

CITY OF BEAVERTON

Community Development
Department
Planning Division
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Beaverton, OR. 97076
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BeavertonOregon.gov



OFFICE USE ONLY

FILE #: _____
FILE NAME: _____
TYPE: _____ RECEIVED BY: _____
FEE PAID: _____ CHECK/CASH: _____
SUBMITTED: _____ LWI DESIG: _____
LAND USE DESIG: _____ NAC: _____

CONDITIONAL USE APPLICATION

PLEASE SELECT THE SPECIFIC TYPE OF CONDITIONAL USE FROM THE FOLLOWING LIST:

- TYPE 2 MINOR MODIFICATION OF A CONDITIONAL USE
- TYPE 3 MAJOR MODIFICATION OF A CONDITIONAL USE
- TYPE 3 PLANNED UNIT DEVELOPMENT
- TYPE 3 NEW CONDITIONAL USE
- INTERIM WASHINGTON COUNTY USE TYPE 1
- NONCONFORMING USE
- INTERIM WASHINGTON COUNTY USE TYPE 2

APPLICANT: Use mailing address for meeting notification. Check box if Primary Contact

COMPANY: _____

ADDRESS: _____

(CITY, STATE, ZIP) _____

PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ CONTACT: _____

(Original Signature Required)

APPLICANT'S REPRESENTATIVE: Check box if Primary Contact

COMPANY: _____

ADDRESS: _____

(CITY, STATE, ZIP) _____

PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ CONTACT: _____

(Original Signature Required)

PROPERTY OWNER(S): Attach separate sheet if needed. Check box if Primary Contact

COMPANY: _____

ADDRESS: _____

(CITY, STATE, ZIP) _____

PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ CONTACT: _____

Note: A land use application must be signed by the property owner(s) or by someone authorized by the property owner(s) to act as an agent on their behalf. If someone is signing as the agent of the property owner(s), that person must submit a written statement signed by the property owner(s), authorizing the person to sign the application.

PROPERTY INFORMATION (REQUIRED)

SITE ADDRESS: _____

ASSESSOR'S MAP & TAX LOT # LOT SIZE ZONING DISTRICT

_____	_____	_____
_____	_____	_____
_____	_____	_____

PRE-APPLICATION DATE: _____

AREA TO BE DEVELOPED (s.f.): _____

EXISTING USE OF SITE: _____

PROPOSED DEVELOPMENT ACTION: _____

When opening links (highlighted in blue), right click on the link and open in a new window. You may lose your work if you click directly on the link.

CONDITIONAL USE SUBMITTAL CHECKLIST

Electronic submission is preferred whenever possible. Applicants should submit forms reports, plans, and other supporting documents electronically rather than printing and delivering multiple paper copies. [Please click here for instructions on how to submit electronically.](#)

WRITTEN STATEMENT REQUIREMENTS- REQUIRED FOR ALL CONDITIONAL USE APPLICATIONS

- A. APPLICATION FORM.** Provide **one (1) completed** application form with original signature(s).
 - *Have you submitted for a permit from another division?*

- B. CHECKLIST.** Provide **one (1) completed** copy of this five (5) page checklist.

- C. WRITTEN STATEMENT.** Submit **one (1) copy** of a detailed description of the proposed project including, but not limited to, the changes to the site, structure, landscaping, parking, and land use. In the written statement, please:
 - Address all applicable provisions of [Chapter 20](#) (Land Uses)
 - Address all applicable provisions of [Chapter 60](#) (Special Regulations)
 - Address all Facilities Review Technical Criteria from Section [40.03](#) of the City's *Development Code* (ORD 2050).
 - Provide individual findings specifically addressing how and why the proposal satisfies each of the criterion within the appropriate Approval Criteria Section of Chapter 40 of the City's *Development Code* (ORD 2050), attached.
 - Provide the hours of operation, total number of employees, and maximum number of employees per shift. If more than one type of operation exists or is proposed for the project site, please specify the information requested above for each use.

- D. FEES,** as established by the City Council. **Fees are payable via Visa, Mastercard, or Check.** Please make checks payable to the City of Beaverton.

- E. SITE ANALYSIS INFORMATION.**
 - Proposed parking modification: _____ sq. ft.
 Proposed number of parking spaces: _____
 Proposed use: _____
 Parking requirement: _____
 - Existing landscaped area: _____ sq. ft.
 Percentage of site: _____ %
 Proposed landscape modification: _____ sq. ft.
 Percentage of site: _____ %
 - Existing parking area: _____ sq. ft.
 Existing number of parking spaces: _____
 - Existing building height: _____ ft.
 Proposed building height: _____ ft
 - Existing building area: _____ sq. ft.
 Proposed building modification: _____ sq. ft.

F. CLEAN WATER SERVICES (CWS) DOCUMENTATION. Pursuant to Section [50.25.1. F](#) of the City's *Development Code* requires that all development proposals provide written documentation from Clean Water Services (formerly Unified Sewerage Agency) stating that water quality will not be adversely affected by the subject proposal. Therefore, the City recommends that you contact CWS in order to obtain the required documentation. For more information, please contact, Lindsey Obermiller, Environmental Plan Reviewer at (503) 681-3653 or ObermillerL@CleanWaterServices.org

G. PRE-APPLICATION CONFERENCE NOTES. (REQUIRED FOR TYPE 2, 3, & 4 APPLICATIONS ONLY)
Provide a copy of the pre-application conference summary as required by the City's *Development Code Section 50.25.1. E*. The Pre-Application Conference must be held within the one (1) year prior to the submission date of the proposed project application.

H. NEIGHBORHOOD REVIEW MEETING. (REQUIRED FOR TYPE 3 APPLICATIONS ONLY)
Provide the following information as required by the City's *Development Code Section 50.30*. The Neighborhood Review Meeting must be held within the six (6) months prior to the submission date of the proposed project application.

- 1. A copy of the meeting notice mailed to surrounding property owners and the NAC Representative
- 2. A copy of the mailing list used to mail out the meeting notice.
- 3. A written statement representative of the on-site posting notice.
- 4. Affidavits of mailing and posting
- 5. Representative copies of written materials and plans presented at the Neighborhood Review Meeting.
- 6. Meeting minutes that include date, time, and location, as well as oral and written comments received
- 7. Meeting sign-in sheet that includes names and address of attendees. **Addresses provided in meeting chat**
- 8. Documentation verifying that the meeting minutes and sign-in sheets have been provided to the NAC representative.

I. TRAFFIC GENERATION. Provide documentation showing any projected or actual increase in vehicle trips per day to and from the site. Either the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon may be used for this determination. **Note: a traffic study may be required as part of the application submittal when deemed necessary by the Planning Director. The determination is made at the time of a Pre-Application Conference.**

J. OTHER REQUIREMENTS. Provide documentation showing that the project proposed is permitted by, or satisfies the requirements of, other agencies and/or jurisdictions OR submit a schedule that details the forecasted submission and approval timelines for permits/applications to the respective agencies and/or jurisdictions. **TVFR Service Provider letter as requested in pre-app meeting. Updated FLS plan, already submitted to building division.**

K. PLANNED UNIT DEVELOPMENT DESCRIPTION.
(REQUIRED FOR PLANNED UNIT DEVELOPMENT APPLICATIONS ONLY) N/A
Submit a detailed description of the proposed planned unit development.
Provide the following information:

- 1. The intent of the project.
- 2. The factors which make the project desirable to the general public and to surrounding areas.
- 3. The features and details of the project development.
- 4. The schedule of timing and phasing (if applicable) of the development program.
- 5. Any other material which the applicant believes to be relative to the use

PLANS & GRAPHIC REQUIREMENTS- REQUIRED FOR ALL CONDITIONAL USE APPLICATIONS

Each of the following plans and drawings shall be submitted on **separate sheets**. If the size of the project requires the use of match line sets, each set of match line sets must include a sheet (at a scale to fit a 24" x 36" sheet) depicting the entire site, including match lines, as a cover sheet.

Include all of the following information:

- A. EXISTING CONDITIONS PLAN:**
- 1. North arrow, scale, and date of plan.
 - 2. Vicinity map.
 - 3. The entire lot(s), including area and property lines dimensioned.
 - 4. Points of existing access, interior streets, driveways, and parking areas.
 - 5. Location of all existing buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, tot lots, and lighting.
 - 6. Existing right-of-way and improvements.
 - 7. Dimension from centerline to edge of existing right-of-way.
 - 8. Existing topographical information, showing 2 ft. contours.
 - 9. Surrounding development and conditions within 100 ft. of the property such as zoning, land uses, buildings, driveways, and trees.
 - 10. Location of existing public and private utilities, easements, and 100-year floodplain.
 - 11. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
 - 12. Sensitive areas, as defined by Clean Water Services (CWS) standards.
 - 13. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*
 - 14. Existing trees 6" in dbh (diameter at breast height) or larger. Indicate genus, species, and size. Dbh is measured at 54" above grade.
- B. DIMENSIONED SITE PLAN:** See existing conditions plan
- 1. North arrow, scale, and date of plan.
 - 2. The entire lot(s), including area, property lines dimensioned and labeled "front," "side," and "rear."
 - 3. Points of access, interior streets, driveways, and parking areas.
 - 4. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, and tot lots.
 - 5. Proposed right-of-way, dedications, and improvements.
 - 6. Dimension from centerline to edge of proposed right-of-way.
 - 7. Dimensions of all improvements, including setbacks, parking spaces, driveways, and distance between buildings.
 - 8. Location of storm water quality/detention facilities.
 - 9. Boundaries of development phases, if applicable.
 - 10. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
 - 11. Sensitive areas, as defined by CWS standards.
 - 12. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*
- C. ARCHITECTURAL ELEVATIONS:** Provide drawings that depict the character of the proposed building(s) and structure(s) (these include buildings, retaining walls, refuse storage facilities, play structures, fences, and the like). These drawing should include dimensions of the building(s) and structure(s) and indicate the materials, colors, and textures proposed for the structures.

N/A - No proposed buildings

PLANS & GRAPHIC REQUIREMENTS-The following plans, D through H, may be required to be part of the application submittal when deemed necessary by the Planning Director. If a Pre-Application Conference has been completed, the determination is made at that time.

Submit a total of one (1) set of plans

- D. PLANNED UNIT DEVELOPMENT PLAN:** See existing conditions plan
 - 1. North arrow, scale, and date of plan.
 - 2. The entire lot(s), including area, property lines dimensioned.
 - 3. Specific location of proposed circulation for pedestrians and vehicles, including points of access, interior streets, driveways, loading areas, transit lines, bicycle facilities and parking areas.
 - 4. Specific location of proposed buildings and other structures, indicating design character and density.
 - 5. Specific location of proposed right-of-way, dedications, and improvements.
 - 6. Boundaries of development phases, if applicable.
 - 7. Proposed vegetative character of site including the location of Natural Resource Areas, Significant Trees, and Historic Trees as established by the City of Beaverton's inventories.
 - 8. Location of Sensitive areas, as defined by the Unified Sewerage Agency standards, including streams, riparian areas, and wetlands.
 - 9. Location of rock out-croppings and upland wooded areas.
 - 10. Specific location of proposed storm water quality facilities, detention facilities, or both.
 - 11. Specific location of proposed public uses, including schools, parks, playgrounds, and other public open spaces.
 - 12. Specific location of proposed common open spaces, schematic massing of buffering, screening, and landscape featuring.

- E. GRADING PLAN:**
 - 1. North arrow, scale, and date of plan.
 - 2. The entire lot(s).
 - 3. Points of access, interior streets, driveways, and parking areas.
 - 4. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, and tot lots.
 - 5. Proposed rights-of-way, dedications, and improvements.
 - 6. Dimension from centerline to edge of proposed right-of-way.
 - 7. Existing and proposed topographical information, showing 2 ft. contours and appropriate spot elevations for features such as walls, retaining walls (top and bottom elevations), catch basins, stairs, sidewalks, and parking areas.
 - 8. Location of 100-year flood plain.
 - 9. Location of storm water quality/detention facilities.
 - 10. Boundaries of development phases, if applicable.
 - 11. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
 - 12. Sensitive areas, as defined by the CWS standards.
 - 13. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock out-croppings, and streams. *Wetlands must be professionally delineated.*
 - 14. Existing trees 6" dbh or larger. Indicate which trees are proposed to be saved and which are proposed to be removed.
 -

- F. LIGHTING PLAN:**
 - 1. Location of all existing and proposed exterior lighting, including those mounted on poles, walls, bollards, and the ground.
 - 2. Type, style, height, and the number of fixtures per light.
 - 3. Wattage per fixture and lamp type, such as sodium, mercury, and halide.
 - 4. 8 ½" x 11" manufacturer's illustrations and specifications (cut sheets) of all proposed lighting poles and fixtures.
 - 5. For all exterior lighting, indicate the area and pattern of illumination, via the use of an isogrid or isoline system, depicting the emitted ½ foot candlepower measurement.

- G. UTILITY PLAN:**
- 1. North arrow, scale, and date of plan.
 - 2. The entire lot(s).
 - 3. Points of access, interior streets, driveways, and parking areas.
 - 4. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, and tot lots.
 - 5. Proposed right-of-way, dedications, and improvements.
 - 6. Proposed topographical information, showing 2 ft. contours.
 - 7. Location of 100-year flood plain.
 - 8. Location of existing and proposed public and private utilities, easements, surface water drainage patterns, and storm water quality/detention facility.
 - 9. Boundaries of development phases, if applicable.
 - 10. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
 - 11. Sensitive areas, as defined by the CWS standards.
 - 12. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*

- H. LANDSCAPE PLAN:**
- 1. North arrow, scale, and date of plan.
 - 2. The entire lot(s).
 - 3. Points of access, interior streets, driveways, and parking areas.
 - 4. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, and tot lots.
 - 5. Proposed right-of-way, dedications, and improvements.
 - 6. Boundaries of development phases, if applicable.
 - 7. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
 - 8. Sensitive areas, as defined by the CWS standards.
 - 9. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*
 - 10. Existing trees 6" dbh or larger proposed to be saved. Include genus, species, and size.
 - 11. The location and design of proposed landscaped areas, indicating all plant materials, including genus, species, common name, plant sizes, and spacing.
 - 12. List of plant materials, including genus, species, common name, size, quantity, spacing and method of planting.
 - 13. Other pertinent landscape features, including walls, retaining walls, berms, fences, and fountains.
 - 14. Proposed location of light poles, bollards, and other exterior illumination.
 - 15. A note on the plan indicating that an irrigation system will be installed to maintain the landscape materials.

Note: Complete sets of plans reduced to 8 ½"x11" (11"x17" are not acceptable) will be required at the time the application is deemed complete.

I have provided all the items required by this five (5) page submittal checklist. I understand that any missing information, omissions, or both may result in the application being deemed incomplete, which may lengthen the time required to process the application.

Print Name

Telephone Number

Signature

Date



INTERIM WASHINGTON COUNTY USE TYPE 1 APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for an Interim Washington County Use Type 1 shall address compliance with all of the following Approval Criteria as specified in 40.15.15.1.C.1-5 of the Development Code:

- 1. The proposal satisfies the threshold requirements for an Interim Washington County Use Type 1 application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal contains all applicable application submittal requirements as specified in Section [50.25.1](#) of the Development Code.
- 4. For parcel(s) designated interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.
- 5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

MINOR MODIFICATION OF A CONDITIONAL USE APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Minor Modification of a Conditional Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.2.C.1-6 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Minor Modification of a Conditional Use application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal contains all applicable application submittal requirements as specified in Section [50.25.1](#) of the Development Code.
- 4. The existing use has been approved as a conditional use as governed by the regulations in place when the use was established and complies with applicable conditions of conditional use approval.
- 5. The proposal will not remove or modify previously established conditions of approval for the prior conditional use consistent with Section [50.95.6](#) of this Code.
- 6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

INTERIM WASHINGTON COUNTY USE TYPE 2 APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for an Interim Washington County Use Type 2 shall address compliance with all of the following Approval Criteria as specified in 40.15.15.3.C.1-5 of the Development Code:

- 1. The proposal satisfies the threshold requirements for an Interim Washington County Use Type 2 application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal contains all applicable application submittal requirements as specified in Section [50.25.1](#) of the Development Code.
- 4. For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.
- 5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



MAJOR MODIFICATION OF A CONDITIONAL USE APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Major Modification of a Conditional Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.4.C.1-7 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Major Modification of a Conditional Use application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal complies with the applicable policies of the Comprehensive Plan.
- 4. The existing use has been approved as a conditional use as governed by the regulations in place when the use was established and complies with the applicable conditions of the conditional use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.
- 5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.
- 6. The proposal will not modify previously established conditions of approval for the prior conditional use consistent with Section [50.95.6](#) of the Development Code.
- 7. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



NEW CONDITIONAL USE APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Conditional Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.5.C.1-8 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Conditional Use application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal will comply with the applicable policies of the Comprehensive Plan.
- 4. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.
- 5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.
- 6. The proposed residential use located in the floodway fringe meets the requirements in Section [60.10.25](#).
- 7. For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.
- 8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



PLANNED UNIT DEVELOPMENT APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Preliminary Planned Unit Development shall address compliance with all of the following Approval Criteria as specified in 40.15.15.6.C.1-12 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a PUD application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless otherwise provided by Section [60.35.10.3](#).
- 4. The proposal complies with the applicable policies of the Comprehensive Plan.
- 5. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.
- 6. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the surrounding area of the subject site.
- 7. The width of proposed lots or staggering of building setbacks within detached residential developments vary so as to break up the monotony of long blocks and provide for a variety of home shapes and sizes, while giving the perception of open spaces between homes.
- 8. The lessening the Site Development Requirements results in significant benefits to the enhancement of site, building, and structural design, preservation of natural features and the surrounding neighborhood as outlined in Section [60.35.15](#).
- 9. The proposal provides improved open space that is accessible and usable by persons living nearby. Open space meets the following criteria unless otherwise determined by the Planning Commission through Section [60.35.15](#):
 - a. The dedicated land forms a single parcel of land except where the Planning Commission determines two (2) parcels or more would be in the public interest and complement the overall site design.

- b. The shape of the open space is such that the length is not more than three (3) times the width the purpose of which is to provide usable space for a variety of activities except where the Planning Commission determines a greater proportioned length would be in the public interest and complement the overall site design.
 - c. The dedicated land(s) is located to reasonably serve all lots for the development, for which the dedication is required.
- ❑ 10. For proposals within the SC-S (Station Community - Sunset) zoning district, the requirements identified in Sections [20.20.40.2.](#) and [20.20.40.3.](#) are satisfied.
- ❑ 11. If the application proposes to develop the PUD over multiple phases, the decision-making authority may approve a time schedule of not more than five (5) years for the multiple development phases. If a phased PUD has been approved, development of the future phases of the PUD shall be filed within five (5) years or the PUD has received an extension of approval pursuant to Section [50.93](#) of this Code. However, all PUD phases must commence construction within five (5) years of the date of the decision of the PUD. Refer to Section [50.90.A](#)
- ❑ 12. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



MODIFICATION OF A NONCONFORMING USE APPROVAL CRITERIA

PURSUANT TO SECTION [50.25.1.B](#) OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Modification of a Nonconforming Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.7.C.1-8 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Modification of a Nonconforming Use application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The structure or use proposed to be modified, moved, or reconstructed is a lawful nonconforming structure or use of land that was made nonconforming by a governmental agency action, as identified in Section [30.25.3](#) or Section [30.30.2](#) of the Development Code.
- 4. The structure or use is adversely impacted or destroyed as a result of a governmental agency action.
- 5. The reconstructed or relocated use does not occupy an area greater than that occupied prior to the relocation.
- 6. This Modification of a Nonconforming Use application was made prior to the adverse impact or destruction of the use or structure.
- 7. The reconstructed or relocated use is on the same property or an abutting property under the same ownership.
- 8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.