



**Oregon**

Theodore R. Kulongoski, 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**

12/22/2011

**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 003-11

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, January 06, 2012

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:** Ken Rencher, City of Beaverton  
Angela Lazarean, DLCD Urban Planner  
Anne Debbaut, DLCD Regional Representative  
Angela Lazarean, DLCD Urban Planner

<paa> Y/email



FORM

2

DLCD

# Notice of Adoption

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

In person  electronic  mailed

DATE  
STAMP

DEPT OF  
DEC 19 2011  
LAND CONSERVATION  
AND DEVELOPMENT  
For Office Use Only

Jurisdiction: **City of Beaverton**

Local file number: **TA2011-0002**

Date of Adoption: **12/7/2011**

Date Mailed: **12/16/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: **8/19/2011**

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 the Development Code to add Compact Detached Housing units fronting a public street as a permitted use within the City's Multiple Use zones, subject to minimum density and design review regulations.

Does the Adoption differ from proposal? No, no explanation is necessary

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

to: **N/A**

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

to: **N/A**

Location: **(citywide)**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **remains unchanged**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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. 003-11 (18939) [16872]

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

Clean Water Services, Tualatin Valley Water District, Tualatin Valley Park and Recreation District, Tualatin Valley Fire and Rescue, Beaverton School District

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Local Contact: **Ken Rencher**

Phone: (503) 526-2427 Extension:

Address: **PO Box 4755**

Fax Number: 503-526-3720

City: **Beaverton**

Zip: 97076-

E-mail Address: [krencher@beavertonoregon.gov](mailto:krencher@beavertonoregon.gov)

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### **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working 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 the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

<http://www.oregon.gov/LCD/forms.shtml>

Updated April 22, 2011

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** An Ordinance Amending Ordinance No. 2050, the Development Code, TA2011-0002, Adding Compact Detached Housing Units Fronting a Public Street as a Permitted Use within the City's Multiple Use Zones, Subject to Minimum Density and Design Review Regulations

**FOR AGENDA OF:** 11-29-11 **BILL NO:** 11205

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** CEDD

**DATE SUBMITTED:** 11-15-11

**CLEARANCES:** City Attorney   
CAO   
Planning 

**PROCEEDING:** ORDINANCE  
First Reading

- EXHIBITS:**
1. Ordinance
  2. Proposed Text Amendment
  3. Land Use Order 2266
  4. Draft Planning Commission Minutes 10/26/2011
  5. Planning Commission Staff Report, as Amended by the Commission
  6. Supplement to Planning Commission Staff Report: Response to Additional Comments from Metro

**BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$0	BUDGETED \$0	REQUIRED \$0

**RECOMMENDED ACTION:**  
First Reading of Ordinance

**HISTORICAL PERSPECTIVE:**

In May, 2010, the City Council amended the Development Code to allow detached housing in the Regional Center-Old Town (RC-OT), Regional Center-Employment (RC-E), Station Community-Multiple Use (SC-MU) and Station Community-High Density Residential (SC-HDR) zoning districts. Developments with detached dwellings must continue to meet required minimum densities for the subject zoning districts and be located on lots fronting common greens and shared courts, as defined by the Code. Upon review, the Planning Commission clarified that most, but not all of the lots within such a development had to front the common greens or shared courts. The Design Review Standards and Guidelines were amended at the same time to include design specifications for the common greens and shared courts, as well as the detached dwellings.

In October, 2011, the Planning Commission recommended approval of a staff proposal to amend Chapter 20 of the Development Code to allow detached units in four (4) additional Multiple Use zoning districts and to allow these units to front public streets rather than just common greens or shared courts. Furthermore, the Commission recommended approval of amendments to the Design Standards and Guidelines that will govern these units to ensure a high-quality pedestrian environment, especially along public streets. This text amendment will allow an additional option for cottage housing, or compact detached houses within the City's Multiple Use zoning districts.

**INFORMATION FOR CONSIDERATION:**

The proposed text amendment would add Detached Housing as a Permitted Use in the following four Multiple Use zoning districts: Regional Center—Transit Oriented (RC-TO), Transit Center—Multiple Use (TC-MU), Transit Center—High Density Residential (TC-HDR), and Station Community—Sunset (SC-S). Minimum density requirements remain unchanged and therefore, Beaverton's minimum zoned capacity remains unchanged as a result of this proposal.

No additional public hearing is required as no appeal of the Planning Commission's decision was filed. Staff recommend that the City Council conduct a first reading of the Ordinance and a second reading at the next regular Council meeting. The ordinance will become effective 30 days after the Mayor signs the ordinance.

Exhibits 3.2 and 3.3 to the Planning Commission Staff Report are long documents submitted to the record by DLCD staff. One is an Urban Land Institute (ULI) publication titled *The Case for Multifamily Housing* and the other is a joint publication of the ULI and PricewaterhouseCoopers titled *Emerging Trends in Real Estate 2011*. These documents are not included in the Council agenda packet. They are available online at [http://apps.beavertonoregon.gov/DevelopmentProjects/StaffReport/ta2011\\_0002.pdf](http://apps.beavertonoregon.gov/DevelopmentProjects/StaffReport/ta2011_0002.pdf)

AN ORDINANCE AMENDING ORDINANCE NO. 2050,  
THE DEVELOPMENT CODE, TO ADD COMPACT  
DETACHED HOUSING UNITS FRONTING A PUBLIC  
STREET AS A PERMITTED USE WITHIN THE CITY'S  
MULTIPLE USE ZONES, SUBJECT TO MINIMUM  
DENSITY AND DESIGN REVIEW REGULATIONS,  
TA 2011-0002

- WHEREAS,** in August, 2011, City staff submitted a proposed text amendment to amend Section 20.20.20 (Allowed Land Uses in Multiple Use Land Use Districts) of the Development Code to allow compact detached housing in the Regional Center—Transit Oriented (RC-TO), Transit Center—Multiple Use (TC-MU), Transit Center—High Density Residential (TC-HDR), and Station Community—Sunset (SC-S) zoning districts; and
- WHEREAS,** the proposed text amendment also included provisions to allow compact detached housing units to front public streets, in addition to shared courts and common greens; and
- WHEREAS,** the proposed amendment contained changes to the Design Standards and Guidelines of Section 60.05 that apply to detached housing in multiple use zoning districts which are designed to ensure a high quality pedestrian environment; and
- WHEREAS,** the proposed text amendment makes no changes to the minimum required residential density for any of the City's multiple use zoning districts ; and
- WHEREAS,** the Planning Commission conducted a public hearing on October 26, 2011, to consider the proposed amendment, considered the submitted staff report and exhibits, and voted to recommend that the City Council adopt the proposed amendments to the Development Code as is summarized in Land Use Order No. 2266; and
- WHEREAS,** no appeal of the Planning Commission recommendation was filed with the City; and
- WHEREAS,** the Council adopts and incorporates Land Use Order No. 2266 as to the applicable criteria and findings for the following, now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

- Section 1.** Ordinance No. 2050, the Development Code is amended to read as set out in Exhibit "1" to this Ordinance attached to and incorporated herein by this reference.
- Section 2.** All Development Code provisions adopted prior to this Ordinance which are not expressly amended or replaced herein shall remain in full force and effect.

First reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Passed by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

APPROVED:

\_\_\_\_\_  
CATHY JANSEN, City Recorder

\_\_\_\_\_  
DENNY DOYLE, Mayor

**20.20.20 LAND USES**

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Multiple Use Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.20.25.

Category and Specific Use Superscript Refers to Use Restrictions		RC-TO	RC-OT	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
		P: Permitted			C: Conditional			N: Prohibited					
<b>Residential</b>													
1. Dwellings	A. Attached	P <sup>1</sup>	P	P <sup>1</sup>	P <sup>2</sup>	P <sup>3</sup>	P	P	P <sup>4</sup>	P <sup>4</sup>	P	N	N
	B. Detached	<del>N</del> <sup>5</sup> P <sup>5,6</sup>	P <sup>6</sup>	P <sup>6</sup>	N	N	<del>N</del> P <sup>6</sup>	<del>N</del> P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	<del>N</del> P <sup>6</sup>	N <sup>5</sup>	N <sup>5</sup>
	C. Home Occupation	P	P	P	P	P	P	P	P	P	P	N	N
	D. Planned Unit Development	C	C	C	C	C	C	C	C	C	C	C	C
<b>Commercial</b>													
2. Animal	A. Animal Care, Major	N	N	N	N	N	N	N	N	N	N	N	N
	B. Animal Care, Minor	P	P	P	P	P	P	P	P	P	P	P	P
3. Care	A. Hospitals	C	P	P	P	C	C	N	P	C	P	N	N
	B. Medical Clinics	C	P	P	P	P	P <sup>7</sup>	P <sup>8</sup>	P	P <sup>8</sup>	P	P <sup>9 10</sup>	P <sup>9 10</sup>
	C. Child Care Facilities	P	P	P	P	P	P	P	P	P	P	P <sup>9</sup>	P <sup>9</sup>
	D. Residential Care Facilities	P	P	P	P	P	P	P	P	P	P	N	N
4. Commercial Amusement	P <sup>11</sup>	P <sup>11</sup>	P <sup>11</sup>	N	P C <sup>12</sup>	C	C	C <sup>13</sup>	C <sup>13</sup>	P	N	N	
5. Drive Up Window Facilities <sup>14</sup>	N C <sup>15</sup>	C	C	N P <sup>16</sup>	P	C	C	C	N <sup>10</sup>	<del>N</del> P <sup>17 18</sup> C <sup>17 18</sup>	N <sup>10</sup>	N <sup>10</sup>	
6. Eating and Drinking	P	P	P	P <sup>19</sup>	P	P	P <sup>9 13</sup>	P <sup>9</sup>	P <sup>10 13</sup>	P <sup>10 13</sup>	P	P <sup>9 10</sup>	P <sup>9 10</sup>

LU 20  
EXHIBIT

1.1 a

06/17/2010

03

EXHIBIT

Multiple Use

LAND USES

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**20.20.25 USE RESTRICTIONS**

The following Use Restrictions refer to superscripts found in Section 20.20.20.

1. No new duplexes are Permitted in the RC-TO. Duplexes are Conditionally permitted in the RC-E and existing duplexes are Permitted.
2. Permitted above a permitted non-residential use (second story and above), provided at least 15% of the ground floor of the building consists of leasable commercial floor area, and such commercial space fronts onto a street.
3. Ground floor residential use is not permitted. Residential use is allowed only above a permitted non-residential use; provided at least 15 percent of the ground floor of the building consists of leasable commercial floor area, and such commercial space fronts onto a street.
4. Two existing attached dwellings; three or more attached dwellings; or replacement of two attached dwellings are Permitted.
5. Only existing detached dwellings are permitted as of the date of adoption of Ordinance #4224.
6. **Only Compact** Detached Dwellings on lots fronting common greens, and shared courts, or public streets; replacement of a detached dwelling;; or two attached dwellings are Permitted.
7. Buildings larger than 50,000 sq ft are subject to approval of a conditional use.
8. This use is allowed only in multiple use developments. Office uses shall not exceed 50% of the proposed residential floor area within the multiple use development, and shall be permitted only when minimum residential densities are met.
9. The maximum building footprint size for a building involving a single use shall be 10,000 square feet. The maximum square footage for these uses within a multiple use development shall be 25% of the total square footage of the development.
10. Drive through uses are Prohibited; walk-ups Permitted.
11. Except for theaters, a building with a gross ground floor area larger than 20,000 square feet is subject to the approval of a Conditional Use.
12. A new use that will not be enclosed in a building shall be a Conditional Use.

**CHAPTER 60 - SPECIAL REQUIREMENTS****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.
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.

60.05.10.

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.

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

1. **Building articulation and variety.**
  - A. Attached residential buildings in residential zones shall be limited in length to two hundred (200) feet.
  - B. Buildings visible from and within 200 feet of an adjacent public street, 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.

**SPECIAL REQUIREMENTS**  
**Design Review Principles, Standards**  
**and Guidelines**

60.05.15.1.B.

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.
  3. Fifteen (15) feet in detached residential developments in multiple-use zones for walls facing streets, common greens, and shared courts.
- D. In addition to the requirements of Section 60.05.15.1.B and C, detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. Building elevations shall be articulated with architectural features such as windows, dormers, porch details, alcoves, balconies or bays.

**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,

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## SPECIAL REQUIREMENTS

### Design Review Principles, Standards and Guidelines

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 attached residential uses in residential districts and all residential uses in multiple use zones, 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 (except **detached** residential uses fronting **streets**, common greens and shared courts), and commercial 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

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**Design Review Principles, Standards  
and Guidelines**

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 manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principle use of the site 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.

- 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
  - 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 property line or public right-of-way 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.

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and Guidelines

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]
4. ~~50~~ 20 percent of the street frontage for detached residential projects where the parcel abuts any street, common green or shared court.

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.

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

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**Design Review Principles, Standards  
and Guidelines**

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. 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. In all cases, building height shall meet the requirement of Section 20.20.20 for the specific zoning district. [ORD 4462; December 2007]
- B. Detached residential dwellings are exempt from the minimum height standard in Section 60.05.15.7.A. Building heights shall meet the requirements of Section 20.20.20 for the specific zoning district.
- C. The maximum heights specified in Section 20.20.20 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



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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.

9. **Design standards for residential units fronting common greens and shared courts, and for detached residential units fronting streets in multiple use zones.**

A. Primary building entrances **and porches accessing a primary entrance** shall face streets, common greens or shared courts and must meet the requirements of Section 60.05.15.3. Porches, if provided, shall have clear dimensions of at least six (6) feet wide and four (4) feet deep, and shall be covered by a roof. ~~supported by structurally integral columns or brackets.~~ **The primary entrance must be within 4 feet of grade, as**

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**measured as the average grade along the foundation of the longest wall of the building elevation containing the primary entrance or porch.**

- B. Elevations on residential units facing streets, common greens and shared courts shall have a minimum of 25 percent of the elevation area on each floor permanently treated with windows.
- C. Windows shall be vertical or square in proportion. Horizontal windows may be created when vertical windows or a mixture of vertical and other shaped windows are grouped together, or there is a row of clerestory windows across the top of the grouped windows.

**D. Alleys (including access easements) and shared courts are the preferred options to serve garages, and shall be provided on all lots except where topography, or other identified physical constraints preclude their use. Within a project, the majority of units shall have garages accessed from alleys or shared courts.**

**E.D.** When parking is provided in a garage facing a street or shared court, the following standards must be met:

1. No more than fifty (50) percent of the horizontal length of the ground floor elevation facing a street or shared court shall be an attached garage door entrance (i.e., garage doorway) or 12 feet long, whichever is greater.
2. Garages shall be recessed at least one and one half (1.5) feet from the ground floor front of the dwelling.
3. There may be no more than two individual garage doors per dwelling unit.
4. **The width of the driveway (at the back of sidewalk) shall not exceed 12 feet for single lane and 16 feet for double lane driveways.**
5. **A maximum of 50% of the units within a project shall have driveways 16 feet in width. No two lots of this configuration shall be adjacent to one another.**

**F.E.** Garages that face a street or shared court shall contain one or more of the following design features. Garages shall not terminate the view into shared courts from a public street unless they contain two or more of the following design features:

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1. Garage trellis or pergola extending at least 12 inches from the building face.
2. Windows on 15% of the garage door.
3. Decorative hardware.
4. Natural wood finish.
5. A recess of at least three (3) feet .
6. Multiple materials finish or colors are used.

G.F. Residential structures must have a roof that meets or exceeds the requirements of Section 60.05.15.2.

H.G. There must be architectural detailing that varies from unit to unit. Architectural detailing includes but is not limited to the following list. Some design features include requirements that exceed a minimum standard found elsewhere in this code. Each dwelling shall utilize at least five (5) of the following design features:

1. The use of different exterior siding materials. In general, materials should change on horizontal planes, not vertical planes. Types of siding materials include:
  - a. Horizontal lap siding, including simulated horizontal lap siding where the boards in the pattern are 6 inches or less in width;
  - b. Vertical cedar siding;
  - c. Beveled siding,
  - d. Shingles
  - e. Stucco
  - f. Brick
  - g. Stone
  - h. Scored masonry
  - i. Changes in a combination of texture, pattern or color of a single material
2. A primary sloped roof that is no flatter than 6/12 and no steeper than 12/12. (Exceeds the requirements of Section 60.05.15.2).
3. A tile or shake roof.
4. One or more dormers on the front elevation.
5. Three or more gables.
6. Elevations on residential units facing streets, common greens and shared courts having at least 40 percent of the elevation area on each floor permanently treated with windows (Exceeds the requirements of Section 60.05.15.9.B).
7. Window shutters on windows which face streets, common greens or shared courts.

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8. Bay or bowed windows on the front elevation.
9. Trim marking roof lines, porches, windows and doors on all elevations. The trim must be at least 3-1/2 inches wide.
10. Primary building entrances that exceed the minimum area requirements of Section 60.05.15.3 by 15%.
11. Porches on the front elevation that have clear dimensions of at least eight feet wide and six feet deep, and are covered by a roof supported by structurally integral columns or brackets.
12. Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide, and must be accessible from the interior living space of the house.
13. An attached garage with a gable or hip roof, or with a second story above the garage.
14. Building face or roof offsets (minimum 12 inch offset) on the front elevation.
15. Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.
16. A landscaped courtyard of at least 100 square feet located as a transition element between a primary building entrance and a **street**, common green or shared court. The landscaping within the courtyard shall exceed the minimum requirements of Section 60.05.25.4 by 15%.
17. Other architectural or design elements that apply to at least 10 percent of the front elevation and result in visual interest, variety and beauty.

**I. Building elevations shall not be repeated across a street, shared court or common green from each other or on adjacent parcels. In these instances, elevations shall have at least 5 different design details as described in Section G above.**

**J. The following minimum setbacks apply:**

**1. Front yard fronting common greens and shared courts - 3 feet**

**2. Front yard fronting street – 5 feet to building, 3 feet to porch or stoop**

**3. Side yard - 3 feet, 8 feet if fronting a street**

**4. Rear yard – 0 feet**

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5. Garage entrance setback from street – 18.5 feet
6. No side, rear, or garage entrance setback is required from a lot line abutting an alley or shared court.

K. Minimum standards for alleys are:

1. Alley width – 24 feet between buildings at the ground floor, and a paved area at least 16 feet wide.
2. An alley may be up to 150 feet long. The Tualatin Valley Fire and Rescue will have discretion to review alley length, with optional design requirements to allow for alleys to be longer than 150 feet.

L. The side building setback on one side of a structure may be zero subject to the following:

1. The zero setback does not apply to the property line adjacent to a street or to the property line adjacent to lots that are not part of the zero lot line project.
2. The minimum distance between all buildings in the zero lot line project must be equal to twice the required side yard setback shown in Section J.

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

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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 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,

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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.

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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 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



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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,
  - B. 65% along Class 2 Major Pedestrian Routes and,
  - C. 50% of the street frontage for detached residential projects along any street.

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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.
  - C. Residential development fronting common greens and shared courts, **and detached units fronting streets** are exempt from these standards of 7.B above, and are subject to the Engineering Design Manual.
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, common greens and shared courts shall meet the following standards:

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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.
  3. When common greens and shared courts are utilized, a unobstructed walkway a minimum of five (5) feet wide shall be provided within the common green or shared court.
- 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, R-1, and Multiple Use Zones.**
  - 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 projects of four (4) or more units but less than eight (8) units in R-3.5, R-2, R-1 Zones, and for detached units fronting streets and residential uses fronting common greens and shared courts in Multiple Use 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.

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- B. For Single Family Attached Dwellings and Detached Dwellings fronting **streets**, common greens and shared courts in Multiple Use Zones, 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 projects of eight (8) or more units in R-3.5, R-2, R-1 Zones, and for detached units fronting streets and residential uses fronting common greens and shared courts in Multiple Use 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 and in Multiple Use Zones for residential uses fronting **streets**, common greens and shared courts.  
[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 and detached 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.
- D. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a common green or shared court, shall not be considered common open space.

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- 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 and Detached 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;

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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 and for Permitted Detached Residential Units in Multiple Use 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, and in Multiple Use Zones for residential uses fronting common greens and shared courts **and detached units fronting streets**, 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, unless provided as part of a shared court, 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,

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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.
- 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. When a shared court is utilized in a residential development in a Multiple-Use Zone, hard surface areas shall not exceed seventy-five (75) percent of the minimum landscaping requirement. A hard surface area shall be comprised of the following:
1. Brick pavers, or stone, scored, or colored concrete; and,

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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, chairs and trash receptacles; and,
4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

[ORD 4515; August 2009]

**5. Minimum Landscaping Requirements for Conditional Uses in Residential Districts, and for Developments in Multiple-Use, Commercial and Industrial Districts except Residential Developments fronting Common Greens and Shared Courts and Detached Units Fronting Streets in Multiple-Use Zones**

- 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.



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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.
- 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, chairs and trash receptacles; and,
  4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.
- 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:

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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. Standards for Common Greens in Multiple-Use Zones.** The purpose of the following standards is to allow tracts designed to provide access for only pedestrians and bicycles to abutting properties. Common greens are also intended to serve as a common open space amenity for residents. The following standards apply to common greens:
- A. General.
1. The minimum dimension of a common green is fifteen (15) feet and must include a 5 foot wide walkway. The size of the common green right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green.
  2. Common greens may be dead-end or extend between streets. If a public pedestrian connection is provided, the pedestrian connection should either directly abut or pass through the common green, or be in close proximity. See Figure 1. Common greens may also have frontage on more than one intersecting street, if the green is located at the corner of the intersecting streets. See Figure 2.
  3. Where a public pedestrian connection abuts or passes through a common green, the public pedestrian connection must include design features that distinguish

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the pedestrian connection from the common green, such as perimeter landscaping, low decorative fencing, or paving materials.

4. Parking for dwellings fronting a common green shall be accessed from an alley or access easement.

Figure 1  
**Blocks with Through Common Green**

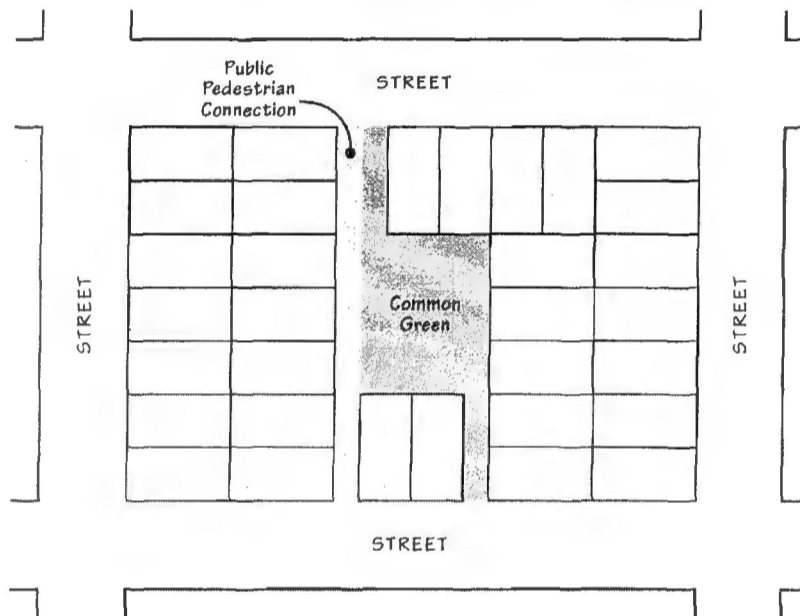
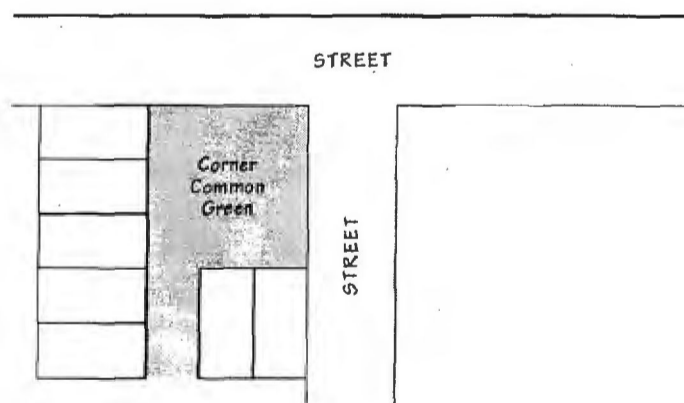


Figure 2  
**Corner Common Green**



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7. **Standards for Shared Courts in Multiple-Use Zones.** The purpose of the shared court standards is to allow streets that accommodate pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. See Figure 3. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. See Figure 4. Access from a shared court is limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following standards apply to shared courts:
  - A. General.
    1. The minimum width of a shared court right-of-way is 20 feet. The size of the shared court right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court.
    2. A shared court may be up to 150 feet long. The Tualatin Valley Fire and Rescue will have discretion to review shared court length, with optional design requirements to allow for shared courts to be longer than 150 feet.
    3. Shared courts must be dead-end streets. The Tualatin Valley Fire and Rescue and City Engineer will have discretion to review shared court through connections, with optional design requirements to allow for through shared courts.
    4. Up to 16 lots may have a front lot line on a shared court;
  - B. Standards for shared court design.
    1. Vehicle maneuvering, parking and emergency access areas within shared courts shall be constructed of brick pavers, stone, or scored or colored concrete. Asphalt is permitted within a shared court, but shall not exceed 25 percent of the area of a shared court.

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2. Varied paving materials and colors, bollards, fences, landscaping, lighting and other street furnishings shall be used to differentiate vehicle activities within shared courts from other activities such as pedestrian areas, bicycle areas, play areas, gardens, etc.
3. Driveway widths for the first twenty (20) feet where a shared court meets a public street are:
  - a. Ten feet where a driveway provides access to 10 or fewer units on a local street, and
  - b. Twenty feet where a driveway provides access to more than 10 units and when access is on a collector or arterial street.

Figure 3  
Shared Court Diagram

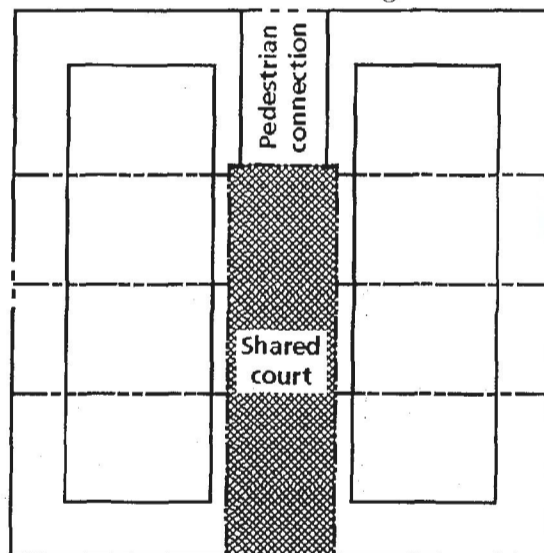
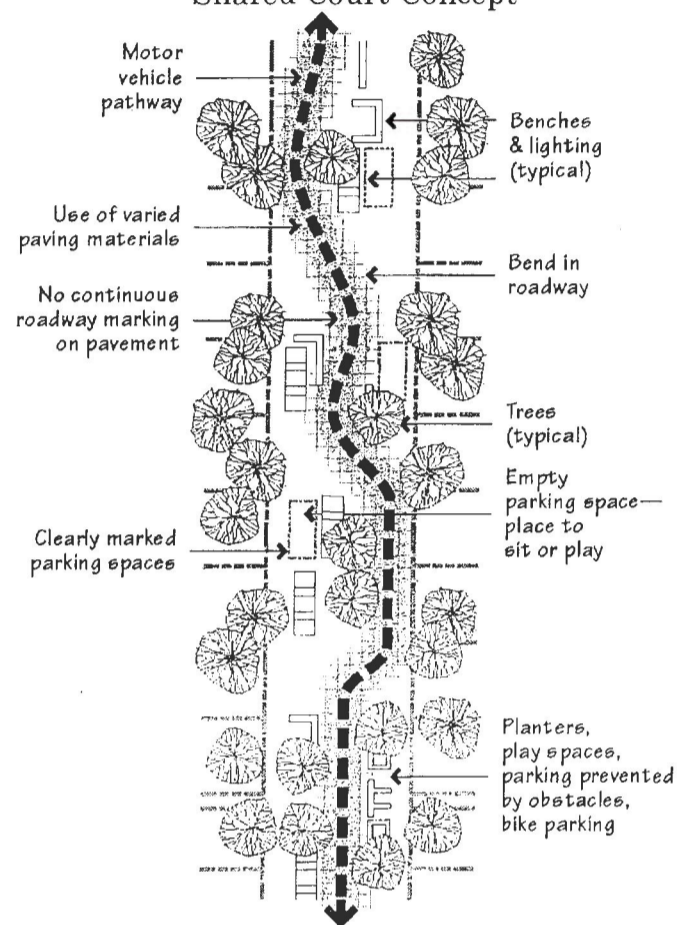


Figure 4  
Shared Court Concept



8. **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.
9. **Fences and Walls**

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- 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.
    - 3. **For detached housing along streets and housing facing common greens and shared courts in Multiple-Use Zones, 3 feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.**
10. **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]

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- 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.



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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]

11. **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.
12. **Natural Areas.** Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements.
13. **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.

**A. Applicability of Buffer Standards.**

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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 one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width; and 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)

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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

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standards shall be reviewed through the public hearing process, except for the following:

1. 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).

- 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.

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- 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.
- 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.

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**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. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage wholesale or distribution activities. (Standard 60.05.15.1.B)
- 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, common green, shared court or major parking area should be avoided. (Standards 60.05.15.1.B, C and D)
- 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

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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 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 principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale or distribution activities. (Standard 60.05.15.3)
- 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. Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative

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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. (Standards 60.05.15.6.A and B) [ORD 4462; December 2007]
  - 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. (Standards 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. (Standards 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 except where detached single family dwellings are permitted. (Standard 60.05.15.7.A and B)



- B. Building heights at or near the street should help form a sense of enclosure, but should not create an 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 treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. 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)

**9. Design of Residential Uses Fronting Shared Courts and Common Greens and Detached Units fronting Streets in Multiple-Use Zones.**

- A. Building elevations facing streets, shared courts and common greens should include pedestrian oriented design elements and other design features that provide articulation, variety, interest and quality. (Standards 60.05.15.9.A,B,C, F, and G, H, I, J, K and L)
- B. Alleys and shared courts are the preferred option to serve garages, and should be provided on all lots except where topography or other identified physical constraints preclude their use. (Standard 60.05.15.9D and K)
- C. Garage openings should not be a dominant feature within shared courts. (Standards 60.05.15.9.D, E and F)

**D. The impact of curb cuts and driveways along shared courts and streets should be minimized. (Standard 60.05.15.9.E)**

- 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)

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- 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)

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- 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)
- 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)

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- 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)
- 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 60.05.25.4)

**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. Design of Common Greens in Multiple Use Districts.**

## SPECIAL REQUIREMENTS

### Design Review Principles, Standards and Guidelines

- A. Common greens should be designed to provide access for only pedestrians and bicycles to abutting properties. Common greens should also serve as a common open space amenity for residents. (Standard 60.05.25.6)
  - B. The size of the common green right-of-way should be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green. (Standard 60.05.25.6.A.1)
  - C. When a public pedestrian connection is desired, it should be designed as a distinct feature to distinguish it from an adjacent common green. . (Standards 60.05.25.6.A.2 and 3)
  - D. Common greens should not provide access to parking. . (Standard 60.05.25.6.A.4)
5. **Design of Shared Courts in Multiple Use Districts.**
- A. Shared courts should safely accommodate pedestrians and vehicles within the same circulation area and provide safe access to abutting properties. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. (Standards 60.06.25.7, 60.06.25.7.B.1,2 and 3)
  - B. The size and length of a shared court should be sufficient to accommodate expected users and uses. The size and length should take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court. (Standards 60.06.25.7.A.1, 2, 3 and 4)
6. **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 60.05.25.68)
7. **Fences and Walls**
- A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.79)

SPECIAL REQUIREMENTS  
Design Review Principles, Standards  
and Guideline

- 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 60.05.25.79.E)
  
- 8. **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)
  
- 9. **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)
  
- 10. **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 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)

**SPECIAL REQUIREMENTS**

**Design Review Principles, Standards  
and Guidelines**

- 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 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 use abutting an industrial 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).

- 11. **Natural Areas.** Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (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. Where the proposal does not comply with Technical



**SPECIAL REQUIREMENTS**

**Design Review Principles, Standards  
and Guideline**

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. (Standard 60.05.30.1 and 2)



## CITY of BEAVERTON

EXHIBIT 3

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

### NOTICE OF DECISION

November 10, 2011

To Whom It May Concern:

The Beaverton PLANNING COMMISSION has recommended **approval** of **TA2011-0002 – COMPACT DETACHED HOUSING IN MULTIPLE USE ZONES** to the Beaverton City Council at the Commission's October 26, 2011, meeting. The Land Use Order summarizing the Commission's decision can be viewed and downloaded at [www.beavertonoregon.gov/departments/CDD/cdd\\_dev\\_projects.html](http://www.beavertonoregon.gov/departments/CDD/cdd_dev_projects.html).

The PLANNING COMMISSION'S recommendation may be appealed within ten (10) calendar days of the date of this notice. The appeal closing date is **5:00 p.m., Monday, November 21, 2011**. Pursuant to Section 50.75, an appeal application shall contain the following minimum information:

1. The case file number designated by the City.
2. The name and signature of each appellant.
3. Reference to the oral or written evidence provided to the decision-making authority by the appellant that is contrary to the decision.
4. If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision-making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
5. The specific approval criteria, condition, or both being appealed, the reasons why the finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.

6. The appeal fee, as established by resolution of the City Council.

The appellate decision making authority on appeal of Type 4 decision shall be the City Council. The appeal hearing shall be *de novo*, which means new evidence and argument can be introduced in writing, orally, or both. The hearing of the appeal shall be conducted in the manner specified in Section 50.85 through 50.88 except as otherwise required by statute.

Please note that the failure to comply with the requirements of Sections 50.75.1 and 50.75.2 is jurisdictional and deprives the appellant of an opportunity for the appellate decision making authority to hear an appeal.

The current appeal fee due at time of filing is \$1,411.00.

The complete case file is available for review at the Planning Division, Community Development Department, 2<sup>nd</sup> Floor, City Hall, 4755 SW Griffith Drive. Hours of operation are 7:30 a.m. to 5:00 p.m., Monday through Friday, except for holidays. For more information about the project, please contact Ken Rencher at 503-526-2427.

Sincerely,



Steven A. Sparks, AICP  
Planning Division Manager

cc: Mike Wheeler  
Jennifer Garland

Nadine Smith  
Ken Rencher

Naomi Vogel  
Project File

**BEFORE THE PLANNING COMMISSION FOR  
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF A REQUEST TO AMEND THE ) ORDER NO. 2266  
CITY'S DEVELOPMENT CODE SECTION 20.20.20 ) TA2011-0002 RECOMMENDING APPROVAL OF  
(ALLOWED USES IN MULTIPLE USE ZONING ) COMPACT DETACHED HOUSING IN MULTIPLE USE  
DISTRICTS) AND 60.05 (DESIGN REVIEW STANDARDS ) ZONES  
AND GUIDELINES) TO ALLOW COMPACT DETACHED )  
HOUSING AS A PERMITTED USE, SUBJECT TO DESIGN )  
REVIEW AND MINIMUM DENSITY REQUIREMENTS. )  
(COMPACT DETACHED HOUSING IN MULTIPLE USE )  
ZONES). CITY OF BEAVERTON, APPLICANT.

The matter of TA2011-0002 (Compact Detached Housing in Multiple Use zones) was initiated by the City of Beaverton, through the submittal of a text amendment application to the Beaverton Community and Economic Development Department.

Pursuant to Ordinance 2050 (Development Code), effective through Ordinance 4542 Section 50.50 (Type 4 Application), the Planning Commission conducted a public hearing on October 26, 2011, and considered oral and written testimony and exhibits for the proposed amendment to the Beaverton Development Code.

TA2011-0002 (Compact Detached Housing in Multiple Use zones) proposes to modify Section 20.20.20 of the Development Code (Allowed Uses in Multiple Use Zoning Districts) and 60.05 (Design Review Standards and Guidelines) to allow compact detached housing as a permitted use, subject to Design Review and Minimum Density requirements. Currently, detached housing is allowed in the Station Community-High Density Residential (SC-HDR) and Station Community-Multiple Use (SC-MU) zoning districts as part of a development with houses that front common greens or shared courts. The existing minimum density requirements applicable to the various multiple use zones remain in force, regardless of the style of housing.

During the October 26, 2011, public hearing, the Planning Commission further modified Section 60.05.15.9.D, as follows:

D. Alleys (including access easements) and shared courts are the preferred options to serve garages, and shall be provided on all lots except where topography, ~~site dimensions~~ or *other identified physical constraints* preclude their use. Within a project, the majority of units shall have garages accessed from alleys or shared courts.

During the October 26, 2011, public hearing, the Planning Commission further modified Section 60.05.15.1.K.1, as follows

K. Minimum standards for alleys are:

1. Alley ~~width~~ – 24 feet between buildings at the ground floor, and a paved area at least 16 feet wide.
2. An alley may be up to 150 feet long. The Tualatin Valley Fire and Rescue will have discretion to review alley length, with optional design requirements to allow for alleys to be longer than 150 feet.

The Planning Commission adopts by reference the October 19, 2011, Staff Report, as amended, as to applicable criteria contained in Section 40.85.15.1.C.1-7 applicable to this request contained herein; now, therefore:

**IT IS HEREBY ORDERED** that pursuant to Section 50.50.1 of the Beaverton Development Code, the Planning Commission **RECOMMENDS APPROVAL** of text amendment application TA2011-0002 (Compact Detached Housing in Multiple Use zones). The Planning Commission finds that evidence has been provided demonstrating that all of the approval criteria contained in Ordinance 2050, Section 40.85.15.1.C.1-7 are satisfied for the modification to Section 20.20.15 of the Development Code.

Motion **CARRIED** by the following vote:

**AYES:** Overhage, Doukas, Johansen, Winter and Maks.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** Stephens and Nye.

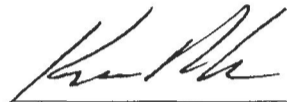
Dated this 10<sup>th</sup> day of November, 2011.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2266 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community and Economic Development Department's office by no later than 5:00 p.m. on Monday, November 21, 2011.


PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

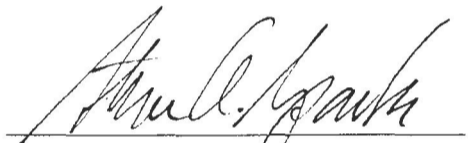
APPROVED:



KENNETH RENCHER  
Associate Planner



DAN MAKES  
Vice-Chairman



STEVEN A. SPARKS, AICP  
Planning Division Manager

**DRAFT**

**PLANNING COMMISSION MINUTES**

EXHIBIT 4

October 26, 2011

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**CALL TO ORDER:** Vice-Chairman Dan Maks called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

**ROLL CALL:** Present were Vice-Chairman Dan Maks; Planning Commissioners, Mimi Doukas, Kim Overhage, Eric Johansen, and Scott Winter. Chairman Ric Stephens and Planning Commissioner Jennifer Nye were excused.

Associate Planner Ken Rencher, Associate Planner Anjanette Simon, Planning Consultant John Spencer, and Recording Secretary Sheila Martin represented staff.

The meeting was called to order by Vice-Chairman Maks who presented the format for the meeting.

**VISITORS:**

Vice-Chairman Maks asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

**STAFF COMMUNICATION:**

Staff indicated that there were no communications at this time.

**OLD BUSINESS:**

Vice-Chairman Maks opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

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**CONTINUANCES:**

**I. TA 2011-0002 – COMPACT DETACHED HOUSING IN MULTIPLE USE ZONES TEXT AMENDMENT:**

*(Continued from September 28, 2011)*

The proposal is to amend the Beaverton Development Code Chapter 20.20.20 Land Uses in Multiple Use Zones and Chapter 60, Special Regulations, Section 60.05 Design Review Standards and Guidelines, to allow detached dwellings to be Permitted Uses in all of the City's Multiple Use zones, subject to Design Review and subject to existing minimum density requirements.

Vice-Chairman Maks briefly described the hearing process and applicable approval criteria for this proposal.

Observing that this hearing had been continued without actually being opened at the meeting of September 28, 2011, Associate Planner Ken Rencher presented the Staff Report and briefly explained the proposal and what it would accomplish. He explained a correction to the Staff Report, recommended approval, introduced Planning Consultant John Spencer, and offered to respond to questions.

Commissioner Johansen pointed out that this text amendment does not involve any changes to density requirements and questioned how staff expects to make certain that Metro is comfortable with this proposal.

Mr. Rencher responded that this may merely involve revisions to the Title I Housing Requirements and demonstrating that the density will remain the same, adding that he feels confident that staff will be able to successfully address this issue with Metro.

Referring to Section 9.A. on page SR-44 of the Chapter 60 packet, Commissioner Overhage questioned why the phrase *supported by structurally integral columns or brackets* is being omitted.

Planning Consultant John Spencer responded that this issue had been discussed with the advisory group, adding that it had been determined that there are numerous ways to provide a covering without a column or a bracket.

Mr. Spencer briefly discussed the proposed revisions, including what he considers a more thorough definition of an alley, adding that it had also been determined that garage access on shared courts should be a priority, rather than garage access on streets. He explained that some driveway standards had been added and that the group had intended to make certain that the result would not be a series of wide driveways along the



1 length of the street. He discussed issues pertaining to building  
2 elevations, alley standards, setbacks, fences, and guidelines, pointing out  
3 that the group had intended to provide some flexibility as well.  
4  
5 Vice-Chairman Maks explained that rather than just having the driveways  
6 facing the street, he would like to consider requiring that the street be  
7 either a major or minor pedestrian route.  
8  
9 Mr. Rencher pointed out that most of the streets in the multiple-use zoning  
10 districts are either a major or minor pedestrian route.  
11  
12 Vice-Chairman Maks agreed, adding that some are not and mentioned  
13 that he is concerned with what may happen if this occurs on a street that  
14 is not a major or minor pedestrian route.  
15  
16 Referring to page SR-45, Section D, which pertains to alleys and access  
17 easements, Vice-Chairman Maks explained that he has issues with  
18 including the term *site dimensions* in this paragraph, adding that an  
19 applicant could easily interpret this in a way to excuse him from meeting  
20 applicable approval criteria.  
21  
22 Mr. Rencher described an example of this situation and explained possible  
23 options for addressing such an issue.  
24  
25 Vice-Chairman Maks suggested that this could be phrased in a way that it  
26 would not be possible for a developer to take advantage of site  
27 dimensions as a constraint that would allow them to unnecessarily deviate  
28 from applicable approval criteria. He expressed his opinion out that the  
29 term *constraints* should be more clearly defined to list which constraints  
30 are applicable.  
31  
32 Referring to page SR-48 pertaining to minimum standards for alleys, Vice-  
33 Chairman Maks questioned whether a minimum width is required on the  
34 second floor, adding that this would make sense in order to provide  
35 access for ladder trucks.  
36  
37 Mr. Rencher responded that this would depend on whether the *Tualatin*  
38 *Valley Fire & Rescue (TVF&R)* would actually utilize this access, adding  
39 that this then becomes a matter of site design.  
40  
41 Vice-Chairman Maks pointed out that this would actually need to be  
42 approved by *TVF&R*, emphasizing that balconies that extend too far would  
43 prevent access by a ladder truck.  
44  
45 Expressing her opinion that Section K.1 on page SR-48 is awkward,  
46 Commissioner Doukas suggested the following revision:

- 1           1. Alley width 24 feet between buildings at the ground floor, and a  
2           paved area at least 16 feet wide.

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**PUBLIC TESTIMONY**

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**MIKE MILLER**, representing *MGH & Associates* on behalf of *Polygon Northwest*, explained that they will most likely be constructing the first compact single-family subdivision in Beaverton. Observing that he appreciates the opportunity to participate in this proposal, he noted that this will meet density requirements while creating diversity in housing. Referring to Section D.5 on page SR-45, he mentioned that there are sometimes situations involving two adjacent lots that both require two-car garages. He explained why he would like to revise this section, as follows:

5. A maximum of 50% of the units within a project shall have driveways 16 feet in width. ~~No two lots of this configuration shall be adjacent to one another.~~

Mr. Miller emphasized that he would like to avoid separating these garages with narrow grass strips that will not be honored.

Vice-Chairman Maks suggested that Mr. Miller provide an illustration without referencing a specific project.

Mr. Miller drew an illustration to clarify his request for Vice-Chairman Maks and clarified the request.

Commissioner Doukas explained that this language is not designed to allow this much garage in the development and pointed out that adding this one-foot strip would not satisfy this section of the Code.

Mr. Rencher indicated that staff had no further comments with regard to this proposal although he is able to respond to the public testimony. He noted that regardless of whether or not the strip of grass is there, this still involves a two-car garage with a two-car driveway. Observing that the way to get around this issue is to create what he referred to as a tapered driveway, he pointed out that it will be difficult to meet density requirements with these double-car garages. He noted that staff had decided not to make the recommended changes because this involves compact detached housing, which would not include the same parking standards as the standard residential subdivision in a low-density area and mentioned that there are some methods for addressing some of the issues raised by Mr. Miller.

Vice-Chairman Maks reiterated that the term *site dimensions* still gives him heartburn.

1 Mr. Rencher suggested strengthening the language for the site  
 2 dimensions to preclude the use of alleyways.

3  
 4 Mr. Spencer mentioned two possible options to the language.

5  
 6 Vice-Chairman Maks discussed striking the term *site dimensions* and  
 7 replacing it with the term *other identified constraints*, observing that some  
 8 of this could be done administratively.

9  
 10 The public portion of the Public Hearing was closed.

11  
 12 Commissioners Johansen, Winter, Overhage, and Doukas and Vice-  
 13 Chairman Maks expressed their support of the proposal, including  
 14 revisions that have been identified.

15  
 16 Commissioner Overhage **MOVED** and Commissioner Doukas  
 17 **SECONDED** a motion to **APPROVE** TA 2011-0002 – Compact Detached  
 18 Housing in Multiple Use Zones Text Amendment, based on the facts and  
 19 findings in the Staff Report and Text Amendment dated October 19, 2011,  
 20 as amended.

21  
 22 Motion **CARRIED** 5:0.

- 23  
 24 **AYES:** Overhage, Doukas, Johansen, Winter, and Maks.  
 25 **NAYS:** None.  
 26 **ABSTAIN:** None.  
 27 **ABSENT:** Nye and Stephens.

28  
 29 **MISCELLANEOUS BUSINESS:**

30  
 31 The meeting adjourned at 9:31 p.m.



## CITY of BEAVERTON

EXHIBIT 5

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

### CITY OF BEAVERTON STAFF REPORT AND RECOMMENDATION

**TO:** Planning Commission

**STAFF REPORT DATE:** Wednesday, October 19, 2011

**STAFF:** Kenneth Rencher, Associate Planner

**SUBJECT:** TA2011-0002 (Compact Detached Housing in Multiple Use zones)

**REQUEST:** The City is proposing to modify Sections 20.20.20 (Allowed Uses in Multiple Use Zoning Districts) and 60.05 (Design Review Standards and Guidelines) of the Development Code to allow compact detached housing as a permitted use, subject to Design Review and Minimum Density requirements. Currently detached housing is allowed in the Station Community—High Density Residential (SC-HDR) and Station Community—Multiple Use (SC-MU) zoning districts as part of a development with houses that front common greens or shared courts. The existing minimum density requirements applicable to the various multiple use zones remain in force, regardless of the style of housing.

**APPLICANT:** City of Beaverton - Planning Division

**APPLICABLE CRITERIA:** Development Code Section 40.85.15.1.C.1-7 (Text Amendment Approval Criteria)

**HEARING DATE:** Wednesday, October 26, 2011

**RECOMMENDATION:** Staff recommend the Planning Commission review and recommend approval of the draft text amendment contained in TA2011-0002 (Compact Detached Housing in Multiple Use Zones Text Amendment) to the City Council.

## **1. Summary of Proposed Text Amendment**

In May, 2010, the City Council amended the Development Code to allow detached housing in the Regional Center-Old Town (RC-OT) and Regional Center-Employment (RC-E) zoning districts and the Station Community-Multiple Use (SC-MU) and Station Community-High Density Residential (SC-HDR) zoning districts, provided that the detached dwellings be on lots fronting common greens and shared courts, as defined by the Code. Upon review, the Planning Commission clarified that most, but not all of the lots within such a development had to front the common greens or shared courts. The Design Review Standards and Guidelines were amended at the same time to include design specifications for the common greens and shared courts, as well as the detached dwellings.

Now, partially in response to developer requests for flexibility, the City proposes to amend Chapter 20 to add Detached Housing as a Permitted Use in all multiple use zoning districts where ground-floor Attached Housing is permitted. This would include the following eight zones: Regional Center—Transit Oriented (RC-TO), RC-OT, RC-E, Transit Center—Multiple Use (TC-MU), Transit Center—High Density Residential (TC-HDR), SC-MU, SC-HDR, and Station Community—Sunset (SC-S). All Detached Dwellings in Multiple Use zones are subject to Design Review.

The City also proposes to amend Chapter 60 to expand the applicability of the existing compact detached housing (common green and shared court) Design Review Standards and Guidelines so that they would apply to any new detached dwellings, not just those fronting shared courts or common greens.

## **2. Public Comment**

Public notice was provided consistent with Section 50.50 of the Development Code. As of the date of issuance for the staff report and recommendation there were no written comments from the public submitted to the record. Staff have included the responses from Metro and the Oregon Department of Land Conservation and Development (DLCD) as exhibits to this staff report, together with the attachments to their submitted comments.

## **3. Facts and Findings**

Section 40.85.15.1.C of the Development Code specifies that in order to approve a Text Amendment application, the decision-making authority shall make findings of fact, based on evidence provided by the applicant, that all of the criteria specified in Section 40.85.15.1.C.1-7 are satisfied. The following are the findings of fact for TA2011-0002 (Compact Detached Housing in Multiple Use Zones):

*Development Code Approval Criteria*

1. *The proposal satisfies the threshold requirements for a Text Amendment application.*

Section 40.85.15.1.A specifies that an application for a text amendment shall be required when there is proposed any change to the Development Code, excluding changes to the zoning map. TA2011-0002 proposes to amend Sections 20.20.20 (Allowed Uses in Multiple Use Zoning Districts) and 60.05 (Design Review Standards and Guidelines) of the Development Code to allow compact detached housing as a permitted use, subject to Design Review and Minimum Density requirements. Therefore, staff find that approval criterion one has been met.

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

Policy Number 470.001 of the City's Administrative Policies and Procedures manual states that fees for a City initiated application are not required where the application fee would be paid from the City's General Fund. The Planning Division, which is a General Fund program, initiated the application. Therefore, the payment of an application fee is not required. Staff find that approval criterion two is not applicable.

3. *The proposed text amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.*

Metro's Urban Growth Management (UGM) Functional Plan is comprised of the following titles:

- Title 1: Requirements for Housing and Employment Accommodations
- Title 2: Regional Parking Policy (Repealed)
- Title 3: Water Quality and Flood Management
- Title 4: Industrial and Other Employment Areas
- Title 5: Neighbor Cities and Rural Reserves
- Title 6: Centers, Corridors, Station Communities and Main Streets
- Title 7: Housing Choice
- Title 8: Compliance Procedures
- Title 9: Performance Measures (Repealed)
- Title 10: Functional Plan Definitions
- Title 11: Planning for New Urban Areas
- Title 12: Protection of Residential Neighborhoods
- Title 13: Nature in Neighborhoods
- Title 14: Urban Growth Boundary

Of these titles, Title 1, Title 6, Title 7 and Title 8 apply to this proposal.

In response to Title 1, staff find that this text amendment proposal will not restrict the potential number of housing units. The proposal contains no provisions altering the existing minimum zoned capacity or the minimum density requirements or minimum floor area ratio requirements contained in Section 20.20.15 of the Development Code. Staff find that compact detached housing can be developed with densities equal to or greater than attached, townhome-style development, based on plans prepared by a study group of local architects and planning consultants. Furthermore, staff find that, although compact detached housing cannot be built at the same very high density as large, vertical attached housing buildings with structured parking, the proposal does not contain anything that would discourage very high density development, should economic conditions and land values warrant it. Rather, staff find that allowing developers the flexibility of building attached or detached units—at the same densities—will increase the likelihood that vacant land in Beaverton's Regional Center, Station Communities and Town Centers will be developed and that in-fill development will occur in these areas. Therefore, this text amendment proposal satisfies the requirements of Title 1.

In response to Title 6, staff find that the proposed changes have been designed to promote pedestrian-friendly development by locating houses that front sidewalks and streets and provide "eyes on the street". The proposal does not include any changes to the target densities established in the Metro UGM Functional Plan or in the Beaverton Comprehensive Plan. The proposal does increase the mix of housing types. To the extent that it is easier to add an accessory dwelling to a detached unit than an attached unit, the proposal also increases the potential for additional dwelling units after a development has been approved and constructed. Therefore, this text amendment proposal satisfies the requirements of Title 6.

In response to Title 7, staff find that allowing detached housing units in addition to attached housing units of various styles increases the choices available to potential residents. The proposal contains nothing that would limit the ability of a developer to provide affordable housing or attached units, and some providers of housing assistance in Beaverton are better able to work with detached units than attached units, so the amount of affordable housing within the City will not decrease and may increase as a result of this proposal. Therefore, this text amendment proposal satisfies the requirements of Title 7.

In response to Title 8, staff provided Metro with notice at least 45 days prior to the first evidentiary hearing as required. Therefore, this text amendment satisfies the requirements of Title 8. Therefore, staff find that approval criterion three has been met.

4. *The proposed text amendment is consistent with the City's Comprehensive Plan.*

Staff find that the following Comprehensive Plan Policies apply to this proposal:

3.4.1.b	3.5.1.a	3.5.1.b	3.5.1.c	3.5.1.e	3.5.1.h	3.5.1.i
3.6.1.a	3.7.1.a	3.8.1.a	3.8.2.a	3.8.2.b	3.8.2.c	
4.2.1.1.a	4.2.2.1.a	4.2.3.1.a	4.2.3.1.b	4.2.3.2.b	9.2.3.1.a	

*3.4.1.b The City's urban design standards shall promote creation of public spaces and a good pedestrian environment.*

Along with the change to the allowed uses in Chapter 20 of the Development Code, this proposal includes modifications to the Design Review Standards and Guidelines that apply to cottage housing (detached units that front common greens and shared courts) that are designed to promote a good pedestrian environment. Porches, window bays, and other architectural features are required. A variety of building styles and finishes within a development is also required.

*3.5.1.a Regulate new development in Regional Centers, Town Centers, Station Communities and Main Streets ... to ensure compact urban development.*

The minimum density allowed for residential only projects within the Regional Center is 12 units per acre in the RC-OT and RC-E zones and 20 units per acre in the RC-TO zone. Within the Station Community zones, SC-HDR and SC-MU, the minimum density is 24 or 30 units per acre, depending on proximity to the Light Rail Stations. For the Town Center zones, TC-HDR and TC-MU, the minimums are 18 and 24 units per acre, respectively. Any proposed development in these zones will be required to meet at least these minimum densities, thereby ensuring compact urban development.

*3.5.1.b Allow a mix of complementary land use types, which may include housing, retail, offices, small manufacturing or industry, and civic uses to encourage compact neighborhoods with pedestrian-oriented streets in order to promote:*

- Independence of movement, especially for the young and elderly to enable them to conveniently walk, cycle or ride transit;*
- Safety in commercial areas, through round-the-clock presence of people;*
- Reduction in auto use, especially for the shorter trips;*
- Support for those who work at home, through nearby services and parks;*
- A range of housing choices so that people of varying cultural, demographic, and economic circumstances may find places to live.*

The proposed change adds compact detached housing to the uses permitted within Transit Center and Regional Center zoning districts. The Station Community zoning districts, for the most part, already allow compact detached housing. None



of the other currently permitted uses will be restricted by this proposed change. In many cases, these other land uses will be able to out-bid compact detached residential construction in a standard formulation of land rent economics. The attendant design standards will work in concert with the zoning requirements to promote a strong pedestrian design and the required minimum densities will encourage compact neighborhoods and a corresponding reduction in auto use. The proposal increases the range of housing choices and thereby the variety of people that may choose to live within Beaverton's multiple use zoning districts.

*3.5.1.c Design streets and adjacent buildings within mixed use land use designations to ensure a setting that is attractive and accessible to multiple transportation modes, including pedestrians, bicyclists, transit riders and motor vehicles.*

Street design standards will remain unchanged. This proposal includes design review requirements to ensure that any compact detached houses either front a common green, a shared court, or a public street, with specific regulations to strongly encourage high quality pedestrian design and accessibility. The anticipated result is development that is attractive and that considers the needs of users of a variety of transportation modes.

*3.5.1.e Promote pedestrian safety by designing streets and pedestrian areas that encourage pedestrian use both day and night, reflect local access functions and use land efficiently.*

High and medium-high density residential development can use land efficiently. Especially in areas of Beaverton where the land values cannot support extremely high density residential development, with its attendant structured vehicle parking, compact detached housing can provide a viable use of the land. The design requirements seek to create a high-quality pedestrian environment, which will encourage pedestrian use during the day and night and provide local access.

*3.5.1.h Improve designated pedestrian oriented streets and intersections to stimulate safe, enjoyable walking.*

The proposed design standards for compact detached housing will work with the existing standards to foster high-quality pedestrian environments along the City-designated Major Pedestrian Routes, as already identified within the City's multiple use zoning districts.

*3.5.1.i Provide usable open spaces throughout mixed use areas, acknowledging such open spaces will generally be smaller and more intensively developed [than] open spaces in a more suburban setting.*

The proposed design review standards and guidelines include requirements for open space, as applied to compact detached housing. These requirements provide for compact, urban open space, both private and public.

*3.6.1.a Regulate new development in Regional Centers to ensure compact urban development and to maximize the public infrastructure investment in light rail.*

The Beaverton Development Code requires that all residential development meet minimum density provisions, regardless of housing type. The minimum densities are higher for areas close to the light rail stations than for other areas farther from the stations. By continuing to require compliance with the minimum density provisions and by requiring pedestrian-friendly design, the City continues to regulate development to promote transit use in areas surrounding the light rail stations.

*3.7.1.a Regulate new development in Town Centers to provide an integrated mix of land uses accessible to pedestrians and bicyclists as well as those who drive.*

The proposed text amendment adds compact detached housing to the permitted uses within the Town Center zoning districts. The accompanying design review standards will ensure that any detached housing that is built will contribute to a walkable and bikeable community. The minimum density requirements will ensure that the development in Town Centers is compact enough to bring trip origins and destinations into close enough proximity that non-automotive transportation remains an option.

*3.8.1.a Regulate new development in Station Communities to maximize the public infrastructure investment in light rail.*

The Development Code requires higher densities for development closer to the light rail stations. Where compact detached housing is not able to achieve at least the required minimum density, it will not be permitted, just as attached housing at sub-minimal density is not permitted. By increasing the allowed types of housing, the City is allowing for additional flexibility in developing land near the light rail stations, thereby increasing the likelihood that land will develop or redevelop at the target densities, which will maximize the return on the public's light rail investment.

*3.8.2.a Regulate new development in Station Communities to provide increased densities and employment to support a high level of transit service.*

Compact detached housing is already an allowed use within the Station Community—High Density Residential and Station Community—Multiple Use zones. This proposed change will merely allow an additional style of compact

detached housing, providing the ability for such houses to front a public street. No changes in the housing or employment densities are proposed. The existing requirements have been determined to support a high level of transit service.

*3.8.2.b Within ¼ mile of the light rail station platform and along all major pedestrian routes, require development to provide the highest level of design features for pedestrian activity and public access to the light rail station platform.*

Staff find that this proposed amendment will apply to an area near the Beaverton Creek light rail station. The effect on the properties subject to this proposed restriction will be the shifting of development from the north and east portions of the Murray Village site toward the south and west portions, which are closer to the light rail station platform, thereby placing more residents within the portion of the site closer to the light rail infrastructure.

*3.8.2.c Within ¼ mile of the light rail station platform, design the arrangement of parking and streets to accommodate construction of multiple level structures for parking, commercial, residential and mixed uses.*

Staff find that this proposed amendment will apply to an area near the Beaverton Creek light rail station. The effect on the properties subject to this proposed restriction will be the shifting of development from the north and east portions of the Murray Village site toward the south and west portions, which are closer to the light rail station platform, thereby placing more residents within the portion of the site closer to the light rail infrastructure.

*4.2.1.1.a Increase residential capacity in the City to substantially comply with requirements of Title 1 of the Metro Urban Growth Management Functional Plan.*

Staff have only identified one area within the City limits where this restriction will apply: the Murray Village site north and east of the intersection of SW Murray Blvd. and SW Jenkins Rd. The effect on this site will be that the units built on the property will be more dense in the areas closer to the transit lines along SW Murray Blvd. and SW Jenkins Rd.

*4.2.2.1.a Allow a development of a wide variety of housing types in the City.*

Action 1 for this policy is especially applicable. It reads, "Adopt and apply land use regulations requiring buffering of properties designated Neighborhood Residential (Standard and Low Density) from commercial and higher density residential uses to mitigate the impacts of such development on adjacent low density residential development."

Staff find that the proposed restriction mitigates the potential impacts of high density development of properties zoned SC-HDR where those properties abut or are in close proximity to low density residential neighborhoods.

*4.2.3.2.b Partner with and assist local non-profit developers (including TVHP, the Bridge Housing Corporation, Community Partners for Affordable Housing, the Housing Development Corporation, and Habitat for Humanity) in supplying additional affordable units throughout the City for “at risk” populations including those at or below 60% of the MFI.*

While nothing in this proposal is specifically targeted toward assisting local non-profit developers, the proposed amendments will allow them to develop property with a larger selection of housing types and styles. Habitat for Humanity, for example, does not traditionally construct attached housing, and therefore would have been precluded from developing land within most of the City’s multiple use zoning districts without the benefit of this amendment.

*9.2.3.1.a To require a high quality of new development within the City to create an attractive environment.*

Along with the proposed changes in the Allowed Uses section of Chapter 20 of the Development Code, the City has included changes to the Design Review Standards and Guidelines section of Chapter 60. These design requirements are to ensure that any new detached housing units contribute to an attractive and aesthetically pleasing built environment.

Comprehensive Plan Compliance Summary: Therefore, staff find that the proposed amendment complies with all applicable Comprehensive Plan policies and is consistent with the City’s Comprehensive Plan and that approval criterion four has been met.

**5. *The proposed text amendment is consistent with other provisions within the City’s Development Code.***

The proposed amendments do not create impacts or conflicts with other provisions within the Development Code. The minimum density provisions applicable to properties within multiple use zoning districts remain in effect. These provisions are irrespective of building type or design. Compact detached housing will not be possible or practical for every potential development site; this proposal does, however, increase the flexibility with which land inside Beaverton can be developed—or redeveloped. The design review standards, including those for development along Major Pedestrian Routes, also will continue to apply to all development within the City’s multiple use zones. Staff find, therefore, approval criterion five has been met.

6. *The proposed amendment is consistent with all applicable City ordinance requirements and regulations.*

Staff has not identified any other applicable City ordinance requirements and regulations that would be affected by the proposed text amendment. Therefore, staff find that approval criterion six has been met.

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

Staff have determined that there are no other applications and documents related to the request that will require further City approval. Therefore, staff find that approval criterion seven has been met.

*Other applicable approval criteria*

As a post-acknowledgement amendment to the City's Development Code, the proposed text amendment is subject to ORS 197.175(1), which requires that the City demonstrate that the proposed text amendment be consistent with the relevant Statewide Planning Goals. Staff have determined that the following goals apply:

Goal 1	Goal 2	Goal 6	Goal 9	Goal 10
Goal 11	Goal 12	Goal 13	Goal 14	

*Goal 1 Citizen Involvement To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Staff find that the City has provided adequate notice and opportunity for public involvement for the proposed text amendment.

*Goal 2 Land Use Planning To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

Staff find that the proposed text amendment fits within the established process and framework. Furthermore, the findings contained within this report establish an adequate factual basis for the proposal.

*Goal 6 Air, Water and Land Resources Quality To maintain and improve the quality of air, water and land resources of the state.*

Staff find that the proposal will not have a negative impact on the air, water, or land resources quality of the state.

*Goal 9 Economy of State To diversify and improve the economy of the state*

Staff find that the proposal will not have a negative impact on the economy of the state.

*Goal 10 Housing To provide for the housing needs of the citizens of the state.*

As stated above in response to the Comprehensive Plan Policies relating to housing and Metro Title 1, staff find that the proposal will not negatively impact the ability to meet the housing needs of the citizens of the state. Staff note the concerns expressed by the Department of Land Conservation and Development (DLCD) in the letter, dated September 19, 2011, that adding detached housing as a permitted use may not provide needed housing at the expected level. In response, staff find that because the minimum density requirements exist regardless of whether the housing is attached or detached and because the City's stakeholder group has identified compact detached housing development examples that can provide up to 28 units per acre, gross density, the proposed text amendment will not alter the City's residential capacity or its ability to provide the expected number of housing units within its Multiple Use zoning districts.

*Goal 11 Public Facilities and Services To plan and develop a timely, orderly, and efficient arrangement of public facilities and service to serve as a framework for urban and rural development.*

Staff find that the proposal will not impair the City's ability to provide the necessary services.

*Goal 12 Transportation To provide and encourage a safe, convenient and economic transportation system.*

Staff find that the proposal does not, by itself, authorize any additional development and therefore will not have a negative effect on the transportation system of the City or surrounding area. All future development will be reviewed through the existing land use review procedures.

*Goal 13 Energy Conservation To conserve energy*

Staff find that the proposal does not have a negative impact on the City's ability to conserve energy. The potential to create highly energy-efficient detached homes is as great as the potential to create highly energy-efficient attached units. In addition, there may be additional energy saving measures, such as solar panels, that may be more effectively used in detached housing than in attached housing.

*Goal 14 Urbanization To provide for an orderly and efficient transition from rural to urban land use.*

Staff find that the proposal only applies to already urbanized land and therefore does not alter the transition from rural to urban land use.

State Land Use Goal Compliance Summary: Therefore, staff find that the proposed text amendment complies with all of the applicable State Planning Goals.

#### 4. Conclusions

Based on the facts and findings presented, staff conclude that the proposed amendment to the Development Code is consistent with all the text amendment approval criteria of Section 40.85.15.1.C.1-7.

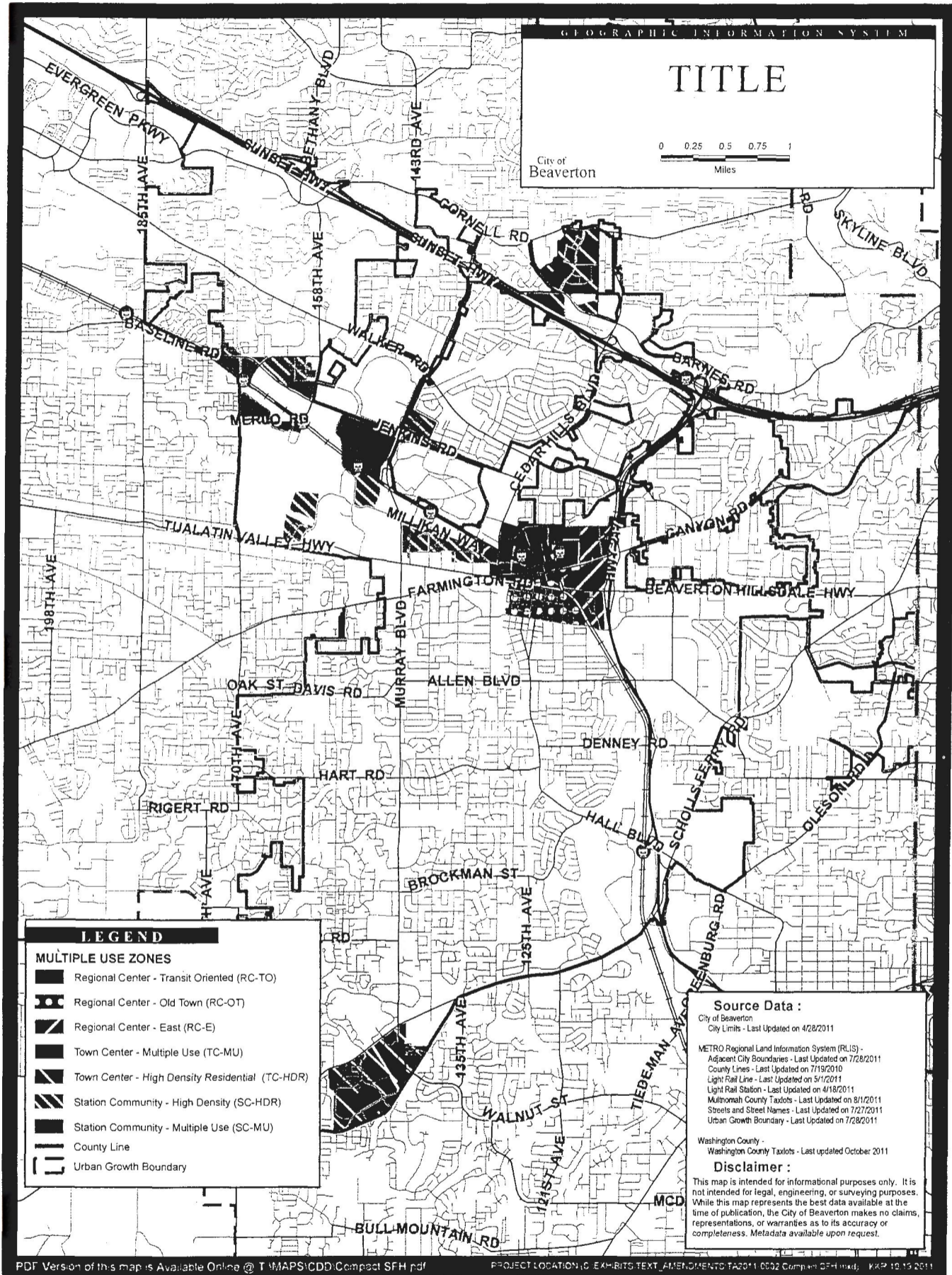
#### 5. Staff Recommendation(s)

Staff offers the following recommendation for the conduct of the October 26, 2011 public hearing for TA2011-0002 (Compact Detached Housing in Multiple Use Zones Text Amendment):

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend **APPROVAL** of text amendment application TA2011-0002 (Compact Detached Housing in Multiple Use Zones Text Amendment) to the City Council.

#### 6. Exhibits

- Exhibit 1.1 Proposed Text Amendment Changes to Chapter 20
- Exhibit 1.2 Proposed Text Amendment Changes to Chapter 60
- Exhibit 2. Map of Potentially Affected Properties
- Exhibit 3.1 Comments from Oregon DLCD, dated September 19, 2011
- Exhibit 3.2 Attachment 1 to DLCD Comments, Urban Land Institute Publication
- Exhibit 3.3 Attachment 2 to DLCD Comments, PWC and ULI Publication
- Exhibit 4.1 Comments from Metro, dated September 26, 2011
- Exhibit 4.2 Comments from Metro, dated October 5, 2011
- Exhibit 4.3 Attachment 1 to Metro Comments, Metro Case Study
- Exhibit 4.4 Comments from Metro, dated October 26, 2011
- Exhibit 4.5 Attachment to Metro Comments, dated October 26, 2011







# Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

Community Services Division

Portland Metro Regional Solutions Center

1600 SW Fourth Ave., Suite 109

Portland, Oregon 97201

503.725.2182

[anne.debbaut@state.or.us](mailto:anne.debbaut@state.or.us)

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



September 19, 2011

Ken Rencher  
City of Beaverton  
PO Box 4755  
Beaverton, OR 97076

SENT VIA E-MAIL

Re: Proposed Plan Amendment (Local File No. TA2011-0002; DLCD File No. PAPA 003-11)

Dear Ken,

Thank you for the opportunity to comment on the City's proposed Plan Amendment to allow detached dwellings as permitted or conditional uses in all multiple use zones, subject to existing minimum density standards. Please enter these comments into the record for this plan amendment and the proceedings of the October 5, 2011 Planning Commission hearing.

After reviewing the proposed amendment, it appears the proposal may not yield the efficient level of urban development described in the Metropolitan Housing Rule (Oregon Administrative Rules (OAR) 660, Division 7). The purpose of the rule is to ensure opportunity for adequate numbers of needed housing units and to efficiently use land within the Metro urban growth boundary (UGB), to provide greater certainty in the development process, and reduce regional housing costs. The minimum residential density allocation for new construction (OAR 660-007-0035 to 0037) is intended to establish residential density and mix standards to measure Goal 10 (Housing) compliance for cities and counties within the Metro urban growth boundary and to ensure the efficient use of residential land within the regional UGB consistent with Goal 14 (Urbanization). Goal 10 also requires the City to provide needed housing commensurate with the financial capabilities of current and future area residents of all income levels during the planning period.

Attached please find two recent Urban Land Institute publications, "The Case for Multifamily Housing" and "2011 Emerging Trends in Real Estate." The articles provide relevant data on current housing market and trends.

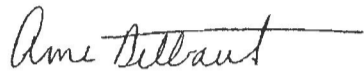
EXHIBIT 3.1

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You indicated city staff is currently working on a report and findings for the proposed amendments that will be available prior to the first hearing October 5, 2011. Please share those documents as soon as they are available.

Please feel free to contact me if you have any further questions or concerns.

Best Regards,



**Anne Debbaut** | Metro Regional Representative

Encl: Urban Land Institute, "The Case for Multifamily Housing" *(email)*  
Urban Land Institute, "2011 Emerging Trends in Real Estate" *(email)*

cc: Steven Sparks, Planning Division Manager, City of Beaverton *(email)*  
Gerry Uba, Principal Planner, Metro *(email)*  
Angela Lazarean, Darren Nichols, DLCD *(email)*

**Kenneth Rencher**

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**From:** Gerry Uba [Gerry.Uba@oregonmetro.gov]  
**Sent:** Monday, September 26, 2011 5:14 PM  
**To:** Kenneth Rencher  
**Cc:** Paulette Copperstone  
**Subject:** RE: TAZ2011-0002 -- Proposed Land Use Reg Amendment

Hello Ken,

Thanks for getting back to me. As per your email, my expectation was that the staff report you promised would have arrived by now. As you know, Metro Urban Growth Management Functional Plan – Title 8 requires that “A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to the (Metro) COO at least 45 days prior to the first evidentiary hearing on the amendment.” Although you stated in your email that your city “do not intend to alter the required minimum density for any of the multiple use zones,” we would like to read/study your analysis to make sure that the proposed amendment complies with the legal requirements of the Urban Growth Management Functional Plan.

Please share with us your staff report or an analysis demonstrating no-let-loss of housing capacity in the future due to the city’s proposed land use regulation amendments scheduled for first hearing next week -- October 5, 2011. Thanks for your cooperation.

Gerry

[Gerry.uba@oregonmetro.gov](mailto:Gerry.uba@oregonmetro.gov)  
503-797-1737

**From:** Kenneth Rencher [mailto:krencher@beavertonoregon.gov]  
**Sent:** Thursday, September 01, 2011 5:00 PM  
**To:** Gerry Uba  
**Subject:** RE: TAZ2011-0002 -- Proposed Land Use Reg Amendment

Gerry,

We don’t have a document available yet. We expect to have a draft available a couple of weeks prior to the hearing. We are targeting a first hearing before our Planning Commission the first week of October. To clarify our intent, though, we intend to modify our Development Code to allow additional flexibility in the types of units constructed. We do not intend to alter the required minimum densities for any of the multiple use zones. Currently our multiple use zones require between 12 and 30 units per acre, depending on the zone and the proximity to rail transit stations. Based on City of Beaverton housing data, to achieve the Metro target densities of 40, 45, and 60 people per acre for 2040 Town Centers, Station Communities, and Regional Centers, respectively, we estimate that we’d need 15-17, 17-19, and 23-25 dwelling units per acre for those three designations. Again, these proposed changes would have no effect on the required minimum density, but would allow developers more flexibility to respond to market demand and economic forces. When we have a draft staff report available, I will send it to you. If our public notice has more detail, I will include you in that distribution list as well. In the meantime, I welcome any early feedback you wish to provide.

Ken Rencher  
Associate Planner  
Community and Economic Development  
503-526-2427

EXHIBIT 4.1 78

**From:** Gerry Uba [<mailto:Gerry.Uba@oregonmetro.gov>]  
**Sent:** Thursday, September 01, 2011 1:52 PM  
**To:** Kenneth Rencher  
**Subject:** TAZ2011-0002 -- Proposed Land Use Reg Amendment

Hello Ken,

We received your notice of proposed amendment to your land use regulation (TAZ2011-0002) – regarding allowing detached dwellings as permitted or conditional uses in all multiple use zones. I searched your website but could not find the document you presented to your planning commission that describes the proposed amendment in detail. Please email the document to me. Thanks very much.

Gerry

[Gerry.uba@oregonmetro.gov](mailto:Gerry.uba@oregonmetro.gov)  
503-797-1737

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**PUBLIC RECORDS LAW DISCLOSURE**

This e-mail is a public record of the City of Beaverton and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

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EXHIBIT

**Kenneth Rencher**

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**From:** Christina Deffebach [Christina.Deffebach@oregonmetro.gov]  
**Sent:** Wednesday, October 05, 2011 2:14 PM  
**To:** Kenneth Rencher  
**Cc:** Gerry Uba  
**Subject:** Beaverton amendment

Ken,

Attached is the link to the description of the cottage housing model ordinance that Metro prepared by working with Wood Village, who adopted an ordinance.

[http://library.oregonmetro.gov/files//wood\\_village\\_case\\_study.pdf](http://library.oregonmetro.gov/files//wood_village_case_study.pdf)

I understand that your proposed land use regulation amendment TAZ2011-0002 has been moved to 3 weeks from today, October 25 and that when you complete your planning commission staff report you will include an analysis for how this proposal affects Beavertons' requirements. Either as part of this report or as a separate analysis, I understand you will describe how the proposal meets Metro's requirements for Title 1 UGMFP capacity.

Thanks for the clarification.  
Chris Deffebach

EXHIBIT 4.2 80

Fall 2009



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COMMUNITY  
INVESTMENT  
TOOLKIT  
VOLUME 2



## CASE STUDY

# Cottage housing in the City of Wood Village

Cottage housing is a new model of clustered single family housing that provides a transition between single family housing neighborhoods and higher density areas, creating a development pattern that maximizes land values, reduces infrastructure costs and provides housing next to services. As the region implements the 2040 Growth Concept, the long range growth plan, Metro is working to help communities address the stark differences in scale, density and use that often appear between established neighborhoods and newer, higher density commercial or residential development in town centers and corridors. These transitions underutilize land and create a disjointed development pattern, often undermining the capacity of the region and the character of our communities:

Metro highlighted cottage housing in the **Community Investment Toolkit: Innovative Design and Development Codes**. After learning of cottage housing in the toolkit, the City of Wood Village researched the concept further in partnership with Metro and adopted minor adjustments to their development code to facilitate cottage housing developments in their community. The City's experience illustrates how local governments in the region can use innovative strategies to build vibrant, sustainable communities. This case study summarizes this research for use by other communities who may wish to consider cottage housing.

## Cottage housing

Cottage housing is used as a creative infill development between higher density mixed-use areas and established neighborhoods of lower density single family housing. The coordinated design plan and smaller units of cottage housing developments allow densities that are somewhat higher than typical single-family neighborhoods, similar to the density of attached row houses, but minimize impacts on adjacent residential areas because of their smaller overall bulk and scale. While a cottage housing development focuses internally to the central outdoor space, the project maintains visual and pedestrian connections with the existing neighborhood in form and scale and with windows, doors and porches on the exterior façade oriented to human activity on the street.

Photos above – from left, Salish Pond Cottages, Greenwood Avenue Cottages and Conover Commons. The projects were designed by Ross Chapin Architects. Greenwood Avenue Cottages and Conover Commons were developed by The Cottage Company.

EXHIBIT 4.3

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*“The City of Wood Village is leading the way in applying an innovative tool that promotes efficient land use and supports their community vision. Metro looks forward to more partnerships like this with other communities around the region.”*

– Rod Park,  
Metro Councilor

From a homeowner’s perspective, cottage housing offers an alternative housing opportunity that is responsive to changing household demographics, lifestyles and housing needs. Although average household size is decreasing, single-family housing still remains the preferred housing type. Cottage housing maintains a single-family housing environment by providing a small private yard space and detached units, but combines it with the affordable cost and reduced maintenance attributes of attached housing. The site design also encourages neighborhood interaction and safety by orienting homes around a functional community space. Community spaces are designed to be usable and can be easily tailored to the needs of the residents (e.g. past developments have used the space as an art studio, a workshop equipped with shared facilities, or a community garden). Cottage housing is therefore ideal for retirees wanting to downsize but remain in a single family neighborhood, as well as for small families and single parent households desiring homeownership.

**Cottage housing layout**

Cottage housing is generally defined as a development of small, detached single-family dwelling units clustered around a central outdoor common space within a coordinated site plan. The cottage units are smaller than single-family houses and are often oriented toward the common space. While houses share amenities such as open space, gardens, a workshop, or a community building, each cottage house also has its own yard and the privacy of a roofed porch.

## Nuts and bolts

Because cottage housing demands more compact development, existing code often must be modified to allow for reduced minimum lot size and setback requirements. The table on page 4 outlines the model cottage housing standards based on successful developments in the state of Washington. Key elements of the model development standards include:

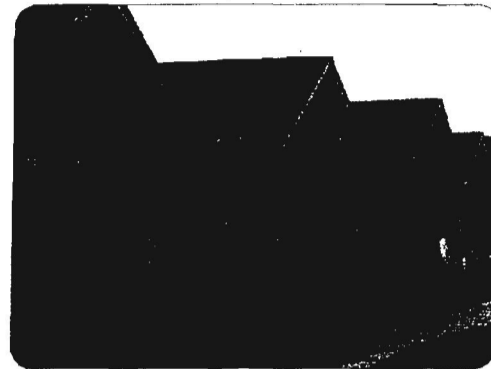
**Higher densities than traditional single family housing.** Cottage housing densities typically require a low lot coverage maximum of 40 to 60 percent; moderate density limits such as .35 Floor Area Ratio (FAR); two times the zone density allowance; or one unit per 2,000 to 5,000 square feet of land area. Given these densities, cottage housing is marketable and most successful as a transition tool in single family or moderate density multi-family zones where the cottage densities exceed the capacity of the underlying zone. Cottage housing codes can avoid overly dense developments by setting a maximum allowed number of units as well as requiring at least 1,000 feet between developments.

**A maximum housing size of 1,000 square feet.** When the style was in its infancy, units were between 500 to 600 square feet, but the market has driven up housing size – in some developments to more than 1,500 square feet. In order to maintain the intent of cottage housing, it is recommended that maximum unit size average not exceed 1,000 square feet, with a maximum building height of 18 feet for houses without pitched roofs and 25 feet for houses with pitched roofs.

**Usable open space.** Development standards encourage the creation of functional community open space not typically required or always available in single family housing developments. For instance, a steep natural ravine on a site may not qualify as usable open space in a cottage housing project because it would be impossible to build a community facility or a community garden with such topographic constraints. In a comparable planned development, a housing developer often requests that such spaces qualify for required open space. To maintain a single family environment, functional private open space is also required for each cottage housing unit.

**Quality aesthetics and parking standards.** Quality design and aesthetic controls are often required in order to create an efficient use of space and ease transitions between existing developments. Controls for garage and/or parking areas include setbacks of 20 to 40 feet from the street and an average maximum parking requirement of 1.5 parking spaces per unit. Cottage housing codes and projects have also required an average of one space per unit. Allowing reduced parking standards has been successful given the target demographics of cottage housing, goals for increased densities, and the desire for a more flexible, high-quality design. Quality design standards can include required covered front porches and northwest architectural design and materials.

**Ownership.** Ownership is an important element of the cottage housing style. Usually cottage housing developments are sited on one commonly owned parcel and each cottage is sold as a condominium. However, cottage housing units can also be owned fee-simple by subdividing the land into individual parcels with shared amenities owned in common by the cluster



Salish Pond Cottages  
designed by Ross Chapin  
Architects

### Washington state

Cottage housing is a relatively new concept to the Portland metro area, but has been a popular form of infill development in cities across the state of Washington since the early 1990s. Early success in cities such as Seattle, Kirkland, and Richmond prompted the Seattle Housing Partnership to develop a model code for cottage housing in 2001. The Washington state model code has provided a foundation for cottage housing standards across the state of Washington and was assessed by Metro in the creation of the Regional Model for Cottage Housing Standards included in this case study.



**City of Shoreline, Washington**

The City of Shoreline, Washington, implemented cottage housing and learned that scaling and density standards are integral to the effectiveness of a cottage housing development. City officials did not include such requirements in their standards, and as a result developers utilized density bonuses and built cottage housing developments with double the density intended by the code. This was compounded by the lack of separation between cottage developments. Due to the resulting appearance of overcrowded units, Shoreline decided to repeal the cottage housing provisions four years after adopting standards into their code.

residents. This model offers a unique home ownership opportunity not commonly available. Ownership models vary and are typically determined by the developer based on the local market, unless the city only allows one of these options in the zoning code.

**Development review.** Cottage housing provisions are placed within the municipal code. Specific development plans can be reviewed and permitted through various avenues, a decision unique to each jurisdiction. Examples include administrative review, the subdivision process, a design review board, or a public hearing with a design review board or planning commission. When reviewing cottage housing development designs, priority is given to plans with functional, usable open space and a design that meets the intent and definition of cottage housing.

**Model cottage housing code**

<b>Zones</b>	Vary by city; single family or moderate density multi-family
<b>Lot cover</b>	40 to 60 percent
<b>Density</b>	.35 floor area ratio, twice the existing allowed density; 7-14 units per acre
<b>Unit size</b>	1,000 square feet maximum
<b>Number of units</b>	4 minimum /12 maximum
<b>Height/ridge pitch</b>	18 to 25' with 6:12 minimum slope
<b>Yards front/side/rear</b>	15'/5'/5'
<b>Minimum open space-private/common</b>	300 square feet per unit, minimum dimension of 10'/400 square feet per unit, minimum dimension of 20' with cottage units facing at least two sides
<b>Garage or parking standards</b>	1-1.5 spaces; bundled parking; screened from view. 20' setback
<b>Usable porches</b>	Usable covered porches, minimum 80 square feet with a minimum dimension of 5'
<b>Privacy standards</b>	Minimum 10' distance between structures
<b>Separation of developments</b>	Minimum 1,000 feet
<b>Review procedure</b>	Varies by city
<b>Ownership</b>	Fee-simple subdivided land ownership with shared common space; commonly owned parcel with each cottage sold as a condominium
<b>Other provisions</b>	Quality design and construction provisions. Maximum 3' fences within a development

## Keep in mind

**Applicability.** Cottage housing is an infill development opportunity to bridge transition gaps and create more affordable housing opportunities near amenities. Successful cottage housing standards clearly outline the intent of cottage housing and are allowed by right. They are also placed in their own section of code instead of being buried throughout other code sections, thereby limiting confusion and easing the ability of developers to implement projects.

**Flexibility.** Overly rigid regulations may hinder the ability of developers to implement projects. Therefore successful cottage housing standards are flexible, outlining a broad set of rules within which the developer can refine the project to fit the specific marketplace and the homeowner. For instance, flexible height restrictions can give developers the creativity to allow for better transitions between zones and may lead to more financially feasible projects. This flexibility is important because full two-story framing is often less expensive than story-and-a-half framing.

**Dwelling size.** Cottage housing is designed to create cottages as an alternative style of housing to larger single-family homes. Developers desiring to build larger homes may do so under existing development regulations for single family dwelling units. Thus, cottage housing development codes usually limit building mass to 1,000 square feet or less in order to maintain the original intent of cottage housing. Limiting dwelling size also ensures that cottage housing developments can serve as an effective tool to bridge transitions.

**Scaling.** Creating a compact, aesthetically pleasing development pattern through scaling requirements is also a key element of cottage housing. A minimum of four units per cluster is needed in order to create a coordinated site design, while a maximum of 12 units will prevent an over abundance of housing. In cities like Shoreline, Wash., having no maximum resulted in abuse of density bonuses and massive developments that undermined the effectiveness of cottage housing as a tool for bridging transitions.

**Parking.** In cottage housing standards, parking requirements are generally limited and preferably clustered off to the side or in an adjoining alley. Direct individual driveway access to the street is not necessary. Limiting parking helps achieve the goals of cottage housing in increasing density and creating a more pedestrian-friendly atmosphere. It also increases flexibility, allowing developers to be more creative with site design to increase a project's overall quality and its financial feasibility.

**Affordability.** Providing high-quality housing units at an affordable price is one of the primary goals of cottage housing developments. Due to its small scale, cottage housing is often a more affordable alternative to traditional single family housing. In the areas surveyed, cottage housing units were typically 20 to 30 percent below traditional market housing. Incentives can be placed to ensure affordability, including relaxing standards for architectural or building material regulations. This is particularly useful in areas with higher housing costs where the market often demands quality construction anyway.



Danielson Grove Cottages designed by Ross Chapin Architects and developed by The Cottage Company

*"I think it's a significant trend, better rather than bigger, quality over quantity. It's something people have been waiting for. It takes more work, details and supervision but - like the old pre-1940s craftsman homes with mantels and casings - they are homes that get a premium price."*

- Jim Soules,  
Cottage Company, LLC

## Putting it together

*“To address the realities of a limited land supply and changing demographics, the City of Wood Village has worked with Metro to identify a number of innovative solutions. Cottage housing allows the City to use our land more efficiently, while providing greatly needed housing next to services.”*

– Sheila Ritz,  
City of Wood Village  
Administrator

After attending a presentation by Metro on the Community Investment Toolkit, staff from the City of Wood Village became interested in cottage housing as a good fit for redevelopment of underutilized residential land, particularly in transition areas between high density residential or commercial uses and single family residential areas. Given the limited land supply, the City felt it was important to offer a variety of more thoughtful housing options than the traditional single family subdivisions, duplex rentals or leased manufactured home lots. By pursuing cottage housing, the City was looking to promote quality craftsmanship and desirable growth in their existing neighborhoods.

### Creating cottage housing standards for Wood Village

City staff contacted Metro for technical assistance to research successful cottage housing developments in other cities and to help create cottage-style housing provisions for the City of Wood Village. Metro staff and city planners researched the cottage housing model code from the state of Washington, as well as cottage housing zoning requirements in the following cities in the state of Washington: Federal Way, Kirkland, Langley, Port Townsend, Redmond, Seattle and Shoreline. Metro and City staff also reviewed similar development projects within the Portland metropolitan region, including Salidge Ponds in Fairview and the “Common Green” housing developments in Portland.

Metro worked with City staff to synthesize the findings of the research and to address how cottage housing could be adapted to the City of Wood Village, both geographically in terms of where cottage housing would work within the city and in terms of how to incorporate cottage housing standards into City code.

After reviewing areas where cottage housing would be most beneficial, the City decided to include this type of housing as an approved use in the Multi Residential MR2 and MR4 zones. They selected these zones because they represent the transition areas adjoining the town center, the Halsey Street corridor and the neighborhood commercial zone to single-family neighborhoods. These areas also include larger parcels of land that have re-development potential and are generally flat for usable open space. The adjacent town center and neighborhood commercial zones offer cottage housing developments easy access to services and frequent transit routes. Cottage housing developments in these areas will be subject to the standards adopted into the City of Wood Village’s zoning code as well as subdivision and/or design review approval by the planning commission.

In the preliminary development of the special cottage housing development standards, the City considered no limitation to the square footage of each unit and also considered more off-street parking than other jurisdictions because of the narrow streets and the number and size of vehicles per household. Staff and the planning commission eventually recommended to the City Council that a dwelling unit size limitation of 1,200 square feet was important to preserve the overall cottage housing character of single family mass and scale and to assure compact development. They also recommended a reduction in the minimum number of off-street parking spaces required from 1.5 to 1 space per dwelling, to be consistent with the existing single-family dwelling minimum parking standard. The planning commission recommended including individual garages with design standards, set back and to the side or

rear of each unit to respond to the characteristics and suspected demand of their community. They also recommended limited parking structures or parking lots to be closer to streets in certain circumstances in order to maximize internal common spaces, given the successful results of these standards implemented in other jurisdictions. Staff and the planning commission also outlined and recommended inclusion of architectural elements and material standards in order to ensure quality cottage craftsmanship.

In order to better respond to the market and changing demographics, the Wood Village Planning Commission decided to offer either fee-simple ownership through the subdivision of land or condominium ownership of each detached dwelling. The choice will be up to the developer, although land ownership is encouraged. The commission also recommended an increase in the maximum height of a pitched roof to 30 feet (versus 25 feet in the model) for more flexible design options. The Wood Village City Council agreed with these recommendations and unanimously adopted the cottage housing standards as recommended by the planning commission.

The City adopted these special cottage housing standards within the multi-family housing section of the City's zoning code. Thus, this type of housing is a use allowed by right if a developer meets the outlined standards. In doing so, the City chose not to embed the cottage housing standards within more complicated sections of its code that require more rigorous review processes, such as the Planned Use Development requirements, in order to ease implementation for developers. By making these decisions and choosing to maintain the other elements of cottage housing, the resulting cottage housing standards for the City of Wood Village adhere to the original intent of cottage housing and are consistent with the lessons learned in the cities in the state of Washington.

#### **Tips for implementation**

- Focus on the intent of cottage housing and how it fits into the context of transition zones within your community.
- Isolate areas where you think cottage housing would work and talk to the community to get feedback.
- Hold a public hearing to fully explain the intent of cottage housing and the benefits of its use as a housing option and transition tool.
- Invite housing developers and gather feedback from them, as well as local citizens, in order to guide the local cottage housing development standards.
- Make standards easy to understand. Include images for clarification.
- Make standards easy to implement by creating a special section for cottage housing within the city's zoning code.



Hastings Green developed by Northwest Pacific Development Group through Portland's "Common Green" provisions

#### **City of Portland**

While the City of Portland does not have cottage housing, it offers a similar style called "Common Green" housing provisions. Hastings Green in the South Tabor neighborhood at Southeast Clinton between 70th and 71st completed phase one development in 2003 and includes 13 single-family dwellings. The well-designed, high-quality units sold as condominiums, each with about 1,100 square feet and one to two bedrooms. A common space in the center of the units is used by residents as a community garden and clustered parking is provided. The first 10 units sold in six weeks. Phase two, constructed across the street, sold out prior to completion. The project has a density of 14 dwelling units per acre.

## **Metro**

*People places. Open spaces.*

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy and good transportation choices for people and businesses in our region. Voters have asked Metro to help with the challenges that cross those lines and affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to protecting open space, caring for parks, planning for the best use of land, managing garbage disposal and increasing recycling. Metro oversees world-class facilities such as the Oregon Zoo, which contributes to conservation and education, and the Oregon Convention Center, which benefits the region's economy.

### **Metro Council**

503-797-1700  
metro council@oregonmetro.gov

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David Bragdon

Rod Park  
District 1

Carlotta Collette  
District 2

Carl Hosticka  
District 3

Kathryn Harrington  
District 4

Rex Burkholder  
District 5

Robert Liberty  
District 6

### **Auditor**

Suzanne Flynn

Fall 2009

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## **Resources**

**For more information on the Regional Model for Cottage Housing Standards, contact:**

### **Metro**

600 NE Grand Ave.  
Portland, OR 97232  
503-797-1839  
[www.oregonmetro.gov/communityinvestment](http://www.oregonmetro.gov/communityinvestment)

**For more information on the City of Wood Village Cottage Housing Standards, contact:**

### **City of Wood Village**

2055 NE 238th Drive  
Wood Village, OR 97060  
503-667-6211  
Staff contact: Carole Connell, AICP  
[www.ci.wood-village.or.us/](http://www.ci.wood-village.or.us/)

**For more information on the Washington Model Code for Cottage Housing, contact:**

### **Michael Luis and Associates**

P.O. Box 15  
Medina, WA 98039  
425-453-5123  
[www.luisassociates@comcast.net](http://www.luisassociates@comcast.net)

**For more information on Portland's Common Green Provisions, contact:**

### **City of Portland**

Bureau of Planning and Sustainability  
1900 SW 4th Avenue  
7th Floor, Suite 7100  
Portland, OR 97201  
503-823-7700

[www.portlandonline.com/bps](http://www.portlandonline.com/bps)

You can also access the provisions online in the "Infill Design Toolbox" at:

[www.portlandonline.com/bps/index.cfm?c=49254](http://www.portlandonline.com/bps/index.cfm?c=49254)

**MEMORANDUM**

**City of Beaverton  
Community and Economic  
Development Department**

**To:** Mayor and City Council  
**From:** Kenneth Rencher, Associate Planner  
**Date:** November 8, 2011  
**Subject:** TA2011-0002 Compact Detached Housing in Multiple Use Zones Text Amendment, Additional Comments and Supplemental Findings

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**Summary**

Prior to the Planning Commission's public hearing for the TA2011-0002 Text Amendment proposal, staff received additional written comments from Metro. These comments were received after the staff report had been published and distributed. The Planning Commissioners each received a copy. This memo contains supplemental findings to address Metro staff's concern about potential loss of minimum zoned capacity within the City of Beaverton as a result of the proposed Text Amendment.

**Exhibits**

There are two additional exhibits attached to this memo. These are the additional comments received from Metro staff on the day of the Planning Commission hearing and included into the Planning Commission Record.

The first is an email, dated October 26, 2011, from Chris Deffebach, Planning and Development Manager, Metro, asking for a copy of additional analysis showing how the proposed change would not decrease the City of Beaverton's housing capacity.

The second is a letter, dated October 26, 2011, from Gerry Uba, Project Manager, Metro, expressing support for the proposed text amendment and asking for a detailed analysis that shows that the proposed amendment is consistent with Metro code in that it will not negatively impact Beaverton's minimum zoned capacity of 13,635 dwelling units.

**Supplemental Findings**

The staff report repeatedly states that the minimum density provisions already in place in the Development Code will remain in effect for any developments that propose to include the detached housing units allowed by this text amendment. Therefore, the City's minimum zoned capacity will not change as it is a function of the acreage of land within the City's various zoning districts and the minimum density allowed for each zoning district. This text amendment will not change either of these.

The comments from Metro specifically reference a number of 13,635 dwelling units within the city of Beaverton. Table 3.07-1 no longer appears in the current version of Title 1 of Metro's Urban Growth Management Functional Plan, as found on Metro's website. However, this number represents only a snapshot in time.

Each time the City annexes additional land, the City's zoned capacity increases by a number equivalent to the minimum density of the zoning district applied to the newly annexed land, multiplied by the incoming acreage. In addition, each time the City rezones property, the baseline number also changes.

In practice, the City has typically increased the density when rezoning property. For example, when the City eliminated all of the Medium Density Residential Multiple Use zoning districts as a part of the recent changes to Chapter 20 of the Development Code, the properties that had been Town Center—Medium Density Residential (TC-MDR) were rezoned to TC-HDR. This resulted in an increase in minimum residential density of 6 units per acre and a corresponding increase to the City's zoned capacity.

As a hypothetical example of how this text amendment would not alter the City's minimum zoned capacity, consider the following example:

A 5.6 acre property is currently zoned Transit Center—Multiple Use (TC-MU). The net acreage of the property, as defined by the Development Code is 5.0 acres. The minimum density for a residential only project is 24 units per acre. Therefore, the minimum density allowed for this property would be 120 units. Under the existing Development Code provisions, these units would have to be Attached Housing. Under the proposed text amendment, these units could be Detached Housing or Attached Housing or some combination of the two, but the required minimum number of units would still be 120 units.

The analysis that produced the 13,635 number for minimum zoned capacity will still produce the same number today, if the same acreage and minimum density inputs are used. This text amendment does not change either input.

**Kenneth Rencher**

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**From:** Christina Deffebach [Christina.Deffebach@oregonmetro.gov]  
**Sent:** Wednesday, October 26, 2011 3:53 PM  
**To:** Kenneth Rencher  
**Cc:** Debbaut, Anne; Gerry Uba  
**Subject:** Comments on TA2011-0002 Compact SFH in Multiple Use Zones  
**Attachments:** small house comment letter 102611.doc

Kenneth,

Attached is a letter from Gerry Uba for you to include in the record for the ordinance about compact houses in multiple use zones. The letter says that while Metro remains supportive of the concept as consistent with Metro policies, we would like to see the analysis that shows how the change would not result in a fall below the capacity thresholds for Beaverton in Title 1 of the Urban Growth Management Plan. We thought we would see the analysis in the staff report, but don't. This could be easily addressed if you sent us a copy of your analysis or walked us through your methodology.

I am forwarding this on behalf of Gerry, as he is out of the office today.  
Chris Deffebach

Chris Deffebach  
Manager  
Planning and Development

Metro  
600 NE Grand Ave.  
Portland, OR 97232-2736  
Phone 503 797-1921  
[Christina.Deffebach@Oregonmetro.gov](mailto:Christina.Deffebach@Oregonmetro.gov)

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EXHIBIT 4.4



 Metro | Memo

Date: October 26, 2011  
To: Kenneth Rencher, Associate Planner, City of Beaverton, Community Development Department  
From: Gerry Uba  
Subject: *TA2011-0002 (Compact Detached Housing in Multiple Use Zones)*

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Metro received your City of Beaverton notice of proposed amendment in your development code and appreciate the opportunity to comment on the city's intent to allow compact detached housing as allowed uses in Multiple Use Districts in the City of Beaverton. While Metro policies support the use of innovative codes that promote a mix of housing such as proposed in TA2011-002, Metro is concerned that the code amendment may affect the required residential capacity for the city in Title 1 of the Metro's Urban Growth Management Functional Plan.

Your staff report and recommendation states:

- "... that this text amendment proposal will not restrict the potential number of housing units."
- "Staff find that compact detached housing can be developed with densities equal to or greater than attached, townhome-style development, ..."
- "...staff find that allowing developers the flexibility of building attached or detached units – at the same densities --- will increase the likelihood that vacant land in Beaverton's Regional Center, Station Communities and Town Centers will be developed ....."

Although the conclusion in your staff report seem to be supported with your staff findings, your staff findings did not demonstrate that the proposed changes to your zoning code will not result in a loss of minimum zoned capacity below the capacity (13,635) dwelling units shown for Beaverton on Table 3.07-1 of Title 1 of Metro's Urban Growth Management Functional Plan. We would like to review the detailed analysis used to support your staff recommendations so that we are able to confirm that the proposed code amendment is consistent with Metro code before concluding that the proposed changes would not impact Beaverton capacity. Please make this analysis available to us prior for review prior to your City Council meeting.

**Kenneth Rencher**

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**From:** Gerry Uba [Gerry.Uba@oregonmetro.gov]  
**Sent:** Tuesday, November 15, 2011 7:55 PM  
**To:** Kenneth Rencher  
**Cc:** Christina Deffebach; 'Debbaut, Anne'  
**Subject:** RE: Additional findings for TA2011-0002

Hello Kenneth,

Thanks for the supplemental findings you sent last week while I was out of office. Your findings and the summary of the Planning Commission discussion and decision that Sheila Martin forwarded to me demonstrates no-let-loss due to proposed change. Your findings sheds more light in how the City calculated the housing capacity in the Metro's Functional Plan Title 1. Based on all of the information you supplied, I did not see any reason for us to appeal the recent decision of your Planning Commission.

Gerry Uba  
[Gerry.uba@oregonmetro.gov](mailto:Gerry.uba@oregonmetro.gov)  
503-797-1737

**From:** Kenneth Rencher [mailto:krencher@beavertonoregon.gov]  
**Sent:** Thursday, November 10, 2011 2:11 PM  
**To:** Gerry Uba; Christina Deffebach; 'Debbaut, Anne'  
**Subject:** Additional findings for TA2011-0002

Attached, please find an additional statement about the proposed Amendment to the Beaverton Development Code to allow Compact Detached housing units to front public streets in the City's Multiple Use zoning districts. Please feel free to call me with any questions.

Ken Rencher

**PUBLIC RECORDS LAW DISCLOSURE**

This e-mail is a public record of the City of Beaverton and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

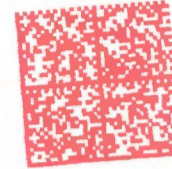


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