

Received
Planning Division
09/20/2024

**CITY OF BEAVERTON
LAND USE REVIEW APPLICATION FOR:**

**BEECH POINTE –
A 6 LOT SUBDIVISION**

**Tax Lots 1100, 1200, 1300, and 1400
Tax Map 1S1 15AC**

June 24, 2024

APPLICANT:

**Emerald Engineers
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FACT SHEET

Project Name: **Beech Pointe**

Proposed Action: **A 6-Lot Subdivision**

Tax Map/Lots: Tax Map 1S1 15AC; Tax Lots 1100, 1200, 1300, and 1400;

Site Size: Tax Lot 1100 – Approximately 0.16 acres
Tax Lot 1200 – Approximately 0.19 acres
Tax Lot 1300 – Approximately 0.35 acres
Tax Lot 1400 – Approximately 0.29 acres
Combined Site Area – Approximately 0.99 acres

Location: 4670, 4680, 4690, and 4700 SW Beech Drive, Beaverton

Comp Plan - Zoning: Lower Density Neighborhoods - Residential Mixed C (RMC)

NAC: Denney Whitford/Raleigh West

APPLICANT:

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PROPERTY OWNER:

DRM 10860 SW Beaverton-Hillsdale LLC
10860 SW Beaverton Hillsdale Highway
Beaverton, OR 97005

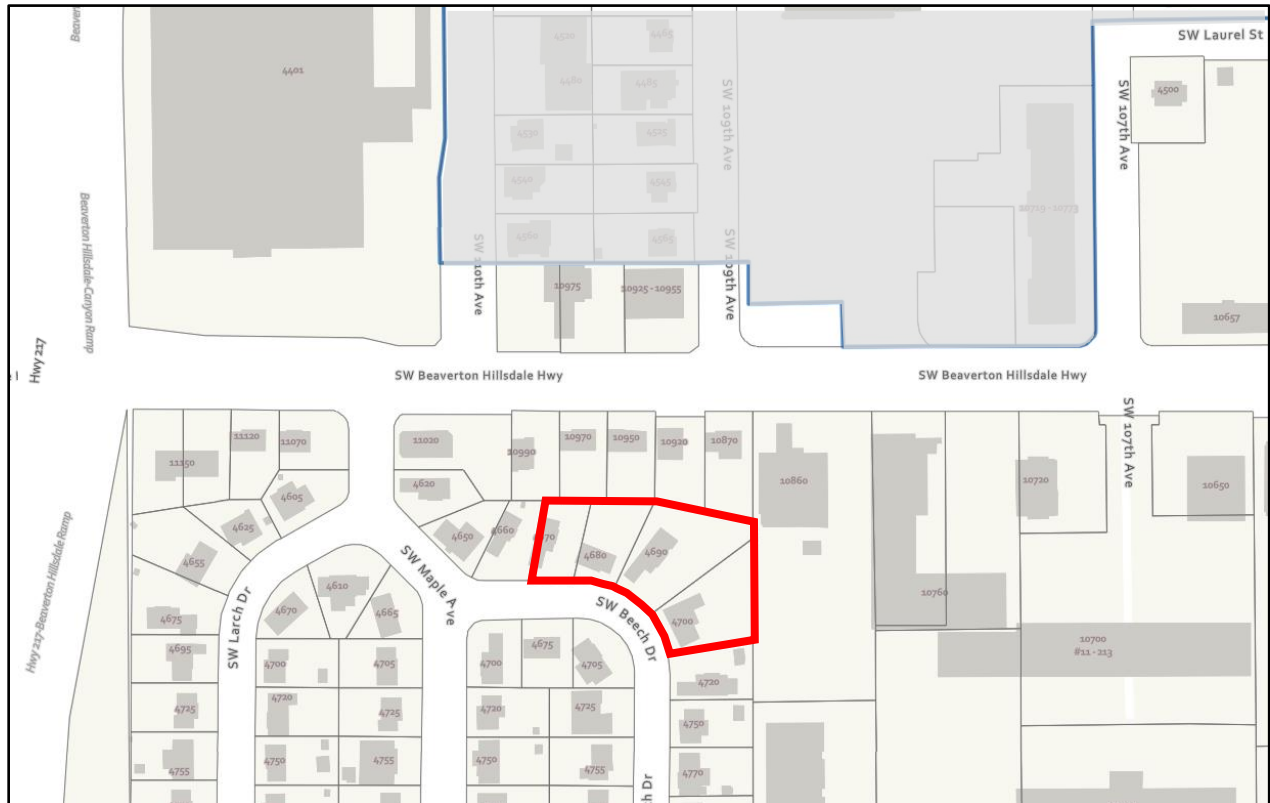
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GENERAL INFORMATION & PROJECT DESCRIPTION

The applicant requests approval for a 6-Lot Subdivision for 4 properties located at 4670, 4680, 4690, and 4700 SW Beech Drive, Beaverton. The property is further identified as Tax Lots 1100, 1200, 1300, and 1400, Tax Map 1S1 15AC. The site is located on the north side of SW Beech Drive, approximately 80 feet east of SW Maple Avenue. The site contains approximately 0.99 acres (approximately 43,260 sf) and is zoned RMC by the City of Beaverton. Each of the 4 tax lots making up the site currently supports a single detached dwelling accessed from SW Beech Drive, with the northern portion of Tax Lots 1200 and 1300 also utilized as overflow parking for businesses located to the north of the site along SW Beaverton-Hillsdale Highway. All existing structures and parking on the site, with the exception of the dwelling on Tax Lot 1100, will be removed as part of this application.

The proposed subdivision plat will be known as “Beech Pointe”.



The applicant requests to defer the submittal of a Design Review application for new homes at this time. At the time the applicant ultimately chooses to develop dwelling units on the new lots, Design Review approval would be required prior to building permit submittal.

VICINITY & SITE INFORMATION

Site Location

The subject property is located at 4670, 4680, 4690, and 4700 SW Beech Drive, Beaverton. The property is further identified as Tax Lots 1100, 1200, 1300, and 1400, Tax Map 1S1 15AC. The site is located on the north side of SW Beech Drive, approximately 80 feet east of SW Maple Avenue, and approximately 120 feet south of SW Beaverton-Hillsdale Highway.

Existing Uses

The site is zoned RMC by the City of Beaverton. Each of the 4 tax lots making up the site currently supports a single detached dwelling accessed from SW Beech Drive, along with residential accessory structures, with the northern portion of Tax Lots 1200 and 1300 also utilized as overflow parking for businesses located to the north of the site along SW Beaverton-Hillsdale Highway. All existing structures and parking on the site, with the exception of the existing dwelling on Tax Lot 1100, will be removed as part of this application.

Topography

The property generally slopes gently from the northeast corner at an elevation of approximately 200 feet above MSL, to the southwest corner at an elevation of approximately 196 feet above MSL.

Vegetation

The site primarily consists of typical residential yard landscaping, including 12 trees, ornamental shrubs, and typical garden and lawn areas. All of the existing trees on site are proposed to be removed to accommodate the development of streets, utilities, and building areas.

There are no identified wetlands or other significant natural resources associated with the property.

SURROUNDING LAND USES

This property is situated in a relatively well developed urban residential neighborhood, with various sized lots, housing types, and uses. Immediately to the north is commercial development associated with the Beaverton-Hillsdale Highway corridor. The surrounding lands are zoned as follows:

- North CS: Commercial properties associated with the Beaverton-Hillsdale Highway corridor, primarily consisting of converted single detached dwellings.
- South RMC: Single detached residential within the Plat of Sandberg Subdivision.
- East CS: Commercial properties associated with the Beaverton-Hillsdale Highway corridor; and
- West RMC: Single detached residential within the plat of Sandberg Subdivision

Utilities

The site has frontage along SW Beech Drive. There is an existing City of Beaverton 8” sanitary sewer gravity facility located in SW Beech Drive, extending north along the shared property boundary between Tax Lots 1200 and 1300 to serve the 4 lots to the north of the site. A City of Beaverton storm sewer manhole is located approximately 100 feet west of the site on SW Maple Avenue, ultimately discharging to a public storm facility within Little People’s Park. It is noted that the proposed stormwater facility for the development is proposed to be located off-site in a new stormwater management easement. Per the Storm Drainage Plan submitted with the application and the Preliminary Composite Utility Plan (Sheet P6.0), the facility is proposed to be located in the southwest corner of Tax Lot 1S115AD01800.

A public water main is located within SW Beech Drive along the site frontage, with a portion of the line also extending north along the shared property boundary between Tax Lots 1200 and 1300 to serve the 4 lots to the north of the site. A hydrant is located on SW Beech Road at the southern corner of Tax Lot 1400.

Transportation

The site is located on the north side of SW Beech Drive, approximately 80 feet east of SW Maple Avenue, and approximately 120 feet south of SW Beaverton-Hillsdale Highway. Both SW Beech Drive and SW Maple Avenue are local streets, while SW Beaverton-Hillsdale Highway is an arterial street. SW Beaverton-Hillsdale Highway provides convenient access to the County arterial and collector network and Highway 217.

Regarding transit availability, SW Beaverton-Hillsdale Highway (120 feet north of the site) supports TriMet’s #54-Beaverton-Hillsdale Highway bus line, between the Beaverton Transit Center and Portland City Center. The eastbound stop is located at the intersection of SW Maple Avenue and SW Beaverton Hillsdale Highway, and the westbound stop is located at the intersection of SW 110th Avenue and SW Beaverton-Hillsdale Highway. Bus Line 54 is considered a “Frequent Service” line, with buses running at 15-minute intervals or better most of the day, every day. Accordingly, the site is considered served by transit.

APPLICATION 1 – PRELIMINARY SUBDIVISION

CHAPTER 20 - LAND USES

20.05. Residential Land Use Districts

20.05.05. Residential Areas.

The areas of the City that are designated as residential densities implement the policies of the City's Comprehensive Plan and are identified on the City's Zoning Map. Full urban services are to be provided.

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

20.05.10. Purpose.

4. RMC Residential Mixed C

The RMC District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Beaverton's residential zones.

RESPONSE: The subject site is zoned Residential Mixed C (RMC) by the City of Beaverton; therefore, this Section is applicable.

20.05.15. Site Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below.

| 20.05.15 Residential Site Development Standards | |
|---|-------------------|
| <i>Superscript Refers to Footnotes</i> | <i>RMC</i> |
| <i>A. Minimum Land Area¹ (square feet)</i> | <i>N/A</i> |
| <i>B. Minimum Lot Area^{2, 3} (square feet)</i> | |
| <i>Single-Detached and Duplex</i> | <i>5,000</i> |
| <i>Triplex and Quadplex</i> | <i>5,000</i> |
| <i>Townhouse</i> | <i>1,500</i> |
| <i>Cottage Cluster</i> | <i>7,000</i> |
| <i>C. Maximum Residential Density</i> | <i>N/A</i> |
| <i>D. Minimum Residential Density (units per acre)⁴</i> | <i>7</i> |
| <i>E. Minimum Lot Width^{3, 6}</i> | <i>20</i> |
| <i>F. Minimum Yard Setbacks^{3, 18}</i> | |
| <i>1. Front</i> | <i>10</i> |

| 20.05.15 Residential Site Development Standards | |
|---|---|
| <i>Superscript Refers to Footnotes</i> | <i>RMC</i> |
| 2. Side | 0, 3 or 5 ⁷ |
| 3. Rear | 15 ⁸ |
| 4. Garage ⁹ | 18.5 |
| 5. Garage Door to Rear ¹¹ | 22 |
| 6. Minimum Between Buildings ¹² | 6 |
| G. Building Height | |
| 1. Maximum ¹³ | 35 ¹⁴ |
| H. Maximum Floor Area Ratio (FAR) ^{3, 15, 16, 17} | <i>Refer to Sections 20.25.10 and 20.25.15.</i> |
| 1. Single-Detached Dwelling | 0.60 |
| 2. Duplex | 0.65 |
| 3. Triplex and Quadplex | 0.90 |
| 4. Townhouse | N/A |
| 5. Cottage Cluster | N/A |
| All Dimensions are in Feet. | |

2. Minimum land area per lot in the RMA, RMB, and RMC zones; except, minimum land area per dwelling unit applies to multi-dwellings in the RMA zone. Minimum lot area standards apply to land divisions, (except middle housing land divisions). For middle housing, the standards also determine the minimum lot size needed for each middle housing type to be built on an existing lot.
3. If a duplex, triplex, quadplex, or cottage cluster has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots.
4. Refer to Section 20.25.05.D for exceptions to minimum density standards in the RMA, RMB, and RMC districts.
6. Corner lots may need to provide a greater minimum lot width to accommodate the sight clearance areas specified in the Engineering Design Manual.
7. Side setbacks are 5 feet except when a different dimension is described in this footnote. For townhouses, the minimum side setback is zero for the attached side of the townhouse and 5 feet for sides that are not attached. For land divisions, except for townhouses or middle housing land divisions, the perimeter side setbacks are 5 feet, but side setbacks internal to the land division may be reduced to 3 feet with a total of 6 feet between buildings. In no case shall a building encroach into a Public Utility Easement (PUE).
9. Carports shall meet the same yard setbacks as the dwelling. Garage setbacks shall be measured from the elevation containing the garage door and vehicle entrance of carports to the property line. For all other garage elevations, the building setback applies.
10. Either no greater than 5 feet or a minimum of 18.5 feet.
11. Measured from garage door elevation to opposite side of the alley right-of-way, common accessway, common driveway, or access easement line.
12. Minimum spacing between buildings on the same lot or in the same development.
14. Also subject to additional height limitations in Section 20.30.
15. Additional FAR may be available if existing trees are preserved, per Table 60.05.60.2.S4.c.2. If footnote 16 and 17 apply to a site, then the combined additional FAR

from both scenarios shall not exceed 600 square feet. Cottage clusters are not subject to any FAR standards or FAR incentives.

16. Single-detached, duplex, triplex, or quadplex structures in existence as of June 30, 2022 that exceed the applicable maximum FAR standard are allowed to expand up to 500 square feet in floor area above the maximum FAR permitted in the zone. If such existing structures are unintentionally destroyed, they may be rebuilt to exceed the maximum FAR by 500 square feet. If footnote 16 and 17 apply to a site, then the combined additional FAR from both scenarios shall not exceed 600 square feet.
18. In RMA, RMB and RMC, setbacks are measured from a building façade to a lot line or nearest edge of shared access, whichever is closest to the building.

RESPONSE: The applicant proposes a 6-Lot subdivision in the RMC zone. Each of the lots will exceed the minimum lot size for single detached units of 5,000 square feet, with the smallest of the lots, Lot 2, at approximately 6,823 square feet. Each of the lots will be sufficiently sized to accommodate a single detached dwelling meeting the setbacks of the RMC zone. Indicative building envelopes only are provided, with the applicant requesting to defer the submittal of a Design Review application for the new homes.

All existing dwellings on the site and associated accessory structures are being demolished or otherwise removed, with the exception of the existing dwelling on Tax Lot 1100, to be retained on Proposed Lot 1.

20.05.20. Land Uses

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for Residential Zoning Districts.

| Table 20.05.20.A Residential - Category and Specific Use | | P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions |
|---|---|---|
| | | RMC |
| Residential | | |
| 2. Dwellings ¹⁷ | A. Accessory Dwelling Units | P |
| | B. Single-Detached Dwelling ¹² | P |
| | C. Duplex | P |
| | D. Triplex and Quadplex | P |
| | E. Townhouse | P |
| | F. Cottage Cluster | P |
| | G. Multi-Dwelling | N |
| | H. Home Occupation | P |
| | I. Manufactured and Mobile Homes ³ | P |
| | J. Manufactured Home Parks | N |

| <i>Table 20.05.20.A Residential - Category and Specific Use</i> | | <i>P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions</i> |
|---|---|---|
| | | <i>RMC</i> |
| | <i>K. Planned Unit Development</i> | <i>C</i> |
| | <i>L. Home Testing of Consumer Electronic Products¹³</i> | <i>P</i> |

3. *The placement of a manufactured home is subject to the design and placement criteria found in Section 60.20.20.*
12. *Compact Detached Dwellings on lots fronting common greens, shared courts, or public streets may be permitted on sites that are two acres or greater in size through the Conditional Use-Planned Unit Development process.*
13. *Home Testing of Consumer Electronic Products uses shall: [ORD 4786; July 2020]*
 - a. *be limited to the hours of 7:00 AM and 7:00 PM, Monday through Saturday, in which technicians are allowed to occupy the residence;*
 - b. *have at least two off-street parking spaces for technicians, so no on-street parking would occur with the use;*
 - c. *be limited to two vehicles on-site at any one time;*
 - d. *have a 24-hour on-site security system;*
 - e. *have a contract for landscape and maintenance services to ensure that the home testing properties are well maintained for the neighborhood;*
 - f. *be limited to no more than three home testing dwelling units within a quarter mile radius at any time;*
 - g. *be limited to single-detached dwelling units; and [ORD 4822; June 2022]*
 - h. *comply with the noise and odor limits contained in the City Code.*

RESPONSE: The applicant proposes a standard 6-Lot subdivision in the RMC zone. Each of the lots is sufficiently sized to accommodate a single detached dwelling meeting the setbacks of the RMC zone. However, it is noted that indicative building envelopes only are provided, with the applicant deferring the submittal of a Design Review application for the new homes.

20.25. Density and Bulk

20.25.05. Minimum Residential Density.

- A. *New residential development in all Residential, Commercial, and Multiple Use districts which permit residential development must achieve at least the minimum density for the zoning district in which they are located.*

Except for projects in the Downtown Design District, projects proposed at less than the minimum density must demonstrate on a site plan or other means, how, in all aspects, future intensification of the site to the minimum density or greater can be achieved without an adjustment or variance. If meeting the minimum density will require the submission and approval of an adjustment or variance application(s)

above and beyond application(s) for adding new primary dwellings or land division of property, meeting minimum density shall not be required.

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

Minimum residential density is calculated as follows:

...

2. *For the RMA, RMB, and RMC zoning districts, except for multi-dwellings:*

RESPONSE: The subject site is located within the RMC Zoning District; therefore, the requirements of this Section are applicable.

a. *Refer to the definition of Acreage, Net.*

RESPONSE: Based on the definition of Acreage, Net in Chapter 90 of the BDC, the subject site does not have unbuildable areas able to be excluded from density calculations, as per the pre-application conference for the site (PA2023-00888) no right-of-way dedication is required on SW Beech Avenue; the proposed stormwater facility will be located offsite; and there are no sensitive natural areas in the vicinity of the site. Accordingly, net acreage is equal to the gross acreage of 0.99 acres.

b. *Multiply the net acreage by the minimum residential density provided in Section 20.05.15. to determine the minimum number of dwellings that must be built on the site.*

3. *If the resulting number in step 1.b or 2.b is not a whole number, the number is rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number.*

RESPONSE: Minimum Residential Density is calculated as follows:

$$0.99 \text{ net acres} \times 7 \text{ units per acre} = 6.93 = 7 \text{ units}$$

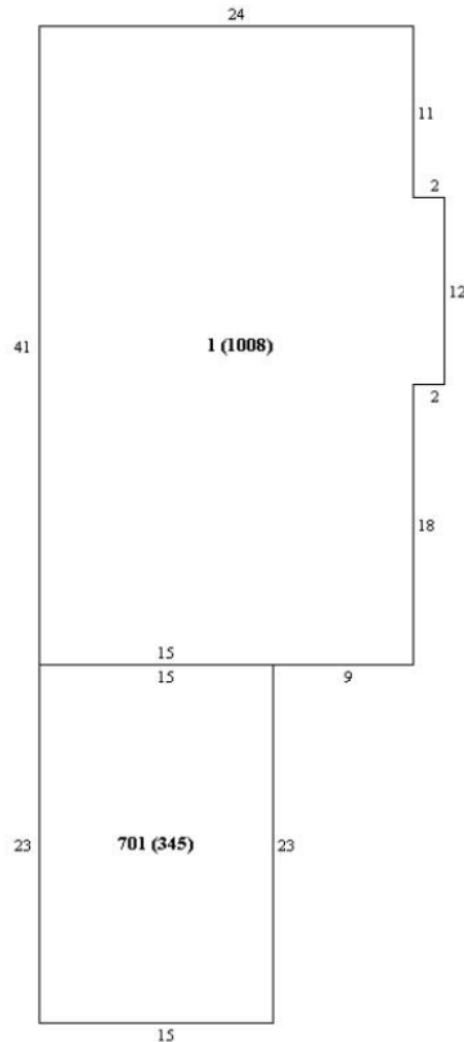
Minimum density for the site is 7 units, therefore the proposed 6-lot subdivision on its own does not meet the required minimum density for the RMC Zone. As such, the applicant has addressed Section 20.25.05.D for exceptions to minimum density standards in the RMC district, as identified below.

D. *Exceptions to Minimum Density Standards in the RMA, RMB, and RMC districts.*

1. An existing single-detached dwelling, as of June 30, 2022, that is at least 1,200 square feet in floor area, may count as two units for the purpose of calculating minimum density.

RESPONSE: The applicant is proposing a 6-lot subdivision, which on its own does not meet the minimum density of 7 units required for the site. However, the applicant is proposing to retain the existing dwelling on Tax Lot 1100 (Lot 1 of the proposed Preliminary Plat). As the existing dwelling was in place prior to June 30, 2022 (circa 1950, Washington County Assessment and Taxation, Property R114842), the dwelling can be counted as 2 units for the purpose of calculating minimum density if over 1,200 square feet in floor area.

The definition of floor area in the BDC states that *in the RMA, RMB, and RMC zones, floor area includes garages*.... Washinton County Assessment and Taxation records show the dwelling on Tax Lot 1100 with a living area of 1,008 sf and an attached garage of 358 sf (see Washington County Tax Lot 1100 sketch below, Property R114842). This combined floor area of 1,366 sf therefore qualifies as 2 units. With the 2-unit count on Lot 1, and the 5 units represented by Lots 2 through 6, density is equal to 7 units, and therefore meets the minimum density requirement for the RMC Zone.



CHAPTER 40 - APPLICATIONS

40.03. Facilities Review Committee

Consistent with Section 10.95.3. (Facilities Review Committee) of this Code, the Facilities Review Committee shall review the following land use applications: all Conditional Use, Design Review Two, Design Review Three, Downtown Design Review Two, Downtown Design Review Three, Single-Detached and Middle Housing Design Review Two, Single-Detached and Middle Housing Design Review Three, Public Transportation Facility Reviews, Street Vacations, and applicable Land Divisions. Applicable land division applications are Replats, Partitions, Subdivisions, Fee Ownership Partitions, and Fee Ownership Subdivisions. In making a recommendation on an application to the decision-making authority, the Facilities Review Committee shall base its recommendation on a determination of whether the application satisfies all the following technical criteria. The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B., and all the following criteria have been met, as applicable:

RESPONSE: The application is for a 6-Lot Preliminary Subdivision. Preliminary subdivisions are subject to review under the requirements of this Section.

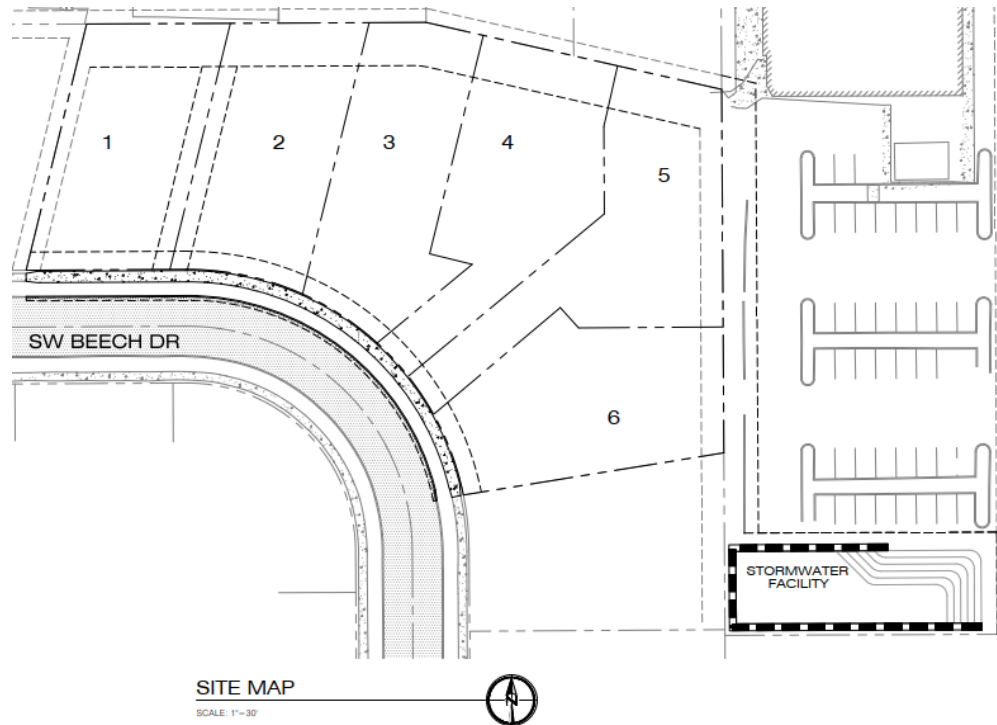
1. *All Conditional Use, Design Review Two, Design Review Three, Downtown Design Review Two, Downtown Design Review Three, Single-Detached and Middle Housing Design Review Two, Single-Detached and Middle Housing Design Review Three, and applicable Land Division applications:*
 - A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.*

RESPONSE: As addressed below and as reflected in the Site Plan and supporting Plan Set, all critical facilities and services necessary for the proposed lots have adequate capacity to serve the proposal at the time of its completion. The Code defines **Facilities, Critical** as including: public water, public sanitary sewer, storm water drainage, treatment and detention, transportation, and fire protection.

Utilities:

The site has frontage along SW Beech Drive. There is an existing City of Beaverton 8” sanitary sewer gravity facility located in SW Beech Drive, extending north along the shared property boundary between Tax Lots 1200 and 1300 to serve the 4 lots to the north of the site. A City of Beaverton storm sewer manhole is located approximately 100 feet west of the site on SW Maple Avenue, ultimately discharging to a public storm facility within Little People’s Park. It is noted that the proposed stormwater facility for the development is proposed to be located off-site in a new stormwater management easement. Per the Storm Drainage Plan submitted with the application and the Preliminary Composite Utility Plan (Sheet P6.0), the facility is proposed to be

located in the southwest corner of Tax Lot 1S115AD01800. The applicant will provide copies of the recorded easements prior to site development permit issuance and plat recordation.



A public water main is located within SW Beech Drive along the site frontage, with a portion of the line also extending north along the shared property boundary between Tax Lots 1200 and 1300 to serve the 4 lots to the north of the site. A hydrant is located on SW Beech Road at the southern corner of Tax Lot 1400.

Transportation:

The site is located on the north side of SW Beech Drive, approximately 80 feet east of SW Maple Avenue, and approximately 120 feet south of SW Beaverton-Hillsdale Highway. Both SW Beech Drive and SW Maple Avenue are local streets, while SW Beaverton-Hillsdale Highway is an arterial street. SW Beaverton-Hillsdale Highway provides convenient access to the County arterial and collector network and Highway 217.

Fire Protection:

Fire protection services are provided by Tualatin Valley Fire & Rescue, in addition to emergency medical response. The district has 28 fire stations.

The four closest stations to the site are: Station 65 at 3425 SW 103rd Avenue; Station 67 at 13810 SW Farmington Road; and Station 70 at 8299 SW Beaverton Hillsdale Highway.

The district has a goal of an approximately 10-minute response for fire and medical calls. The district serves a 390 square mile area with a population of 551,423 citizens.

Conclusion – Facilities Critical: Based on the above findings, all critical facilities and services are available and adequate to serve the property consistent with the requested zoning designation, as demonstrated herein and on supplemental plans and documents provided. Compliance with this Element will also be confirmed through the Facilities Review process.

B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.

RESPONSE: As addressed below and as reflected in the Preliminary Plat and supporting plan set, all essential facilities and services necessary for the proposed 5 lots have adequate capacity to serve the proposal at the time of its completion.

The Code defines ***Facilities, Essential*** as including schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way. These facilities and services are provided as follows:

Schools: This area is served by the Beaverton School District. The schools serving this neighborhood include:

- Elementary: Raleigh Hills
- Middle School: Whitford
- High School: Southridge

The District has provided a Service Provider Letter, indicating that the District believes there will be sufficient capacity to accommodate new students from the project.

Transit: SW Beaverton-Hillsdale Highway (120 feet north of the site) supports TriMet’s #54-Beaverton-Hillsdale Highway bus line, between the Beaverton Transit Center and Portland City Center. The eastbound stop is located at the intersection of SW Maple Avenue and SW Beaverton Hillsdale Highway, and the westbound stop is located at the intersection of SW 110th Avenue and SW Beaverton-Hillsdale Highway. Bus Line 54 is considered a “Frequent Service” line, with buses running at 15-minute intervals or better most of the day, every day. Accordingly, the site is considered served by transit.

Police Protection: The Beaverton Police Department is accredited through the Oregon Accreditation Alliance (OAA). The Department has successfully maintained its accredited status since 1995 and is evaluated every three years. The next assessment will be conducted in 2024.

The agency has 187 total personnel (2022 Annual Report), which provides 1.42 officers per 1000 population. The Department is organized into the following Bureaus, including: Community Service, Crime Analysis, Criminal Investigation, Patrol, Property, Records, Schools, Traffic, and Training & Professional Standards. The agency also supports several inter-agency task forces,

such as transit, narcotics, and gangs. The agency and individual personnel have received many awards and maintains an average response time for priority one CFS calls at under 4 minutes.

On-Site Pedestrian and Bicycle Facilities in public right-of-way: SW Beech Avenue is improved with a paved surface, curb and gutter, planter strip, street trees, and sidewalks along the site frontage. As described in the Pre-Application Conference notes for PA 2023-0888 prepared by Fabio De Freitas of the City of Beaverton, and reflected in plans submitted with the application, it appears that there is adequate ROW to accommodate the City’s standard sidewalk design without the need for additional right-of-way dedication. While the existing planter strip separates the sidewalk from the street, the sidewalk itself does not satisfy the EDM’s L1 standard 5-ft width required along a Local Street. In relation to the proposed development on the site, the sidewalk will be required to be reconstructed to meet the 5-foot width.

Conclusion – Facilities Essential: Based on the above findings, all essential facilities and services are available and adequate to serve the property consistent with the zoning designation, as demonstrated herein and on supplemental plans and documents provided. Compliance with this Element will also be confirmed through the Facilities Review process.

- C. *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).*

RESPONSE: As demonstrated within this narrative, and on the supporting Preliminary Site and Architectural Plan Set, the proposed development complies with all applicable provisions of Chapter 20 (Land Uses).

- D. *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.*

RESPONSE: As demonstrated within this narrative, and on the supporting Preliminary Site and Architectural Plan Set, the proposed development complies with all applicable provisions of Chapter 60 (Special Requirements).

SW Beech Drive is currently improved but has a substandard sidewalk width along the site frontage. The sidewalk will be required to be reconstructed to meet the minimum 5-foot width.

- E. *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and*

other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.

RESPONSE: Following development, all improvements located outside of right-of-way areas will be on private lots, with the exception of the offsite stormwater facility, with easements to Clean Water Services and the City of Beaverton. Garbage & recycling will be provided by individual service to each unit. Trash storage is intended to be housed in the garage of each unit. Therefore, this criterion is not applicable.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

RESPONSE: As part of the application, the existing driveway access points will be closed, and ultimately replaced with driveways meeting the City of Beaverton EDM standards. These driveways will connect the main entrance of each unit to a new 5-foot-wide public sidewalk, built to replace the existing deficient sidewalk. The driveways will subsequently connect to SW Beech Drive.

Considering the above, these improvements will serve to promote safe, efficient, and direct vehicular and pedestrian circulation patterns within and adjoining the boundaries of the development; Therefore, these criteria are met.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

RESPONSE: As part of the application, the existing driveway access points will be closed, and ultimately replaced with driveways meeting the City of Beaverton EDM standards. These driveways will connect the main entrance of each unit to a new 5-foot-wide public sidewalk, built to replace the existing deficient sidewalk. The driveways will subsequently connect to SW Beech Drive.

Considering the above, these improvements will serve to promote safe and efficient vehicular and pedestrian circulation patterns within and adjoining the boundaries of the development; Therefore, these criteria are met.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.

RESPONSE: As reflected on the submitted Plan Set, all structures and public facilities serving the development site have been designed in accordance with adopted City codes and standards.

There are existing streets and utility facilities, including water lines and hydrants, which are immediately available and adequate to serve this redevelopment. The applicant is not aware of any specific known hazardous conditions that might affect the overall safety of this development, future residents, or surrounding properties.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

RESPONSE: All grading on the site has been designed in accordance with the requirements of this Section. Generally, the existing surface contours are not significantly altered across the site, with grading primarily to smooth out the surface to allow for driveways and building platforms, and to allow for surface drainage. Contours will blend into surrounding properties at existing grades.

The storm system has been designed to adequately accommodate surface drainage and treat, detain, and convey it to the existing public storm drainage system, as per the existing surface drainage. There are no anticipated adverse impacts resulting from re-development of this property.

- K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

RESPONSE: The existing transportation facilities conform to the City’s Transportation System Plan. The vehicle access and pedestrian facilities have been designed consistent with ADA standards and provide direct connections to SW Beech Drive.

- L. The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code.*

RESPONSE: The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code. City staff will confirm compliance through Completeness Review, following submittal.

CONCLUSION – Chapter 40 – Facilities Review

Based on the findings presented herein and the attached supporting documents, the applicant has demonstrated compliance with the applicable provisions of Chapter 40, Facilities Review.

40.45. Land Division and Reconfiguration

40.45.05. Purpose.

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of the boundaries of land within the City of Beaverton. This Section is carried out by the approval criteria listed herein.

40.45.10. Applicability.

The provisions of this section apply to all subdivisions, partitions, developments involving the dedications of public right-of-way, and the reconfiguration of existing property lines. Code requirements for the vacation of public rights-of-way are in Section 40.75. (Street Vacations).

40.45.15. Application.

There are nine (9) [sic] types of applications under this Section, as follows: Property Line Adjustment; Replat One; Replat Two; Preliminary Partition; Preliminary Subdivision; Preliminary Fee Ownership Partition; Preliminary Fee Ownership Subdivision; Final Land Division; and Expedited Land Division.

RESPONSE: The applicant is requesting approval of a 6-Lot Preliminary Subdivision. A Preliminary Subdivision is listed above as being subject to the requirements of this section.

5. *Preliminary Subdivision.*

A. *Threshold. An application for Preliminary Subdivision shall be required when the following threshold applies:*

1. *The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

RESPONSE: This application is for a 6-Lot Preliminary Subdivision. As such, the application meets this threshold.

B. *The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Preliminary Subdivision. The decision making authority is the Director.*

RESPONSE: The applicant submits this request in accordance with Section 50.40, as required.

C. *Approval Criteria. In order to approve a Preliminary Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

1. *The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met.*

RESPONSE: As described above, the application meets the threshold for a Preliminary Subdivision.

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

RESPONSE: All applicable fees are submitted with the application by the applicant.

3. *The application is consistent with applicable requirements of Chapter 20 and Chapter 60, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application.*

RESPONSE: The application is consistent with the applicable requirements of Chapter 20 and Chapter 60, as described in this report. The applicant is not aware of any existing or adjoining existing City approval which would conflict with the proposed development.

4. *The middle housing development complies with the Oregon Residential Specialty Code and the applicable BDC middle housing regulations, including but not limited to, the provisions in Chapters 20 and 60. To demonstrate compliance with this criterion, the applicant shall submit approved building permits demonstrating that existing or proposed structures comply with the Oregon Residential Specialty Code and BDC middle housing regulations.*

RESPONSE: The applicant is not requesting approval of a middle housing development at this time.

5. *Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.*

RESPONSE: No oversized or remainder lots will result from the subdivision. All residential lots surrounding the development are considered developed or otherwise developable in their own right, and no oversizing of streets, driveways, and utilities is required. Existing commercial development, land use designations and access restrictions further preclude the extension of streets and accessways.

6. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.*

RESPONSE: No phasing of the development is proposed; therefore, this Section is not applicable.

7. *For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.*

RESPONSE: The subject site contains only land designated as within the RMC Zone.

8. *Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.*

RESPONSE: The applicant submits this request for Preliminary Subdivision in accordance with the applicable approval criteria described herein. Subsequent design review applications will be submitted as appropriate following Final Approval and plat recordation.

D. Submission Requirements.

1. *An application for a Preliminary Subdivision shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Preliminary Subdivision application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.*

RESPONSE: The application for a 6-Lot Preliminary Subdivision is signed by the applicant's authorized representative, and is included with this submittal.

2. *The Director may consider and act upon a request to develop a subdivision in phases. If the subdivision is to be phased, the applicant shall propose a phasing program in writing at the time of Preliminary Subdivision application submittal. The applicant is responsible for providing a time schedule for the final platting of the various phases. In no case shall the total time period for the final platting of all stages be greater than five (5) years without filing a new Preliminary Subdivision application.*

RESPONSE: No phasing of the development is proposed; therefore, this Section is not applicable.

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Preliminary Subdivision application to ensure compliance with the approval criteria.*

RESPONSE: The applicant understands that the City may impose conditions on the approval of a Preliminary Subdivision application to ensure compliance with the approval criteria, subject to rough proportionality and rational nexus between the condition and any exaction being established.

F. *Appeal of a Decision. Refer to Section 50.65.*

RESPONSE: The applicant acknowledges the provisions in Section 50.53.I and J. as they relate to appeals.

G. *Expiration of a Decision. Refer to Section 50.90. Except where a phasing program is approved under Section 40.45.15.4.C.7., the filing of a Final Land Division application in accordance with Section 40.45.15.7. shall occur within two (2) years of the date of Preliminary Subdivision approval. For a phased project, the total time period for the filing of a final plat, shall not exceed five (5) years from the date of the City's final Preliminary Subdivision Approval decision. After five (5) years, unless otherwise vested, the preliminary approval shall expire.*

RESPONSE: The applicant acknowledges the provisions in Section 50.90 as they relate to the expiration of a decision, and will comply with the requirements of this Section, except as may be modified by ORS 92.031(7).

H. *Extension of a Decision. Refer to Section 50.93.*

RESPONSE: The applicant acknowledges the provisions in Section 50.93. as they relate to the Extension of a Decision, and will comply with the requirements of this Section as necessary.

40.21. Single-Detached and Middle Housing Design Review

40.21.05 Purpose

The purpose of Single-Detached and Middle Housing Design Review is to promote neighborhoods that build community and are welcoming to everyone. Design rules are intended to provide opportunities for neighbors to socialize, encourage tree planting, promote safe and comfortable connections to sidewalks and streets and support architectural variety.

Single-Detached and Middle Housing Design Review process is divided into two major components: Design Standards and Design Guidelines. Most Design Standards have a corresponding Design Guideline. In some cases, Design Standards do not have a corresponding Design Guideline, which means the Design Standard must be met.

The Design Standards are intended to provide a clear and objective approach to designing a project. Depending on the design thresholds, designing a project to the standards would result in an administrative review process.

An applicant for Single-Detached and Middle Housing Design Review approval can address design review requirements through a combination of satisfying applicable Design Standards, and in instances where it elects not to utilize Design Standards, satisfy the corresponding applicable Design Guidelines. In cases reviewed through a public

hearing, the hearing and decision will focus on whether or not the project satisfies the requirements of the applicable Design Guidelines only.

The purpose of Single-Detached and Middle Housing Design Review as summarized in this Section is carried out by the approval criteria listed herein.

RESPONSE: The applicant requests to defer the submittal of a Design Review application for the new homes at this time. At the time the applicant ultimately chooses to develop single detached dwelling units on the new lots, Design Review approval would be required.

40.90. Tree Plan

40.90.05. Purpose.

Healthy trees and urban forests provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees thus helping to preserve and enhance the sustainability of the City’s urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

40.90.10. Applicability.

Different types of resources require different levels of protection. No Tree Plan is required for the following actions:

- 1. Removal of up to four (4) Community Trees, or up to 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period. Properties one-half acre or less in size developed with a detached dwelling or middle housing may remove any number of Community Trees.*

RESPONSE: As shown on the Existing Conditions and Demolition Plan submitted with the application (Sheet P3.0) there are 12 trees located across the site, with 11 deciduous trees and 1 evergreen tree species. All are slated for removal to provide for utilities and building footprints. A tree inventory of the site is listed below:

| Tree Inventory | | | | |
|-----------------------|----------------|------------|-----------------------|------------------|
| Tree No. | Species | DBH | Classification | Treatment |
| 1 | Palm | 8” | Exempt (Below 10”) | Remove |
| 2 | Palm | 8” | Exempt (Below 10”) | Remove |

| | | | | |
|----|-----------|-----|--------------------|--------|
| 3 | Deciduous | 6" | Exempt (Below 10") | Remove |
| 4 | Deciduous | 6" | Exempt (Below 10") | Remove |
| 5 | Deciduous | 8" | Exempt (Below 10") | Remove |
| 6 | Deciduous | 8" | Exempt (Below 10") | Remove |
| 7 | Deciduous | 6" | Exempt (Below 10") | Remove |
| 8 | Deciduous | 8" | Exempt (Below 10") | Remove |
| 9 | Deciduous | 6" | Exempt (Below 10") | Remove |
| 10 | Deciduous | 6" | Exempt (Below 10") | Remove |
| 11 | Palm | 6" | Exempt (Below 10") | Remove |
| 12 | Evergreen | 22" | Community Tree | Remove |

Chapter 90 of the BDC describes Community Trees as *A healthy tree of at least ten inches (10") DBH located on developed, partially developed, or undeveloped land. Community Trees are not those trees identified as Significant, Historic, Landscape, or Mitigation Trees, trees within a Grove or a Significant Natural Resource Area, or trees that bear edible fruits or nuts grown for human consumption.* Of the 12 trees, trees 1 through 11 are measured at below 10" DBH, and are therefore considered exempt from the requirements of this section. Tree 12, the sole evergreen identified on the site, measures 22" DBH, and is therefore considered a Community Tree at over 10" DBH.

In accordance with Section 40.90.10.1, removal of up to four (4) Community Trees within a one (1) calendar year period is permitted, with no tree plan required.

CHAPTER 50 - PROCEDURES

50.05. Initiation of an Application.

1. *An application subject to a Type 1, Type 2, or Type 3 procedure may be filed by:*
 - A. *The owner or the contract purchaser of the subject property, or any person authorized in writing to act as agent of the owner or contract purchaser.*

RESPONSE: The application is initiated by the authorized agent of the owner, DRM 10860 SW Beaverton-Hillsdale LLC, and the application forms have been signed by the relevant party.

50.15. Classification of Applications.

1. *An application shall be subject to the procedure type specified in the Code, if any. If the Code does not specify a procedure type for a given application and another procedure is not required by law, the Director shall determine the appropriate procedure based on the following guidelines. Where two or more procedure types could be applied to a particular application, the selected procedure will be the type providing the broadest notice and opportunity to participate.*
 - A. *A Type 1 procedure typically involves an application that is subject to non-discretionary criteria or criteria that require the exercise of professional judgment only about technical issues.*

- B. *A Type 2 procedure typically involves an application that is subject to criteria that require the exercise of limited discretion about non-technical issues and about which there may be limited public interest.*

RESPONSE: This submittal consists of a 6-Lot Preliminary Subdivision. The 6-Lot Preliminary Subdivision is classified as a Type 2 procedure.

...

3. *When an applicant submits more than one complete application for a given proposal, where each application addresses a separate set of code requirements and the applications are subject to different procedure types, all of the applications are subject to the procedure type of the application which requires the broadest notice and opportunity to participate. For example, a Type 2 application will be consolidated with a Type 3 application for the same proposal on the same site, in which case, the Type 2 application will be reviewed by the decision making authority of the Type 3 application. The decision making authority's action on the Type 2 application will be based on the approval criteria governing the Type 2 application. An appeal of the decision will be processed according to the provisions of Section 50.70. of this Code.*

In the event that the completed applications involve applications where the decision making authority is a combination of the Director and Planning Commission, the decision making authority will be the Planning Commission.

Notwithstanding any other provision and at no cost to the applicant, the Director may choose to combine multiple applications for the same development as a way to increase the efficiency of development review.

RESPONSE: As described above, this submittal consists of a 6-Lot Preliminary Subdivision. A 6-Lot Preliminary Subdivision is classified as a Type 2 procedure, in accordance with BDC Section 40.45.15.5.B.

4. *Notwithstanding the Director's determination of procedure type, Type 1, 2, or 3 but not Type 4, an applicant may choose to have an application at the time of submittal be subject to a procedure type requiring broader notice and opportunity to participate provided the applicant pays the appropriate fee for the selected procedure type and the Director determines that statutory timelines for reaching a final decision can be satisfied.*
5. *Notwithstanding any other provision, and, at no additional cost to the applicant, the Director may choose to process a Type 2 application under the Type 3 procedure in order to provide greater notice and opportunity to participate than would otherwise be required, or in order to comply with the time requirements for reviewing development applications pursuant to ORS 227.178. The decision making authority's*

action on the Type 2 application will be based on the approval criteria governing the Type 2 application.

RESPONSE: The applicant requests the application be reviewed through the Type 2 procedure, consistent with BDC Section 40.45.15.5.B., and is subject to the Type 2 approval criteria.

50.20. Pre-Application Conference.

1. *With the exception of City initiated or Wireless Facility applications, a pre-application conference shall be required for all proposals which require Type 2 or Type 3 applications. An applicant may choose to forgo the required pre-application conference for a Type 2 application upon completion of a form for that purpose provided by the Director. A pre-application conference is optional for an applicant for proposals which require only Type 1 applications.*
2. *The purpose of the pre-application conference is to acquaint the City and outside agencies and service providers with a potential application, and to acquaint the applicant with the requirements of this Code, the Comprehensive Plan, and other relevant criteria and procedures. Any comments or commitments made by any member of City Staff during this pre-application conference are only preliminary in nature. It is not intended to be an exhaustive review of all potential issues, and the conference does not bind or preclude the City from enforcing all applicable regulations or from applying regulations in a manner differently than may have been indicated in the pre-application conference. Formal land use comments cannot be made by staff until after a land use application is submitted and adjacent and/or nearby property owners and reviewing agencies have had an opportunity to respond.*
3. *The City will schedule and conduct the pre-application conference within twenty-one (21) calendar days of receipt of a request for a pre-application conference. Notwithstanding application completeness requirements, if a required pre-application conference is not conducted within the twenty-one day time period due to no fault of the applicant, the applicant may elect to proceed with an application without a pre-application conference.*
4. *To initiate the pre-application conference, an applicant shall submit a completed form provided by the Director for that purpose, the relevant fee, and copies of all information required by the relevant Section of the Code or specified in writing by the Director.*

The Director shall coordinate the involvement of City staff responsible for planning, development review, roads, drainage, and other subjects, as appropriate, in the pre-application review process. The Director shall also invite outside agencies and service providers, as appropriate, to participate in the pre-application conference.

5. *Within approximately fourteen (14) calendar days after a pre-application conference, the Director shall mail to the applicant, or the applicant's agent, a*

written summary of the conference. The Director shall mail a copy of the summary to any other person who requests one and pays the City's mailing and photocopying costs. The purpose of the written summary is to provide a preliminary assessment of a proposal and is not to be construed as a final recommendation or decision by the City or by any other outside agency or service provider on the merits of the proposal. The pre-application conference written summary shall:

- A. Summarize the contemplated use and relevant characteristics of the proposal.
- B. Identify necessary application submittal requirements.
- C. Identify the relevant approval criteria and development regulations, with a disclaimer that the approval criteria and development regulations in effect at the time an application is received will control and that such approval criteria and development regulations may change.
- D. Identify specific additional information that is needed to respond to the relevant criteria and development regulations or is recommended to respond to other issues.
- E. Identify applicable application fees, with a disclaimer that fees are subject to change and that the fees in effect at the time a complete application is received will control.
- F. Identify information that may be relevant to the proposal and that may be in the possession of the City or other agencies of which the City is aware, such as:
 1. Comprehensive Plan map designation and zoning on and adjacent to the property, which is the subject of the pre-application conference.
 2. Physical development limitations, such as steep or unstable slopes, wetlands, water bodies, or sensitive resource areas that exist on and in the vicinity of the subject property.
 3. Other applications of which the City is aware that have been approved or are pending for the property and in the vicinity of the property that may affect or be affected by a proposal.
 6. If a complete application relating to a proposed development action that was the subject of a pre-application conference has not been submitted within one year of the conference, the applicant shall schedule a current pre-application conference.

RESPONSE: The applicant attended the required pre-application conference, City File No. 2023-00888, on January 3, 2024. This requirement is satisfied.

50.25. Application Completeness.

1. *A complete application is one which contains the information required by the Director to address the relevant criteria, development requirements, and procedures of this Code. Non-Discretionary Annexation Related Zoning Map Amendment and Discretionary Annexation Zoning Map Amendment applications processed by the City shall be determined to be complete upon submittal of a valid annexation petition or executed annexation agreement. All other complete applications shall consist of the requisite number of copies of the following:*
 - A. *A completed original application form provided by the Director and application checklist provided by the Director, signed by:*
 1. *The applicant.*

RESPONSE: The application is initiated by the authorized agent of the owner, DRM 10860 SW Beaverton-Hillsdale LLC, and the application forms have been signed by the relevant party.

- B. *A written statement, supported by substantial evidence, that identifies the criteria and development regulations considered relevant to the application, states the facts alleged to show that the application complies with applicable criteria and development regulations, and explains why the application should be approved based on the criteria and development regulations and facts set forth in the application. In addition to addressing applicable criteria and development regulations relevant to the application type, the written statement shall address all the applicable technical criteria specified in Section 40.03. (Facilities Review Committee) of the Code.*
- C. *The Director may require an applicant to submit information in addition to that required on the form to aid in deciding whether an application satisfies applicable criteria and development regulations. The Director shall attempt to identify additional necessary information in the pre-application conference.*
- D. *The information required by Section 50.30.4. regarding Neighborhood Meeting requirements, if applicable.*
- E. *For a Type 2 or Type 3 application, a copy of the pre-application conference summary.*
- F. *Documentation from service providers, as determined by the Director, stating that essential and critical facilities are available or can be made available or will not be adversely affected by the proposal.*
- G. *The applicable fee in effect at the date of submittal.*

RESPONSE: The applicant has prepared and submitted the required information and materials as listed above. Completeness will be determined by City staff based on their preliminary review of the submittal.

2. *To enable the Director to determine whether an application is complete, an applicant shall submit the requisite number of copies, as determined by the Director.*

RESPONSE: As stated on the City of Beaverton’s Planning Division website, *If you will be applying with the city’s Planning Division for a land use project on or after April 3, 2023 you will be required to use the new electronic permitting system.* The application is submitted through the Planning Division Electronic Permitting System (EPS), as required.

3. *The Director may defer collection of application fees during review of the application for completeness; provided, an application shall not be deemed complete until the City has received all required fees.*

RESPONSE: All applicable fees will be submitted with the application by the applicant, once confirmed by City staff through the EPS.

4. *The Director shall advise the applicant in writing whether an application is complete by providing a completeness notice within thirty (30) calendar days after the City receives an application. To comply with this completeness notice requirement, the completeness notice must be sent by the thirtieth day.*

- A. *If an application is incomplete, the completeness notice shall list what information is missing.*

5. *Incompleteness shall be based solely on failure to pay required fees, failure to address the relevant criteria or development regulations, or failure to supply required information and shall not be based on differences of opinion as to quality or accuracy. Determination that an application is complete indicates only that the application is ready for review on its merits, not that the City will make a favorable decision on the application.*

6. *The Director may waive application requirements that in the Director's opinion are not necessary to show an application complies with relevant criteria and development regulations and may modify application requirements based on the nature of the proposed application, development, site, or other factors. The City shall specifically identify any such waiver in the pre-application conference written summary or other written correspondence.*

7. *The application will be deemed complete for the purpose of this section upon receipt by the Community Development Department of:*
 - a. *All the missing information.*

- b. *Some of the missing information and written notice from the applicant that no other information will be provided; or*
 - c. *Written notice from the applicant that none of the missing information will be provided.*
8. *Pursuant to ORS 227.178, the City will reach a final decision on an application within 120 calendar days from the date that the application was determined to be complete or deemed complete unless the applicant agrees to extend the 120 calendar day time line pursuant to subsection 9 or unless State law provides otherwise.*
 9. *The 120-calendar-day timeline specified in Section 50.25.8 may be extended for a specific amount of time at the written request of the applicant. The total time to extend the final decision, may not exceed 245 calendar days from the date of the original 120-day period.*
 10. *The applicant may amend the application up to and including fourteen (14) calendar days after the application has been deemed complete. Amendments to an application submitted more than fourteen (14) calendar days after the application is deemed complete may be determined by the Director to be so substantial that the application should be treated as having been refiled. In such a case, the Director shall provide the applicant with the following options: provide the City with a waiver of the 120-day timeframe set forth in ORS 227.178 for a minimum of fourteen (14) calendar days from the date the amendment was submitted; treat the application as having been refiled as of the date the amendment was submitted; or, decide the application on the basis of the applicant's materials without the amendment.*
 11. *For any application which has been on file with the City for more than 180 calendar days and the applicant has not met the obligations of Section 50.25.7., the application will be deemed withdrawn.*

RESPONSE: The applicant has prepared and submitted the required information and materials as required above. Completeness will be determined by City staff based on their preliminary review of the submittal.

50.30. Neighborhood Review Meeting.

1. *The purpose of the Neighborhood Review Meeting is to allow neighbors, representatives from the Neighborhood Association Committee (hereinafter referred to as NAC), and interested persons an opportunity to become familiar with the proposal and to identify any associated issues. The Neighborhood Review Meeting is intended to assist in producing applications that are responsive to neighborhood concerns, and to reduce the likelihood of delays and appeals. The City expects an applicant to take into consideration the reasonable concerns and recommendations of the neighborhood when preparing an application. The City expects the neighbors*

and NAC to work with the applicant to provide reasonable concerns and recommendations.

2. *Prior to submittal of an application subject to a Type 3 procedure, the applicant shall provide an opportunity to meet with neighboring property owners, residents and businesses (hereinafter collectively referred to as "neighbors") as well as representatives from the NAC within whose boundaries the site is located or within the notice radius to review the proposal. The applicant shall not be required to hold more than one Neighborhood Review Meeting provided such meeting is held within six months prior to submitting an application for one specific site. This requirement does not apply to applications required by Design Review Three threshold number 7 (Section 40.20.15.3.A.7.) or applications for Quasi-Judicial Zoning Map Amendment (Section 40.97.15.1.), Discretionary Annexation Related Zoning Map Amendment (Section 40.97.15.4.).*

RESPONSE: As advised by City staff during the pre-application conference and consistent with the BDC, no neighborhood meeting is required for a Type II standard lot preliminary subdivision.

50.40. Type 2.

1. *The decision-making authority for a Type 2 application shall be the Director.*
2. *Once an application has been determined or deemed complete, the Director shall provide written notice a minimum of twenty (20) calendar days before the decision making authority's decision to:*
 - A. *The applicant and the property owner.*
 - B. *The Chair of the NAC in which the subject property is located and the Chair of any other NAC's whose boundaries are within three hundred (300) feet of the subject property.*
 - C. *Washington County Department of Land Use and Transportation.*
 - D. *The Chair of Washington County's Community Participation Organizations (CPO) in which the subject property is located and the Chair of any other CPO's whose boundaries are within three hundred (300) feet of the subject property.*
 - E. *Owners of property within three hundred (300) feet of any property line that is the subject of the application. The most recent property tax assessment roll of the Washington County Department of Assessment and Taxation shall be used for determining the property owner of record. The failure of a property owner to receive notice does not invalidate the decision.*

3. *The written notice of the pending application shall include the following information:*
 - A. *The case file number for the application.*
 - B. *A description of the site reasonably sufficient to inform the reader of its location including map and tax lot number, and if available, site address, site zoning, and name of the NAC in which the proposal is located.*
 - C. *A map showing the subject property in relation to other properties.*
 - D. *A summary of the application.*
 - E. *A listing of the applicable approval criteria by Development Code section number.*
 - F. *When and where information about the application may be examined and the name and telephone number of the City representative to contact about the application.*
 - G. *A statement that a meeting of the Facilities Review Committee will occur on a specified date with the applicant to discuss technical issues associated with the application and the date of such meeting.*
 - H. *A statement that interested parties can submit written comments, but, to be considered, the City must receive those comments no later than the comment closing date, which is a specific date established by the Director and which is approximately twenty eight (28) calendar days from the date the application is determined to be or deemed complete. The comment closing date shall be listed in boldface type.*
 - I. *A statement that the decision shall be made after the comment closing date.*
4. *Within approximately seven (7) calendar days after the application has been determined to be or deemed complete and in no case less than twenty (20) calendar days before the decision making authority's decision, the Director shall publish in a newspaper of general circulation in the City of Beaverton a summary of the application, the comment closing date on the application, the date of the Facilities Review Committee meeting with the applicant, and the date on which a decision will be made on the application.*
5. *Not more than ten (10) calendar days after the application has been determined to be or deemed complete, the applicant shall post on the site at least one (1) notice signboard provided by the Director for that purpose. The signboard shall be posted in a conspicuous place visible to the public on or in the vicinity of the property subject to the application. The signboard shall state with minimum two (2)-inch high*

letters the case file number and the telephone number where City staff can be contacted for more information.

6. *Subject to the limitations set forth in Section 50.25.10., the applicant may amend the application during a period of time of up to and including fourteen (14) days after the application has been determined to be or deemed complete.*
7. *Approximately twenty eight (28) calendar days after the application has been determined to be or deemed complete, the Director shall convene the Facilities Review Committee to review the application with the applicant.*
8. *Within approximately thirty five (35) calendar days after the application has been determined to be or deemed complete, the applicant shall submit to the Director an affidavit certifying where and when the notices referred to in Section 50.40.5. were posted.*
9. *Within approximately seven (7) calendar days after the Facilities Review Committee meeting, the Facilities Review Committee shall forward a written report to the Director.*
10. *Within approximately fourteen (14) calendar days after the Facilities Review Committee meeting, the Director shall issue a written decision on the application to the applicant, the property owner, the NAC in which the subject property is located, and interested parties that submitted written comments prior to or on the comment closing date; provided,*
 - A. *The decision making authority shall consider the application, the applicant's supplement to or amendment of the application, if any, and the timely and relevant comments on the application. The decision making authority may consider comments and responses received from the applicant, the public, or both after the comment closing period on the proposal; and*
 - B. *The 120-calendar-day timeline specified in Section 50.25.8 may be extended for a specific amount of time at the written request of the applicant. The total time to extend the final decision, may not exceed 245 calendar days from the date of the original 120-day period.*
11. *A decision shall include:*
 - A. *A brief summary of the proposal and the application which is the subject of the decision, the decision, and any conditions of approval.*
 - B. *A description of the site reasonably sufficient to inform the reader of its location including site address, and if available, map and tax lot number, site zoning, and the NAC in which the proposal is located.*

- C. *A statement of the facts upon which the decision making authority relied to determine whether the application satisfied or failed to satisfy each applicable approval criterion and assurance of compliance with the approval criteria.*
- D. *The decision to approve or deny the application and, if approved, any conditions of approval necessary to ensure compliance with applicable criteria.*
- E. *A statement that the decision is final, unless appealed as provided in Section 50.65, within twelve (12) calendar days after the date of the decision or may be modified pursuant to Section 50.95. The notice shall state in boldface type the date and time by which an appeal must be filed. The statement shall describe the requirements for filing an appeal of the decision.*
- F. *A statement that the complete case file, including findings, conclusions and conditions of approval, if any, is available for review. The notice shall list when and where the case file is available and the name and telephone number of the City representative to contact about reviewing the case file.*

RESPONSE: The application for a 6-Lot Preliminary Subdivision is submitted under the requirements for a Type II process. The applicant will comply with the requirements of this section, as guided by Staff as the application proceeds through the review process, including completeness, acceptance, noticing of the application, and issuance of a decision.

60.15. Land Division Standards

60.15.05. Purpose.

It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.45 of this Code.

60.15.07. South Cooper Mountain Natural Resources.

The following standard is applicable to partitions and subdivisions within the South Cooper Mountain Community Plan Area.

- 1. *Significant Natural Resource Areas, as identified in Figure 12: Natural Resources in the Community Plan Area of the South Cooper Mountain Community Plan, shall be protected and enhanced, consistent with local, state and federal regulations.*

RESPONSE: The subject site is not located in the South Cooper Mountain Community Plan Area: Therefore, this Section is not applicable.

60.15.10. Grading Standards.

1. *Applicability. The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.*

RESPONSE: The application is subject to the requirements of this Section.

2. *Exemptions. The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.:*
 - A. *Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.*
 - B. *Storm water detention facilities subject to review and approval of the City Engineer.*
 - C. *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.*

RESPONSE: The above exceptions are noted. All grading on site will be permitted in accordance with the requirements of this Section, unless subject to the review and approval of the City Engineer, as described above.

3. *On-site surface contouring. 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:*
 - A. *0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.*
 - B. *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 elevation of the abutting property, whichever is applicable.*
 - C. *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 elevation of the abutting property, whichever is applicable.*
 - D. *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 elevation of the abutting property, whichever is applicable.*

- E. *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 elevation of the abutting property, whichever is applicable.*
- F. *Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.*
- G. *The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development.*

RESPONSE: All grading on the site has been designed in accordance with the requirements of this Section. Generally, the existing surface contours are not significantly altered across the site, with grading primarily to smooth out the surface to allow for driveways and building platforms, match roadway vertical alignment, and to allow for surface drainage. Slopes across the site are maintained at approximately 1.2%. Contours will blend into surrounding properties at existing grades.

- 4. *Significant Trees and Groves. Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:*
 - A. *0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;*
 - B. *More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the tree's drip line, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;*
 - C. *Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.*

RESPONSE: As described previously, there are 12 living trees on the property, of which only 1 has dimensions greater than or equal to 10" DBH. No other trees satisfying other tree categories are present on the site. All the existing trees on site are proposed to be removed to accommodate the development of utilities and building areas. See the applicant's responses to Section 60.60 for more information on tree removal.

60.15.15. Final Plat Standards.

RESPONSE: The subject land division application is for Preliminary Plat approval. The requirements for Final Plat approval will be addressed with the Final Plat submittal.

60.30. Off-Street Parking

60.30.05. Off-Street Parking Requirements.

When provided, parking spaces shall be designed and maintained by the owner of the property in accordance with the requirements of Sections 60.30.05 to 60.30.20.

- 1. Open Air Beaverton. Businesses that are approved pursuant to the Open Air Beaverton program and are not located in RC-MU, RC-BC, RC-DT, nor RC-OT may utilize a minimum of two off-street parking spaces, or up to one off-street parking space per 1,000 square feet of interior floor area occupied by the business, whichever is greater, for the program. In calculating the number of parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. Businesses that are approved pursuant to the Open Air Beaverton program and are located in RC-MU, RC-BC, RC-DT or RC-OT may utilize an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission.*

RESPONSE: The subject site does not support a business approved pursuant to the Open Air Beaverton program, nor is it located within a commercial district. Therefore, the development is not subject to the requirements of this Section.

- 2. Bicycle Parking. Bicycle parking shall be required for quadplexes, townhouses (with 4 or more units), cottage clusters, multi-dwellings, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual.*

RESPONSE: The subject application is for a 6-Lot Preliminary Subdivision for single detached units. As described above, *Bicycle parking shall be required for quadplexes, townhouses (with 4 or more units), cottage clusters, multi-dwellings, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996.* Accordingly, as the proposed development does not include any of the uses listed above, bicycle parking is not required.

60.30.10. Number of Parking Spaces.

Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:

- 1. Parking Calculation for Maximum Parking. Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures shall be exempted from the calculations in this section.*

RESPONSE: As per Table 60.30.10.5.A., there are no vehicle maximum parking requirements for dwellings in the RMA, RMB or RMC Zones.

2. *Climate-Friendly and Equitable Communities (CFEC) Parking Maximums. For developments on parcels where any part of the parcel is within a Metro Title 6 Regional Center, within a Metro Title 6 Town Center, within three-quarters mile of a rail transit stop, or within one-half mile of the centerline of a frequent transit corridor shall comply with the applicable limits in Section 60.30.10.2.A through D. A frequent transit corridor is a corridor with bus service, considering all bus routes that travel along that corridor, arriving with a scheduled frequency of at least four times an hour during peak service. If Table 60.30.10.5.A and Section 60.30.10.2.A through D have different parking maximums, the stricter, lower number of maximum permitted vehicle parking spaces allowed shall apply.*

RESPONSE: As per Table 60.30.10.5.A., there are no vehicle maximum parking requirements for dwellings in the RMA, RMB or RMC Zones. However, the subject site is located approximately 120 feet south of SW Beaverton-Hillsdale Highway, which supports TriMet’s #54-Beaverton-Hillsdale Highway bus line, between the Beaverton Transit Center and Portland City Center. The eastbound stop is located at the intersection of SW Maple Avenue and SW Beaverton Hillsdale Highway, and the westbound stop is located at the intersection of SW 110th Avenue and SW Beaverton-Hillsdale Highway. Bus Line 54 is considered a “Frequent Service” line, with buses running at 15-minute intervals or better most of the day, every day. As such, the site is considered to be within a Climate-Friendly and Equitable Communities zone.

- A. *Parking maximums shall be no higher than 1.2 off-street parking spaces per studio dwelling unit and two off-street parking spaces per non-studio dwelling unit in a multi-dwelling development. These maximums shall include visitor parking; and*

RESPONSE: Eventual dwellings on the subject site will not be considered studio dwelling unit(s) or non-studio dwelling unit(s) in a multi-dwelling development. Accordingly, this section does not apply.

- B. *Parking maximums for the following commercial and retail uses listed in Sections 20.05.20, 20.10.20, 20.15.20, 20.20.20, and 70.15.20, regardless of the use categories listed in Table 60.30.10.5.A, shall be no higher than 5 spaces per 1,000 square feet of floor area: Animal Care; Care, except for Residential Care Facilities; Financial Institutions; Marijuana uses, except Marijuana Processing; Meeting Facilities; Office; Retail, except for Eating and Drinking Establishments; Rental Business; Personal Service Business; Service Business/Professional Services; Vehicles, except major Automotive Service, Minor Automotive Service, Heavy Equipment Sales, Sales or Lease, Trailer, Recreational Vehicle or Boat Storage, Trailer Sales or Repair, and Vehicle Storage Yard; and*

RESPONSE: The proposed development is residential rather than commercial or retail; Therefore, this Section is not applicable.

- C. *For each individual lot with a building or buildings totaling more than 65,000 square feet of floor area, surface parking shall not consist of more area than the floor area of the building or buildings. For the purposes of this standard, the surface parking area shall include parking spaces, drive aisles, drive-through lanes, and maneuvering areas for passenger vehicles but shall not include paved areas not for use by passenger vehicles, such as loading areas or outdoor storage of goods and materials.*

RESPONSE: The largest total buildable area within each of the 6-lots within the development is on Lot 6, which has a buildable area of approximately 12,785 square feet, which would not support a gross floor area of 65,000 square feet; Therefore, this section is not applicable.

3. *Parking Categories.*

- A. *Vehicle Categories. Contained in the table at Section 60.30.10.5. are vehicle parking ratios for maximum permitted number of vehicle parking spaces that may be provided for each land use.*
 - 1. *Minimum number of required parking spaces. No minimum parking is required for any use.*
 - 2. *Parking Zone A. Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.*
 - 3. *Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.*
 - 4. *Dual parking zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center - East zoning district. In the cases in the Regional Center - East zoning district where parcels are bisected by the*

boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel.

RESPONSE: There are no maximum parking ratios for vehicles in either Zone A or B for Single-Detached Dwellings, Duplex, or Townhouse units in RMA, RMB or RMC Zone (per unit).

- B. Bicycle Categories. The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.*
- 1. Short-Term parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking shall be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.*
 - 2. Long-Term parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.*

RESPONSE: Bicycle parking for both short-term (1 space) and long-term (1 space) visitors will be provided within the existing and future internal garages of each of the units.

- 3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.*

RESPONSE: Bicycle parking for both short-term and long-term visitors will be within the existing and future internal garages of each of the units. Bicycle parking is therefore lit, covered, and secure.

- 4. Ratios. In calculating the required number of bicycle parking spaces or maximum number of vehicle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number and fractions less than 0.5 shall be rounded down to the nearest whole number.*

RESPONSE: As each unit is required to provide 2 bicycle spaces, there are no fractions to be adjusted. Therefore, this section is not applicable.

- 5. Uses Not Listed. For uses not specifically mentioned in this section, the requirements for off-street parking facilities for vehicles and bicycles shall be determined with a Parking Requirement Determination (Section 40.55.15.1.).*

RESPONSE: The residential units proposed are addressed by Tables 60.30.10.5.A. and 60.30.10.5.B. Therefore, this section is not applicable.

6. *Parking Tables. The following tables list the maximum permitted vehicle (Table 60.30.10.5.A) and required minimum bicycle parking requirements (Table 60.30.10.5.B) for listed land use types.*

| Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES | | | |
|--|---|---|---------------|
| Land Use Category | | Maximum Permitted Parking Spaces | |
| | | Zone A | Zone B |
| Residential Uses | | | |
| | <i>Single-Detached Dwellings, Duplex, or Townhouse in RMA, RMB or RMC Zone (per unit)⁵</i> | N/A | N/A |

Notes:

1. *Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.*
2. *Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.*
3. *Refer to Section 60.30.10.11. for exceptions.*
4. *In calculating the maximum number of vehicle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.*

RESPONSE: As per Table 60.30.10.5.A., there are no vehicle maximum parking requirements for dwellings in the RMA, RMB or RMC Zones. Section 60.30.10.2 A. through D [sic] does not modify these maximums, therefore there is no maximum parking requirement for this development.

| Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES | | |
|--|--|-------------------------|
| Land Use Category | Minimum Required Bicycle Parking Spaces | |
| | Short Term | Long Term |
| Residential Uses | | |
| <i>Single-Detached Dwellings and Middle Housing</i> | <i>1 space per unit</i> | <i>1 space per unit</i> |

RESPONSE: Bicycle parking for both short term (1 space) and long-term (1 space) visitors will be provided within the existing and future internal garages of each of the units.

Notes:

1. *Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.*
2. *Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.*

3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

7. *Residential Parking Dimensions. For all residential uses, any provided parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. In RMA, RMB and RMC, parallel parking spaces may also be used to meet minimum required parking spaces and shall not be less than 8 feet wide and 20 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.)*

RESPONSE: The applicant requests to defer the submittal of a Design Review application for the new homes at this time. Design review applications for the future homes (including parking) will be submitted at the appropriate stage. Should the applicant ultimately choose to develop single detached dwelling units on the new lots, Design Review approval would be required for Lots 2 – 6 prior to building permit submittal.

8. *Parking Space Calculation.*

- A. *Multiple Uses. In the case of multiple uses, the total minimum required bicycle parking and the total maximum permitted off-street vehicle parking shall be the sum of the requirements for the various uses computed separately.*
- B. *Bicycle spaces which only meet the requirements of one establishment may serve more than one establishment on the same site, with the approval of a Shared Bicycle Parking application, provided that sufficient evidence is presented which shows that the times of peak bicycle parking demand for the various establishments do not coincide, and that adequate bicycle parking will be available at all times when the various establishments are in operation.*

RESPONSE: The subject development includes a single use – residential single dwellings – and as such these sections are not applicable.

9. *Location of Vehicle Parking.*

- A. *For parking areas that meet one of the thresholds in subsections 1 or 2, below, parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.*
 1. *Residential dwellings: Tandem spaces that can be accommodated within the driveway do not count in*

calculation provided the number of parking spaces backing out into the street or right of way does not exceed two. All other development: More than two parking spaces.

2. *All parking spaces shall meet minimum standards outlined in Section 60.30.15 unless otherwise approved through a Major Adjustment or Major Adjustment – Affordable Housing.*

RESPONSE: The applicant requests to defer the submittal of a Design Review application for the new homes, as at this time. Design review for the future homes (including parking) will be at the appropriate time. Design Review approval would be required for Lots 2 – 6 prior to building permit submittal.

- B. *In the RMA, RMB, and RMC zones parking and loading spaces for single-detached dwellings and middle housing may be located in side and rear yards and up to two parking spaces may be located in the front yard of each lot.*

RESPONSE: The subject development is located within the RMC zone, and it is anticipated that each of the future homes will provide two spaces per unit within driveways. Accordingly, these spaces may be located within the front yard of each of the lots.

- C. *For middle housing outside the RMA, RMB, and RMC zones, and other types of housing in any zone, parking in the front yard is allowed for each dwelling unit in the driveway area and shall be hard surfaced.*

RESPONSE: The subject development is located within the RMC zone, and it is anticipated that each of the future homes will provide two spaces per unit within driveways. Accordingly, these spaces may be located within the front yard of each of the lots.

10. *Open Air Beaverton.*

- A. *Businesses that are approved pursuant to the Open Air Beaverton program may utilize an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission.*

RESPONSE: The subject site is not within an Open-Air Beaverton program area or located within a commercial district, and is not subject to the requirements of this Section.

11. *Compact Cars. Compact car parking spaces may be allowed as follows:*

- A. *For residential uses, proposed vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8.*

- B. *For uses other than residential uses, twenty percent (20%) of the provided vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the provided parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate.*
- C. *Compact car parking spaces shall be generally grouped together and designated as such.*

RESPONSE: The subject development includes a single use – residential single dwellings. Each of the parking spaces provided in future homes will be designed to meet the minimum standard parking stall dimensions of 18 ½ feet long x 8 ½ feet wide. This requirement is satisfied.

12. *Carpool and Vanpool Parking Requirements.*

- A. *In industrial, institutional, and office developments, including government offices, with 50 or more employee parking spaces, at least three percent of the employee parking spaces provided shall be designated for carpool and/or vanpool parking. For the purposes of this section, carpool is defined as two or more persons per car, and vanpool is defined as five or more persons per van. The carpool/vanpool spaces shall be clearly marked and signed for reserved carpool and/or vanpool parking. The reserved carpool/vanpool parking time may be specified so that the reserved spaces may be used for general parking if the reserved spaces are not occupied after a specific time period, which shall be clearly posted on the sign.*
- B. *Location. Designated carpool/vanpool spaces shall be the closest employee motor vehicle parking spaces to the building entrance normally used by employees, except for the motor vehicle parking spaces designated for persons with disabilities, which shall be the closest to the building entrance.*

RESPONSE: The subject development includes a single use – residential single dwellings – and as such these sections are not applicable.

60.30.15. *Off-Street Parking Lot Design.*

All off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawings and tables:

RESPONSE: The subject development does not include any off-street parking lots, and as such this section is not applicable.

NOTE:

- 9) *Newly constructed multi-dwelling residential buildings with five or more residential dwelling units and newly constructed multiple-use buildings consisting of privately owned commercial space and five or more residential dwelling units shall provide sufficient electrical service capacity, as defined in ORS 455.417, to accommodate no less than 40 percent of all vehicle parking spaces serving the residential units. For the purposes of calculating which spaces serve residential units, applicants shall provide sufficient electrical capacity to 40 percent of parking spaces on the entire site or designate which vehicle parking spaces will be dedicated for residential use, install signage indicating that those spaces are for residential use only, and provide sufficient electrical capacity to 40 percent of the parking spaces designated for residential use. Townhouses are not included for purposes of determining the applicability of this regulation.*

RESPONSE: As provided above, as the subject development is solely for residential single dwellings, sufficient electrical service capacity to accommodate no less than 40 percent of all vehicle parking spaces is not required.

60.30.20. Off-Street Parking Lot Construction.

Every parcel of land hereinafter developed for use as a parking area shall conform to the requirements of the Engineering Design Manual and Standard Drawings.

RESPONSE: The subject development does not include any off-street parking lots, and as such this section is not applicable.

60.30.25. Enforcement.

The Director is authorized to suspend any permit if the usage of parking by the original use or temporary use or both increases beyond the capacity of the on-site parking or that the use is causing a nuisance to the public or surrounding properties. The Director shall notify the applicant of the Director's intent to suspend the permit and shall provide an opportunity for a hearing prior to suspension. However, in any case where the Director, or any Code Enforcement Officer designated by the City Manager, finds a serious danger to the public health or safety, the Director or Code Enforcement Officer may suspend the permit without a hearing. Upon suspension of a permit, the Director or Code Enforcement Officer may require that the temporary use or structure vacate the site within five working days or can require the use to discontinue operation. The Director shall notify the applicant of the reasons for the action, and the Director shall afford the applicant the opportunity for a hearing within five days from the date of the suspension. The Director may reinstate a suspended permit upon a showing by the applicant that the cause of the suspension has been corrected. Appeal of any decision of the Director shall be pursuant to Section 50.75. of this Code.

RESPONSE: The applicant acknowledges the authority of the director; however, the subject development does not include any off-street parking lots, and the applicability of this section is limited in residential uses.

60.50. Special Use Regulations

60.50.03. Accessory Dwelling Unit.

RESPONSE: No accessory dwelling units are proposed.

60.50.05. Accessory Uses and Structures. (Other than Accessory Dwelling Units)

1. *Structures or uses incidental and subordinate to the uses allowed as Permitted and Conditional Uses in any zone are allowed as accessory uses and structures subject to the provisions of this section.*

RESPONSE: The applicant proposes the demolition or otherwise removal of all structures and accessory structures from the site, except for the dwelling on Proposed Lot 1, which will be retained.

2. *All accessory buildings must comply with the following provisions:*
 - A. *Size. For lots ten thousand (10,000) square feet or less, the combined footprint of all accessory structures may not exceed five hundred (500) square feet. For lots greater than ten thousand (10,000) square feet, the combined footprint may not exceed seven hundred (700) square feet. However, regardless of size, the lot coverage by all accessory structures shall be no more than twenty five (25) percent of a rear yard area. Community buildings associated with cottage cluster developments are exempt from these size limitations;*

RESPONSE: Any future accessory structures on the proposed lots will be required to be no more than 500 square feet in combined area per lot, including a detached garage, as each lot is less than 10,000 square feet.

- B. *Height. Accessory structures shall not exceed one story and shall be no greater than fifteen (15) feet in height. Community buildings associated with cottage cluster developments are exempt from this height limitation, and are instead subject to height limits in Section 20.05.15.G.;*

RESPONSE: Any future accessory structures on the proposed lots will be required to be no more than 15 feet in height.

- C. *They shall not be allowed in a required front yard, unless indicated in Section 60.50.05.3.;*

RESPONSE: Any detached accessory uses will be located outside the front yard setback areas as required by this section.

- D. *They shall not be located within six (6) feet of the main building for residential lots. Required separation distances for commercial and industrial zoned lots shall be determined by the applicable Building Code;*

RESPONSE: Any detached accessory uses will be located no less than 6 feet from the existing dwelling, as required by this section.

- E. *Setbacks. A structure with a height of eight feet or less shall be located no closer than three (3) feet to any lot line nor built over an easement. For each foot of height, or fraction thereof, in excess of eight feet, the accessory structure shall be set back one additional foot from all lot lines;*
- F. *They shall cause no encroachment upon or interference with the use of any adjoining property or public right-of-way;*

RESPONSE: Any proposed detached accessory uses will meet the requirements listed above.

- G. *Attached accessory structures. When an accessory structure is attached to the main structure, such accessory structure shall be considered as part of the main structure. Attached means wall-to-wall or any permanent attachment, as determined by the Director;*
- H. *They shall be built in accordance with the applicable building codes and as determined by the Building Official.*

RESPONSE: As described above, the applicant proposes the demolition or otherwise removal of all primary and accessory structures from the site, except for the dwelling on Proposed Lot 1, which will be retained. No new accessory structures are proposed at this time.

- 3. *Examples of residential accessory uses. The following types of accessory structures or similar structures as determined by the Planning Director shall be permitted in districts where residential use types are allowed:*
 - A. *A greenhouse or hothouse;*
 - B. *A guesthouse may be maintained accessory to a dwelling, provided there is no kitchen space or cooking facilities in the guesthouse;*
 - C. *Pools;*
 - D. *Children's playhouses and structures;*
 - E. *Sheds;*
 - F. *Barns;*
 - G. *Gazebos;*
 - H. *Solar and wind energy systems;*
 - I. *Recreation room;*
 - J. *Laundry facilities;*

- K. *Garage (if applicable, garages must comply with the Garages and Off-Street Parking Area design standards or guidelines in Section 60.05.60.);*
- L. *Carport;*
- M. *Accessory storage;*
- N. *Pump House;*
- O. *Fenced Dog Run;*
- P. *Dog Houses;*
- Q. *Tennis and other game courts;*
- R. *Community building. (Community Buildings must comply with all applicable standards or guidelines in Table 60.05.60.3.)*
- S. *A book-sharing box (Allowed in the front yard setback if the height is limited to 48 inches and volume is limited to 7 square feet, and the box is not in the Sight Clearance Area described in the Engineering Design Manual). A book-sharing box placed in an easement shall be subject to the terms of the easement.*

RESPONSE: Any proposed detached accessory uses will meet the requirements listed above.

- 4. *Non-residential accessory uses. Accessory uses customarily associated with the principal commercial or industrial use shall be permitted where these commercial and industrial use types are authorized.*

RESPONSE: Any proposed accessory uses will be residential in nature, and are therefore not subject to the requirements of this Section.

- 5. *A conflict of interpretation concerning whether a use or structure is an accessory use or structure shall be resolved in accordance with the provisions of Section 10.20.*
- 6. *The City Council may, by resolution, establish a list of uses found not to be accessory to specific Permitted Uses.*
 - A. *Prior to including a use on such list the City Council shall hold a public hearing and allow interested persons an opportunity to testify on the matter.*
 - B. *The City Council may delegate to the Planning Commission the authority to perform the functions authorized and required by this subsection.*

RESPONSE: The applicant acknowledges the above administrative sections.

60.55. Transportation Facilities

60.55.05. Purpose and Intent.

It is the purpose and intent of this chapter to establish design standards and performance requirements for all streets and other transportation facilities constructed or reconstructed within the City of Beaverton.

60.55.10. General Provisions.

1. *All public and private transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.*
2. *In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development.*

RESPONSE: The site is located on the north side of SW Beech Drive, approximately 80 feet east of SW Maple Avenue, and approximately 120 feet south of SW Beaverton-Hillsdale Highway. Both SW Beech Drive and SW Maple Avenue are local streets, while SW Beaverton-Hillsdale Highway is an arterial street. SW Beaverton-Hillsdale Highway provides convenient access to the County arterial and collector network and Highway 217.

SW Beech Avenue is improved with a paved surface, curb and gutter, planter strip, street trees, and sidewalks along the site frontage. As described in the Pre-Application Conference notes for PA 2023-0888 prepared by Fabio De Freitas of the City of Beaverton, and reflected in plans submitted with the application, it appears that there is adequate ROW to accommodate the City's standard sidewalk design without the need for additional right-of-way dedication. While the existing planter strip separates the sidewalk from the street, the sidewalk itself does not satisfy the EDM's L1 standard 5-ft width required along a Local Street. In relation to the proposed development on the site, the sidewalk will be required to be reconstructed to meet the 5-foot width.

3. *For applications that meet the threshold criteria of section 60.55.15. (Traffic Management Plan) or of section 60.55.20. (Traffic Impact Analysis), these analyses or limited elements thereof may be required.*

RESPONSE: The applicant does not meet either of the threshold criteria referenced above; therefore, this Section is not applicable.

4. *The decision-making authority may impose development conditions of approval per Section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements).*

RESPONSE: The applicant does not meet either of the threshold criteria for a Traffic Management Plan or Traffic Impact Analysis. No Additional Street, bicycle, and pedestrian connections are anticipated.

5. *Dedication of right-of-way shall be determined by the decision-making authority.*

RESPONSE: SW Beech Avenue is improved with a paved surface, curb and gutter, planter strip, street trees, and sidewalks along the site frontage. As described in the Pre-Application Conference notes for PA 2023-0888 prepared by Fabio De Freitas of the City of Beaverton, and reflected in plans submitted with the application, it appears that there is adequate ROW to accommodate the City's standard sidewalk design without the need for additional right-of-way dedication.

Existing right-of-way is shown on the preliminary plat for the site.

6. *Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the Area of Influence or any additional locations identified by the City Engineer. Traffic calming measures shall be designed to City standards.*

RESPONSE: There are currently no traffic calming devices located on the site frontage with SW Beech Drive, and none are proposed as part of the application. Due to the low traffic nature of the street combined with a narrow width, it is not anticipated that there will be any need for traffic calming in the vicinity of the site.

7. *Intersection performance shall be determined using the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve a different intersection analysis method prior to use when the different method can be justified. Terms used in this subsection are defined in the Highway Capacity Manual 2000.*

At a minimum, the impacts of development on a signalized intersection shall be mitigated to peak hour average control delay no greater than 65 seconds per vehicle using a signal cycle length not to exceed 120 seconds. The volume-to-capacity ratio for each lane group for each movement shall be identified and considered in the determination of intersection performance. The peak hour volume-to-capacity (V/C) ratio for each lane group shall be no greater than 0.98. Signal progression shall also be considered. If the intersection is under County or ODOT jurisdiction, the V/C ratio for each lane group shall not exceed the V/C ratio imposed by that jurisdiction.

At a minimum, the impacts of development on a two-way or an all-way stop-controlled intersection shall be mitigated to a peak hour average control delay of no greater than 45 seconds per vehicle.

If the existing control delay or volume-to-capacity ratio of an intersection is greater than the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or volume-to-capacity ratio.

RESPONSE: The applicant does not meet either of the threshold criteria for a Traffic Management Plan or Traffic Impact Analysis. No additional intersection improvements beyond those proposed are anticipated or necessary as a result of this development.

60.55.15. *Traffic Management Plan.*

Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local Street or Neighborhood Route and having abutting property zoned RMA, RMB, or RMC.

1. For each development application that requires a Traffic Management Plan, the Plan shall identify:

RESPONSE: The applicant prepared trip generation estimates for the project based on the Trip Generation Manual, 11th Edition, published by the Institute of Transportation Engineers (ITE, Reference 1). ITE land use code 210 (single family, detached) was used to calculate existing and proposed trips. The table below details vehicle trip generation estimates for the daily, weekday AM, and weekday PM peak hours.

| Land Use | ITE Code | Size (Units) | Daily Trips | Weekday AM Peak Hour | | | Weekday PM Peak Hour | | |
|--|----------|--------------|-------------|----------------------|------|-------|----------------------|------|-------|
| | | | | In | Out | Total | In | Out | Total |
| Existing Trips | | | | | | | | | |
| Detached Single | 210 | 4 | 37.72 | 0.72 | 2.08 | 2.80 | 1.4 | 2.36 | 3.76 |
| Proposed Trips | | | | | | | | | |
| Detached Single | 210 | 6 | 56.58 | 1.08 | 3.12 | 4.2 | 2.1 | 3.54 | 5.64 |
| Net New Trips (Proposed – Existing) | | | | | | | | | |
| | | | 18.86 | 0.36 | 1.04 | 1.4 | 0.7 | 1.18 | 1.88 |

As shown above, the maximum trip increase in any hour resulting from the proposed development is 1.88 trips, which is well below the 20 or more required to trigger the Traffic Management Plan requirement.

60.55.20. *Traffic Impact Analysis.*

For each development proposal that exceeds the Analysis Threshold of 60.55.20.2, the application for land use or design review approval shall include a Traffic Impact Analysis as required by this code. The Traffic Impact Analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

1. *Engineer Certification.* The Traffic Impact Analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the State of Oregon.
2. *Analysis Threshold.*

- A. *A Traffic Impact Analysis is required when the proposed land use change or development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer.*
- B. *A Traffic Impact Analysis or some elements of a Traffic Impact Analysis may be required when the volume threshold under subsection A. of this section is not met but the City Engineer finds that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.*

RESPONSE: As shown in the trip generation calculations above, the increase in average daily trips from the development will be 18.86 vehicles, which is well below the 300 vehicles per day or more required to trigger the Traffic Impact Analysis requirement.

Regarding Subsection B. above, due to the low trip generation potential of the project, traffic effects attributable to the development are not considered to impact the safe and efficient operation of the existing public transportation system.

60.55.25. Street and Bicycle and Pedestrian Connection Requirements.

- 1. *All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.*

RESPONSE: SW Beech Avenue is improved with a paved surface, curb and gutter, planter strip, street trees, and sidewalks along the site frontage. While the existing planter strip separates the sidewalk from the street, the sidewalk itself does not satisfy the EDM's L1 standard 5-ft width required along a Local Street. In relation to the proposed development on the site, the sidewalk will be required to be reconstructed to meet the 5-foot width.

As a result of widening the sidewalk along the site frontage, it is considered that the proposed development will provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit.

- 2. *The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel. For properties within the South Cooper Mountain Community Plan area, Figure 10: Community Plan Street Framework and Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan shall be used to identify functional classifications of streets, future streets, bicycle, and pedestrian connections. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and*

pedestrian connections. Trails identified in Figure 11: Community Plan Bicycle & Pedestrian Framework shall be designed to meet applicable Tualatin Hills Parks & Recreation (THPRD) District trail design standards, unless otherwise approved by THPRD. Deviations from Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework shall be reviewed through the Planned Unit Development application.

RESPONSE: SW Beech Avenue is improved with a paved surface, curb and gutter, planter strip, street trees, and sidewalks along the site frontage. Per the Pre-application conference (PA2023-00888) adequate ROW to accommodate the City’s standard sidewalk design exists without the need for additional right-of-way dedication. While the existing planter strip separates the sidewalk from the street, the sidewalk itself does not satisfy the EDM’s standard 5-ft width required along a Local Street. In relation to the proposed development on the site, the sidewalk along the SW Beech Drive frontage will be required to be reconstructed to meet the 5-foot width.

No additional connectivity or Comprehensive Plan Transportation Element improvements have been identified for the site.

3. *Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.*

RESPONSE: Properties to the west and south of the site are developed, with residential dwellings on typical single residential lots, and have their own individual access directly to the surrounding local street network. Access to SW Beaverton-Highway to the north is limited due to the restricted access to the arterial street, which is compounded by the existing commercial land use zoning and the desire of the impacted road-controlling authorities (ODOT, Washington County, and City of Beaverton) to limit cut-through traffic between the existing neighborhood and SW Beaverton-Hillsdale Highway. To the east, similar conditions exist with commercial land use zoning, and access restrictions preventing the connection of through streets.

Finally, it is noted that the intersection of SW Maple Avenue and SW Beaverton-Hillsdale Highway is less than 350 feet west of the site, facilitating reasonably direct access between and among neighboring properties.

4. *Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development’s streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.*

RESPONSE: The subject site fronts the existing SW Beech Drive right-of-way. No new streets are proposed or required as part of this application. The applicant proposes the replacement of the existing sidewalk along the site frontage with a 5-foot-wide sidewalk meeting the requirements of the Beaverton EDM. The sidewalk will serve to provide enhanced bicycle and pedestrian connections extending along the site frontage.

5. *Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.*

RESPONSE: As described previously, per the Pre-application Conference for the site (PA2023-00888) City staff identified that adequate ROW to accommodate the City's standard sidewalk design exists without the need for additional right-of-way dedication. This requirement is met.

6. *Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.*
7. *Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.*

RESPONSE: No new streets are proposed or required as part of this application. The proposed widened sidewalk and driveways will provide direct connections to the existing adjoining street network, with a continuous connection to the intersection of SW Maple Avenue and SW Beaverton-Hillsdale Highway at the signal-controlled intersection, and adjacent to the existing transit stop. No other bicycle or pedestrian connections abut the site. The requirements of these sections are met.

8. *To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.*

RESPONSE: As described previously, per the Pre-application Conference for the site (PA2023-00888) City staff identified that adequate ROW to accommodate the City's standard sidewalk design exists without the need for additional right-of-way dedication. No additional dedication or special setback line is necessary or identified.

9. *Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14.*

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

A. *Accessways shall be provided as follows:*

1. *In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.*
2. *If any of the conditions described in Section 60.55.25.14. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block.*
3. *Where a street connection is not feasible due to conditions described in Section 60.55.25.14. one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park.*
4. *The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.*
5. *In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.*

RESPONSE: The applicant is providing a widened sidewalk and driveways with direct connections to the existing adjoining street network, with a continuous connection to the intersection of SW Maple Avenue and SW Beaverton-Hillsdale Highway at the signal-controlled intersection, and adjacent to the existing transit stop.

It is noted that the existing block face between intersecting streets on SW Beech Drive is approximately 1,000 feet measured along the near side right-of-way. As stated above, the BDC requires that in any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block. The middle of the block (the approximate 500-foot mark) is located approximately at the shared east-west property line between Tax Lots 1700 and 1800. This point is located approximately 185 feet south of the southern point of the subject site, and accordingly as the site is not at or near the middle of the block no accessway is warranted with this development. No other bicycle or pedestrian connections abut the site. No additional accessways are required based on surrounding block length.

This requirement is satisfied.

6. *Within the South Cooper Mountain Community Plan area, the City may require an accessway to connect from multi-use paths or trails to streets, multi-use paths, or trails.*

RESPONSE: The subject site is not located within the South Cooper Mountain Community Plan area. This requirement is satisfied.

B. Accessway Design Standards.

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

RESPONSE: No specific pedestrian and bicycle accessways are proposed as part of this application.

10. Pedestrian Circulation.

A. Standards for Single-Detached Dwellings and Middle Housing.

1. *A pedestrian way is required to connect at least one main entrance of each residential structure to at least one adjacent public street.*
2. *The pedestrian way required in subsection 1 shall be hard-surfaced and a minimum of five (5) feet wide. Any hard-surface path connecting entrances to the street (including a driveway) could meet this standard.*
3. *In lieu of meeting the standards above, cottage clusters are subject to the pedestrian access standards in Section 60.05.60.3.*

RESPONSE: Each front door within the development will connect to the existing public street via individual porches and driveways. The driveways will connect to the proposed widened sidewalks, before connecting to the existing public transportation network on SW Beaverton Hillsdale-Highway. Each of these areas includes a hard-surface, and has a minimum width of five (5) feet. The requirements of these sections are met.

11. Pedestrian Connections at Major Transit Stops. Commercial and institutional buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:

RESPONSE: The subject development is not a commercial or institutional building; therefore, this section is not applicable.

12. *Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.*

"Assessment" for the purposes of this section means to assess the site-specific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. "Review" for the purposes of this section includes but is not limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.

RESPONSE: With the exception of the proposed widened sidewalk and driveways serving each unit, there are no specific bicycle and pedestrian connections required as part of this development; therefore, this section is not applicable.

13. *New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.*

RESPONSE: With the exception of the proposed widened sidewalk and driveways serving each unit, there are no specific bicycle and pedestrian connections required as part of this development; therefore, this section is not applicable.

14. *Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:*

- A. *Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;*
- B. *Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,*

- C. *Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.*

RESPONSE: With the exception of the proposed widened sidewalk and driveways serving each unit, there are no specific bicycle and pedestrian connections required as part of this development and no additional accessways are proposed; therefore, this section is not applicable.

60.55.30. Minimum Street Widths.

Minimum street widths are depicted in the Engineering Design Manual.

1. *Any project-specific modifications of the standards contained in the Engineering Design Manual regarding the widths of features relating to the movement of vehicles, including but not limited to rights of way, travel lanes, parking lanes, bike lanes, driveway aprons, curb radii, or other such features shall be processed in accordance with the provisions contained in the Section 145 Design Modifications of the Engineering Design Manual.*

RESPONSE: SW Beech Avenue is improved with a paved surface, curb and gutter, planter strip, street trees, and sidewalks along the site frontage. Per the Pre-application conference (PA2023-00888) notes, City staff found that adequate ROW to accommodate the City's standard sidewalk design exists without the need for additional right-of-way dedication. It is noted that while the existing planter strip separates the sidewalk from the street, the sidewalk itself does not satisfy the EDM's standard 5-ft width required along a Local Street. In relation to the proposed development on the site, the sidewalk along the SW Beech Drive frontage will be reconstructed to meet the 5-foot width.

2. *Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street furniture are subject to the procedures contained in CHAPTER 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City.*

RESPONSE: This application does not request a modification to any standards of the BDC or the EDM. This section is not applicable.

3. *Street trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist. Proposed tree wells shall be designed to meet standards in the City Engineering Design Manual.*

RESPONSE: Eight street trees exist along the site frontage of SW Beech Avenue and are likely to be retained during this development. With approximately 235 feet of street frontage, at 1 tree

per 30 lineal feet, the requirement is 7.83, or 8 trees. Accordingly, existing trees meet this spacing standard.

Any tree found to require replacement due to health/condition issues, which are in conflict with sidewalk improvements, will be removed and/or relocated as appropriate, using a replacement tree from the City of Beaverton approved street tree list.

60.55.35. Access Standards.

1. *The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved.*

RESPONSE: Access to SW Beech Drive will be from new individual driveways and will be improved to meet City Engineering Design Manual requirements for access to a City street.

2. *No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03.*

RESPONSE: There are no proposed closed-end streets in the development. This section is not applicable.

3. Intersection Standards.

- A. *Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers.*

1. *The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria.*
2. *The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual, and other applicable criteria.*

RESPONSE: The applicant will comply with the requirements of the Engineering Design Manual, including corner visibility requirements, as confirmed through the review and issuance of Site Development permits for the site.

- B. *Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.*
 - 1. *When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.*

RESPONSE: This development does not involve a highway interchange, and no park & ride is required. Therefore, these criteria are met or otherwise not applicable.

- C. *Driveways.*
 - 1. *Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.*

RESPONSE: In accordance with the requirements of the Engineering Design Manual, driveways on local streets shall have a minimum distance between the face of curb of the intersecting street and nearside edge of driveway of 25 feet. The proposed lot with the closest driveway to SW Maple Avenue is Lot 1, with an existing driveway location approximately 75 feet east of SW Maple Avenue. The applicant will comply with corner visibility requirements, as confirmed through the review and issuance of Site Development permits for the site.

- 2. *Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.*

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area. Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.
- 3. *No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decision-making authority may approve access from a detached dwelling to an Arterial or Collector.*

RESPONSE: The site does not have direct access to an arterial or collector street. This section is not applicable.

60.55.40. Transit Facilities.

Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.

- 1. Transit Shelters. All transit shelters and sidewalk furniture shall meet the following standards.*
 - A. The proposal is located entirely within the existing public right-of-way, public access easement, or property owned by a public agency.*
 - B. The proposal maintains an unobstructed path of travel of no less than six feet (6') unless a greater unobstructed path is required by this code for a specific sidewalk.*
 - C. The proposal is not located within eight feet (8') of a point of ingress or egress of an existing structure.*
 - D. The proposal is not located within a vision clearance area for a street, driveway, or other facility where vehicles regularly travel.*
 - E. The proposal is not located within twelve feet (12') of a window display area.*
 - F. The proposal does not consist of solid panels other than what is required to post transit schedules.*

RESPONSE: No transit facility improvements are identified as part of this development. No transit service routes about the site, with the nearest bus service located on SW Beaverton-Hillsdale Highway, over 100 feet to the north of the site.

60.60. Trees and Vegetation

60.60.05. Purpose.

Healthy trees and urban forests provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. In conjunction with processes set forth in Section 40.90.

of this Code, this section is intended to help manage changes to the City's urban forest by establishing regulations and standards for the protection, pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, Mitigation Trees and trees within a Significant Natural Resource Area (SNRA) or Significant Grove), Landscape Trees, and Community Trees.

60.60.07. Enforcement.

A person found responsible for causing the removal or pruning of a protected tree in violation of the standards set forth in Section 60.60., unless exempt, shall be subject to monetary penalties. In cases of unlawful removal the person must also mitigate the removal as set forth in the mitigation requirements of Section 60.60.25.

- 1. Monetary penalties imposed by a court of competent jurisdiction upon conviction for violating any provision of CHAPTER 60 Section 60 of this Ordinance, shall be deposited into the City's Tree Mitigation Fund.*

RESPONSE: The applicant acknowledges the enforcement powers of the City, as they relate to trees and vegetation.

60.60.10. Types of Trees and Vegetation Regulated.

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in Section 40.90 of this Code. The City finds that the following types of trees and vegetation are worthy of special protection:

- 1. Significant Individual Trees.*
- 2. Historic Tree.*
- 3. Trees within Significant Natural Resource Areas.*
- 4. Trees within Significant Groves.*
- 5. Landscape Trees.*
- 6. Community Trees.*
- 7. Mitigation Trees.*

RESPONSE: In accordance with Chapter 90 of the BDC, Protected Trees *Includes Significant Individual Trees, Historic Trees, Trees within a Significant Natural Resource Area or Significant Grove, and Mitigation Trees.* Further, Section 60.60.05 of the BDC includes as protected trees only *Significant Individual Trees, Historic Trees, Mitigation Trees and trees within a Significant Natural Resource Area (SNRA) or Significant Grove.* Protected trees do not include Landscape Trees and Community Trees.

As described in response to Section 40.90.10.1, there is currently 1 Community Tree located on the site, and 11 exempt trees.

60.60.15. Pruning, Removal, and Preservation Standards.

1. *Pruning Standards.*

- A. *It shall be unlawful for any person to remove or prune to remove a tree's canopy or disturb the root zone of any Protected Tree, except in accordance with the provisions of this Code.*

RESPONSE: As noted above, based on the definitions in Chapter 90 of the BDC, there are no “Protected Trees” located on the subject site. Accordingly, the requirements of this section are not applicable.

- B. *All pruning of Protected Trees shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy, also known as Resolution 3391.*

RESPONSE: As noted above, based on the definitions in Chapter 90 of the BDC, there are no “Protected Trees” located on the subject site. Accordingly, the requirements of this section are not applicable.

2. *Removal and Preservation Standards.*

- A. *All removal of Protected Trees shall be done in accordance with the standards set forth in this section.*

RESPONSE: As noted above, based on the definitions in Chapter 90 of the BDC, there are no “Protected Trees” located on the subject site. Accordingly, the requirements of this section are not applicable.

- B. *Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.*

RESPONSE: As noted above, based on the definitions in Chapter 90 of the BDC, Section 60.60.05 of the BDC, and the applicant’s response to BDC Section 40.90.10.1, there are no “Protected Trees” or “Landscape Trees” located on the subject site. Accordingly, the requirements of this section are not applicable.

- C. *For SNRAs and Significant Groves, the following additional standards shall apply:*

RESPONSE: There are no mapped natural resource lands, significant trees, or historic trees on the property. Therefore, this Section is not applicable.

60.60.20. Tree Protection Standards during Development.

1. *Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following:*

RESPONSE: As noted above, based on the definitions in Chapter 90 of the BDC, Section 60.60.05 of the BDC, and the applicant’s response to BDC Section 40.90.10.1, there are no “Protected Trees” or “Landscape Trees” located on the subject site. Accordingly, the requirements of this section are not applicable.

60.60.25. Mitigation Requirements.

1. *The following standards shall apply to mitigation for the removal of Significant Individual Trees or trees within Significant Groves or SNRAs.*
2. *Mitigation for the removal of trees from Significant Groves or SNRAs shall be required as follows:*
3. *In addition to the requirements listed in Section 60.60.25.1. Mitigation Requirements, the following mitigation requirements shall apply for the removal of trees from Significant Groves or SNRAs.*

RESPONSE: As noted above, based on the definitions in Chapter 90 of the BDC, Section 60.60.05 of the BDC, and the applicant’s response to BDC Section 40.90.10.1, there are no “Protected Trees” or “Landscape Trees” located on the subject site. Accordingly, the requirements of this section are not applicable.

60.65. Utility Undergrounding

60.65.05. Purpose.

The purposes and objectives of locating existing and proposed private utilities underground are to:

1. *Implement the policies, goals, and standards of the City Council and the adopted Comprehensive Plan of the City of Beaverton.*
2. *Improve aesthetics of the community by reducing the number of utility poles and above ground wires.*
3. *Provide consistency in management of the City's rights-of-way.*
4. *Protect essential public services from natural and manmade accidental disruptions.*
5. *Improve public safety by reducing the possibility for injury from downed lines.*
6. *Allow fewer fixed obstructions in the public right-of-way.*

60.65.10. Authority.

The provisions of private utility undergrounding shall pertain to all activities subject to Design Review (Section 40.20.) as well as Land Divisions (Section 40.45.).

60.65.15. Regulation.

All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

RESPONSE: There are no public overhead utilities running along the site frontage with SW Beech Drive. A single utility pole on SW Beech Drive is located between Lots 1200 and 1300, with a single overhead line connecting to public utilities running east to west along the rear (northern) property line of the lots. Where possible, individual overhead service will be relocated underground and poles removed, except where those existing overhead utilities are not impacted by the proposed development, or where the cost of the undergrounding of regional services is not proportional with the impact of the development of 2 additional lots.

All new private utility installations to the site will be located underground and constructed in accordance with the requirements of this Section.

FINAL CONCLUSION

Based on the findings provided herein, the applicant has demonstrated the proposed 6 Lot Preliminary Subdivision meets the applicable requirements of the Beaverton Development Code.

Therefore, the applicant respectfully requests approval of this application.