest and scale. Relief changes may include (see Element 5, Appendix 16.32):

- i. Cornices;
- ii. Bases;
- iii. Fenestration;
- iv. Fluted masonry;
- v. Other treatments.

b. Buildings with two or more stories shall have a strong ground floor cornice designed to separate the ground floor functions and materials from the upper story or stories and to provide continuity with cornice placement on abutting buildings (see Element 5, Appendix 16.32). Methods for compliance with this requirement include but are not limited to:

- i. Buildings shall use the same or similar building materials and/or colors from storefront to storefront or building to building; or
- ii. On two-story buildings, painting the wood elements in the first floor storefront areas white, black, dark brown, dark green or greyblue is encouraged. This color range is not intended to be an exclusive list, but is recommended to create compatibility and design strength at the ground floor storefront level while encouraging diversity with multi-tenant buildings and in large lot developments.

c. Ornamental Devices. Ornamental devices characteristic of the Happy Valley Style, such as molding, entablature and friezes, are required at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at a thickness in proportion to the height of the wall. (See Appendix 16.32)

11. Enclosure or Screening of Mechanical Equipment. Roof mounted mechanical equipment on flat roofed structures shall be screened by parapet walls to the maximum degree possible. Site located mechanical equipment shall be installed in below grade vaults where possible or screened by a site obscuring fence or landscaping. Other building mounted mechanical equipment shall be screened from view to the maximum degree possible.

12. Awnings. Buildings shall provide awnings or canopies for weather protection extending six feet from window walls (see Appendix 16.32). Awnings may have a front valance.

13. Outdoor Relationships. New or substantially remodeled buildings shall be designed to open up to outdoor seating and display areas that are intended to be accessory to an indoor use, such as a restaurant or cafe.

C. Additional Landscaping and Site Design Requirements. All developments subject to this section shall comply with the following landscape and site design requirements.

1. Street Furniture and Lighting. New and substantially remodeled buildings shall incorporate street furniture and lighting within the public right-of-way and in private areas open to public pedestrian activity (see "Street Furniture Examples" Appendix 16.32).
2. Street Trees. Street trees shall be required to be installed in compliance with Section 16.20.100, Landscaping, Street Trees and Buffering, as a condition of approval.
3. Gates and Hangers. Decorative iron gates and hangers for signs, flags and hanging baskets may be required as part of the landscape plan.
4. Protecting Pedestrians. In areas of potential vehicle/pedestrian conflict, street furniture or bollards (see Appendix 16.32 for examples) shall be used to help create a "protected zone" for the pedestrian.

5. Landscape Design.

- a. Where new or substantially remodeled buildings are set back from property lines and sidewalks, intervening landscaping shall be designed to invite the public in, not to provide separation.
- b. Where non-pedestrian space is placed between a building and a sidewalk, benches, low sitting walls or other street furniture shall be placed in order to enliven the sidewalk.
- c. Small areas of landscaping and paving in courtyards, entryways, building nooks and other areas shall use materials and designs similar to adjacent public spaces where such use will make the area appear larger or more inviting. This requirement is intended to minimize the transition from public to private space, but is not intended to restrict changes in material where it is functionally necessary or where it will avoid visual monotony.
- d. Drinking fountains, display windows or other street furniture shall be located in stopping areas created outside of pedestrian circulation areas. Stopping areas may be created by an enclosure, a change in grade or a change in paving materials.

~~D. Additional Parking Requirements. Parking shall be designed to provide adequate, but not excessive, space, while preserving and enhancing the village character of Happy Valley, through compliance with the following criteria.~~

~~1. Number of Spaces. Parking shall be designed to provide adequate, but not excessive, space.~~

~~1a. The number of parking spaces required in the PMU district under Section 16.13.050, may be modified as follows:~~

~~a. i. High turnover eating or drinking establishments such as coffee shops, ice cream parlors and "take-and-bake" food services may vary from the parking requirements for restaurants by providing evidence that demonstrates the short term nature of their employee and patron parking needs. In no case, however, shall parking be reduced below the number of spaces that would be required for an equal size retail store.~~

~~b. ii. Retail uses within one thousand (1,000) feet of one hundred (100) or more residential units may further reduce their total parking requirements to 0.9 of the total spaces required.~~

~~2b. Employee and Patron Parking Restrictions. Employee and patron parking shall be restricted to available parking within the PMU district as follows:~~

~~a. i. On-site parking;~~

~~b. ii. Owner Owned or easement parking for patrons within five hundred (500) feet of the business site;~~

~~c. iii. Owned or easement parking for employees within one thousand (1,000) feet of the business site;~~

~~d. iv. On street parking along the property frontage.~~

E. Parking Structures. A proposed parking structure or garage shall comply with the following design standards:

1. Retail storefronts at the ground level of parking structures shall be located at the periphery of parking areas and structures. The street side of residential parking structures may contain facilities or services for residents, such as laundry rooms, lobbies, or exercise rooms;
2. Building materials shall compliment abutting building materials;
3. In cases where a parking structure extends to the periphery of a site, the design of the structure shall reflect the massing, fenestration and detailing of adjacent and abutting buildings;
4. Architectural elements such as a frieze, cornice, trellis or other device, shall be continued from a residential portion of the building onto a parking structure (See Appendix 16.32);
5. Entries shall be designed to be subordinate to the pedestrian entry in scale and detailing. If possible, parking structure entries shall be located away from the street, to the side or rear of the building;
6. If possible, parking structures should be designed so that portions of the parking structure decks are used for landscaping or entry courts to abutting buildings;
7. Parking structures shall be detailed at ground level in a manner similar to adjacent or abutting buildings in order to create a strong/emphasized base.

F. Street, Alley and Sidewalk Design. Street, sidewalk and alley design shall safely and efficiently provide for vehicular and pedestrian travel while enhancing the character of the commercial and institutional developments within the community -PMU through compliance with the following design standards. These standards shall apply in addition to any other city requirements for street, alley or sidewalk design, located in the adopted Transportation System Plan. In the event of a conflict, the provisions of this section shall control.

1. Intersection Design.

- a. Curb extensions shall be created at all intersections where feasible from a traffic management standpoint and unless such extensions would interfere with the turning and stopping requirements of Emergency Service Vehicles (e.g., Fire Trucks, ambulances), buses or delivery vehicles. Such extensions will be designed to accommodate the turning and stopping requirements of such vehicles.

2. Sidewalks. Sidewalk design shall consider and encourage opportunities for outdoor cafes, pushcart vendors, seasonal sidewalk sales, festivals and similar uses and activities which enliven pedestrian walkways.

3. Alleys. Alleys shall be incorporated into design plans where feasible as pedestrian and vehicular accessways.

16.32.100 Design Review Standards in Mixed-Use Residential District (MUR) for Multifamily and Attached Single-Family Developments.

A. Purpose. The purpose of this section is to provide for additional review for developments ~~within the MUR district. The standards are designed to reflect the desired character of the residential and commercial developments as outlined in the city of Happy Valley Roek Creek Plan and to develop to encourage the development of~~ residential buildings that are visually engaging and compatible with one another and with the surrounding district.

B. Standards. Multifamily and single-family attached residential developments shall comply with the requirements of this Chapter and the following additional requirements:

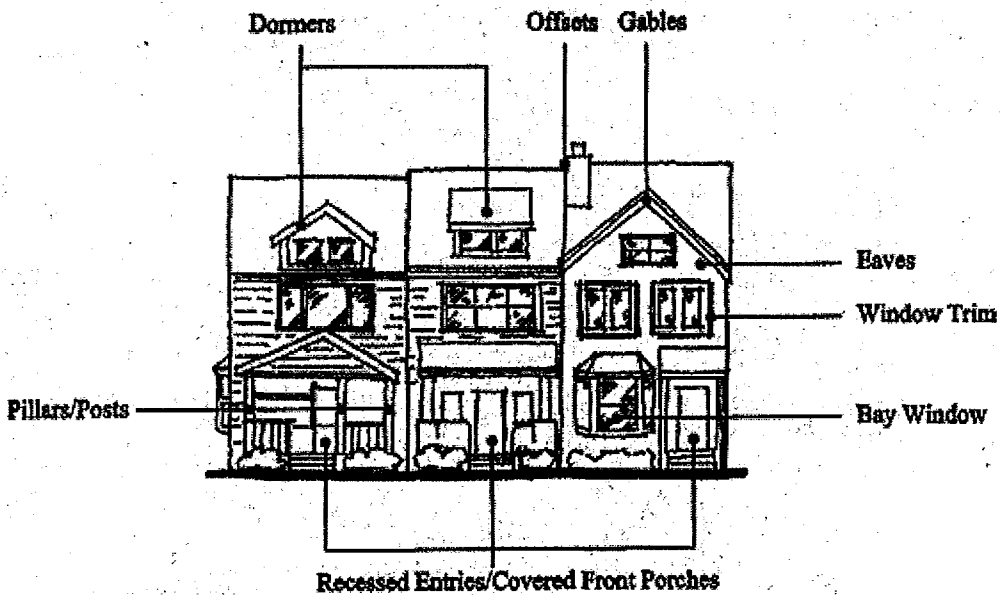
1. Roofs. Roofs shall meet the following additional requirements:
 - a. Roofs shall be gabled or hip type roofs (minimum pitch 3:12) with an overhang that is commensurate with the pitch of the roof and using shingles or similar roofing materials. Alternatives may be approved where the developer can demonstrate that abutting structures or the majority of structures within three hundred (300) feet have roofs similar to what is proposed.
 - b. Offsets or breaks in roof elevation shall be at least three or more feet in height.
2. Entries.
 - a. Entries shall be sheltered with an overhang, portico or recessed entry or otherwise articulated with an architecturally detailed entry.
 - b. Primary dwelling entries shall face a public street or designated pedestrian way and be visible from the street whenever feasible.
 - c. Multiple Units. Ground floor units shall face a public street or designated pedestrian way and be visible from the street whenever feasible and shall avoid out-of-direction travel. Upper story units may share entries.
 - d. Secondary entries may face parking lots or loading areas.
3. Eyes on the Street. All building elevations visible from a public or private street shall provide doors, porches, balconies, and/or windows. A minimum of sixty (60%) percent of the front (i.e. street facing) elevations and a minimum of thirty (30%) percent of side and rear building elevation, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces, and/or windows. The standard applies to the full and partial building story.
4. Building Facades Design.
 - a. Detailed design. Detailed design shall be provided by using at least four to six of the following fourteen (14) architectural features on all elevations as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
 - i. Dormers;
 - ii. Gables;
 - iii. Recessed entries;
 - iv. Covered porch entries;
 - v. Cupolas or towers;
 - vi. Pillars or posts;
 - vii. Eaves(minimum of six inch projection);
 - viii. Offsets in building face or roof (minimum of sixteen (16) inches);
 - ix. Window trip (minimum four inches wide);
 - x. Bay windows;
 - xi. Balconies;
 - xii. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation or similar features);
 - xiii. Decorative cornices and roof lines (e.g., for flat roofs);
 - xiv. An alternative feature providing for visual relief, similar to options i to xiv.
 - b. Residential mixed use structures. The residential portion of a mixed use structure shall be differentiated through the use of design elements such as decks, balconies, landscaping, chimneys, dormers, gable or hipped roofs or step backs above the second story to provide

upper story deck areas. Masonry should be used for chimney construction. (see Appendix 16.32)

Multi-Family Housing



Examples of Architectural Details — Multifamily

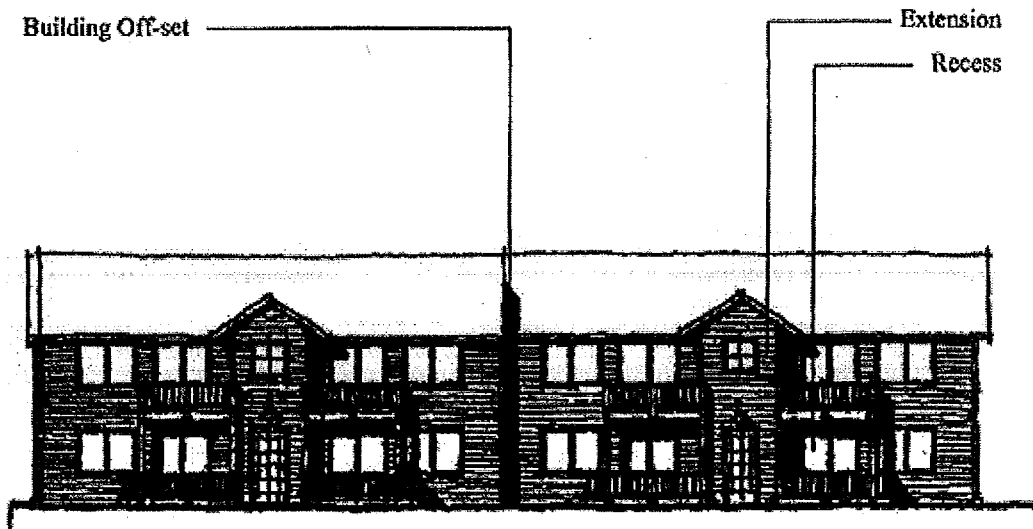


Examples of Architectural Details — Townhomes

5. Offsets. Along the vertical face of a structure, when facing a public street, pedestrian way or an abutting residential use, offsets shall occur at a minimum of every twenty-four (24) feet by providing any two of the following:

- a. Recesses (decks, patios, entrances, floor area, etc.) of a minimum depth of four feet;

- b. Extensions (decks, patios, entrances, floor area, etc.) at a minimum depth of four feet, with a maximum length of an overhang not to exceed twenty-five (25) feet;
- c. If a partially enclosed covered porch is proposed, this can meet one of the offset requirements provided the porch is four feet deep and at least one hundred twenty-five (125) square feet in area.



Examples of Extensions and Recesses

Examples of Extensions and Recesses

6. Private Outdoor Areas.

- a. A separate outdoor area of not less than forty-eight (48) square feet shall be attached to each ground level dwelling unit. These areas shall be separated from common outdoor areas in a manner, which enables the resident to control access from separate to common areas with elements such as walls, fences, or shrubs.
- b. A separate outdoor area of not less than forty-eight (48) square feet in the form of balconies, terraces, or porches shall be provided for each dwelling unit located above the ground level.

7. Parking Lots. Parking lots in multifamily developments shall not occupy more than fifty (50%) percent of the frontage of any public street abutting the lot or building.

8. Individual Storage Areas. Enclosed storage areas shall be required and may be attached to the exterior of the dwelling unit to accommodate garden equipment, patio furniture, barbeques, bicycles, etc. Storage areas may be provided within garages if the required storage area is in addition to the required parking areas required.

9. Carports and Garages. If carports and garages are provided, the form, materials, color and construction shall be compatible with the complex they serve.

10. Shared Outdoor Recreation Areas. Multifamily residential development shall provide usable recreation areas for developments containing more than five dwelling units at the rate of two hundred (200) square feet per dwelling unit. Such areas shall be counted as part of the required landscaping. Examples include, but are not limited to, playgrounds, exercise trails, swimming

pools, etc. Usable recreation area may also include slopes, wetlands, FSH setback areas, and other natural site features, however, at least fifty (50%) percent of the recreation area must be located outside the boundaries of such areas and slopes may not exceed fifteen (15%) percent in the fifty (50%) percent usable recreation area. Gazebos and other outdoor covered spaces are encouraged and quality as one and one-fourth square feet for every one square foot of required shared recreation area. The shared outdoor recreation area shall be located and designed in a manner which:

- a. Provides approximately the same accessibility to the maximum number of dwelling units possible;
- b. Windows shall be located to encourage watching over entry areas, shared recreational areas, laundry areas, walkways and parking areas from windows in at least two adjacent dwelling units. These windows must be located in kitchen, living room, dining room, or other activity rooms (bedrooms or bathrooms are not included);
- c. Provides a separation from parking and driveway areas with a landscaped transition area measuring a minimum of ten feet wide;
- d. Controls access to shared outdoor areas from off-site as well as from on-site parking and entrance areas with features such as fencing, walls and landscaping;
- e. Provides a usable surface materials such as lawn, decks, wood chips, sand and hard surface materials (concrete/asphalt).

11. Safety and Security.

- a. Provide an outdoor lighting system that facilitates police observation and resident observation through strategic location, orientation and brightness without being obtrusive by shining into residential units or adjacent residential developments.
- b. Establish a directory for apartment complexes of five or more units, which clearly orients visitors and emergency service providers as to the location of residential units. Where possible, this system should be evident from the primary vehicle entryway.

12. Service, Delivery and Screening.

- a. Locate postal delivery areas in a convenient location efficiently designed for residents and mail delivery personnel and in accordance with U.S. Postal Service requirements.
- b. Provide pedestrian access from unit entries to postal delivery areas, garbage and recycling collection areas, shared activity areas and parking areas. Elements such as, but not limited to, concrete paths, striped walkways or raised walkways through vehicular areas or gravel trails will meet this requirement.
- c. Provide garbage collection and recycling areas in convenient locations for the service provider and residents.
- d. Garbage collection areas shall have a concrete floor surface and shall have a gate on the truck-loading side and a separate pedestrian access.
- e. Outdoor storage areas, garbage containers and recycling bins shall be screened from view in one of the following manners:
 - i. A solid sight obscuring wall or fence not less than six feet in height and constructed of durable materials compatible with the primary structure(s) shall surround these areas.
 - ii. Evergreen plant materials that will retain their screening ability year-round and will reach the height of six feet within three years from time of planting. An overlap of three inches is required of the evergreen plant screening. The material shall completely screen the area from the public view.

f. Electrical and Mechanical Equipment. On and above-ground electrical and mechanical equipment such as transformers, heat pumps and central air conditioner units shall be completely screened with sight-obscuring fences, walls or landscaping.

16.32.110 Exceptions to standards.

A. The community development director may allow exceptions to the standards in Section 16.32.090 and Section 16.32.100 and to other Happy Valley land development ordinance provisions applicable to developments subject to this standard without the need to obtain a formal variance pursuant to Section 16.28 ~~in one or more of the~~ provided at least one of the following circumstances is met:

1. The applicant demonstrates that the physical characteristics of the site or existing structure make compliance impractical (e.g., they include, but are not limited to, steep slopes, wetlands, other bodies of water, trees or other nature features of the site, buildings or other existing development, utility lines and easements, etc.); or
2. The applicant demonstrates that the alternative design is exceptional in the quality of detailing, appearance or materials and/or creates a positive unique relationship to other structures, views or open space in a manner that accomplishes the purpose of the Happy Valley Style Design Review Standards described in Section 16.32.080(A) for non-residential developments or, for residential developments, the purpose of the Design Review Standards for Multifamily and Attached Single-Family Developments in Section 16.32.100.

B. A request for exception under this provision may be processed as part of the underlying application or separately as a Design Review II application.