

PANZER MIXED USE DEVELOPMENT

CITY OF BEAVERTON

APRIL 26, 2023

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REQUESTS:

1. Conditional Use – Planned Unit Development
2. Design Review Three
3. Land Use Division – Preliminary Subdivision
4. Tree Plan Two
5. Zoning Map Amendment

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SDI Project #: SSB005



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I. PROPOSED DEVELOPMENT AND EXISTING CONDITIONS

TNHC Oregon LLC (“Applicant”) plans to develop an approximately 26.6-acre property into 533 housing units as well as approximately 17,736 square feet of retail space included within the first floor of four (4) mixed use buildings. Anticipated zoning assigned at annexation is Station Community (SC) – High Density Residential (HDR). The Applicant is requesting with this application that the zoning designations for Station Community – High Density Residential (HDR) and Station Community – Mixed Use (SC – MU) be reconfigured at the site. The site is located southeast of the intersection of SW 185th Avenue, SW Stepping Stone Drive and SW Baseline Road Hillsboro, Oregon 97002. The site is further identified as the recently approved consolidated Tax Lots (T.L.) 3600 and 3700 which will be recorded once successfully approved through the City’s and County’s final plat approval process within plat map 1S106BC0, in the Southwest Quarter of Section 06, Township 1 South, Range 1 East of the Willamette Meridian (site).

Construction is anticipated to commence in 2024 upon the receipt of the necessary development permits and approvals.

The site is developed with a nursery and associated greenhouses. The site is characterized by relatively flat topography and is mostly covered with asphalt pavement and nursery greenhouses and is very sparsely vegetated with landscape trees.

Existing surrounding development consists of the single-family residential attached housing within the Stoneway Condominiums to the northwest, the single family residential detached housing within the Aubrey Meadows and Willowford developments to the south and the single-family detached residential housing within Lawton Place to the east. Across from W Baseline Road is industrial zoned property. A mixture of industrial zoned, higher- and lower density housing is located to the west of the site, across SW 185th Avenue, and includes the Willow Creek Apartments, Aloha Park Apartments and a strip mall.

II. CONFORMANCE WITH APPROVAL REVIEW CRITERIA

Under the provisions of the Development Code of the City of Beaverton (herein after interchangeably referred to as BDC or Code), the applicable approval criteria must be met for land use development application submittals which includes demonstrating that the threshold requirements are met, payment of required City application fees required and corroboration that the proposal is consistent with the relevant provisions of the Code. This proposal triggers the following land use applications:

- Conditional Use – Planned Unit Development
- Design Review Three
- Land Use Division – Preliminary Subdivision
- Tree Plan Two
- Zoning Map Amendment

The subsequent narrative addresses this proposal’s compliance with all *applicable* conditions for approval for the proposed development pursuant to each above-listed application type.

A. DEVELOPMENT CODE OF THE CITY OF BEAVERTON [ORDINANCE NO. 2050]

CHAPTER 20 – LAND USES

[...]

20.20.05. Multiple Land Use Districts

The areas of the City that are designated as Multiple Use 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.

Multiple Use zoning districts establish varied levels of residential and commercial uses, supporting transit and pedestrian oriented development with minimum density and intensity requirements. Multiple Use areas include: the Downtown Beaverton and Washington Square Regional Centers, Town Centers, and Station Communities.

Downtown Design District zoning districts are in CHAPTER 70 - Downtown Design District. They are Regional Center - Beaverton Center, Regional Center - Old Town, Regional Center - Mixed Use and Regional Center - Downtown Transit.

[ORD 3998, 01/01/1998; ORD 4036, 04/01/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4332, 01/01/2005; ORD 4354, 07/14/2005; ORD 4542, 06/17/2010; ORD 4799, 01/08/2021] Effective on: 1/8/2021

Response: The site was recently annexed to the City of Beaverton (City) (ref. Order No. 2906 ZMA2022-0006) which designated two (2) separate underlying zoning districts with the northern portion of the lots designated as Station Community – High Density Residential District (SC-HDR) and the southern portion of the lots designated at Station Community – Multiple Use District (SC-MU). This application requests a zoning map amendment to change the configuration of the site zoning to include three (3) separate zoning district areas. The proposed two (2) SC-MU designated areas of the site are approximately 207,604 square feet and 140,288 square feet in area, respectively. The proposed SC-HDR designated area of the site consists of approximately 810,944 square feet for SC-HDR.

20.20.10. Purpose

[...]

7. SC-MU Station Community Multiple Use District

The SC-MU District is generally located within one-half mile of light rail station platforms. Primary Permitted uses include office, retail, and service uses. Multiple use and residential developments are also Permitted with no maximum residential density. Manufacturing and industrial uses are limited. Minimum densities and intensities are required.

Response: The site is located within one-half mile of a light rail station. During the annexation process, the southern portion of the site was assigned the zoning designation of Station-Community Multiple Use (SC-MU) per discretionary Comprehensive Plan and Zoning Map Amendment (CPA2022-0006/ZMA2022-0006).

8. SC-HDR Station Community High Density Residential District

The SC-HDR District is generally located within one-half mile of light rail station platforms. Primary Permitted uses are for high density residential neighborhoods with minimum density requirements depending on proximity to a station platform and no maximum residential density. Other uses include commercial uses and parks that do not rely upon vehicular traffic access. Office and retail uses are only allowed within multiple use developments along with other restrictions.

Response: The site is located within one-half mile of a light rail station. During the annexation process,

the northern portion of the site was assigned the zoning designation of Station-Community High Density Residential (SC-HDR) per a non-discretionary Comprehensive Plan and Zoning Map Amendment (CPA2022-0006/ZMA2022-0006).

20.20.15. 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. [ORD 4584; June 2012] [ORD 4706; May 2017] [ORD 4774; January 2020] [ORD 4789; August 2020]

Response: The following table is comprised of excerpted relevant portions of Table 20.20.15 Multiple Use Development Standards which pertain to the requirements of SC-MU and include what is included in this proposal.

| Excerpted Portions of Table 20.20.15 Multiple Use Development Standards | | | |
|---|---------------------------------|---|---|
| Superscript Refers to Footnotes | Requirements for SC-HDR & SC-MU | Proposed | |
| A. Parcel Area | | | ^{1.} 30 units within 400 feet of LRT station platform, 24 beyond 400 feet ^{2.} Within 120 feet of Washington County R5 zoning, the maximum residential density is 12 units per acre [ORD 4547; July 2010] |
| 1. Minimum | None | N/A | |
| 2. Maximum | None | N/A | |
| B. Residential | | | ^{6.} Where detached dwellings and duplexes on lots fronting common greens and shared courts are proposed, the following setbacks shall apply: Minimum front yard setback- 3 feet/ Minimum side yard setback- 3 feet/ Minimum alley width is 24 feet between buildings. ^{7.} Under the conditions outlined in Section 60.05.15.6 of this Code, buildings in multiple use zones, except for multiple use zones in the Downtown Design District regulated by CHAPTER 70 - Downtown Design District, located on parcels that front on a designated Major Pedestrian Route shall be exempt from minimum and maximum setbacks. Front yard setbacks for parcels located on Major Pedestrian Routes shall be governed by the Design Review Design Standard specified in Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and corresponding Design Review Guideline. [ORD 4799; January 2021] |
| 1. Minimum for residential only project (per acre) | 30 ¹ 24 | 430 d.u. | |
| 2. Maximum for residential only projects (per acre) | None | N/A – Proposal is not residential-only. | |
| C. Floor Area Ratio (FAR) | | | ^{10.} Side or rear yards abutting Residential or Multiple Use zoning where the Multiple Use zoning designation allows residential development, the minimum setback shall equal the abutting zoning district's required rear yard setback. ^{18.} Maximum FAR 2.00 for sites within 1,320 feet of LRT station platform, 1.00 beyond 1,320 feet [ORD 4789; August 2020] |
| 1. Minimum | 0.40 | N/A – Proposal involves a PUD. | |
| 2. Minimum with a PUD or DRBCP | 0.30 | 0.30 | |
| 3. Maximum | 2.00 ¹⁸ 1.00 | N/A – Proposal involves a PUD. | |
| D. Lot Dimensions | | | ^{19.} 100 feet permitted for sites within 1,320 feet of LRT station platform; 60 feet permitted beyond 1,320 feet [ORD 4789; August 2020]. ^{20.} Maximum building height of a building or portion of a building within 50 feet of a residentially zoned property, measured from the residential property line, is 35 feet or the maximum height permitted in the residential district, whichever is greater. [ORD 4789; August 2020] |
| 1. Minimum Width | None | N/A | |
| 2. Minimum Depth | None | N/A | |
| E. Yard Setbacks | | | |
| 1. Front Minimum | 0 ⁶ | Varies | |
| 2. Front Maximum on Major Pedestrian Route ⁷ | See Footnote 7 | N/A – The site does not front along a Major Pedestrian Route. | |
| 3. Front Maximum not Major Pedestrian Route | | | |
| With Ground Floor Residential | 20 feet | 17 feet | |
| Without Ground Floor Residential | | 0 feet | |
| 4. Side Minimum | None ⁶ | N/A | |
| 5. Side Maximum | None | N/A | |

| | | | |
|---------------------------|--|---------------------------|---|
| | 6. Rear Minimum | None ⁶ | N/A |
| | 7. Minimum Side or Rear Yards Abutting Property Zoned Residential ⁸ | Abut Res/MU ¹⁰ | 15 feet (same as abutting Washington County R-5 and R-6 residential zoning) |
| F. Building Height | | | |
| | 1. Minimum | 60.05.15.7 or 60.05.35.7 | Varies and does not exceed the height maximum. |
| | 2. Maximum | 100 ^{19, 2} 60 | |

20.20.20. Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Multiple Use zoning districts.

[ORD 4576; January 2012] [ORD 4578; March 2012] [ORD 4706; May 2017] [ORD 4779; March 2020] [ORD 4782; April 2020]

Response: Pursuant to Table 20.20.20.A, townhouses are a permitted use for the site within the SC-HDR and SC-MU zoning districts. In addition, multi-dwelling housing is permitted when one or more units is located above a permitted or conditionally approved non-residential use. However, single-family residential use is conditionally approvable for the underlying zoning districts via the provisions of the Beaverton Development Code (BDC) for planned unit development (PUD). Therefore, this proposal has been designed in conformance with the provisions of the BDC for PUDs.

Service Business/Professional Services is permitted for SC-MU provided that it is located within a multiple use development when minimum residential density is met, and whereby no more than twenty-five percent (25%) of the site of this use is included in a multiple use development. Service Business/Professional Services uses included in this proposal is approximately 17,736 square feet within a total of four (4) mixed use buildings and constitutes approximately nine percent (9%) of the total site development.

20.25.01 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. [ORD 4799; January 2021]

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. [ORD 4799; January 2021]

Minimum residential density is calculated as follows:

1. For zoning districts and uses that regulate residential density by minimum land area required per dwelling: [ORD 4799; January 2021]
 - a. Refer to the definition of Acreage, Net. Multiply the net acreage by 0.80.
 - b. Divide the resulting number in step a by the minimum land area required per dwelling for the applicable zoning district to determine the minimum number of dwellings that must be built on the site.

Response: Not applicable. Residential density is not regulated by minimum land area required per dwelling within the SC-HDR and SC-MU zoning districts; there are no minimum or maximum parcel area requirements. Therefore, the standards of this subsection do not apply.

2. For the RMA, RMB, and RMC zoning districts, except for multi-dwellings:
 - a. Refer to the definition of Acreage, Net.
 - b. Multiple 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.

Response: Not applicable. The site is not located within the RMA, RMB, and RMC zoning districts.

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: Not applicable. The site is not located within the RMA, RMB, and RMC zoning districts.

- B. Residential Density Averaging. Except in RMA, RMB and RMC, within a single land use zone, residential densities may be averaged across a site to allow for a variety of housing types, provided that the property is within a single, contiguous ownership. Within a PUD, residential densities may be averaged across multiple land use zones provided that the applicant demonstrates that the proposed development is compatible with existing and planned development on neighboring parcels. For the purposes of this standard, properties within a single, contiguous ownership also include those properties separated only by a street. [ORD 4584; June 2012] [ORD 4822; June 2022]

Response: While this proposal is being proposed within the context of a Planned Unit Development (PUD), there is a single zoning district anticipated for the site, i.e., SC-MU, which will be achieved through an approved zoning amendment for the site. The site is currently subject to dual zoning designations of SC-HDR and SC-MU. The zoning amendment included in this proposal would change the site to a single zoning for the SC-MU zoning district.

- C. South Cooper Mountain Community Plan. Within the South Cooper Mountain Community Plan Table 2: Land Use Designations and Capacity Estimates outlines the density capacity expectations for development of land within the South Cooper Mountain Community Plan Area. The Land Use Implementation Policies of the Community Plan include policies that outline application of zoning and deviations from the capacity estimates of Table 2. [ORD 4652; March 2015]

Response: Not applicable. The site is not located within the South Cooper Mountain Community Plan area.

- D. *Exceptions to Minimum Density Standards in the RMA, RMB, and RMC districts. [ORD 4822; June 2022]*
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: Not applicable. The site is not located within the RMA, RMB, and RMC zoning districts.

2. *For an existing lot that does not meet minimum density, applications for development must meet one of the following:*
 - a. *Meet minimum density by constructing enough units on the lot;*
 - b. *Meet minimum density by dividing the lot; and/or*
 - c. *Demonstrate the potential for future partitioning or subdividing of the lot in accordance with the requirements of the Development Code. Plans must demonstrate how driveways, pedestrian ways, and utilities can adequately serve future potential development on the oversized lot. 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.*

[ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4652, 03/06/2015; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Response: The existing lot does not meet minimum density for the site. This application for development meets minimum density requirements by including 533 units, for which 431 units is required. This calculation was derived from subtracting public right-of-way (ROW) (2.39 acres), local public ROW (2.81 acres), private street ROW (0.59 acres), alleyways (1.23 acres) and parking drive aisles (1.27 acres) from the gross net area (26.60 acres). The resulting net area of 18.72 acres includes approximately 18.31 acres for which 97.9 percent are residential only. The minimum 24 units per acre or 431 units total is required for the residential-only portion of the site. There is no maximum residential density for the SC-HDR and SC-MU zoning designations.

Floor Area Ratio governs the development standards of the mixed-use portion of the proposed development. For more information, see the discussion included below within *Section 20.25.10.C*.

20.25.10 Floor Area Ratio

- A. *Floor Area. Mixed Use Development, non-residential development, and residential development in certain zones are governed by minimum and maximum Floor Area Ratios. Generally, Floor Area Ratio (FAR) is the ratio of gross floor area to net acreage on a site. In the RMA, RMB and RMC zones, FAR is the ratio of gross floor area to net acreage on a lot. Residential-only development is also governed by minimum densities, and in some zones, maximum densities. For Mixed Use Developments, no maximum limitation shall be placed on the number of dwelling units permitted. Multiple Use Developments with single-use residential buildings are governed by residential density and FAR provisions, as calculated by 20.25.10.C, below. [ORD 4584; June 2012] [ORD 4799; January 2021] [ORD 4822; June 2022]*

Response: Planned Unit Development (PUD) within the SC-HDR and SC-MU zoning districts require a minimum FAR of 0.40 and no maximum FAR. However, the applicable portion of the site pertains to the mixed use commercial/residential area for which 192,644 square feet apply. See the discussion

included below within *Section 20.25.10.C*. for more information about how FAR is met within the mixed-use area of the site.

- B. *Permitted Density. Except as otherwise approved through the Final Planned Unit Development process, phased development may be proposed so long as each phase complies with the minimum density. [ORD 4224; August 2002] [ORD 4332; November 2004]*

Response: It is presently anticipated that this proposal will be undertaken as part of a Planned Unit Development (PUD) in up to three (3) phases with the comprising of the following:

Phase 1: The Collector, Main Street, Townhome Phase with approximately 62 dwelling units, the Northeast Single Family Phase with approximately 68 dwelling units, the Southeast Single Family Phase with 39 dwelling units and the Southwest Single Family Phase with approximately 16 dwelling units.

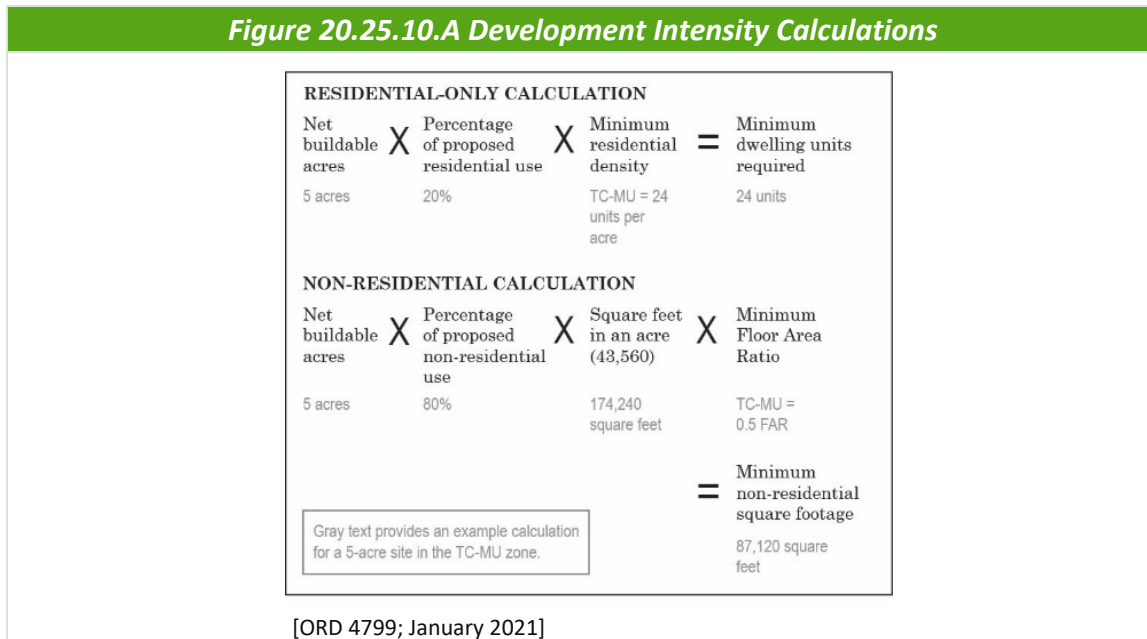
Phase 2: North Multi-Family apartment complex consisting of approximately 140 dwelling units.

Phase 3: West Multi-Family apartment complex with approximately 208 dwelling units.

The required minimum site density will be met with each of the phases.

- C. *Method of Calculating Development Intensity for Multiple Use Development with Single-use Residential Buildings. [ORD 4584; June 2012] [ORD 4799; January 2021]*

For Multiple Use Developments with single use residential buildings, residential densities and non-residential FARs shall be implemented as follows:



Response:

Minimum Residential Density

Net Buildable area 17.80 acres – buildable mixed use area (161,409.6 SF or 3.705 acres)
= 14.095 acres (613,978.2 SF) Net Area for Residential

$613,978.2 / 775,368$ (total net area) = 0.79 = 79% of the site is residential only.

17.8 net acres x 0.79 proposed res-only use x 24 min. res. density
= 337 minimum required dwelling units

FAR/Mixed Use Area

Total Area 189,921.6 SF - open space located in tracts (28,512 SF or 1.34 acres)
= Net Area 161,409.6 SF

FAR min 0.4

$161,409.6 \times 0.4 = 64,563.84$ SF (minimum floor area)

Each building is showing as having 48,161 square feet x 4 buildings = 192,644 square feet of mixed floor area proposed.

D. Multiple Buildings. For developments or phases that involve multiple buildings, the FAR may be averaged by totaling the square footage of the buildings divided by the square footage of the net acreage of land within such development or phase.

Response: While proposal involves phased development and includes multiple buildings, it is currently anticipated that FAR will be achieved with the Multi-Family Phases which is the only development phase that FAR standards apply. No other area included in the site is subject to the FAR standards.

E. Planned Unit Development and Design Review Build-Out Concept Plan. Projects may use the Planned Unit Development (PUD) or the Design Review Build-Out Concept Plan (DRBCP) process, as outlined in Section 40.20.10, to develop a site in phases to achieve the minimum FAR established in this section. Such projects must demonstrate in the submittal plans how future development of the site, to the minimum development standards established in this ordinance or greater, can be achieved at ultimate build out of the PUD or DRBCP. The DRBCP may be used if the only Site Development Requirement being phased, altered, or otherwise varied is the minimum FAR. If any other Site Development Requirement is being phased, altered, or otherwise varied, the PUD process is to be used. [ORD 4822; June 2022] [ORD 4584; June 2012]

[ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022] Effective on: 6/30/2022

Response: This proposal includes a Planned Unit Development to develop a site in phases, however, it is currently anticipated that the minimum FAR can be achieved with each of the multi-family phased development. Plans included with this submittal demonstrate how future development of the site, to the minimum development standards established in this ordinance or greater, can be achieved within

a single phase and at ultimate build out of the PUD, should the construction schedule change to accommodate for potential future economic-based contingencies.

20.25.15. *Density Allowances.*

A. *Accommodating Residential and Floor Area Density. Residential and Floor Area density may be accommodated on a site where undevelopable areas cannot practicably allow development. The density allowance may be transferred from undevelopable areas to developable areas. Where higher intensity is proposed greater than the Code allowance, a PUD approval is necessary.*

Response: Not applicable. This proposal does not include undevelopable areas.

B. *Maximum Density. Maximum Residential and Floor Area density is calculated based upon site gross acreage. [ORD 4542, 06/17/2010; ORD 4584, 06/01/2012]*

Response: Not applicable. Pursuant to Table 20.20.15, there is no maximum density applicable to the residential-only area of the site and there is no FAR maximum for PUDs.

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: [ORD 4265; October 2003] [ORD 4404; October 2006] [ORD 4487; August 2008] [ORD 4697; December 2016] [ORD 4799; January 2021] [ORD 4822; June 2022]

Response: This proposal requires review by the Facilities Review Committee as this land use application includes applications for Conditional Use – Planned Development, Design Review Two and Three and a Land Division (Subdivision).

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: [ORD 4799; January 2021] [ORD 4822; June 2022]*

A. *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

Response: All critical facilities and services related to the proposed development can be achieved through improvements to provide adequate capacity to serve the proposed development at the time of its completion. For more information, see the land use plans included with this application as well as the service provider letters.

- 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: Essential facilities and services related to the proposed development can be made available, with adequate capacity to serve the development prior to its occupancy.

This proposal includes the provision of essential facilities which include public water, sanitary sewer and stormwater facilities and public streets which include on-site pedestrian and bicycle facilities.

The public water, sewer and stormwater mains included in this proposal have been designed to be included in the street rights-of-way, within each of the public streets and some of the private alleyways, with stubs to each of the residential lots and buildings. These public utility mains included with this project have been designed as follows:

Eight- (8) inch diameter water mains.

Eight- (8) inch diameter sewer mains.

Ten- (10) to twenty-four- (24) inch diameter stormwater mains.

The stormwater detention ponds included in this proposal have been included within public utility easements on the site.

This proposal has been designed to include improvements along the abutting streets, SW 185th Avenue, SW Stepping Stone Drive, W Baseline Road and SE 179th Avenue. These improvements include:

- SE 179th Avenue: Removing the existing curb tight sidewalk and adding the L1 city sidewalk section from existing curb to right of way. See street section E1 on Sheet C035.
- SW Stepping Stone Drive – Collector (County) – Addition of a city collector sidewalk section from existing curb to right of way. For more information, see street section E2 on Sheet C035.
- W Baseline Road – Arterial (County) – Addition of an arterial city sidewalk section behind existing curb to replace the curb tight sidewalk. In addition, a right turn lane onto our new collector (Street A) will be added. For more information, see street sections E3 and E4 on Sheet C035.
- SW 185th Avenue – Arterial (County) – Replacement of the existing sidewalk with a city arterial sidewalk section. In addition, a signal at the new intersection of Street A will be included. For more information, see street section E5 on sheet C035.

This proposal has been designed to include a new internal site street network which includes a collector street and L1 streets the latter of which have been modified to include parking on one side of the street with SW 181st Avenue on site being constructed to the 3/4 standard for L1. Bicycle lanes are included along Street A.

This proposal includes avenues for safe walking to surrounding area public transportation, school

bus pick up points. Contiguity of pedestrian routes will be achieved with the inclusion of sidewalks and walking paths that connect to surrounding area pedestrian infrastructure.

This proposal does not include the provision of essential public facilities such as schools or police protection. The narrative for this proposal has been updated to reflect this.

Fire-related infrastructure included with this proposal includes unobstructed fire apparatus access roads which meet the minimum unobstructed driving surface of twenty (20) feet (twenty-six (26) feet adjacent to fire hydrants) and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. In addition, this proposal has been designed to include fire hydrants spaced every four hundred (400) feet for the mixed-use buildings and six hundred (600) feet for residential development. "No Parking" signage will be included in areas where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface. Fire access roads are included within 150 feet of all portions of the exterior wall of the first story of all buildings included in this proposal.

This proposal does not include the provision of essential public facilities such as schools or police protection. The narrative for this proposal has been updated to reflect this.

- C. *The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.15 if located within the Downtown Design District, 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) or Sections 20.25 and 70.15 if located within the Downtown Design District. [ORD 4799; January 2021]*

Response: Discussion regarding this proposal's compliance with all applicable provisions within Chapter 20 and Section 20.25 is included within this narrative. Section 70.15 is not addressed since the site is not located within the Downtown Design District.

- 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: This proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and is expounded upon within this narrative. All improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), can be provided in rough proportion to the identified impact(s) of the proposed development.

- 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: Private common facilities and area will be included within Covenants, Conditions and Restrictions (CC&Rs) for the Home Owners Association (HOA), thereby not subjecting these private facilities to maintenance by the City or other public agency.

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

Response: Safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development are demonstrated within the *Circulation Plan (Sheet C005)* and is included in this submittal.

- 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: The on-site Neighborhood Collector roadway, Street A, connects to W. Baseline Road to the north and to SW 185th Avenue to the southwestern portion of the site. Other connections are facilitated by sidewalk connection to SW 184th Avenue, SW 181st Avenue and SW 179th Avenue. Additional pedestrian connections are included with the on-site pathway network internal to the site.

Connections between the on-site vehicular and pedestrian circulation systems and the surrounding circulation systems are demonstrated within the plans included in this submittal.

- 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.*

Response: The on-site roadways along with their associated sidewalks serve the development. Sidewalk transition areas have been designed to match existing streets which includes Street C which connects to SW 184th Avenue and Street E which connects to SW 181st Avenue. Pedestrian pathways are also included within a portion of the open space areas of the site. Other public facilities serving the site include sewer, water and stormwater. Fire apparatus requirements will be met by ensuring that all roads and parking lots are structurally designed to withstand the weight of a fire apparatus, and that every portion of each building is accessible per the Tualatin Hills Fire and Rescue (TVF&R) requirements. In addition, fire hydrants will be provided as required.

- 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: For passive security, there are several methods included in the design of this proposal to reduce opportunities for crime. Each residential unit and dwelling features several windows and all multi-family units will have balconies which ensures visibility into the site. This will allow residents to have active interaction with the public environment and enable monitoring of the immediately surrounding area. Exterior lighting is included along all street frontages and at the multi-unit building entrances to discourage any unwelcome activities. The multi-family residential housing included with this proposal will feature a secure building entry system will be employed for active security of the building.

- 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: The grading and contouring of the development site has been designed for this proposal to accommodate the proposed use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

- 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: Continuous uninterrupted accessible pedestrian routes are included throughout the site. Accessible parking spaces are also included with this proposal.

- L. *The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]*

Response: This application contains the components required for a completes application submittal pursuant to Section 50.25.1. and includes (1) completed signed application forms, (2) property owner written authorization demonstrating signatory authority, (3) a written statement supported by substantial evidence, (4) Neighborhood Review Meeting Notes and supporting documentation, (5) a copy of the Pre-Application Notes, (6) documentation from service providers and the (7) applicable permit application fee in effect at the date of the submittal.

- M. *Public Transportation Facility Improvements or Modifications, including Street Vacations*

Response: Not applicable. This proposal does not include public transportation facility improvements or modifications.

- N. *The transportation facility, as proposed or modified, conforms to the Transportation System Plan.*

Response: While the site is located within proximity of a TriMet Station, within approximately one-half mile of Willow Creek/SW 185th Ave Transit Center, the site is not considered an adjacent public transportation facility. Additionally, no improvements or modifications to the Willow Creek/SW 185th Ave TC TriMet Station is required or included with this proposal.

- O. *There are safe and efficient vehicular and pedestrian circulation patterns within the project boundaries.*

Response: Safe and efficient vehicular and pedestrian circulation patterns within the project boundaries are facilitated by the layout included in this proposal. Reduction in multi-modal conflicts is achieved with this layout. Furthermore, the north to western on-site through street has been designed at a modified neighborhood collector standard, discouraging speeding drive through movement across the site from SW 185th Avenue or W Baseline Street. For more information the *Preliminary Circulation Plan (Sheet C005)* as included in this land use application submittal package.

- P. *The proposed development is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of*

CHAPTER 60 (Special Requirements) are in place.

Response: This proposal is consistent with all applicable provisions of Chapter 60. Discussion regarding this proposal's compliance with all applicable provisions of Chapter 60 are included within this written statement.

- Q. Adequate means are provided or proposed to be provided in a satisfactory manner, to ensure continued periodic maintenance and replacement of the following, 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.*

Response: Adequate 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 are proposed to be provided in a satisfactory manner for the continued periodic maintenance and replacement.

- R. The proposed transportation facility connects to the surrounding circulation systems in a safe, efficient, and direct manner.*

Response: Roadway connections are included in this proposal, with connections included to SW 185th Avenue, W Baseline Road, SW 184th Avenue, SW 181st Avenue and SW 179th Avenue. Pedestrian connections are included in this proposal along each of the connections to abutting public streets. For more information, see the plans set included in this application.

- S. The proposed transportation facility or modification thereof will provide adequate fire equipment facility access and turnaround area, as well as adequate street lighting for crime and accident prevention as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.*

Response: Not applicable. This proposal does not include or require the construction of a new transportation facility or modification of an existing one.

- T. Grading and contouring are the minimum necessary to accommodate the proposed transportation facility, while mitigating adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

Response: Not applicable. This proposal does not include or require the construction of a new transportation facility or modification of an existing one.

- U. Access and facilities for physically handicapped people are maintained and/or incorporated into the subject transportation facility, with particular attention to providing continuous, uninterrupted access routes.*

Response: Not applicable. This proposal does not include the construction of a new transportation facility or modification of an existing one.

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

Response: This application contains the components required for a completes application

submittal pursuant to Section 50.25.1. and includes (1) completed signed application forms, (2) property owner written authorization demonstrating signatory authority, (3) a written statement supported by substantial evidence, (4) Neighborhood Review Meeting Notes and supporting documentation, (5) a copy of the Pre-Application Notes, (6) documentation from service providers and the (7) applicable permit application fee in effect at the date of the submittal.

40.15. *Conditional Use*

40.15.05. *Purpose*

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. A Planned Unit Development is a special kind of Conditional Use that permits the modification of the development standards in the underlying zoning district to achieve innovative design, preserve natural resources, reduce energy consumption and/or otherwise address unique site opportunities and constraints. Such approval allows the modification of such design standards without the necessity for separate Adjustment or Variance applications. Within the SC-S (Station Community-Sunset) zoning district, a Planned Unit Development is required to ensure that specific development requirements are satisfied. This Section is carried out by the approval criteria listed herein. [ORD 4473; March 2008]

[ORD 4224, 09/19/2002; ORD 4473, 03/27/2008; ORD 4578, 04/05/2012] Effective on: 6/1/2012

Response: This proposal includes a Planned Unit Development (PUD) which proposes to modify the development standard which prohibits single-detached dwelling. Pursuant to Table 20.20.20.A., single-detached dwellings are prohibited in the underlying zoning districts of SC-HDR and SC-MU. This proposal includes single-family residential housing and can only be permitted through the PUD process.

40.15.10 *Applicability*

The uses listed in CHAPTER 20 (Land Uses) for each zoning district as a Conditional Use shall be subject to the provisions of this section.

[ORD 3543, 04/17/1987; ORD 3556, 04/23/1987; ORD 4224, 09/19/2002] Effective on: 9/19/2002

Response: When a PUD is proposed within the SC-HDR and SC-MU zoning districts, a Conditional Use application is required. Therefore, this submittal addresses the application requirements for a Conditional Use approval.

40.15.15. *Application.*

There are seven (7) Conditional Use applications which are as follows: Interim Washington County Use Type I, Minor Modification of a Conditional Use, Interim Washington County Use Type II, Major Modification of a Conditional Use, New Conditional Use, Planned Unit Development, and Modification of a Nonconforming Use.

[...]

6. *Planned Unit Development. [ORD 4332; April 2007]*

A. *Threshold. A Planned Unit Development is an application process which: [ORD 4578; March 2012]*

1. *May be chosen by the applicant when one or more of the following thresholds apply: [ORD 4578; March 2012]*

- a. *The Planned Unit Development (PUD) may be applied to Commercial, Industrial, Multiple Use, and Residential properties that are 2 acres or greater in size within any City zoning district. [ORD 4584; June 2012]*

Response: This site includes more than two (2) acres within the City SC-HDR and SC-MU Zoning Districts; therefore, this proposal meets the threshold for which the PUD application process applies.

- b. *When a land division of 2 acres or greater in size within any City zoning district requires collectively more than 3 of the following land use applications or combination thereof: [ORD 4584; June 2012]*

- (1) *Minor Adjustment;*
(2) *Major Adjustment;*
(3) *Flexible Setback; or*
(4) *Variance.*

[ORD 4578; March 2012]

Response: Not applicable. This proposal does not include more than three (3) applications or combinations thereof for a minor or major adjustment, a flexible setback or a variance.

2. *[ORD 4578; March 2012] Is required prior to, or concurrent with, other development applications when development is proposed on land within the SC-S (Station Community - Sunset) zoning district. Sign applications excepted. [ORD 4597; February 2013]*

Response: This application includes concurrent land use applications which includes the applications for Conditional Use – Planned Unit Development, Design Review Three, Preliminary Subdivision, Tree Plan Two and a Zoning Map Amendment.

3. *Is required for developments located within the TC-MU or TC-HDR zone AND: is a phased development project, or is development of a site that is greater than 5 acres. [ORD 4697; December 2016]*

Response: Not applicable. The site is not located within the TC-MC or TC-HDR zone.

4. *Is required when development within the South Cooper Mountain Community Plan Area does not comply with the applicable standards in Sections 60.05.20.1.A, 60.05.20.3.A, 60.05.25.15, 60.05.60.2.S5, 60.05.60.3.S6, 60.05.60.4.S20 and 60.55.25.2 and no corresponding guidelines exists.*

[ORD 4822; June 2022]

Response: Not applicable. The site is not located within the South Cooper Mountain Community Plan.

- B. *Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for PUD approval. The decision making authority is the Planning Commission.*

Response: Since this application for includes a request for PUD approval, it is subject to the Type 3 procedure. Demonstration of adherence to the requirements of the Type 3 procedure is included in this written statement and accompanying submittal documentation.

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

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

Response: This proposal is located within a site that is greater than two (2) acres in size and includes a single-detached housing within the SC-HDR and SC-MU zoning districts, thereby meeting the threshold requirements for a PUD application as described in Section 40.15.15.1.6.A.1.

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

Response: All relevant fees are included separately with this land use application package.

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 60.35.10.03.*

Response: This proposal meets the setback requirements of the underlying zoning districts of SC-HDR and SC-MU. Pursuant to Section 60.35.10.03.A.1.b., a reduction in the abutting zoning district side setbacks of up to ten percent (10%) are possible through a PUD approval. Abutting zoning district side setbacks applicable to the site are as follows:

| Property Location | Zoning | Applicable Side Setback |
|------------------------|---|--|
| South (Aubrey Meadows) | Urban Unincorporated Washington County R-9 and R-12 | 5' (non-street side for residential development that does not meet the definition of middle housing in Section 106) [§304-7.2.B.(4)] |
| South (Willowford) | Urban Unincorporated Washington County R-5 | 5' (residential development that does not meet the definition of middle housing in Section 106) [§302-7.2.B.(4)] |
| East (Lawton Place) | Urban Unincorporated Washington County R-6 | 5' (residential development that does not meet the definition of middle housing in Section 106) [§303-7.2.B.(4)] |

4. *The proposal complies with the applicable policies of the Comprehensive Plan.*

Response: The applicable policies within Chapter 3, Land Use Element, are forwarded by this proposal with its provision of various housing options. More specifically, the following goals are forwarded by this proposal by the following:

Goal 3.1.1 Encourage development and land use patterns that support a variety of transportation options.

Due to the site’s location, there are nearby public transportation alternatives that future residents may choose to utilize. The proposal includes mixed use development within less than half a mile from Willow Creek/SW 185th Ave Transit Center (TC), the closest high-

capacity transit stop to the site. A bus stop along SW 185th Avenue abuts the site. In addition, this proposal includes a multitude of pedestrian connections to the surrounding pedestrian network along SW 185th Avenue and W Baseline Road.

Goal 3.6.1 Support pedestrian-oriented mixed use areas

This proposal includes pedestrian-oriented development throughout the residential areas and within mixed use areas that are located within easy walking distance of each other. Shared courts front the retail spaces and plazas, parks, and paths connect within the site.

Goal 3.8.1 Complete and livable Neighborhoods

This proposal has been designed to meet the requisite residential density of the underlying zoning districts. For more information, see the discussion included within this narrative in response to BDC sections 20.20.15 and 20.25.10.C above.

Goal 3.8.3 Medium and High Density Neighborhoods: Provide for a variety of housing types and higher residential densities in areas with more amenities and transit service

This proposal includes the provision of medium and higher residential densities forwarding this Comprehensive Plan Goal.

5. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

Response: The site is relatively linear dimensionally with relatively level topography and 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.*

Response: This proposal will enhance the livability of the surrounding area of the subject site as it will provide roadway and pedestrian connections enabling additional access points to the greater street network. In addition, the site is located adjacent to a few different residential developments and will provide continuity of existing residential use.

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.*

Response: The perception of open space between homes is provided with this proposal the inclusion of varied width of the proposed lots ranging from thirty-two (32) feet to thirty-six (36) feet and block lengths which vary in size from one hundred and sixty (160) feet to five hundred and ninety-four (594) feet. Lot widths included with the proposal are compatible with their proposed use and internal roadways have been designed to provide for safety and efficiency of movement. Street A has been designed to meet the street functional classification of a modified collector standard. All other internal roadways have been designed to meet the street functional classification of a local street. Intersection spacing included in this proposal has been designed to meet the 100-foot minimum and 520-foot maximum intersection spacing requirements.

8. *The lessening of 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.*

Response: Not applicable. No proposed lessening of the Site Development Requirements is included in this proposal.

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.*

Response: This proposal has been designed to include multiple dedicated open space areas throughout the site in order to provide multiple open space use opportunities for future residents.

- 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.*

Response: The shape of each open space area included with this proposal do not feature a length that is more than three (3) times the width.

- c. *The dedicated land(s) is located to reasonably serve all lots for the development, for which the dedication is required.*

Response: The dedicated open space areas are located to reasonably serve all lots for the development whereby contiguous sidewalk connections provide for connections to residential development and open space areas.

10. *[ORD 4578; March 2012] 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.*

Response: Not applicable. The site is not located within the Station Community – Sunset (SC-S) zoning district.

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 applications for the future phases of the PUD shall be filed within five (5) years unless the PUD has received an extension approval pursuant to Section 50.93. of the Development Code. [ORD 4654; March 2015]*

Response: This proposal includes the phased development of a single PUD with multiple construction phases.

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

Response: The land use development applications are provided to the City for approval prior to the initiation of the engineering application and subsequently, building permit application submittals.

D. *Submission Requirements. An application for a PUD shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The PUD 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: This application for a PUD has been signed by the owner of the subject properties. In addition, this application is accompanied by the information required by the application form, and by Section 50.25 and includes any other information identified within the Pre-Application Summary Notes (PA2022-0034).

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

Response: The Applicant acknowledges that the PUD application may have conditions of approval imposed to help ensure compliance with the approval criteria.

F. *Phasing. If the application proposes to develop the PUD in a single phase, the decision shall expire two (2) years after the date of decision. Refer to Section 50.90.*

Phasing of the development may be permitted with approval of the Planning Commission. A deed restriction for those areas of the parent parcel in which deferred development will occur shall limit the number of future units developed to an amount consistent with the minimum and maximum density or Floor Area Ratio (FAR) permitted for the overall development. [ORD 4584; June 2012]

Response: Not applicable. This proposal does not include a single-phased development.

G. *Appeal of a Decision. Refer to Section 50.70.*

Response: Not applicable. This proposal does not involve an appeal of a decision.

H. *Expiration of a Decision. The PUD decision shall expire five (5) years after the date of decision. Refer to Section 50.90.*

Response: Not applicable. This proposal does not involve an expired decision.

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

Response: Not applicable. This proposal does not involve an expired decision.

40.20. Design Review

[...]

40.20.10. Applicability

1. *The scope of Design Review shall be limited to the exterior of buildings, structures, and other*

development and to the site on which the buildings, structures, and other development are located. [ORD 4584; June 2012]

Response: This narrative and other associated application materials address the exterior of buildings, structures, and other development.

2. *Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following: [ORD 4584; June 2012]*

A. *All uses listed as Conditional Uses in the RMB and RMC zoning districts. [ORD 4584; June 2012] [ORD 4822; June 2022]*

Response: Not applicable. This proposal is not located in the RMB and RMC zoning districts.

B. *All uses listed as Permitted and Conditional Uses in the RMA and MR Residential zoning districts, except those that are exempt, per Section 40.20.10.3, and except those subject to Single-Detached and Middle Housing Design Review in the RMA district, per Section 40.21.10. [ORD 4584; June 2012] [ORD 4822; June 2022]*

Response: Not applicable. This proposal is not located within the RMA and MR Residential zoning districts.

C. *All uses listed as Permitted and Conditional Uses in all Commercial, Industrial, and Multiple-Use zoning districts.*

Response: Pursuant to the Pre-Application Summary Notes (PA2022-0034), this proposal is subject to Design Review Three and is therefore subject to review pursuant to BDC Section 40.20.10.3.

D. *Site grading.*

Response: Site grading is included in this proposal and therefore requires that the proposal be subject to a Design Review application.

3. *Design Review approval shall not be required for the following:*

A. *Single-detached dwellings and middle housing in the RMA, RMB, and RMC zoning districts, which are subject to Single-Detached and Middle Housing Design Review, per Section 40.21.10. Also, other uses listed as Permitted Uses in the RMC and RMB zoning districts. [ORD 4584; June 2012] [ORD 4822; June 2022]*

Response: Not applicable. This proposal does not qualify for exemption from Design Review approval as the site is not located in the RMA, RMB, and RMC zoning districts.

B. *Residential accessory structures in any Residential or Commercial zoning district. [ORD 4542; June 2010] [ORD 4822; June 2022]*

Response: Not applicable. This proposal does not include residential accessory structures and is not located in a Residential or Commercial zoning district.

- C. Existing single-detached dwellings in the MR zoning district and in Commercial, Industrial, and Multiple-Use zoning districts. [ORD 4782; April 2020] [ORD 4822; June 2022]

Response: This proposal does not include the retention of an existing single-detached dwelling in a Multiple-Use zoning district.

- D. Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.

Response: Not applicable. This proposal does not include the maintenance of a building, structure, or a site associated with previous approvals.

- E. Painting of any building in any zoning district.

Response: Not applicable. This proposal does not involve the painting of an existing building.

- F. Wireless communication facilities.

Response: Not applicable. This proposal does not include wireless communication facilities.

- G. Food Cart Pods. [ORD 4662; September 2015]

Response: Not applicable. This proposal does not include food cart pods.

- H. Uses, activities, and structures located on a private parking lot and approved pursuant to the Open Air Beaverton program. [ORD 4819; January 2022]

Response: Not applicable. This proposal does not include uses, activities, and structures located on a private parking lot.

4. Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, demolitions and redevelopments associated with them, will be treated according to the following principles:

- A. Development constructed or approved prior to December 15, 2004 is not subject to Design Review standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:

1. If structural damage or destruction is less than or equal to fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction can be replaced as legally existed on the site before the casualty loss.
2. If structural damage or destruction is more than fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction must meet the provisions of this Code in every regard unless otherwise authorized by the provisions of this Code.

[ORD 4531; April 2010]

Response: Not applicable. This proposal does not include the retention of existing structures.

B. *Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards.*

Response: Not applicable. The proposed new free-standing buildings will be part of a new development.

C. *Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable. [ORD 4531; April 2010]*

Response: Not applicable. This proposal does not include the redevelopment of existing structures.

5. *Design Review approval is required for all applicable new and existing developments. The City recognizes, however, that meeting minimum Floor Area Ratio (FAR) in an early phase of a multi-phased development on a large site may be difficult. The City also recognizes that creating high quality pedestrian environments along public streets is a priority. In recognition of these and other issues, the following options are available.*

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

1. *Include a plan and narrative intended to address feasibility of constructing future phases, consistent with applicable development standards of the Development Code within the total site area where the project is proposed, and may include abutting properties if under same ownership.*

Response: Not applicable. This proposal utilizes the provisions of the City's Development Code Standards, not the Design Review Build-Out Concept Plan (DRCBP).

[...]

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

[...]

Response: Not applicable. While the site abuts two (2) Arterial Streets, they are not designated as Major Pedestrian Routes.

40.20.15. *Application.*

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

[...]

2. *Design Review Two.*

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

1. *New construction of up to and including 50,000 gross square feet of non-residential floor area where the development does not abut any Residential District. [ORD 4462; January 2008]*

Response: Not applicable. This proposal includes less than 50,000 gross square feet of non-residential floor area that abuts a Residential District.

2. *New construction of up to and including 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential District. [ORD 4462; January 2008]*

Response: This proposal includes less than 30,000 gross square feet of non-residential floor area where the development abuts a Residential District separated by a street.

3. *New construction of multi-dwellings in any zone where multi-dwellings are a Permitted or Conditional Use. [ORD 4822; June 2022]*

Response: This proposal includes new construction of multi-dwellings, which are permitted within the underlying zoning districts of Station Community – High Density Residential (SC-HDR) and Station Community – Multiple Use (SC-MU).

4. *New construction of duplexes, triplexes, quadplexes, or townhouses in the MR zone or in any Commercial or Multiple Use zone where such housing types are a Permitted or Conditional Use. [ORD 4822; June 2022]*

Response: This proposal includes the new construction of townhouses within a Multiple Use zone, therefore this proposal meets the threshold for Design Review Two. While this proposal meets the threshold for a Design Review Two, the Applicant elects to file the application for a Design Review 3 instead.

5. *Reconstruction of single-detached residential dwellings in Multiple Use zoning districts where reconstruction of existing single-detached dwellings is a Permitted Use. [ORD 4542; June 2010] [ORD 4822; June 2022]*

Response: Not applicable. This proposal does not include the reconstruction of single-detached residential dwellings.

6. *Building additions in Residential, Commercial, Industrial, or Multiple Use zones less than 30,000 gross square feet of floor area that do not qualify for consideration under the Thresholds for Design Review Compliance Letter. [ORD 4531; April 2010] [ORD 4659; July 2015]*

Response: Not applicable. This proposal does not involve building additions.

7. *Any change in excess of 15 percent of the square footage of on-site landscaping or pedestrian circulation area with the exception for an increase in landscape art of up to 25 percent. [ORD 4397; August 2006]*

Response: Not applicable. This proposal does not include a change in on-site landscaping or pedestrian circulation area as this is a new development proposal.

8. *Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds paving. [ORD 4782; April 2020]*

Response: Not applicable. This proposal does not include new or a change to existing on-site vehicular parking, maneuvering, and circulation. Instead, this proposal involves an entirely new development.

9. *New parks in non-residential zoning districts.*

Response: Not applicable. This proposal does not include the provision of new parks within non-residential zoning districts.

10. *New construction of non-habitable buildings or construction of a permanent structure, not considered a building in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which has a footprint greater than 1,000 square feet and up to 10,000 square feet in size and is a use permitted within the underlying zoning district. [ORD 4584; June 2012] [ORD 4782; April 2020]*

Response: Not applicable. This proposal does not include new construction of non-habitable buildings or construction of a permanent structure as defined within this subsection.

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

Response: While this proposal is subject to a Design Review Two procedure, the Applicant is electing to file the application as a Design Review Three which is subject to a Type 3 procedure.

- C. *Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

1. *The proposal satisfies the threshold requirements for a Design Review Two application.*

Response: While this application meets threshold criteria two and four, the Applicant is electing to file the application as a Design Review Three.

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

Response: All relevant City application fees are included with this land use application submittal package.

3. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.*

Response: This proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code for Design Review Three.

4. *The proposal is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards).*

Response: This proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30. For more information, see the discussion included below which addresses this proposal's conformance with the applicable provisions of Sections 60.05.15 through 60.05.30.

5. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the proposed additions or modifications are moving towards compliance with specific Design Standards if any of the following conditions exist:*

- a. *A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable standard; or*
- b. *The location of existing structural improvements prevent the full implementation of the applicable standard; or*
- c. *The location of the existing structure to be modified is more than 300 feet from a public street.*

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

- d. *If in a Multiple Use District, building location, entrances and orientation along streets, and parking lot limitations along streets (Standards 60.05.15.6 and 60.05.20.8)*
- e. *If in a Multiple Use or Commercial District, ground floor elevation window requirements (Standard 60.05.15.8).*

Response: Not applicable. This proposal does not include additions or modifications to an existing development.

6. *For reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district, the reconstructed dwelling is no more than 500 sq. ft. larger in floor area than the original dwelling. [ORD 4822; June 2022]*

Response: Not applicable. This proposal does not involve the reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district.

7. *The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance. [ORD 4782; April 2020]*

Response: This proposal's compliance with standards contained within Section 60.15.10 is discussed below within this written statement.

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

Response: Not applicable. A Design Review Two application is not included in the application submittal package. Instead, an application for Design Review Three application is submitted to the City for approval in the proper sequence, preceding requests for engineering and building permits approval.

- D. *Submission Requirements. An application for a Design Review Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.*

Response: Not applicable. A Design Review Two application is not included with the application submittal package.

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

Response: Not applicable. A Design Review Two application is not included with the application submittal package.

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

Response: Not applicable. This application does not require or include an appeal of a decision.

- G. *Expiration of a Decision. Refer to Section 50.90.*

Response: Not applicable. This application does not involve an expired decision.

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

Response: Not applicable. This application does not involve an extension of a decision.

3. *Design Review Three.*

- A. *Threshold. An application for Design Review Three shall be required when an application is subject to applicable design standards and/or guidelines and one or more of the following thresholds describe the proposal: [ORD 4782; April 2020]*

1. *New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district. [ORD 4397; August 2006] [ORD 4410; December 2006] [ORD 4462; January 2008] [ORD 4584; June 2012]*

Response: Not applicable. This proposal does not include new construction of more than 50,000 gross square feet of non-residential floor area. Instead, this proposal includes new construction of approximately 17,736 square feet of non-residential area. Furthermore, the site abuts residential zoned property.

2. *New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential zoning district. [ORD 4410; Nov. 2006] [ORD 4462; December 2007] [ORD 4584; June 2012]*

Response: Not applicable. This proposal does not include new construction or addition of more than 30,000 gross square feet of non-residential floor area. Instead, this proposal includes new construction of approximately 17,736 square feet of non-residential area. Furthermore, the site abuts residential zoned property.

3. *Building additions in Residential, Commercial, or Multiple Use zones more than 30,000 gross square feet of floor area. [ORD 4531; April 2010]*

Response: Not applicable. This proposal does not include building additions and instead includes new construction.

4. *Building additions in industrial zones more than 30,000 gross square feet. [ORD 4531; April 2010]*

Response: Not applicable. This proposal is not located with industrial zoned property, nor does it include additions to existing buildings.

5. *Construction of a permanent structure, not considered a building, in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which exceeds 10,000 square feet in size and is a use permitted within the underlying zoning district. [ORD 4782; April 2020]*

Response: Not applicable. This proposal does not include the construction of a permanent structure, not considered a building, in a multiple use zone or for approved Conditional Uses in residential zones.

6. *Projects proposed utilizing the options described in Section 40.20.10.5.*

Response: Not applicable. This proposal does not utilize the options described in Section 40.20.10.5.

7. *New parks in Residential zoning districts.*

Response: Not applicable. This proposal does not include the construction of new parks in Residential zoning districts.

8. *A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).*

Response: Not applicable. This project meets the Design Review Compliance Letter thresholds and meets all applicable design standards.

9. *A project meeting the Design Review Two thresholds which does not meet an applicable design standard.*

Response: Thresholds 2, 3, and 4 of the Design Review Two application are met but the applicant has elected to address Design Guidelines.

- B. *Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Design Review Three. The decision making authority is the Planning Commission. [ORD 4532; April 2010]*

Response: This application for Design Review Three is subject to the Type 3 review procedure with the Planning Commission as the decision-making authority.

- C. *Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

1. *The proposal satisfies the threshold requirements for a Design Review Three application.*

Response: Not applicable. This Design Review Three threshold criteria are met with this application with Threshold numbers 6 and 9 which pertains to proposed phased development projects described in Section 40.20.10.5., allowing projects to meet minimum FAR through a Planned Unit Development (PUD).

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

Response: The City application fees related to this proposal have been submitted with this application.

3. *For proposals meeting Design Review Three application thresholds numbers 1 through 7, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).*

Response: This proposal meets the Design Review Three application Threshold numbers 6 and 9 and is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50. For more information on this proposal's conformance with the applicable provisions, see the discussion included below in response to Sections 60.05.35 through 60.05.50.

4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:*
 - a. *A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or*
 - b. *The location of existing structural improvements prevent the full implementation of the applicable guideline; or*
 - c. *The location of the existing structure to be modified is more than 300 feet from a public street.*

Response: Not applicable. This proposal does not involve the addition to or modification of existing development.

5. *The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance. [ORD 4782; April 2020]*

Response: This proposal complies with the grading standards outlined in Section 60.15.10. For more information see the discussion included in response to Section 60.15.10 in this written statement below.

6. *For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP. [ORD 4584; June 2012]*

Response: Not applicable. This proposal involves a PUD development, not a DRBCP, and will meet the minimum FAR standards with the future complete build out of the site. For more information, see *Sheet C045* included in this submittal.

7. *For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; April 2010]*

Response: This proposal meets the Design Review Three Application Threshold numbers 6 and 9, however the applicant has decided to address standards. This proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30. For more information see the discussion included below addressing this proposal's conformance with all applicable of Sections 60.05.15 through 60.05.30.

8. *For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines). [ORD 4531; April 2010]*

Response: Not applicable. This proposal meets the Design Review Three application Threshold numbers No. 6 and 9, however, the applicant has decided to address a combination of standards and guidelines.

9. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence. [ORD 4404; October 2006]*

Response: Applications and documents related to this request, which will require further City approval, are submitted to the City in the proper sequence. This application submittal package which includes a Design Review Three, is herewith provided as the first step in the land use development process.

- D. *Submission Requirements. An application for a Design Review Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Three application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.*

Response: The application for a Design Review Three includes the property owners' signed authorization in addition to all relevant information required for a complete application pursuant to Section 50.25 and other information identified within the Pre-Application Summary Notes (PA2022-0034) dated October 15, 2022.

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

Response: The Applicant acknowledges that the decision-making authority may impose conditions on the approval of a Design Review Three application to ensure compliance with the approval criteria.

- F. *Appeal of a Decision. Refer to Section 50.70.*

Response: Not applicable. This proposal does not include the appeal of a decision.

G. *Expiration of a Decision. Refer to Section 50.90.*

Response: Not applicable. This proposal does not involve the expiration of a decision.

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

Response: Not applicable. This proposal does not include or require a request for an extension of a decision.

[...]

40.45. *Land Division and Reconfiguration*

[...]

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).

[ORD 3226, 11/04/1981; ORD 4224, 09/19/2002; ORD 4487, 08/21/2008]

Effective on: 8/21/2008

Response: This proposal includes a subdivision development which involves dedication of County right-of-way (ROW) and the reconfiguration of existing property lines.

40.45.15. *Application.*

There are nine (9) 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. [ORD 4584; June 2012]

[...]

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. [ORD 4487; August 2008]*

Response: This proposal involves the creation of 187 new lots from three (3) lots of record within the same application. The two (2) lots of record (i.e., Tax Lots 3600, 3700 and 3702) were recently part of an approved consolidation involving Tax Lot 3600, 3700, 3702, 3800, 3900, 4000, 4100 and 4200.

B. *Procedure Type. 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: While the application for a Preliminary Subdivision is subject to a Type 2 review procedure, other applications are submitted concurrently with this proposal are subject to different procedure types, whereby a Type 3 procedure will be required. Pursuant to Code Section 50.15.1., the application type which requires the broadest notice and opportunity to participate applies in instances where multiple applications are submitted for concurrent review for a single project.

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. [ORD 4584; June 2012]*

Response: The application satisfies the threshold requirements contained within Section 40.45.15.5. for a Preliminary Subdivision application as four (4) or more lots are included with this proposal. Furthermore, the parent parcels are subject to a pending Legal Lot Determination under Section 40.47 which are included within this complete application. The components included with the Legal Lot Determination include the demonstrated threshold met (the Director has required this application), the requisite fee payment, a written narrative describing how the units of land conform to the lot area and dimensional standards included in Chapter 20 and other supporting documentation is included with this submittal.

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

Response: All City application fees related to the application have been included separately with this submittal.

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. [ORD 4822; June 2022]*

Response: This application is consistent with applicable requirements contained within Chapter 20 and Chapter 60.

4. *The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.*

Response: This proposal has been designed in conformance with all applicable provisions of the City's Code.

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. [ORD 4584; June 2012]*

Response: Not applicable. No lots included in this proposal are oversized, exceeding the standards required by the City.

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: This proposal includes a phasing plan whereby necessary public improvements for each phase are provided as the project develops. For more information, see the plans included in this submittal.

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. [ORD 4584; June 2012] [ORD 4782; April 2020]*

Response: Not applicable. The site will have a reconfigured zoning designation, i.e., Station Community – High Density Residential (SC-HDR) and Station Community – Mixed Use (SC-MU), with the approval of the proposed comprehensive zoning map amendment.

8. *Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence. [ORD 4487; August 2008] [ORD 4822; June 2022]*

Response: Applications and documents related to this request furthering City approval will be submitted to the City in the proper sequence.

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: All property owners of the site have authorized the submittal of the preliminary subdivision and is submitted after the Legal Lot Determination.

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.*

[ORD 4487; August 2008]

Response: This proposal includes a phased development plan over the course of less than ten (10) years. Each individual phase is not anticipated to go through final plat recordation within a time period exceeding five (5) years.

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 acknowledges that the decision-making authority may impose conditions of approval of a Preliminary Subdivision application to ensure compliance with the approval criteria.

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

Response: Not applicable. This proposal does not include the appeal of an existing decision.

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. [ORD 4265; October 2003] [ORD 4487; August 2008]*

Response: Not applicable. This proposal does not involve an expired decision.

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

Response: No applicable. This proposal does not include the extension of a decision. Should an extension for individual development phasing be required, an application for extension will be provided to the City in conformance with Code and procedural requirements.

8. *Final Land Division.*

A. *Threshold. An application for Final Land Division shall be required when the following threshold applies:*

1. *A proposal to finalize a previously approved Preliminary Partition, Preliminary Subdivision, Preliminary Fee Ownership Partition, Preliminary Fee Ownership Subdivision, Replat Two, Expedited Land Division, Preliminary Middle Housing Land Division, or Legal Lot Determination, as applicable. [ORD 4487; August 2008] [ORD 4584; June 2012] [ORD 4822; June 2022]*

Response: An Application for Final Land Division will be required for the approved Preliminary Subdivision pertaining to this proposal.

B. *Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Final Land Division, except a Final Land Division shall not be required for a Replat One approval which involves only the consolidation of lots pursuant to Section 40.45.15.2.A.1. The decision making authority is the Director. [ORD 4498; January 2009]*

Response: The Final Land Division application for each individual phase of the subdivision will be subject to a Type I procedure. The proposed subdivision will not be subject to the replat requirements since they are associated with the consolidation of lots.

C. *Approval Criteria. In order to approve a Final Land Division application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all*

the following criteria are satisfied:

1. The application satisfies the threshold requirements for a Final Land Division.
2. All City application fees related to the application under consideration by the decision making authority have been submitted.
3. The application contains all applicable submittal materials as specified in Section 50.25.1 of the Development Code. [ORD 4265; October 2003]
4. The Final Land Division substantially conforms to the previously approved and unexpired Preliminary Partition, Preliminary Subdivision, Preliminary Fee Ownership Partition, Preliminary Fee Ownership Subdivision, Replat Two, Expedited Land Division, or Preliminary Middle Housing Land Division. [ORD 4584; June 2012] [ORD 4822; June 2022]
5. Applications and documents related to the Final Land Division requiring further City approval shall be submitted to the City in the proper sequence. [ORD 4487; August 2008]

Response: The Applicant acknowledges that an application for a Final Land Division will be required to demonstrate how all relevant approval criteria will be satisfied.

- D. *Submission Requirements. An application for a Final Land Division 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, that if the preliminary land division approval was on an application signed by fewer than all the owners of the subject property, as allowed in conjunction with Section 40.47. (Legal Lot Determination) the City may similarly approve a final plat application made by fewer than all the owners of the subject property. The Final Land Division 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 future applications for Final Land Division will be made with the property owner's consent.

- E. *Appeal of a Decision. Refer to Section 50.60.*

Response: Not applicable. The Applicant at this time does not anticipate including an appeal of a decision.

- F. *Expiration of a Decision. Refer to Section 50.90.*

Response: Not applicable. The Applicant at this time does not anticipate or foresee the need to file a future Final Land Division application after the expiration of the issued decision.

- G. *Extension of a Decision. Refer to Section 50.93.*

Response: Not applicable. This application does not include an application for a Final Land Division nor does the Applicant anticipate needing to file for an extension of a decision.

40.47. Legal Lot Determination

[...]

Response: Not applicable. An approved Legal Lot Determination was issued on June 27, 2023 (ref. LLD2023-0004) for the tax lots involved with this proposal.

40.90. Tree Plan

[ORD 4348; May 2005]

[ORD 3740, 08/21/1990; ORD 4224, 09/19/2002]

[...]

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. [ORD 4822; June 2022]*

Response: Not applicable. This proposal includes the removal of more than four (4) Community Trees and involves a property that is greater than half an acre in size.

2. *Removal and pruning of any hazardous, dead, or diseased tree when the tree is identified as such by a certified arborist or by the City Arborist and the removal is required by the City.*

Response: This proposal includes the removal of hazardous, dead, or diseased trees that have been identified by the arborist. The removal of these trees is required in order to facilitate the construction of Street E and the project site. For more information, see the arborist report included in this application submittal package.

3. *In the event of an emergency requiring tree removal or pruning prior to the City Arborist's determination, if evidence justifies the emergency removal after the fact, then no tree plan is required for removal.*

Response: Not applicable. This proposal does not include the emergency removal or pruning of trees.

4. *Minor pruning, as defined in CHAPTER 90.*

Response: Not applicable. No minor pruning as defined in Chapter 90 is included in this proposal.

5. *Pruning of trees consistent with the Vision Clearance requirements of the Engineering Design Manual. [ORD 4397; August 2006]*

Response: Not applicable. This proposal does not include or require the pruning of existing trees within vision clearance areas.

6. *Pruning of trees by the utility provider for above ground utility power lines following acceptable arboricultural standards and practices.*

Response: This proposal does not include or require the pruning of trees by the utility provider and as such is not exempt from the requirements of a Tree Plan.

7. *Pruning of trees to maintain the minimum 8 foot clearance above a sidewalk.*

Response: Not applicable. This proposal does not require or include the pruning of trees to maintain the requisite clearance above a sidewalk.

8. *Removal or pruning of the following nuisance tree species anywhere in the city: Lombardy Poplar (Populus nigra), and birch (Betula sp.). Where Lombardy Poplar or birch trees are part of an approved landscape plan, Design Review approval is required for the removal of the Landscape Trees. [ORD 4584; June 2012]*

Response: Not applicable. This proposal does not include or require the removal or pruning of the nuisance species listed above.

9. *Removal and pruning of the following nuisance tree species in Significant Groves and SNRAs: Norway maple (Acer platanoides), Tree-of-Heaven (Ailanthus altissima), Golden Chain Tree (Laburnum watereri), and English or Common Hawthorn (Crataegus monogyna). [ORD 4584; June 2012]*

Response: Not applicable. The site is not located within a Significant Grove or SNRA.

10. *Removal of a tree or nonnative vegetation listed as a Nuisance or Prohibited Plant on the City of Portland's Nuisance Plant List or in Clean Water Services' Design and Construction Standards. [ORD 4822; June 2022]*

Response: A total of eight (8) trees listed as a Nuisance or Prohibited Plant on the City of Portland's Nuisance Plant List will be removed from the site. However, since thirty (30) community trees require removal, this proposal is not exempted from the requirements of a Tree Plan.

11. *Within SNRAs and Significant Groves, planting of native vegetation listed on the Metro's Native Plant List or in Clean Water Services' Design and Construction Standards when planted with non-mechanized hand held equipment.*

Response: Not applicable. The site is not located within a SNRA or Significant Grove.

12. *Removal of any tree associated with a public street and sidewalk improvement project that meet A. or B. and C: [ORD 4659; June 2015] [ORD 4697; December 2016]*

- A. *Improvements within an existing public vehicular right-of-way; or*
- B. *Improvements to a public vehicular right-of-way in order to meet functional classification standards, such as widening or half-street improvements; and*
- C. *The proposed improvements do not exceed the minimum width standards of the Engineering Design Manual.*

Response: Not applicable. This proposal does not involve tree removal within existing an existing public vehicular right-of-way.

13. *Trails within SNRAs and Significant Groves meeting all of the following:*

[...]

Response: Not applicable. The site is not located within a SNRA and does not include the presence of Significant Groves.

14. *Street Trees are covered by the Beaverton Municipal Code and Section 60.15.15.6.*

Response: Not applicable. This proposal does not involve the removal of street trees as defined by Section 60.15.15.6.

15. *Landscape Trees are covered by Section 40.20. (Design Review) and Section 60.60. (Trees and Vegetation).*

Response: Not applicable. This proposal does not involve the inclusion of landscape trees as defined by Section 40.20 and Section 60.60 in the Tree Plan.

16. *Enhancement activities conducted by a public agency for the sole purpose of improving the ecological health of forest and water resources.*

Response: Not applicable. This proposal involves a private development and does not involve the enhancement activities conducted by a public agency.

17. *Removal of a tree(s) by the City of Beaverton or Clean Water Services that is within five (5) feet of a section of existing sanitary or storm sewer line that is in need of emergency repair and/or maintenance within a SNRA when no reasonable alternative exists. [ORD 4397; August 2006]*

*[ORD 3740, 08/21/1990; ORD 4224, 09/19/2002; ORD 4348, 05/19/2005; ORD 4397, 08/10/2006; ORD 4584, 06/01/2012; ORD 4659, 07/10/2015; ORD 4697, 12/02/2016; ORD 4822, 06/30/2022]
Effective on: 6/30/2022*

Response: Not applicable. This proposal does not involve tree removal by the Clean Water Services for the purposes of repairing a sanitary or storm sewer line within a SNRA.

40.90.15. *Application.*

There are three (3) Tree Plan applications which are as follows: Tree Plan One, Tree Plan Two, and Tree Plan Three. [ORD 4782; April 2020]

[...]

2. *Tree Plan Two*

A. *Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:*

1. *Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1. [ORD 4584; June 2012]*

Response: This proposal does not include actions listed in Section 40.90.10 and the thresholds in Section 40.90.15.1 for a Tree One Plan do not apply. In addition, this proposal includes the removal of more than five (5) Community Trees on the site within a one (1) calendar year period.

2. *Multiple Use zoning district: Removal of up to and including 85% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services. [ORD 4584; June 2012]*

Response: Not applicable. While the site is located in Multiple Use (SC-HDR and SC-MU) zoning districts, there are no SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services on site. For more information, see the *Service Provider Letter* included in this application submittal package.

3. *Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves or Sensitive Areas as defined by Clean Water Services.[ORD 4584;June 2012]*

Response: Not applicable. The site is located within a Multiple Use district and is as such not subject to the requirements of Commercial, Residential or Industrial zoning districts.

4. *Removal of a Significant Individual Tree(s).*

Response: Not applicable. The site does not contain significant individual trees. For more information, see the memorandum prepared by an arborist licensed in the State of Oregon within this application submittal package.

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

Response: This proposal is subject to a Type 3 procedure as multiple applications some of which have a higher application review type are submitted for concurrent review.

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

1. *The proposal satisfies the threshold requirements for a Tree Plan Two application.*

Response: This proposal satisfies the threshold requirements for a Tree Plan Two application as all required application materials are included in this submittal and the relevant application fee has been paid.

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

Response: The required fees pursuant to the Tree Plan Two application have been paid.

3. *If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.*

Response: Not applicable. The removal of trees at the site will not be conducted to observe good forestry practices according to ANSI and ISA standards.

4. *If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.*

Response: The removal of on-site trees is required in order to facilitate the extension of SW 181st Avenue.

5. *If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.*

Response: Not applicable. The trees at the site are not proposed for removal due damage to

property or improvements, either public or private, on the subject site or adjacent sites.

6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.*

Response: This proposal requires the removal of trees on the site where the extension of SW 181st Avenue is required to serve the proposed development.

7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles. [ORD 4584; June 2012]*

Response: This proposal involves the removal of trees to eliminate conflicts with future vehicular right-of-way. This proposal does not involve or require the removal of any trees in order to enhance the health of a tree, grove or adjacent area.

8. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.*

Response: Not applicable. The site is not located within a SNRA or Significant Grove area.

9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.*

Response: Not applicable. The site is not located within a SNRA or Significant Grove area.

10. *The proposal is consistent with all applicable provisions of Section 60.60. (Trees and Vegetation) and Section 60.67. (Significant Natural Resources).*

Response: This proposal is consistent with all applicable provisions of Section 60.60. For more information, see the discussion included below within this written narrative which addresses this proposal's conformance with the requirements contained within Section 60.60. The site is not located within a Significant Natural Resources Area (SNRA), therefore the requirements of Section 60.67 do not apply to the development of the site.

11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system. [ORD 4584; June 2012]*

Response: This proposal has been designed to include grading and contouring of the site in order to appropriately facilitate the proposed development and mitigate adverse impacts on neighboring properties, public right-of-way, surface drainage, water storage facilities and the public storm drainage system. This proposal has been designed in conformance with all applicable requirements for grading of the site.

12. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.*

Response: This proposal contains all applicable submittal requirements as specified in Section 50.25.1 which lists the items required for application completeness.

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

[ORD 4404; October 2006] [ORD 4462; January 2008]

Response: This Tree Plan Two application and associated documents are submitted along with other land use applications to the City prior to the submittal of an engineering application for the proposed site development.

D. *Submission Requirements.* *An application for a Tree Plan Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Tree Plan Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.*

Response: The completed and fully executed Tree Plan Two application form is included within this submittal package.

E. *Conditions of Approval.* *The decision making authority may impose conditions on the approval of a Tree Plan Two application to ensure compliance with the approval criteria. In addition to the approval criteria, the decision making authority may also impose other conditions of approval to ensure that the proposed tree work meets all requirements listed in Section 60.60. (Trees and Vegetation).*

Response: The Applicant acknowledges that the City may impose conditions of approval pursuant to the Tree Plan Two application.

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

Response: Not applicable. This proposal does not include an appeal of a decision.

I. *Expiration of a Decision. Refer to Section 50.90.*

Response: Not applicable. This proposal does not include an expired decision.

J. *Extension of a Decision. Previous approval of Tree Plan Two proposal shall not be extended.*

Response: Not applicable. This proposal does not include a request to extend a decision.

[...]

40.97.10. *Applicability.*

The provisions of this section shall apply to a change of the zoning designation for parcels of land within the City.

[ORD 3739, 09/08/1990; ORD 4135, 12/28/2000; ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Response: This proposal involves a reconfiguration of existing zoning designations of property within the City of Beaverton jurisdiction and as such requires a change in zoning designation application.

40.97.15. Application.

There are four (4) Zoning Map Amendment applications which are as follows: Quasi-Judicial Zoning Map Amendment, Legislative Zoning Map Amendment, Non-Discretionary Annexation Related Zoning Map Amendment and Discretionary Annexation Related Zoning Map Amendment. The Director shall determine if a Zoning Map Amendment is quasi-judicial or legislative. For annexation related Zoning Map Amendment applications, the Director shall determine if the applications are discretionary or non-discretionary. The City Council is the decision-making authority for all Zoning Map Amendments, which shall be adopted by ordinance according to the requirements of the City Charter.

1. Quasi-Judicial Zoning Map Amendment.

A. Threshold. An application for Quasi-Judicial Zoning Map Amendment shall be required when the following threshold applies:

1. The change of zoning designation for a specific property or limited number of specific properties.

Response: This proposal involves the request to reconfigure the existing site zoning districts, i.e., Station Community – High Density Residential (SC-HDR) and Station Community – Mixed Use (SC-MU).

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Quasi-Judicial Zoning Map Amendment. The initial review of a Quasi-Judicial Zoning Map Amendment is conducted by the Planning Commission, which shall make a recommendation to the City Council. [ORD 4809; September 2021]

Response: This application is subject to the Type 3 review procedure.

C. Approval Criteria. In order to approve a Quasi-Judicial Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Quasi-Judicial Zoning Map Amendment application.

Response: This proposal has been designed to meet the approval criteria for a Quasi-Judicial Zoning Map Amendment application.

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

Response: The required City application fees related to the Quasi-Judicial Zoning Map Amendment application have been provided.

3. The proposal conforms with applicable policies of the City's Comprehensive Plan. [ORD 4462; January 2008]

Response: This proposal has been designed in conformance with the City's Comprehensive Plan. For more information see Section III of this written narrative.

4. All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.

Response: Availability of critical facilities and services are confirmed within the service

provider letter included in *Items No. 12-14* of this application submittal package.

5. *Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.*

Response: Availability of essential facilities and services are confirmed within the service provider letter included in *Items No. 12-14* of this application.

6. *The proposal is or can be made to be consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District. [ORD 4584; June 2012] [ORD 4799; January 2021]*

Response: This proposal has been designed in conformance with Chapter 20. Section 70.15 does not apply as the site is not located within the Downtown Design District.

7. *The proposal shall include a Traffic Impact Analysis that meets the requirements of Section 60.55.20. The analysis shall demonstrate that development allowed under the proposed zoning can meet the requirements of Sections 60.55.10.1, 60.55.10.2, 60.55.10.3, and 60.55.10.7. The analysis shall identify the traffic impacts from the range of uses allowed under the proposed zoning and demonstrate that these impacts can be reasonably mitigated at the time of development. [ORD 4302; May 2004]*

Response: A Traffic Impact Analysis that meets the requirements of Section 60.55.20. is included in *Items No. 5 and 6* of this application submittal package and includes an analysis demonstrating that the development can be undertaken safely since the current site zoning already includes SC-HDR and SC-MU.

8. *As an alternative to Section 40.97.15.1.C.7, the applicant may provide evidence that the potential traffic impacts from development under the proposed zoning are no greater than potential impacts from development under existing zoning. [ORD 4302; June 2004] [ORD 4584; June 2012]*

Response: Not applicable. This proposal includes a Traffic Impact Analysis and does not include alternative evidentiary support for this proposed zoning designation reconfiguration.

9. *For zone changes that 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. [ORD 4782; April 2020]*

Response: Not applicable. This proposal does not include a zone change that creates an additional parcel.

10. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.*

Response: This proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

11. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence. [ORD 4584; June 2012] [ORD 4404; October 2006]*

Response: This application is included as part of a land use application submittal package which precedes other application types required prior to initiation of site development.

D. *Submission Requirements. An application for Quasi-Judicial Zoning Map Amendment to the City's zoning map shall be made by the owner of the subject property, or the owner's authorized agent, the City Council, City Manager, or their designee on a form provided by the Director. All Quasi-Judicial Zoning Map Amendment applications shall be filed with the Director and 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. [ORD 4809; September 2021]*

Response: This application for a Quasi-Judicial Zoning Map Amendment to the City's zoning map includes the property owners' signature on the application form that is included in this submittal.

E. *Appeal of a Decision. Refer to Section 50.70.*

Response: Not applicable. This proposal does not include an appeal of an issued land use decision.

2. *Legislative Zoning Map Amendment.*

[...]

Response: Not applicable. This proposal involves a quasi-judicial zoning map application.

3. *Non-Discretionary Annexation-Related Zoning Map Amendment.*

[...]

Response: Not applicable. This proposal involves a quasi-judicial zoning map application and does not involve a non-discretionary annexation-related zoning map amendment.

4. *Discretionary Annexation Related Zoning Map Amendment.*

[...]

Response: Not applicable. This proposal involves a quasi-judicial zoning map application and does not involve a discretionary annexation related zoning map amendment.

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: This proposal includes application forms signed by the owner for property involved.

B. *The City Council, City Manager, or Director, as to property owned by the City, including public right of way and easements, or which the City intends to acquire. [ORD 4809; September 2021]*

Response: This proposal includes the dedication of public right-of-way for Street A, C, D, E, F, H and I to the City.

C. *Public agencies that own the property or have passed a resolution declaring that they intend to exercise their statutory authority to condemn the property.*

Response: Not applicable. This proposal does not involve property owned by public agencies or intended to become acquired by public agencies through a condemnation procedure.

2. *A Text Amendment application subject to a Type 4 procedure may be filed by an interested person, City Council, City Manager, or Director. [ORD 4809; September 2021]*

Response: Not applicable. This proposal does not include a Text Amendment application.

3. *A Zoning Map Amendment application subject to a Type 1 or Type 3-procedure may be filed by the owner or the contract purchaser of the subject property, City Council, City Manager, or Director. [ORD 4265; October 2003] [ORD 4498; January 2009] [ORD 4809; September 2021]*

Response: This proposal includes a zoning map amendment subject to a Type 3 procedure.

4. *A Zoning Map Amendment application subject to a Type 4 procedure may be filed only by the City Council, City Manager, or Director. [ORD 4498; January 2009] [ORD 4809; September 2021] [ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4498, 01/15/2009; ORD 4809, 09/16/2021] Effective on: 9/16/2021*

Response: Not applicable. This proposal does not include or require a zoning map amendment subject to a Type 4 procedure.

[...]

50.15. *Classifications 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.*

Response: This proposal includes a Legal Lot Determination which is subject to a Type 1 procedure. However, since this proposal includes multiple applications, it is subject to the application type with the broadest notice and opportunity to participate. As such, the Legal Lot Determination pursuant to BDC 50.15.2 is subject to a Type 3 procedure.

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 proposal includes a Preliminary Subdivision, and a Tree Plan Two, both of which are subject to a Type 2 procedure. However, since concurrent applications are also provided which include a higher level of review, all applications are subject to the application type with the broadest notice and opportunity to participate. As such, the Preliminary Subdivision, and Tree Plan Two applications are subject to a Type 3 procedure pursuant to BDC 50.15.2.

- C. *A Type 3 procedure typically involves an application that is subject to criteria that require the exercise of substantial discretion and about which there may be broad public interest, although the application applies to a limited number of land owners and properties.*

Response: This proposal includes a Conditional Use – Planned Unit Development, Design Review Three and a Zoning Map Amendment application, all of which are subject to a Type 3 procedure. Therefore, all land use applications included with this submittal package are subject to the Type 3 procedure.

- D. *A Type 4 procedure typically involves the legislative adoption, implementation or amendment of policy or law by ordinance. This includes amendments to the text of the zoning ordinance or the comprehensive plan. Large scale changes in planning and development maps also may be characterized as legislative where a large number of property owners are directly affected. [ORD 4809; September 2021]*

Response: Not applicable. This proposal does not require applications which are subject to a Type 4 procedure.

2. *An application identified as a Type 3 application which is submitted for any parcel of land located in the area of the City south of Walker Road, west of Murray Boulevard, north of Jenkins Road, and east of 158th Avenue shall be processed as a Type 2 application subject to Section 50.40 of this Code. The exception to this provision is that any Variance application shall continue to be processed as a Type 3 application subject to Section 50.45 of this Code. This provision shall take precedence over any conflicting application type designation contained in CHAPTER 40 of this Code. [ORD 4649; Feb 2015]*

Response: Not applicable. The site is not located in the City south of Walker Road, west of Murray Boulevard, north of Jenkins Road, and east of 158th Avenue.

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. [ORD 4532; April 2010] [ORD 4584; June 2012]

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. [ORD 4265; October 2003]

Response: This submittal includes more than one (1) complete application for a single proposal and addresses separate sets of code requirements. All applications included within this submittal are subject to a Type 3 application which are approvable by the Planning Commission, the decision-making authority.

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.*

Response: All applications included with this submittal package are subject to a Type 3 review.

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.*

[ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4532, 04/01/2010; ORD 4584, 06/01/2012; ORD 4649, 02/13/2015; ORD 4809, 09/16/2021]

Effective on: 9/16/2021

Response: All applications included with this submittal package are subject to a Type 3 review procedure.

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. [ORD 4365; October 2005] [ORD 4702; January 2017] [ORD 4809; September 2021]*

Response: This proposal requires Type 2 and 3 applications, therefore a pre-application conference is required. A Pre-Application Conference for this proposal was held on August 31, 2022. The Revised Pre-Application Summary Notes for Panzer Development (PA2022-0034) are included in this application submittal package.

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. [ORD 4702; January 2017]*

Response: The Pre-Application Conference, which was held on August 31, 2022 and was subsequently summarized in notes, and preliminarily addressed the relevant applications required for this proposal along with their associated approval criteria and procedures.

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.*

Response: The Pre-Application Conference occurred within twenty-one (21) calendar days of the City's receipt of a request for 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.

Response: Not applicable. A Pre-Application Conference was held on August 31, 2022, and no new meeting is required for this proposal.

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.*

Response: A Pre-Application Conference Summary was received within fourteen (14) calendar days of the meeting date.

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.*

*[ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4702, 01/04/2017; ORD 4809, 09/16/2021]
Effective on: 9/16/2021*

Response: This complete land use application is herewith submitted within one (1) year of the conference which was held on August 31, 2022.

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: [ORD 4265; October 2003]*

- A. *A completed original application form provided by the Director and application checklist provided by the Director, signed by:*

1. *The applicant.*
2. *If the applicant is not the owner, the owner of the property, or the authorized agent of the property owner. If an authorized agent, a written statement made by the owner of the property shall be submitted stating that the agent is authorized to sign on the owner's behalf.*
3. *If the applicant is exercising its statutory authority to condemn property, the representative of the public agency accompanied by written documentation of such condemnation or intent to condemn the property.*
4. *Property owner signatures are not required for City initiated Type 4 Text Amendment applications and City initiated Type 1, Type 3, and Type 4 Zoning Map Amendments. [ORD 4265; October 2003]*

Response: Application forms containing the requisite information and signatures are included in this application submittal package.

- 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. [ORD 4265; October 2003] [ORD 4404; October 2006] [ORD 4487; August 2008] [ORD 4584; June 2012]*

Response: This written statement meets the content requirements which address the criteria and development regulations as well as applicable technical criteria specified in BDC Section 40.03 considered relevant to this application.

- 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.*

Response: Additional necessary information, as identified in the Revised Pre-Application Summary Notes, are included in this application submittal package.

- D. *The information required by Section 50.30.4. regarding Neighborhood Meeting requirements, if applicable.*

Response: The information required by Section 50.30.4. is included in the application submittal package.

- E. *For a Type 2 or Type 3 application, a copy of the pre-application conference summary. [ORD 4809; September 2021]*

Response: This proposal includes Type 2 and Type 3 applications, and as such a copy of the pre-application conference summary is included in this application submittal package.

- 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. [ORD 4782; April 2020]*

Response: All requisite Service Provider Letters are included in this application submittal package as *Items No. 12-14*, and includes the Beaverton School District, Clean Water Services, the Fire Department and the Water Department at the City Engineering Department.

- G. *The applicable fee in effect at the date of submittal.*

Response: The applicable fee currently in effect is included with this application 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: Not applicable. This submittal is online only and is in conformance with the City's submittal requirements.

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: The Applicant does not at this time anticipate a deferral of application fees.

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. [ORD 4782; April 2020]*

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

Response: The Applicant acknowledges that the Director has thirty (30) calendar days to provide a determination regarding the application completeness.

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.*

Response: The Applicant acknowledges that the above-listed items are the application incompleteness items.

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.*

Response: The Applicant acknowledges that the Director may at their sole discretion waive application requirements. However, no waiver is anticipated at this time.

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.*
[ORD 4282; February 2004] [ORD 4584; June 2012]

Response: The Applicant acknowledges that application completeness is provided based on the determination of the Community Development Department.

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. [ORD 4282; February 2004] [ORD 4498; January 2009]*

Response: The Applicant acknowledges the City's final decision-making timeline and procedures for application review.

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. [ORD 4282; February 2004] [ORD 4782; April 2020]*

Response: The Applicant acknowledges that the 120-calendar-day timeline may be extended for a specific amount of time at the written request of the Applicant.

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. [ORD 4809; September 2021]

Response: The Applicant acknowledges the timeline for amending an application as described herein. Application amendments are not anticipated at this time.

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. [ORD 4397; August 2006]*

[ORD 3976, 05/15/1997; ORD 3992, 10/09/1997; ORD 4135, 12/28/2000; ORD 4155, 05/11/2001; ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4282, 02/05/2004; ORD 4351, 06/02/2005; ORD 4397, 08/10/2006; ORD 4404, 10/19/2006; ORD 4487, 08/21/2008; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4782, 04/17/2020; ORD 4809, 09/16/2021]

*Effective on: 9/16/2021***Response:** The Applicant acknowledges that an application on file with the City for more than 180 calendar days and has not met the obligations of Section 50.25.7., will be deemed withdrawn.

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.*

Response: A Neighborhood Review Meeting was held on February 14, 2023, in order to help identify any potential neighborhood concerns regarding the proposal. For more information, see the notes included in this application submittal package.

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.). [ORD 4332; January 2005] [ORD 4483; June 2008] [ORD 4584; June 2012]*

Response: A notice was mailed to all property owners of record within a 500-foot radius of the site on January 23, 2023. The Affidavit of Mailing is included within the application submittal package.

3. Procedures.

- A. Except as otherwise provided in this section, the applicant shall select the meeting time and place according to the preference indicated by the relevant NAC. Preference should be given to a regularly scheduled meeting time of the NAC in which the project is located. The starting time selected shall be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a National holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act within the boundaries of the NAC or at a similar location within the City of Beaverton. A sign at least 22" x 28" in size with minimum 2" lettering shall be placed at the main entrance of the building where the meeting will take place at least one hour prior to the meeting. Such sign will announce the meeting, that the meeting is open to the public, and that interested persons are invited to attend. This sign shall be removed upon conclusion of the meeting by the applicant.

Response: The Neighborhood Review Meeting was selected during the regularly scheduled monthly meeting on February 14, 2023, as it was the preference of the Five Oaks / Triple Creek Association's leadership. The meeting was held online at 6:00 pm on a Tuesday, a weekday night, in conformance with the requirements of this section. A sign was not placed as prescribed within this section as the meeting was held virtually.

- B. The applicant shall send by regular mail a written notice announcing the Neighborhood Review Meeting to: the Director, property owners within 500 feet of the property involved in the anticipated application and to representatives of all NACs and Washington County's Community Participation Organizations (CPO) whose boundaries are within 500 feet of the subject property. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The notice shall be mailed not less than 20 calendar days prior to the meeting date. The Director shall maintain on file in the Community Development Department, current addresses of NAC Officers and/or representatives and related NAC information, including regularly scheduled or monthly meeting dates, times and locations. [ORD 4782; April 2020]

The mailing list shall be based on the most recent property tax assessment rolls of the Washington County Department of Assessment and Taxation. At the request of the applicant, and upon payment of the applicable fee, the City will provide the required mailing list.

Response: The Applicant sent by regular mail a written notice announcing the Neighborhood Meeting to the Director, property owners within 500 feet of the property involved with this proposal and to representatives of all NACs and Washington County's Community Participation Organizations (CPO), CPO 6, Aloha Cooper Mountain, Reedville whose boundaries are within 500 feet of the subject property.

- C. Not less than 20 calendar days prior to the Neighborhood Review Meeting, the applicant shall post a notice on the property which is subject of the proposed application. The notice shall be posted within 50 feet of an adjoining public right-of-way in a manner that can be read from the right-of-way. The notice shall state that the site may be subject to a proposed development and shall set forth the name of the applicant and a telephone number where the applicant can be reached for additional information. The site shall remain posted until the conclusion of the Neighborhood Review Meeting. The applicant may purchase a second sign from the City or create a sign to post at the Neighborhood Review Meeting location. [ORD 4312; July 2004]

Standard signs are available from the City upon payment of a fee. The City will not be responsible for posting of any signs.

Response: A notice on the property was posted on Friday, January 20, 2023, which is twenty-five (25) calendar days prior to the February 14, 2023, Neighborhood Review Meeting. Photographic evidence as well as an executed and notarized affidavit is included in this application. The property noticing signs were posted in exceedance of the minimum twenty (20) day requirement.

- D. At the Neighborhood Review Meeting, the applicant shall describe the proposed application to persons in attendance. The attendees may identify any issues that they believe should be addressed in the proposed application and recommend that those issues be submitted for City consideration and analysis. [ORD 4462; January 2008]*

Response: The proposed application was described to Neighborhood Review Meeting attendees. Items for consideration were expressed by attendees and are captured in the Neighborhood Review Meeting notes as included in this application submittal package.

- E. At the Neighborhood Review Meeting, the applicant shall take notes of the discussion on the proposed application. After the meeting and before submitting an application to the City, the applicant shall send a copy of the meeting notes to the Chairperson of the NAC in which the project is to be located by certified mail.*

Response: For more information, see the notes summarizing the discussion on the proposed application from the Neighborhood Review Meeting as included in this application submittal package.

4. *To comply with this section, an applicant shall submit the following information with the application:*
- A. A copy of the notice sent to surrounding property owners and the NAC Representatives as described in Section 50.30.3.B.*
 - B. A copy of the mailing list used to send out meeting notices as described in Section 50.30.3.B.*
 - C. A written statement containing the information posted on the property as described in Section 50.30.3.C.*
 - D. An affidavit of mailing and posting notices as described in Sections 50.30.3.A through C.*
 - E. Copies of written materials and 8.5" x 11" size plans presented at the Neighborhood Review Meeting.*
 - F. Notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.*
 - G. A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC.*
 - H. If responses to the meeting notice were not received by the applicant and no one attended the Neighborhood Review Meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.*

Response: These required items are included in this application submittal package.

5. *Failure of a property owner to receive notice shall not invalidate the Neighborhood Review Meeting proceedings.*

[ORD 4224, 09/19/2002; ORD 4312, 07/22/2004; ORD 4332, 01/01/2005; ORD 4462, 01/10/2008; ORD 4483, 06/05/2008; ORD 4584, 06/01/2012; ORD 4782, 04/17/2020]
Effective on: 4/17/2020

Response: Meeting notices were mailed on Monday, January 23, 2023, to property owners of record within the requisite 500-foot radius of the site and in exceedance of the minimum of twenty (20) calendar days prior to the Neighborhood Meeting. Evidence of this is included in this application submittal package.

50.35. *Type 1.*

[...]

Response: Not applicable. There are no applications included with this submittal that are subject to a Type 1 review procedure.

50.40. *Type 2.*

[...]

Response: Not applicable. While the Preliminary Subdivision and the Tree Plan Two applications are included herein, on their own, would be subject to a Type 2 procedure, there are other applications also included which are subject to procedures with a higher level of review. Therefore, the Preliminary Subdivision and the Tree Plan Two applications, coupled with the Conditional Use – Planned Unit Development, Design Review Three and the Zoning Map Amendment applications included with this proposal, is subject to a Type 3 procedure.

50.45. *Type 3.*

[...]

Response: This proposal is subject to a Type 3 procedure pursuant to BDC 50.15.3 since this complete application submittal includes applications subject to different procedure types, all applications are subject to the procedure type of the application which requires the broadest notice and opportunity to participate. The Conditional Use – Planned Unit Development, Design Review Three and the Zoning Map Amendment applications included with this proposal, are subject to a Type 3 procedure, which requires the broadest notice and opportunity to participate. Therefore, all applications, including the Preliminary Subdivision and the Tree Plan Two are all subject to a Type 3 review.

50.50. *Type 4.*

[...]

Response: Not applicable. This proposal does not include an application that is subject to a Type 4 procedure.

CHAPTER 60 – SPECIAL REGULATIONS

60.05. Design Review Design Principles, Standards and Guidelines

60.05.05. Purpose.

The following design principles, standards and guidelines shall be met by new development, and redevelopment where applicable, throughout the City. [ORD 4584; June 2012]

[ORD 4332, 01/01/2005; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Response: This proposal includes new development which has been designed in conformance with all applicable design principals, standards and guidelines. The following discussion includes this in more detail.

60.05.10. Design Principles.

The following design principles are general statements to guide the development of the built environment, the appearance of that development, and the effect of that development on the existing surroundings. The design guidelines and standards implement these principles. [ORD 4584; June 2012]

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

Response: This proposal includes buildings that have been designed in conformance with the existing building design of surrounding development and will be constructed from materials which will provide a sense of permanence and contribute to a sense of place. The buildings included in this proposal incorporate a variety of exterior materials including brick, concrete, metal and glass to create building façades that provide a range of visual experiences and promote a sense of permanence. Proximity of pedestrian pathways and crosswalks within the development and the direct connections provided to sidewalks in the area contribute to a safe, high-quality pedestrian-oriented streetscape.

2. **Multiple Use District Building Orientation and Design.** *Locate buildings so they are conveniently and safely accessible from on-site and off-site sidewalks and streets, and so buildings near the edge of a right of way provide a high quality, pedestrian oriented streetscape, contribute to safety by offering "eyes on the street" and promote pedestrian safety and use. Provide a pedestrian-friendly environment through building and site design treatments that may vary in nature and degree depending on the character of the urban area, the characteristics of the street, and the type of use and development proposed.*

Response: Each of the new buildings included with this proposal have been designed to be located within close proximity to sidewalks, providing for safe, accessible connectivity to on- and off-site sidewalks. In addition, the new multi-use buildings have been sited near the edge of the right-of-way and have doorway entries at multiple locations along the pedestrian walkways that surround them.

3. **Circulation and Parking Design.** *Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.*

Response: This proposal provides for an integrated multi-modal circulation and parking improvements which provide safe and convenient connections to surrounding neighborhoods. All streets internal to the site have been designed to include shared bicycle lanes. Pedestrian facilities

included with this proposal are clearly defined and are physically separated from bicycle and vehicular traffic with curbing and landscaping. Crosswalks included in this proposal also provide visual distinction and separation from the roadway, clearly indicating the presence of a crosswalk. Both vehicular and bicycle parking spaces included with this proposal have been sited near building entry locations for ease of access and convenience.

4. **Landscape, Open Space, and Natural Areas Design.** *Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.*

Response: Landscape areas are included with this proposal which enhances the site with the provision of an attractive setting for buildings, and will provide safe, interesting outdoor spaces for future residents, customers, employees, and the community. The landscaped areas included in this proposal are included between buildings, within right-of-way landscape strips and feature a variety of trees, shrubs and grasses to provide a varied, natural look to the site. This proposal has been designed to feature landscaping throughout the site to provide for a natural look, ensuring that the building environment at the site will serve to both provide pervious and esthetically pleasing areas for residents and visitors. The greatest quantities and area of landscaping is included with this proposal within the open space areas and above ground stormwater facilities. Native vegetative species were selected for all landscaped areas included in this plan. The landscape plant species types and quantities are included on the landscape legend on *Sheet L006*. To further ensure the survivability of the landscaping included with this proposal, an irrigation system will be designed and installed in all landscaped areas included in the landscaping plans. For more information, see the landscaping plans included as *Sheets L001-L006* in this application submittal package.

5. **Lighting Design.** *Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.*

[ORD 4332, 01/01/2005; ORD 4584, 06/01/2012]

Effective on: 6/8/2017

Response: Exterior lighting is included with this proposal which will provide for public safety and convenience. The street lighting included in this proposal within the proposed right-of-way is primarily 1.00-1.99 foot candle with some areas also featuring lighting with 2.00-4.99 foot candles. All lighting for residential buildings have been designed to include up to 0.49 foot candles which will match the abutting single-family residential neighborhoods to the south and east of the site. There are no environmentally sensitive areas on the site. For more information on the photometric analysis, types of lighting mounts and other specifications, see the *Lighting Plan (Sheet LT001 and LT002)* within this application submittal package.

60.05.11. *Applicability of Design Standards to Residential Uses.*

[ORD 4822; June 2022]

For certain types of residential development, the applicability of the Design Standards and Guidelines varies based on the zoning district. Table 60.05.11. outlines the applicability of the Standards and Guidelines by housing type and zoning district.

| Table 60.05.11. APPLICABILITY OF RESIDENTIAL DESIGN STANDARDS AND GUIDELINES | | |
|---|--|--|
| Housing Type | RMA, RMB, or RMC District | All Other Districts |
| <i>Single-Detached Dwelling (including Manufactured Home)</i> | 60.05.60 | N/A |
| <i>Compact Detached Housing</i> | N/A | 60.05.15 – 60.05.30 or 60.05.35 – 60.05.50 |
| <i>Detached Triplex or Quadplex</i> | 60.05.60 | N/A |
| <i>Townhouses</i> | 60.05.60 | 60.05.15 – 60.05.30 or 60.05.35 – 60.05.50 |
| <i>Cottage Cluster</i> | 60.05.60 | N/A |
| <i>Multi-Dwelling Structure</i> | 60.05.15 – 60.05.30 or 60.05.35 – 60.05.50 | |

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Response: Townhouses and multi-dwelling structures included in this proposal have been designed in conformance with applicable sections within 60.05.35 – 60.05.50. For more information, see the discussion included below within this written statement pertaining to each of these sections.

[...]

60.05.35. *Building Design and Orientation Guidelines.*

Unless otherwise noted, all guidelines apply in all zoning districts.

1. Building articulation and variety. [ORD 4584; June 2012]

- A. *Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A)*

Response: This proposal has been designed to include residential buildings which are limited in length and include differentiated building elevations that avoid blank walls. The siding included with each single-family attached residential building will be directionally varied with paneling directed in different directions. This proposal has also been designed to include pedestrian pathways which feature frequent crossing opportunities throughout the site. The multi-use buildings included in this proposal have been designed to include pedestrian grade windows and entry ways which provide for a pedestrian scale and ease of accessibility. Vehicular and bicycle parking spaces have been sited near the entry ways for the multi-use buildings to provide for additional accessibility. In addition, metal canopy overlays do not exceed ten (10) feet in height above grade along the multi-use buildings included in this proposal and will provide some shelter from the elements including rain and sun. For more details about specific building articulation, see the preliminary architectural renderings included in this application submittal package.

- B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels,*

architectural features, and exterior finishes should be provided. (Standards 60.05.15.1.A and B)

Response: There are six (6) multi-dwelling buildings and sixteen (16) single family attached (townhome) buildings included with this proposal which are visible to pedestrians from and within an adjacent public street. These buildings will feature multiple building material types and textures, different elevations and roof pitches and decorative wood trim ornamentation around the windows as well as off-set walls. Primary building entrances and multiple tenant entrances include permanent architectural features designed to provide clear evidence and attention to an entryway. The townhome buildings exemplify contemporary Tudor, contemporary French, and modern farmhouse styles.

- C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)*

Response: Architectural features included with this proposal for both the multi-family residential, the mixed-use residential, and the townhomes include emphasis on building entries with pitched porch roofs or decorative cornice trim, prominent doors with columns and side windows expanding the visibility within the entry way of the building and landscape planters. Inset and outset variations in the building facades, variation in materials, and decorative windows and balconies provide visual variation along the lengths of the buildings.

- D. *Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B) [ORD 4531; April 2010]*

Response: This proposal has been designed to be pedestrian-oriented with sidewalk and pedestrian pathway connectivity opportunities throughout the site. Sidewalks are included with this proposal have been designed to front along the multi-use buildings which feature multiple first-floor building door entries to ensure immediate accessibility for pedestrians to the buildings. Sidewalks are included with this proposal have been designed to be located near the attached and detached single-family residential homes to ensure there is smooth connection between the homes and the site's pedestrian network. In addition vehicular and bicycle parking have been sited in near proximity to building entryways for all building types included in this proposal.

- E. *Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court or major parking area should be avoided. (Standards 60.05.15.1.B, C and D) [ORD 4542; June 2010]*

Response: There are six (6) multi-dwellings and sixteen (16) single family attached (townhome) buildings included in this proposal and all are visible from within two hundred (200) feet of an adjacent public street, or a major parking area. Building sides that face streets or parking areas include permanent architectural features designed to provide articulation and variety. These permanent architectural features include a multitude of windows with different sized and shaped decorative head and wood trim, fiber cement panel siding, tile and brick veneer siding, off-set/recessed walls and balconies. The first floor of the multi-use buildings included in this proposal have been designed to feature extensive windows allowing for immediate pedestrian-level

viewing of the commercial spaces with access opportunities facilitated by multiple building entryways accessible from the first-floor.

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

Response: Not applicable. This proposal does not include activities typical for an Industrial zoning district. Further, the site is situated in Station Community-High Density Residential (SC-HDR) and Station Community-Multiple Use (SC-MU) zoning districts.

2. **Roof forms.** [ORD 4584; June 2012]

- A. *Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized. (Standards 60.05.15.2.A and B)*

Response: This proposal has been designed to include roof forms that are distinctive and include variety and detail when viewed from the street. The roof forms included in this proposal transition between flat and triangular with no more than two (2) repetitions of roof forms, providing for a varied appearance. The roof forms included in this proposal have been designed to include decorative protruding trim, providing significance and emphasis. All sloped roofs included for residential uses with this proposal project a minimum of twelve- (12) inches. All proposed roofs with a slope less than 4/12 pitch are proposed with both a twelve- (12) inch minimum height parapet and an architecturally treated decorative cornice.

- B. *Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C) [ORD 4782; April 2020]*

Response: The flat roof areas included with this proposal have been designed to include cornice treatments that protrude from the building, elongating the look of the roofs themselves. Some of the cornice treatments included in this proposal for the flat roof area include vertical linework in the fiber cement providing contrast to the horizontal parapets.

- C. *Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)*

Response: Not applicable. This proposal does not involve an addition to an existing structure or inclusion of a new structure in an existing development.

3. **Primary building entrances.**

- A. *The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3) [ORD 4531; April 2010]*

Response: This proposal includes multi-use buildings which have been designed to include canopies to protect pedestrians from the rain and sun. Some entryways included with the buildings in this proposal have been designed to include balconies above the decorative trim and wood braced roofs while others only include decorative trim lined roofs. For more details, see the architectural renderings included in this application submittal package.

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

Response: This proposal has been designed to include special attention to primary building entrances with the inclusion of an overhang, various building materials which could include a mixture of wood and fiber cement panel siding providing for a combination of smooth and textured surface, brick veneer and windows, a multi-panel front door (for single-family attached residential homes) and a glass door for the multi-use buildings.

4. **Exterior building materials.**

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

Response: This proposal has been designed to include a variety of exterior building materials and finishes such as masonry, stone and wood. The townhouses included in this proposal are visible from and within proximity to a public street, public plaza or other open space that include a primary building entrance or multiple tenant entrances will include double wall construction. This proposal has been designed to include a mixture of plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard siding on elevations that include a primary building entrance or multiple tenant entrances. The remaining elevation areas for all applicable uses are architecturally treated with a variety of finish materials appropriate for the specific architectural style of the building.

- B. *Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C) [ORD 4531; April 2010]*

Response: This proposal includes both brick and stone veneer that contributes to the variety of materials in the building façades. At the pedestrian level tile veneer breaks the brick or stone lines from the sidewalk to approximately 3-feet above grade. Copious windows are located along the pedestrian level on the commercial storefronts. The residential multi-family buildings have a variety of patterns and colors of brick veneer, including decorative window brick head trim in soldier course, wood trim, fiber cement paneling and entry columns.

5. **Screening of equipment.** *All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of*

parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)

Response: This proposal has been designed to include screening for roof-mounted equipment with a combination of being setback from the street facing elevation and inclusion of a parapet wall. In addition, all equipment included in this section will be required to either match or compliment the color of the building, be shielded by sight obscuring landscaping or fencing to screen from public view. The future Homeowners Association which will be established through recorded CC&Rs will also provide another measure of guarantee that residents will not be allowed to install visually obtrusive roof, surface, and wall-mounted mechanical, electrical, communications and service equipment.

It is acknowledged that solar panels, dishes/antennas, pipes, vents and chimneys are exempt from this standard.

6. ***Building location and orientation in Commercial and Multiple Use zones. [ORD 4584; June 2012] [ORD 4706; May 2017]***

A. *Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A and B) [ORD 4462; January 2008] [ORD 4531; April 2010] [ORD 4706; May 2017]*

Response: The multi-family and mixed use buildings, as well as the single-family attached residential buildings included in this proposal are oriented towards and located within close proximity to the street. In addition, the parking areas and landscaping included with this proposal have been designed at a scale where the architectural features of the buildings will maintain a focal point of the area.

B. *On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B and D) [ORD 4531; April 2010]*

Response: Not applicable. The site does not front along a Major Pedestrian Route.

C. *On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D) [ORD 4365; October 2005]*

Response: Not applicable. The site does not front along a Major Pedestrian Route.

D. *Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E) [ORD 4706; May 2017]*

Response: The multi-use buildings included with this proposal have been designed to include at least one (1) primary building entrance oriented toward an abutting public street or public pedestrian way.

7. Building scale along Major Pedestrian Routes.

- A. *Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where single-detached dwellings are permitted. (Standards 60.05.15.7.A and B) [ORD 4542; June 2010] [ORD 4822; June 2022]*
- B. *Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A) [ORD 4531; April 2010]*

Response: Not applicable. The site does not front along Major Pedestrian Routes.

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

- A. *Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes (Standard 60.05.15.8.A.) [ORD 4531; April 2010]*

Response: This proposal includes mixed use commercial buildings on parcels in exceedance of 25,000 square feet. This proposal has been designed to include ground floor elevations of these buildings that are visible from and within near proximity of a public street, public plaza or other public open space, with elevations that include a primary building entrance or multiple tenant entrances with an abundance of glazing. Major pedestrian routes do not front the site, therefore the standards relating to those do not apply to this proposal.

- B. *Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)*

Response: While the site is not located abutting a Major Pedestrian Route, the ground floor elevations of the multi-use buildings provide canopies which overhang sidewalks surrounding the buildings.

9. Compact Detached Housing design. [ORD 4584; June 2012]

[...]

Response: Not applicable. This proposal does not include compact detached housing design.

10. Ground floor elevations on eligible residential-only buildings. [ORD 4758; March 2019]

[...]

Response: Not applicable. The site is not located within the RC-OT zoning district.

60.05.40. Circulation and Parking Design Guidelines.

Unless otherwise noted, all guidelines apply in all zoning districts.

- 1. **Connections to public street system.** *The on-site pedestrian, bicycle and motor vehicle circulation system and the abutting street system should provide for efficient access and*

circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1) [ORD 4531; April 2010]

Response: This proposal has been designed to include multiple pedestrian, bicycle and motor vehicle connections between the on-site circulation system and adjacent existing streets. The site contains Street A, a planned future collector street, which is depicted in the City's Comprehensive Plan's Transportation Element. This proposal has been designed to include a multitude of pedestrian, bicycle and vehicular connections to Street A. The site does not abut other planned future streets depicted in the City's Comprehensive Plan's Transportation Element. In addition, the does not abut nor is it located in the South Cooper Community Plan area.

2. ***Loading area, solid waste facilities, and similar improvements.***

A. *On-Site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)*

Response: This proposal has been designed to include full screening of on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities. This proposal has been designed to include trash enclosures included within the multi-use building area which feature a painted galvanized steel tube gate frame and with the sides not accessible to the collection truck featuring CMU walls to match the building color and texture and eight-(8) inch curbing. For more information on the screening measures proposed for on-site trash and recycling collection areas, see *Sheet C032*.

B. *Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)*

Response: This proposal has been designed to include a loading area that does not abut a public street. Instead, this proposal has been designed to include a single loading space is included at the intersection of Street B1 and Street B2, planned private streets. Since there is considerable distance from the loading space to any public street, elevation differences, buildings, landscaping, site furnishings, and other design elements provide screening to obstruct all views from public streets to the loading space.

3. ***Pedestrian circulation.***

A. *Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)*

Response: This proposal has been designed to include pedestrian connections to on-site buildings, parking areas, open spaces, as well as the opportunity to walk from one end of the site to the other and throughout the site.

B. *Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)*

Response: This proposal has been designed to include pedestrian connections which connect on-site facilities to abutting pedestrian facilities. The site includes enhanced pedestrian crossing areas that have been designed to provide visual clarity, making them identifiable with raised intersections, color and texture different from the roadway.

- C. *Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)*

Response: This proposal has been designed to include pedestrian connections linking building entrances to nearby streets and pedestrian destinations throughout the site and to abutting existing sidewalks. Additional pedestrian connectivity is included with this proposal by means of meandering pedestrian pathways across the site which run between buildings and streets. These pedestrian pathways facilitate shorter walking distances, minimizing the longer distances that otherwise would be available for use at the site had public street sidewalks been the only option.

- D. *Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)*

Response: This proposal has been designed to include direct pedestrian connections along street frontage and through parking lots at evenly spaced intervals to allow for safe pedestrian movement.

- E. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through H)*

Response: This proposal includes pedestrian connections that are physically separated from the streets through 10-foot wide sidewalks (or 6-foot wide sidewalks and a 4.5-foot wide landscape strip), landscaping and furnishings, curbs and parallel or angled parking. Curb extensions, or bulb-outs, have been provided to reduce crosswalk length, and/or different paving material, scoring, and colors where pedestrian connections cross streets, driveways or vehicular access aisles.

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

Response: This proposal has been designed to include pedestrian walkways which meet the minimum five- (5) foot wide unobstructed clearance with scored concrete or modular paving materials. The inclusion of these design features will positively contribute to safe pedestrian movement.

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

Response: Not applicable. While this proposal includes surface parking areas, these areas do not abut along public streets. Additionally perimeter landscaping has been included along SW 185th Avenue and SW Stepping Stone Drive to positively contribute to the natural elements of the property.

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

Response: The site is located within property designated within the SC-HDR and SC-MU zoning district and as such would be subject to the requirement to include landscaped planter islands for every ten (10) parking spaces. This proposal has been designed to meet the inclusion of landscaped planter islands at least every ten (10) parking spaces. Pedestrian cross throughs, open space elements, and other amenities provide additional partitioning of the parking areas. For more visual verification that this standard is met, see *Sheet L001*.

6. **Off-Street parking frontages in Multiple Use zones.** [ORD 4462; Jan 2008][ORD 4584; June 2012]
A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)

Response: Not applicable. The site does not abut one (1) or more Major Pedestrian Routes.

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

Response: Not applicable. The site does not abut a Major Pedestrian Route.

7. **Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.** [ORD 4584; June 2012]

- A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)

Response: Pursuant to the Design Standard included in 60.05.20.7.A., all sidewalks within the underlying site zoning districts shall be a minimum of ten (10) feet wide and provide an unobstructed path at least five (5) feet wide. This proposal has been designed to include proposed 10-foot-wide sidewalks that meet the curb-tight sidewalk standard included in 60.05.20.7.A. The remainder of new public rights-of-way and frontage improvements for existing public rights-of-way included in this proposal have been designed meet the requirements of the City of Beaverton Engineering Design Manual (EDM) 213.23.1 which include but are not limited to a minimum of five (5) feet of unobstructed width standard with a minimum 6.5-foot-wide landscape strip (including curb). This proposal has been designed to include a tapered southern end of Street C to match the existing 5-foot sidewalk and 4-foot landscape strip on SW 184th Avenue, and a tapered southern end of Street E to match the existing curb-tight sidewalk on SW 181st Avenue.

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

Response: This proposal has been designed to include pedestrian connections along primary building elevations which have building and tenant entrances for the multi-use buildings. Sidewalks are included along all streets within this proposal; however, the alleys do not include sidewalks as they are intended to serve the residential dwelling units as secondary access.

In addition, this proposal has been designed with internal sidewalks and walkways along building elevations that include a primary building entrance, multiple tenant entrances or display windows with an unobstructed path of at least ten (10) feet wide and five (5) feet wide at building entrances, and along elevations containing display windows.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones. [ORD 4584; June 2012]

- A. *On-Site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8) [ORD 4531; April 2010]*

Response: This proposal has been designed to include easily recognizable on-site vehicle circulation which is identifiable by higher level of improvements that include curbs, sidewalks and landscaping.

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

Response: This proposal has been designed to include the requisite number of landscaped islands separating the number of parking spaces where required. The landscaped islands included in the parking areas have been provided for every ten (10) parking spaces, preventing long parking isles. The provision of landscaped islands does not apply to the angled parking spaces therefore this proposal does not include landscaped islands within the angled parking space area. Extensive landscaped area is included within the parking lots which have been designed and located to service the multi-use and multi-dwelling buildings.

Private Street B1 and B2 serve non-residential as well as residential units. This proposal has been designed to include five- (5) foot wide unobstructed pedestrian sidewalks for all streets and pedestrian pathways within the common greens and shared courts. This proposal has been designed to include physical obstructions as well as landscaping fronting the angled parking spaces along Street B1 and Street B2.

9. Parking structures in Multiple Use zones. [ORD 4584; June 2012] Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes. (Standard 60.05.20.9) [ORD 4531; April 2010] [ORD 4332, 01/01/2005; ORD 4462, 01/10/2008; ORD 4531, 04/01/2010; ORD 4584, 06/01/2012] Effective on: 6/1/2012

Response: While the site does not front along Major Pedestrian Routes, this proposal has been designed to include parking garage structures underneath the multi-use buildings which include apartments. These parking garages will be usable by both employees and patrons for the commercial use portions of these buildings as well as residential tenants and guests.

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

1. Common open space for residential uses in Residential zones. [ORD 4584; June 2012]

- A. *Common open spaces should be provided that are sized and designed for anticipated users,*

and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standards 60.05.25.1 through 3)

Response: The common open spaces included in this proposal have been sized and designed for the anticipated future use of residents. This proposal has been designed to include common open space areas located within walking distance for residents which will be connected by a series of sidewalks and pedestrian pathways internal to the site. In addition, this proposal has been designed to include internal site pedestrian infrastructure connections to existing abutting sidewalks, which will offer opportunities for visitors to use the common open space areas at the site.

This proposal has been designed to include landscaping within areas of the lot not occupied by structures or pavement. Landscaped areas included within the attached housing area exceeds the minimum fifteen percent (15%) of the gross site area with 22.53% provided.

This proposal involves a Planned Unit Development and as such must be designed to meet the minimum 5,000 square foot area for active open space use and the forty (40) foot width within most portions of the site. The open space areas included in this proposal that do not meet these area and dimensional requirements about the single-family residential lots (Lots 1-5, 167-172, 165-166 and 180-181, 82-82 and 160-162, 87-88 and 100-101, 96-99, 105-106 and 155-156, 135-136 and 145) have been designed as mid-block crossings to facilitate contiguous pedestrian use of a series of connected pathways while maintaining lot sizing which enables a larger building product. These pedestrian pathways have been designed to include variety and interest for users of these areas and include ten- (10) foot wide pathways, benches and landscaping.

Additional design features included with this proposal include:

- Separation between the vehicle circulation and parking areas from the open space areas.
- No more than 120 square feet per unit are counted toward the private open space areas.
- Patios and decks within ground floor elevation level are counted towards the private open space requirements.
- The open space areas that abut open collector streets have been designed to include constructed barriers meeting the three (3) foot minimum height requirement.
- Open space areas which exceed 640 square feet in area with minimum width and length dimensions of twenty (20) feet.
- Phased development which includes open space areas which meet or exceed the open space requirements.
- Open space areas dimensioned and sized in order to facilitate the future inclusion of more than two (2) improvements. Exact improvements for the open space areas will be determined with building permit application submittals. Examples of the improvements which may be included are depicted on *Sheet OS02*.

B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standards 60.05.25.1 through 3)

Response: This proposal has been designed to include common space open areas which

offer opportunities for both passive and active uses for all ages. Some passive uses include bench seating and some active uses include play structures. This proposal has been designed to incorporate elements which forward security, safety and convenience in the open space areas. Some examples of these design elements are security fencing and lighting. This proposal has been designed to include open space areas conveniently located near residences and are interconnected by a series of pedestrian pathways.

- C. *Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standards 60.05.25.1 through 3)*

Response: This proposal has been designed to include common open space areas that are free from all structural encroachments with the exception of structures such as play structures and benches.

- D. *Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face onto the common open space. (Standards 60.05.25.1 through 3)*

Response: This proposal has been designed to include residential buildings that have windows from living areas that are oriented towards the common open space areas. The buildings included in this proposal have been designed to include a multitude of windows along every elevation which increases the options for viewing common open space areas. The common open space between buildings 4 and 5 is viewable from more than four residential living spaces of the second through fourth floors of building 1.

2. **Minimum landscaping in Residential zones. [ORD 4584; June 2012]**

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

Response: This proposal has been designed to include a combination of landscaping and hard-surfacing materials between the twenty (20) foot front yard setback for the mixed-use buildings and the fifteen (15) foot rear yard setback along the southern and eastern property lines which abut existing single-family residential lots. While there is no minimum landscape buffer area requirement for the underlying zoning districts of Station Community – High Density Residential (SC-HDR) and Station Community – Mixed Use (SC-MU), Table 60.05-2 requires the provision of landscape buffer abutting single-family residential zoned property. This proposal includes single-family residential housing along the site’s southern and eastern perimeter where it abuts single-family residential zoned property. Therefore, no landscape buffer is included along the southern and eastern portion of the site.

- B. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.4)*

Response: This proposal has been designed to include landscaping within all front yard

areas and required open space areas not occupied by structures, walkways, driveways or parking spaces. Landscaping is also included in this proposal which includes live plants and other landscape elements, with bare gravel, rock, bark and similar materials limited to twenty-five percent (25%). These different design elements that will be included with the finished proposal will soften the edges of buildings and parking areas. For more information, see the site plans included in this application submittal package.

3. **Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.** [ORD 4584; June 2012]

- A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)*

Response: This proposal includes single-detached residential housing which is a conditional use within the underlying zoning district. Landscaping has been included with this proposal within the open space areas included in the single-family neighborhoods to include various plant species and massing. In addition, the single-family lots included in this proposal have been designed to facilitate the inclusion of front and back yards which will be landscaped.

- B. *Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)*

Response: A combination of decorative pavers and concrete have been proposed within the plazas on the site.

- C. *Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standards 60.05.25.5.A and B)*

Response: This proposal has been designed to include vegetation from the Portland native plant list to help ensure compatibility with local and regional climatic conditions and not as prone to drought. The species included are listed on *Sheet L006*.

- D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)*

Response: In order to facilitate the proposed development, the few existing trees within the project boundary will need to be removed from the site. This proposal includes the extensive planting of trees for street improvements and other landscaped areas including but not limited to the open space areas and parking lot islands.

- E. *A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)*

Response: This proposal has been designed to include a diversity of tree and shrub species within the required landscaped areas. Approximately eighteen (18) tree species are included in this proposal as well as approximately twenty-five (25) shrub species. For a list of the tree and shrub species which will be included in the required landscape areas,

see *Sheet L006* within the plans included in this application submittal package for more information.

4. **Common Greens.** [ORD 4584; June 2012]

- A. *Common greens should be designed to provide access for only pedestrians and bicycles to abutting properties. Common greens should also serve as a common open space amenity for residents. (Standard 60.05.25.6)*

Response: This proposal has been designed to include common greens throughout the site which facilitate pedestrian and bicycle access to abutting properties. The pathways that are included in the common greens do not provide the necessary width and access for vehicles. Bicycle connections are also facilitated throughout the site by bike lanes and shared roadways. The common greens are part of the common open space areas which will be placed into separate tracts as part of this proposal. For more information, see the open space plans *Sheet OS01-OS05* included in this application submittal package.

- B. *The size of the common green right-of-way should be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green. (Standard 60.05.25.6.A.1)*

Response: This proposal has been designed to facilitate the anticipated future users of the common green right-of-way with the inclusion of a minimum of five- (5) foot pathways and benches and with connections throughout providing connections to the various common green areas, the commercial use areas and residential areas of the site. The design of the common green right-of-way has also been designed to factor in the site and vicinity characteristics by providing for pedestrian connectivity.

- C. *When a public pedestrian connection is desired it should be designed as a distinct feature to distinguish it from an adjacent common green. (Standards 60.05.25.6.A.2 and 3)*

Response: This proposal has been designed to include public pedestrian connections to the site along Street A, Street C (northward extension of SW 184th Avenue), Street E (northward extension of SW 181st Avenue) and Street I (western connection to SW 179th Avenue). The public pedestrian areas abutting common green right-of-way areas along Street A have been designed to facilitate the inclusion of distinguishing design features. Other sidewalk connections included in this proposal which connect to common green rights-of-way are facilitated by private street sidewalks and pedestrian pathways.

- D. *Common greens should not provide access to parking. (Standard 60.05.25.6.A.4) [ORD 4542; June 2010]*

Response: This proposal has been designed to include common green areas that do not provide access to parking and are therefore meant to be a local use only area. While common greens are located throughout the site including within areas designated for parking for the multi-use and multi-dwelling buildings, their size purpose and function is to provide opportunities for residents to walk their dogs and to enjoy the outdoors while staying near to their homes.

5. **Shared Courts.** [ORD 4584; June 2012]

- A. *Shared courts should safely accommodate pedestrians and vehicles within the same circulation area and provide safe access to abutting properties. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. (Standards 60.05.25.7.A&B)*

Response: This proposal has been designed to include a shared court along Streets B1 and B2 which will facilitate pedestrian, bicyclist and motorized vehicular use within the same circulation area as well as provide safe connections to abutting properties. Safe connections for pedestrians within the same circulation area and abutting properties will be facilitated by this project by continuous sidewalk connections, striped pedestrian cross-walks which may also include materials which are differentiated in color and texture from the street and parking areas. Safe vehicle connections within the same circulation area and abutting area will be achieved by adequate street and driveway intersection spacing which meet the applicable City or County requirements, the inclusion of parking spaces that do not interfere with the through movement of vehicular or pedestrian traffic, a new signalized intersection along SW 185th Avenue and Street A.

- B. *The size and length of a shared court should be sufficient to accommodate expected users and uses. The size and length should take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court. (Standards 60.06.25.7.A and .B) [ORD 4542; June 2010]*

Response: The shared court area included in this proposal has been designed with a size and length sufficient to accommodate expected pedestrian, vehicle, bicycle use and community activities that may occur within the shared court and the proposed mixed-use characteristics of shopping, restaurants and public plaza areas. Physical barriers such as bollards are included in this proposal to prevent vehicular traffic from entering the public plaza areas and will also help to encourage pedestrian use of that area.

6. **Retaining walls.** *Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.8) [ORD 4576; January 2012]*

Response: This proposal includes retaining walls along portions of SW 185th Avenue and SW Stepping Stone drive which exceed fifty (50) feet in length. Landscaping has been included to cover the wall face, and the walls themselves are two tiers with landscaping between the walls and above them to maximize vegetated screening.

7. **Fences and walls.**

- A. *Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9) [ORD 4576; January 2012]*

Response: Fences and walls included in this proposal will be comprised wood or block. Black vinyl coated chain link fencing is included around the stormwater pond on the southwest portion of the site in compliance with Washington County comments received for this proposal. Black vinyl coated chain link fencing is also included around the proposed pet area located on the west side of the site within the multi-family area.

- B. *Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.9.E) [ORD 4576; January 2012]*

Response: Walls included with this proposal have been designed to not exceed three (3) feet in height along street fronts, except at SW 185th and SW Stepping Stone Drive, both Collector streets, due to the topographical differential between the streets and the site.

8. *Changes to existing on-site surface contours at residential property lines. The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.10) [ORD 4576; January 2012]*

Response: This proposal has been designed to avoid conflicts with abutting residential properties. This proposal includes grading that will not alter existing slopes within twenty-five (25) feet of a property line by more than ten percent (10%). For more information, see the preliminary grading plans included in this application submittal package.

9. *Integrate water quality, quantity, or both facilities. Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.11) [ORD 4576; January 2012]*

Response: This proposal has been designed to include storm planters which will appear as though part of the overall landscape design. The above-ground detention and treatment facilities are included within the southwest portion of the site as a stormwater pond as well as stormwater planters interspersed throughout the site. Examples of what these above-ground stormwater detention and treatment facilities may look like are included as details on Sheet OS02.

10. *Natural areas. Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12) [ORD 4531; April 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]*

Response: The site does not contain natural features such as streams and wetlands. All trees on site require removal in order to facilitate the development as well as facilitate the required right-of-way improvements along SW 185th Avenue and in order to facilitate the northward extension of SW 181st Avenue.

11. *Landscape buffering and screening.*

- A. *landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13) [ORD 4531; April 2010]*

Response: Landscape buffer is required along the southern and eastern property lines of the proposed development pursuant to the BDC Table 60.05-2. Since this proposal includes single-family residential development along the southern and eastern property lines, the development type matches the existing abutting development whereby single-family residential property is not required to include a landscape buffer. Furthermore, BDC Table 60.05, Note 8, states that where a site proposed for development abuts property located outside City limits, the buffering requirement for the equivalent zone shall apply to the property. The surrounding property abutting the site is zoned R-5 and R-6 and is under the jurisdiction of Washington County. This proposal has been designed to include single-family housing abutting the property under Washington County jurisdiction conformant with R-5 and R-6 zoning standards and as such is not subject to landscape buffer requirements pursuant to Washington County Code Table 411-5, however the existing 6-foot tall sight obscuring fence will remain in place.

- B. *When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13) [ORD 4531; April 2010]*

Response: Not applicable. This proposal has been designed to be compatible with adjacent zoning districts with residential zoned districts abutting other residential zoned districts.

- C. *Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)*

Response: Not applicable. Landscape buffering is not included or required for this proposal. For more information, see the response included above for Section 60.05.45.11.A.

- D. *When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E). [ORD 4531; April 2010] [ORD 4576; January 2012] [ORD 4576; January 2012] [ORD 4584; June 2012] [ORD 4332, 01/01/2005; ORD 4397, 08/10/2006; ORD 4486, 07/24/2008; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4584, 06/01/2012] Effective on: 6/1/2012*

Response: According to Table 60.05-2, Station Community zoned property requires a landscape buffer for property abutting single-family residential zoned property. Abutting properties to the east and south are within the jurisdiction of Washington County include single-family residential development. As such, this proposal requires a landscape buffer. However, Note 8 for Table 60.05-2 allows the proposed development within the site to utilize the standards of Washington County, a landscape buffer is not required between single-family residential housing use.

60.05.50. Lighting Design Guidelines.

Unless otherwise noted, all guidelines apply to all uses in all zoning districts, except RMA, RMB, and RMC. In RMA, RMB, and RMC, these guidelines apply only to multi-dwellings, compact detached housing, and non-residential uses. [ORD 4822; June 2022]

1. *Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)*

Response: This proposal has been designed to include strategic placement of pole-mounted street lighting and non-pole mounted lighting throughout the site to promote safety and security. Unobstructed sidewalk of five (5) is maintained throughout the site by including pole-mounted street lighting outside of the sidewalk area.

2. *Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)*

Response: This proposal has been designed to include pedestrian-scale lights consistently throughout the site with the inclusion of the appropriate level of illumination and pole height which would not interfere or otherwise protrude into the height clearance needed for pedestrian use.

3. *Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)*

Response: This proposal has been designed to utilize measures to minimize direct and indirect glare impacts to abutting and adjacent properties and streets. Lighting included in this proposal has been designed to be shielded and downcast.

4. *On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2.) Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary. [ORD 4531; April 2010] [ORD 4332, 01/01/2005; ORD 4531, 04/01/2010; ORD 4822, 06/30/2022] Effective on: 6/30/2022*

Response: This proposal has been designed in compliance with the City's Technical Lighting Standards as much as is physically possible. Not all pedestrian walkways are lit to the minimum 0.7 foot candle due to the proximity of the paths to adjacent lot lines. The lighting standard also requires a maximum lighting level of 0.5 foot candle at all property lines. This applies to all internal paths and property lines and is therefore a conflict between pedestrian access throughout the site and required lighting levels crossing property lines. Compliance with this standard is therefore infeasible.

60.05.60. Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.
[ORD 4822; June 2022]

[...]

Response: Not applicable. The site is not located in the RMA, RMB and RMC zoning districts.

60.15. Land Division Standards
[...]

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: This proposal and applicable portions of the site have been designed in conformance with the grading standards contained in Section 60.15.10.

1. **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: This proposal has been designed to exclude the above-listed items from the design considerations for the on-site surface contour grading standards specified in Section 60.15.10.3.

2. **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: The proposed grading along the south and east match smoothly to existing grades along the property. No dramatic slopes up or down occur along the abutting property lines.*
 - 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. [ORD 4584; June 2012]*
 - 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. [ORD 4584; June 2012]*
 - 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. [ORD 4584; June 2012]*
 - 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. [ORD 4584; June 2012]*
 - 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. [ORD 4584; June 2012]*
 - 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. [ORD 4584; June 2012]*

Response: This proposal has been designed to include grading along the south and east which match smoothly with existing grades along the property. No dramatic slopes up or down occur along the abutting property lines.

3. **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:
[...]*

Response: Not applicable. The site does not contain significant trees and groves. For more information, see the arborist's report included in this application submittal package.

60.25. Off-Street Loading Requirements

60.25.05. Purpose.

No building or structure subject to the off-street loading requirements of this section shall be erected, nor shall any such existing building or structure be altered so as to increase its gross floor area to an amount exceeding 25% more than its existing gross floor area, without prior provisions for off-street loading space in conformance with the requirements of this section.

[ORD 4224, 09/19/2002]

Effective on: 9/19/2002

Response: Not applicable. This proposal does not involve the expansion of an existing building or structure.

60.25.10. Loading Berth Design.

Required off-street loading space shall be provided in berths which conform to the following minimum specifications:

1. *Type A berths shall be at least 60 feet long by 12 feet wide by 15 feet high, inside dimensions with a 60 foot maneuvering apron.*

Response: Not applicable. The berth type corresponding with the potential future use of the mixed use commercial and residential use buildings within Table 60.25.15 does not include Type A berths.

2. *Type B berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30 feet maneuvering apron.*

[ORD 4224, 09/19/2002]

Effective on: 9/19/2002

Response: A single Type B berth which meets these parking and maneuvering dimensional requirements is included with this proposal.

60.25.15. Number of Required Loading Spaces.

The following numbers and types of berths shall be provided for the specified uses. The uses specified below shall include all structures designed, intended or arranged for such use. In the case of a use not specifically

mentioned, the requirements for off-street loading facilities shall be the same as a use which is most similar.

| Table 60.25.15 Number of Required Loading Spaces. | | | |
|---|---|------------------------|-------------|
| USE | AGGREGATE FLOOR AREA (SQ. FT.) | BERTHS REQUIRED | TYPE |
| 1. Freight terminals, Industrial plants, Manufacturing or wholesale establishments, Warehouses. | 12,000 - 36,000 | 1 | A |
| | 36,001 - 60,000 | 2 | A |
| | 60,001 - 100,000 | 3 | A |
| | each additional 50,000 or fraction thereof | 1 additional | A |
| 2. Auditoria, Motel, Convention Halls, or Sports Arenas. [ORD 3293; November 1982] | 25,000 - 150,000 | 1 | B |
| | 150,001 - 400,000 | 2 | B |
| | each additional 250,000 or fraction thereof | 1 additional | B |
| 3. Hospitals, Residential Care Facilities. [ORD 4036; April 1999] | 10,000 - 100,000 | 1 | B |
| | over 100,000 | 2 | B |
| 4. Department stores, retail establishments, funeral homes, restaurants, and commercial establishments not otherwise specified. | 7,000 - 24,000 | 1 | B |
| | 24,001 - 50,000 | 2 | B |
| | 50,001 - 100,000 | 3 | B |
| | each additional 50,000 or fraction thereof | 1 additional | B |
| 5. Downtown Zones Only: Department stores, retail establishments, funeral homes, restaurants, and commercial establishments not otherwise specified. [ORD 4799; January 2021] | 15,000-100,000 | 1 | B |
| | Each additional 100,000 or fraction thereof | 1 additional | B |
| 6. Hotels, Extended Stay Hotels or Office Buildings. [ORD 3958; June 1996] [ORD 4584; June 2012] | 25,000 - 40,000 | 1 | B |
| | 40,001 - 100,000 | 2 | B |
| | each additional 100,000 or fraction thereof | 1 additional | B |
| 7. Downtown Zones Only: Hotels, Extended Stay Hotels or Office Buildings. [ORD 4799; January 2021] | 50,000-100,000 | 1 | B |
| | each additional 10,000 or fraction thereof | 1 | B |
| 8. Schools | over 14,000 | 1 | B |
| 9. Concurrent different uses. When any proposed structure will be used concurrently for different purposes, final determination of loading requirements will be made by the decision making authority but in no event shall the loading requirements be less than the total requirement for each use based upon its aggregate floor area. | | | |

[ORD 4224, 09/19/2002; ORD 4584, 06/01/2012; ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Response: Aggregate floor area included with this proposal for the potential future commercial uses, restaurants and retail establishments, will require a single Type B loading berth. Pursuant to Table 60.25.15, the 17,736 square feet of aggregate floor area included with this proposal meets the threshold for which a single loading berth would be required. With the inclusion of an approximate of future retail space, this use falls within the range of aggregate square footage of 7,000-24,000 square feet.

60.25.20. Loading Facilities Location.

1. *The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.*

Response: The Type B loading space included with this proposal has been located within the same lot/parcel of land as the structures they are intended to serve. The area used to satisfy the off-street parking requirements does not include the loading space. For more information, see the plans included in this application submittal package.

2. *No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code.*

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Response: The loading space included with this proposal is provided to not project into a public street. The loading space included with this proposal within the parking lot and is located adjacent to Building 3.

60.25.25. Loading Determination.

Off-Street loading requirements may be modified pursuant to Section 40.50. (Loading Determination)

[ORD 4224, 09/19/2002]

Effective on: 9/19/2002

Response: A loading determination application is not included with this proposal as it does not require a request to modify the total number of off-street loading spaces listed in Table 60.25.15.

60.30. Off-Street Parking

60.30.05 Off-Street Parking Requirements.

Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05 to 60.30.20.

1. *Availability. Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.*

Response: The required off-street parking spaces included in this proposal meet the requirements of this section. For more information, see the discussion included below in response to the various subsections.

- A. *Businesses that are approved pursuant to the Open Air Beaverton program and are located outside of Regional Center Parking District 1 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 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: Not applicable. The site is not located within the Open Air Beaverton program area.

- B. *Businesses that are approved pursuant to the Open Air Beaverton program and are located inside of Regional Center Parking District 1 may utilize an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission. [ORD 4819; January 2022]*

Response: Not applicable. The site is not located within the Open Air Beaverton program area.

2. *Vehicle Parking. Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.*

Response: Pursuant to Table 60.30.10.5.A., required off-street parking spaces pertain to the proposed use in addition to the land use zoning districts in which the site is situated. Off-street vehicle parking is not required for the single-detached dwellings included in this proposal.

Due to the site's proximity to bus and light rail, the site is located within Parking Zone A. In addition, a recent state mandate eliminated the requirement for the provision of a minimum number of off-street parking spaces associated with development or re-development. As such, maximum parking ratio requirements are applicable to the townhouses, number of bedrooms included with each multi-family dwelling unit, and type of proposed commercial use. In multiple use districts, a maximum of 1.8 off-street parking spaces may be included for each townhouse. With a total of 62 proposed townhouses, a maximum of 112 parking spaces may be allowed. This proposal has been designed to facilitate the inclusion of up to 112 parking spaces for the townhouses within individual townhouse garages and carports. One-bedroom multi-dwelling units may include up to 1.8 off-street parking spaces. For all two- and three-bedroom multi-unit multi-dwelling units, up to 2.0 parking spaces per unit may be allowed. The maximum allowable number of parking spaces will be contingent on the unit types included with this proposal.

While the exact type of units that will be included with the apartment buildings has not been determined at this time, the site has been sized appropriately to accommodate for a plausible maximum amount of off-street parking spaces. Pursuant to Table 60.30.10.5.A., there are no minimum or maximum parking spaces required for single-detached dwellings.

Retail uses may include a maximum of 5.1 parking spaces for every 1,000 square feet and restaurants may include a maximum of 12.4 off-street parking spaces may be included for every 1,000 square feet. With the inclusion of approximate 17,736 square feet of non-residential commercial uses which are anticipated to include retail and/or restaurant use, when utilizing the maximum off-street parking spaces of 12.4, a maximum of 220 parking spaces may be included for the commercial uses included in this proposal. This proposal has been designed to include eighty-four- (84) off-street parking spaces for the anticipated future commercial uses and equates to one parking space for every two-hundred and eleven (211) square feet.

3. *Bicycle Parking. [ORD 3965; November 1996] 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. [ORD 4397; August 2006]*

[ORD 4822; June 2022] [ORD 4107; May 2000] [ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4397, 08/10/2006; ORD 4819, 01/14/2022; ORD 4822, 06/30/2022] Effective on: 6/30/2022

Response: See the discussion included below within Section 60.30.10 for more information about how bicycle parking included in this proposal has been designed to meet all applicable requirements.

60.30.10. Number of Required 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.** *Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.*

Response: Parking ratios have been utilized based on type of use included with this proposal. Parking ratios for commercial uses have been calculated using the spaces per 1,000 square feet of gross floor area measurements. Parking ratios for residential use have been calculated for the townhouses and multi-dwellings using the bedroom count and housing type. Vehicular parking ratios for anticipated commercial use are calculated based on increments of 1,000 square feet of gross area. With approximately 17,736 square feet of proposed commercial use, the maximum allowable number of parking spaces is 220. This proposal has been designed to include eighty-four- (84) off-street parking spaces for the anticipated commercial uses and equates to one parking space for every two-hundred and eleven (211) square feet.

2. **Parking Categories.**

- A. Vehicle Categories. *Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use, except for those uses which are located in the Regional Center which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016]*

1. Minimum number of required parking spaces. *For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.*

Response: Due to a recent state mandate, new development in Oregon may no longer be required to include a minimum number of parking spaces. Therefore, this section does not apply.

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.*

Response: The site is located within one-quarter mile walking distance of bus transit stops that have a 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 and is as such subject to the vehicle parking space requirements of Parking Zone A.

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.

Response: The site is located within an area subject to the Parking Zone A requirements and is also not subject to the requirements of Parking Zone B.

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. [ORD 4107; May 2000]

Response: Not applicable. The site is completely located within Parking Zone A.

5. Regional Center Parking Districts 1 and 2. Located within the boundary of the Regional Center are two (2) parking districts. Within these two districts, the parking requirements of Section 60.30.10.5.A do not apply. The required number of parking spaces for the Regional Center Parking Zones 1 and 2 shall be governed by Section 60.30.10.6. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016] [ORD 4799; January 2021]

Response: Not applicable. The site is not located in Regional Center Parking Districts 1 or 2.

- 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 is encouraged to 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.
3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings. [ORD 4302; June 2004]
4. Bicycle parking in the Old Town Parking Zones 1 and 2 shall be governed by the bicycle parking requirements listed in Section 60.30.10.5. [ORD 4471; February 2008]

Response: This proposal has been designed to meet the minimum short- and long-term bicycle parking required for each use included in this proposal. For more information, see the response to Section 60.30.10.5 included below.

3. **Ratios.** In calculating the required number of vehicle and bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. In calculating the required number of vehicle and bicycle parking spaces, fractions less than 0.5 shall be rounded down to the nearest whole number. [ORD 3965; November 1996]

Response: The required number of bicycle parking spaces and the maximum allowable vehicular parking spaces have been rounded to the nearest 0.5 number.

4. **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 40.55.1.). [ORD 4224; August 2002]

Response: Not applicable. All uses included in this proposal are included in Table 60.30.10.5.A.

5. **Parking Tables.** The following tables list the required minimum and maximum vehicle (Table 60.30.10.5.A) and bicycle parking requirements (Table 60.30.10.5.B) for listed land use types. The vehicle parking table excludes uses located in Regional Center zoning districts (See Table 60.30.10.6). [ORD 4584; June 2012] [ORD 4782; April 2020]

| **Relevant Excerpted Portions of ** Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES (Excludes uses in Regional Center zoning districts - See Table 60.30.10.6) | | |
|---|--------------------------------|---|
| Land Use Category | Required Parking Spaces | Maximum Permitted Parking Spaces |
| | Multiple Use Zones | Zone A |
| Residential Uses | | |
| Single-Detached Dwellings, Duplex, or Townhouse in RMA, RMB or RMC Zone (per unit) | N/A | N/A |
| Duplex, Triplex, Quadplex, or Townhouse in Other Zone | | |
| One bedroom (per unit) | 1.0 | 1.8 |
| Two bedrooms (per unit) | 1.0 | 2.0 |
| Three or more bedrooms (per unit) | 1.0 | 2.0 |
| Multi-Dwelling | | |
| One bedroom (per unit) | 1.0 | 1.8 |
| Two bedrooms (per unit) | 1.0 | 2.0 |
| Three or more bedrooms (per unit) | 1.0 | 2.0 |
| Commercial Uses | | |
| Retail, including shopping centers | 3.0 | 5.1 |
| Eating, Drinking Establishments | | |
| Fast Food with drive-through service in the, SC-MU, and SC-HDR zones. | 5.0 | 12.4 |
| Fast Food with drive-through service in all other zones. | 10.0 | 12.4 |
| Other eating, drinking establishments in the, SC-MU, and SC-HDR zones. | 5.0 | 19.1 |
| [ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008] [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4782; April 2020] [ORD 4822; June 2022] | | |

****Relevant Excerpted Portions of ** Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES
 (Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)**

| Land Use Category | Required Parking Spaces | Maximum Permitted Parking Spaces |
|-------------------|-------------------------|----------------------------------|
| | Multiple Use Zones | Zone 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 required number of vehicle 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.
 5. For townhouse developments in RMA, RMB and RMC that propose a shared parking area, the parking ratio for required parking shall be 0.75 parking spaces per unit. [ORD 4822; June 2022]

****Relevant Excerpted Portions of ** 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 | | |
|--|--|--|
| Single-Detached Dwellings and Middle Housing | 1 space per unit | 1 space per unit |
| Multi-Dwelling Structure | 2 spaces or 1 space per 20 dwelling units | 1 space per dwelling unit |
| Commercial Uses | | |
| Retail, including shopping centers | 2 spaces or 1 space per 12,000 sq. ft. of floor area | 2 spaces or 1 space per 12,000 sq. ft. of floor area |
| Eating, Drinking Establishments | 2 spaces or 1 space per 4,000 sq. ft. of floor area | 2 spaces or 1 space per 4,000 sq. ft. of floor area |

- [ORD 4224; August 2002] [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4782; April 2020] [ORD 4822; June 2022]
- 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.

Response: The applicable parking ratios included in the excerpted portions of Table 60.30.10.5.A. and Table 60.30.10.5.B. require the following amount of vehicular and bicycle parking spaces:

No parking space minimums are required for new development in Oregon. Single-detached dwellings do not have parking maximums that apply. Maximums for parking spaces applies to townhouses, multi-family residential units and commercial uses. All townhouses and multi-family residential units featuring one (1) more bedroom units allow a maximum 1.8 permitted parking spaces. A maximum of two (2) parking spaces per each two- and three- (3) or more bedrooms units is allowed for each multi-family residential unit. Parking counts will be finalized once the ultimate building design is selected.

For the 123 single-detached dwellings, one (1) short-term and one (1) long-term bicycle parking space is required per each dwelling unit. As such, 123 short-term and 123 long-term bicycle spaces are required. For the 348 multi-dwelling residential units, one (1) short-term bicycle space is required for every twenty (20) units and one (1) long-term bicycle parking space is required for each dwelling unit. A total of seventeen (17) short-term bicycle parking spaces and a total of 348 long-term bicycle parking spaces are required for the multi-dwelling residential units. For commercial (retail) use, two (2) spaces or one (1) space for every 12,000 square feet is required for short-term bicycle parking and two (2) spaces or one (1) space for every 12,000 square feet.

This equates to two (2) short-term and two (2) long-term bicycle spaces required for commercial (retail) area included with this proposal. For commercial (eating, drinking establishments) use, two (2) spaces or one (1) space for every 4,000 square feet is required for short-term bicycle parking and two (2) spaces or one (1) space for every 4,000 square feet. Two (2) short-term and two (2) long-term bicycle spaces are required for the eating, drinking establishments included in this proposal. The bicycle locker included within the multi-use buildings will be accessible for use by residents, visitors and employees and patrons of the commercial use areas.

These figures are also summarized in the table below.

| Use | Required Minimum Bicycle Parking Spaces | | Parking Ratio | |
|--|--|------------------|---|---|
| | Short-Term | Long-Term | Short-Term | Long-Term |
| Single-Detached Dwellings | 123 | 123 | 1 space/unit | 1 space/unit |
| Multi-Dwelling Structures | 17 | 348 | 2 spaces or 1 space / 20 DUs | 1 space/DU |
| Commercial (Retail) | 2 | 2 | 2 spaces or 1 space / 12,000 sf of floor area | 2 spaces or 1 space / 12,000 sf of floor area |
| Commercial (Eating, Drinking Establishments) | 2 | 2 | 2 spaces or 1 space / 4,000sf of floor area | 2 spaces or 1 space / 4,000sf of floor area |

Bicycle parking included in this proposal has been designed and located in accordance with the requirements of the BDC.

6. Regional Center Parking Tables.

[...]

Response: Not applicable. The site is not located within the Regional Center and is as such not subject to the requirements of that area.

7. Exceeding Parking Ratios. More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.10.15.2. (Major Adjustment) of this Code. However, if surplus parking is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Major Adjustment for parking.

Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone. [ORD 4224; August 2002] [ORD 4498; January 2009] [ORD 4659; July 2015]

Response: This proposal has been designed to meet the required parking ratios. It is not at this time anticipated that a surplus of vehicle or bicycling parking will be deemed necessary by the City.

8. **Residential Parking Dimensions.** *For all residential uses, any required 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.) [ORD 4312; July 2004] [ORD 4822; June 2022]*

Response: All parking spaces included for the residential use areas, vehicular parking spaces have been designed to meet the dimensional requirements of 8 1/2 feet wide and 18 1/2 feet length. The site is not located in the RMA, RMB or RMC zones, therefore the parking standards pertaining to those areas do not apply.

9. **Parking Space Calculation.**

A. **Multiple Uses.** *In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately.*

Response: Total requirements for off-street vehicle and bicycle parking facilities are the sum of the requirements for the various uses computed separately.

B. *Spaces which only meet the requirements of one establishment may serve more than one establishment on the same parking lot, provided that sufficient evidence is presented which shows that the times of peak parking demand for the various establishments do not coincide, and that adequate parking will be available at all times when the various establishments are in operation.*

Response: Parking spaces used for the mixed-use buildings share the same parking lot. An assessment of use within the shared parking area is described in greater detail within Subsection 40.55.15.2. above within this written narrative.

10. **Location of Vehicle Parking.**

A. *All required off-street parking spaces shall be provided on the same property as the use requiring the spaces, with the following exceptions:*

1. *By approving a Parking Determination application for Shared Parking, the decision making authority may permit the required off-street parking spaces in Residential, Commercial, and Industrial zoning districts to be located on any property within 500 feet of the property where the use requiring the parking is located and, in Multiple Use zoning districts, on any lot within any distance. [ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008] [ORD 4706; May 2017] [ORD 4757; March 2019]*
2. *By approving a Temporary Displaced Parking application, the decision making authority may permit parking displaced by development to be located off site temporarily, in accordance with the provisions of Section 40.80.15.5. [ORD 4757; March 2019]*

3. *Where a Middle Housing Land Division has been approved, pursuant to Section 40.45.15.10., parking spaces may be on a separate child lot or tract as the associated dwellings, but shall be on the same parent lot. [ORD 4822; June 2022]*

Response: All off-street parking spaces included with this proposal are located on the same property as the use requiring the spaces.

- B. *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. [ORD 4822; June 2022]*
 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. [ORD 4822; June 2022]*

Response: Tandem spaces are not included in this proposal. In addition, all parking spaces included in this proposal have been designed to meet the minimum standards included in Section 60.30.15. No adjustments to these minimum standards are required or included in this proposal.

- C. *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. [ORD 4584; June 2012] [ORD 4822; June 2022]*

Response: Not applicable. The site is not located in the RMA, RMB or RMC zoning districts, therefore the standards pertaining to those areas do not apply to this proposal.

- D. *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. [ORD 4822; June 2022]*

Response: Not applicable. The site is not located in the RMA, RMB or RMC zoning districts.

11. **Reductions and Exceptions.** *[ORD 3358; March 1984] Reductions and exceptions to the required vehicle and bicycle parking standards as listed in Sections 60.30.10.5. and 60.30.10.6. may be granted in the specific cases listed below. Sites within the Downtown Design District that apply for one or more of the vehicle parking reductions listed below cannot exceed a combined 15% reduction from the required parking standards in the table found in Section 60.30.10.6. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4799; January 2021]*

[...]

Response: While there are opportunities available to reduce parking provided with this proposal, no reduction in parking is included in this proposal.

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

- A. For residential uses, required vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.7. [ORD 4471; February 2008]
- B. For uses other than residential uses, twenty percent (20%) of the required 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 required parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002]
- C. The Facilities Review Committee may recommend allowing the required parking spaces for short term parking to include spaces for compact cars if the applicant shows that there will be adequate parking for non-compact cars and a method of enforcing the compact car parking is available. [ORD 4224; August 2002]
- D. Compact car parking spaces shall be generally grouped together and designated as such. [ORD 3228; December 1981]

Response: While a portion of the site includes commercial use may qualify to include compact parking spaces, none are included in this proposal.

13. **Carpool and Vanpool Parking Requirements.** [ORD 3965; November 1996]

[...]

Response: Not applicable. The proposed use of the site does not include industrial, institution or office use developments.

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:

A = Parking Angle

B = Stall Width

C = Stall Depth (no bumper overhang)

D = Aisle Width

E = Stall Width (parallel to aisle)

F = Module Width (no bumper overhang)

G = Bumper Overhang

H = Backing Area

I = Module Intermesh

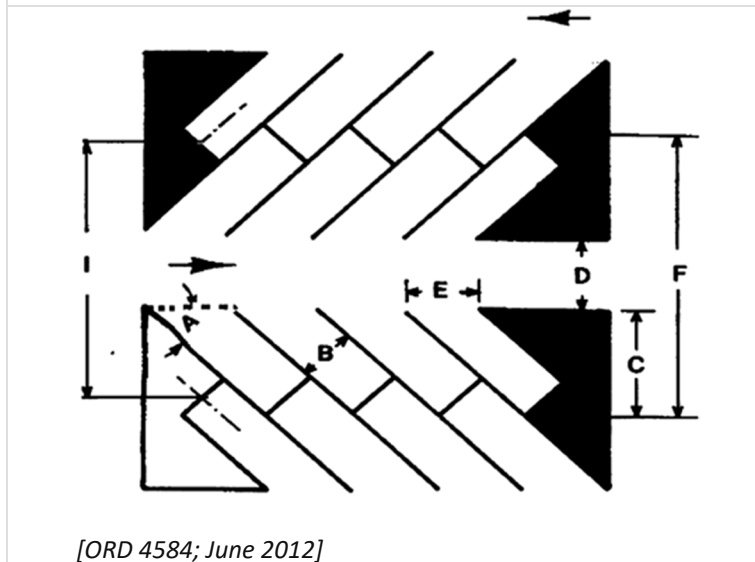
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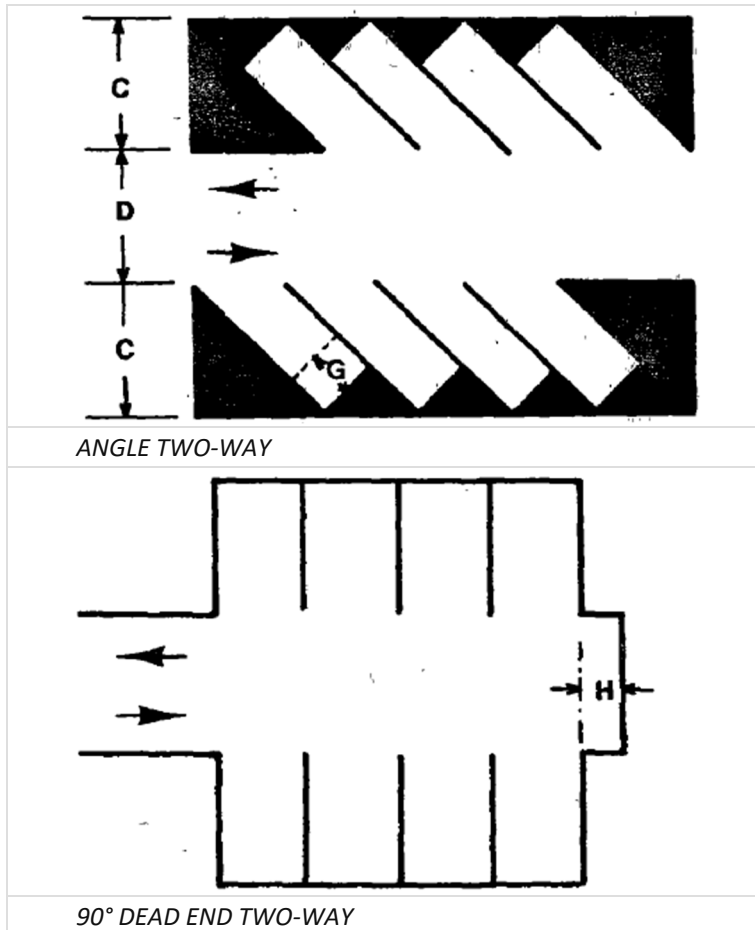
- 1) For one (1) row of stalls use "C" plus "D" as minimum bay width.
- 2) Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
- 3) For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle and access areas.
- 4) The stall width for self-parking of long duration is 8.5 feet; for higher turnover self-parking is 9.0 feet; and for supermarkets and similar facilities (shoppers and packages) is 9.5-10 feet.

- 5) The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24 feet. The minimum aisle width for emergency vehicle access (one way traffic) is 20 feet. Except as permitted in Section 60.30.15. Note 8(c). [ORD 4822; June 2022]
- 6) Where appropriate, bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth. Dimensions of required recreational vehicle spaces are 10 feet by 25 feet.
- 7) Parking lots in conjunction with government and public buildings, as defined by Chapter 11 of the International Building Code, are to include parking for the handicapped as required in that chapter. These special spaces may be included within the total spaces required. [ORD 3494; March 1986] [ORD 4365; October 2005] [ORD 4697; December 2016]
- 8) Single Detached and Middle Housing in RMA, RMB and RMC zones: [ORD 4822; June 2022]
 - a. Parallel parking spaces may count as required parking and shall be a minimum of 8 feet wide and 20 feet long. For parallel parking spaces located within the driveway, the driveway width shall conform to drive aisle widths, outlined in Section 60.30.15. Note 8(c).
 - b. Driveways shall meet the minimum driveway standards in the Engineering Design Manual.
 - c. Drive aisles shall have a minimum width of 22 feet for two-way traffic or 20 feet for one-way traffic.

| A | B | C | D | E | F | G | H | I |
|-------------|-----|------|------|------|------|-----|-----|-------|
| 45 degrees | 8.5 | 18.7 | 12.0 | 12.0 | 49.4 | 2.0 | 5.0 | 43.4 |
| 60 degrees | 8.5 | 19.8 | 14.5 | 9.8 | 54.1 | 2.5 | 5.0 | 49.9 |
| 75 degrees | 8.5 | 19.6 | 23.0 | 8.8 | 62.2 | 2.5 | 5.0 | 60.0 |
| 90 degrees | 8.5 | 18.5 | 24.0 | 8.5 | 61.0 | 3.0 | 5.0 | 61.0 |
| 90 degrees* | 7.5 | 15.0 | 24.0 | 7.5 | 58.0 | 2.0 | 5.0 | 58.00 |

* "Compact" Car (Section 60.30.10.12.)





[ORD 3228, 12/10/1981; ORD 3494, 03/27/1986; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4697, 12/02/2016; ORD 4822, 06/30/2022]
Effective on: 6/30/2022

Response: Parking stalls included in this proposal have been designed in conformance with applicable design requirements contained herein. For more information, see the plans included in this application submittal package.

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. [ORD 3293; November 1982] [ORD 4302; June 2004] [ORD 4332; January 2005]

[ORD 3241, 01/28/1982; ORD 3293, 11/25/1982; ORD 3358, 03/13/1984; ORD 3494, 03/27/1986; ORD 3700, 12/22/1989; ORD 3739, 09/08/1990; ORD 3965, 11/07/1996; ORD 4061, 10/15/1999; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4332, 01/01/2005; ORD 4418, 02/22/2007]
Effective on: 6/1/2012

Response: The off-street parking lot has been designed in conformance with the applicable requirements of the Engineering Design Manual and Standard Drawings.

[...]

60.35. *Planned Unit Development*

60.35.05. *Purpose.*

It is the purpose of these provisions to allow a Planned Unit Development (PUD) in any City zoning district. Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The PUD provisions are intended to encourage innovation and creative approaches for developing land while enhancing and preserving the value, character, and integrity of surrounding areas which have developed or are developing under conventional district regulations. This is to be accomplished by using the following development and design principles: [ORD 4584; June 2012]

1. *Site design shall use the flexibility afforded by the planned unit development to:*
 - A. *Provide setbacks and buffering through landscape or building design abutting to existing development;*
 - B. *Cluster buildings to create open space and protect natural resources;*
 - C. *Provide for active recreation and passive open space;*
 - D. *Use resource efficient development and building practices that encourage innovative design techniques and construction practices that use energy saving technology.*

Response: This proposal has been designed to include each of these key elements required for a Planned Unit Development (PUD).

2. *Site design shall maximize the opportunities for diversified architecture and outdoor living environments that respond to the existing site context by exploring design flexibility for siting structures, open spaces, circulation facilities, off-street parking areas, streetscapes, resource conservation, and creation of other site improvements that facilitate efficient use of land and create a comprehensive development plan which is better than that resulting from traditional subdivision development;*

Response: Site design included in this proposal provides for an array of opportunities for diversified architecture and outdoor living environments which responds to the existing site context. Included with this proposal are a mix of housing types which are conveniently located within walking distance to commercial uses included on site. Several walking paths in addition to sidewalks are included with this proposal to ensure greater pedestrian connectivity. Open space areas featuring active and passive recreational uses are provided in several areas which provide additional opportunities for residential enjoyment of the site within close proximity of each residence.

3. *Building architecture including detached residential, shall use innovative design that should consider the context of the existing built and natural environment. Buildings shall be architecturally detailed, and of a size and mass that contribute to a pedestrian-friendly streetscape, and respond to the natural features of the site. Cluster housing, such as Courtyard, Patio, or Cottage development, that groups buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged as are the use of sustainable building materials and practices. The orientation of buildings should promote human scaled and pedestrian friendly environments and maximize solar exposure for passive solar gain;*

Response: This proposal has been designed to include single-family residential buildings with scale, mass and orientation which contribute to a pedestrian friendly environment.

4. *Open space should provide opportunities for active and/or passive recreation that includes preservation of natural and cultural resources. Good site design shall retain and protect special topographic, natural, and environmentally sensitive features and existing Significant Groves and Historical and Individual trees should be retained and protected. Understory and the use of native plant material and sustainable landscape practices are encouraged.*
[ORD 4224, 09/19/2002; ORD 4430, 04/19/2007; ORD 4584, 06/01/2012]
Effective on: 6/1/2012

Response: Open space included in this proposal has been designed to provide for a variety of active and passive recreation opportunities. For more information, see the discussion included in response to Section 60.35.15. below.

60.35.10. *Modification of Base Zoning Standards.*

1. **Permitted Uses.**

- A. *The uses in a PUD shall comply with the Permitted and Conditional Use requirements of the zoning district.*

Response: Residential and commercial uses are included in this PUD which are in compliance with the Permitted and Conditional Use requirements of the underlying zoning districts. Pursuant to Table 20.20.20.A. Item 1, single-family dwellings are approvable through a Conditional Use permitting process

- B. *Detached and attached dwellings may be allowed in a PUD provided the overall residential density satisfies the applicable residential density provisions of this Code.*

Response: Overall density included in the residential-only area meets the minimum density of 24/dwelling units an acre.

- C. *In addition to the accessory uses and structures typical in the zoning district in which the PUD is located, accessory uses approved as a part of a PUD may include, but are not limited to the following:*

1. *Private or public park, lake or waterway;*
2. *Recreation area;*
3. *Recreation building, Community Building or social hall; or [ORD 4822; June 2022]*
4. *Other accessory uses or structures which the Planning Commission finds are designed to serve primarily the residents of the PUD, and are compatible with the neighborhood and to the design of the PUD.*

Response: Accessory uses included in this proposal include recreation areas.

2. **Density and Lot Dimensions.** *Density and building scale shall relate to the surrounding neighborhood development and natural resources by providing massing and architectural compatibility with the surrounding neighborhood. [ORD 4654; March 2015]*

A. **Density Transfers.**

1. *A density transfer allows an equal transfer of dwelling units from one portion of the site to another. Density transfers are allowed for the following areas:*
 - a. *Area within a floodplain;*
 - b. *Area over twenty-five (25) percent slope;*

- c. Known landslide areas or areas shown to have potential for severe or moderate landslide hazard;
- d. Area in designated resource areas including: significant tree groves, wetlands, riparian corridors, and their associated buffers;
- e. Areas constrained by monitoring wells and similar areas dedicated to remediation of contaminated soils or ground water;
- f. Parks, trails, or both in tracts;
- g. Areas similar to those in a through f above, as approved by the Planning Commission through the PUD process.

Response: This proposal has been designed to match and reflect the density and scale of the surrounding neighborhood. Single-family dwellings are included along the southern and eastern portions of the property abutting single-family dwellings within County-zoned R5 and R6 property. No density transfer is required or included in this proposal as no environmentally sensitive areas are located on site.

2. *Residential Lot Sizes. This subsection B. does not apply in the RMB and RMC zoning districts and only applies in the RMA zoning district for multi-dwellings. [ORD 4822; June 2022]*

Response: Not applicable. The site is not located within the RMA zoning district.

3. *Minimum lot size may be reduced to 50 percent of the minimum land area of the applicable zoning district(s), except as permitted in 60.35.10.3.B.2. [ORD 4697; December 2016]*

Response: Not applicable. There is no minimum lot size associated with the underlying zoning districts.

4. *Minimum lot size proposed between 25 percent and 50 percent of the minimum land area of the applicable zoning district, shall meet the applicable Design Standards or Design Guidelines related to Compact Detached Housing in Section 60.05 of the Development Code and is at the discretion of the Planning Commission.*

Response: Not applicable. There is no minimum lot size associated with the underlying zoning districts nor does this proposal include compact detached housing.

5. *Maximum lot size may not exceed 195 percent of the minimum land area of the applicable zoning district(s) in conformance with the table below unless designated for a future phase, which includes further division of property or development of attached product. When the maximum density for the parent parcel has been achieved or a lot is greater than 195 percent of the base zone, the oversized lot(s) shall include a deed restriction to preclude unintended partitioning or subdividing of such lots in accordance with the requirements of the approved PUD. [ORD 4584; June 2012]*

Response: Not applicable. There is no maximum lot size associated with the underlying zoning districts.

6. *A proposed Planned Unit Development shall not result in fewer dwelling units (lower density) than if the subject site were reviewed as a Preliminary Subdivision.*

Response: Not applicable. The site is not located in the RMA zoning district.

3. **Setbacks.** [ORD 4654; March 2015]

A. *The dimensional standards for the applicable zoning district as listed in CHAPTER 20 may be modified through approval of a Planned Unit Development, except for the following situations:*

1. *For proposed lots abutting the perimeter of the property, the required setbacks shall comply with the standard front and rear setbacks of the parent parcel.*
 - a. *Where the side yard of the parent parcel abuts existing development the setback for new development shall not be reduced, except by meeting 60.35.10.3.A.1.b below.*
 - b. *By meeting the Development Bonus and Development Incentive Options in Section 60.35.30 the setbacks of proposed perimeter parcels may be reduced by up to ten (10) percent upon approval of the Planning Commission.*

Response: Not applicable. No reduction in yard setbacks are included in this proposal. The rear setbacks for lots abutting the perimeter of the property have been included to meet the minimum fifteen (15) feet of setback area along the eastern and southern boundaries of the site to match the abutting County-zoned R5 and R6 property and single-dwelling use. The mixed-use buildings have been designed to meet the minimum twenty-(20) foot front yard setbacks as these buildings do not front along a major pedestrian route. Otherwise, there are no setbacks which apply to the underlying zoning districts at the site.

2. *Where standard modifications would not promote pedestrian or bicycle connection to the street; support storm water management; or meet fire and building codes.*

Response: Standard modifications are not proposed for this proposal therefore no conflict with pedestrian or bicycle connections to the street are anticipated nor are any conflicts anticipated with the requirements for stormwater management or fire or building codes.

B. *Front Setbacks.*

The following shall apply to all lots within a proposed residential development(s); except lots proposed along the perimeter of the subject site, which shall be consistent with Section 60.35.10.3.A.1.

1. *Front setbacks for a residential structure, interior to a Planned Unit Development may be reduced, excluding the garage where the garage door faces the front property line. Structures shall not encroach into a public utility easement. In RMA, RMB, and RMC, the maximum front setback reduction is 4 feet. [ORD 4822; June 2022]*

Response: There are no minimum setback requirements for a residential structure interior to the Planned Unit Development within the underlying zoning districts except if detached dwellings front along common greens and shared courts whereby a minimum of a three (3) foot setback is required. This proposal does not include single-detached residential dwellings which front along common greens and shared courts; therefore no front yard setbacks apply.

2. *For single-detached dwellings, all attached and detached garages that face a public or private street shall be set back a minimum of 18.5 feet from property line. Attached and detached garage door façade(s) shall be set back a minimum of four (4) additional feet from the set back of the front of the building, not including porches, when facing a public or private street. All other garage and carport entrances must be set back a minimum of two (2) additional feet*

when the set back of the front of the building is at least twenty (20) feet. [ORD 4822; June 2022]

Response: All single-detached dwellings included in this proposal have been designed to face a public or private street and meet the minimum eighteen and a half-foot (18.5) setbacks.

C. *Rear setbacks.*

1. *Rear setbacks shall be the same as the designated zone for the parent parcel for lots abutting the perimeter of the proposed development excepting alley accessed lots for which rear setbacks may be reduced to four (4) feet for alley-accessed lots with no less than a 20-foot alley width.*

Response: Rear setbacks included for dwelling units abutting residential zoned property have been designed to include the applicable rear lot setbacks of the abutting properties. As such, fifteen-foot (15') rear yard setbacks have been included with the residential dwellings abutting residential zoned property (R-5 and R-6) in Washington County.

2. *Garages and carports accessed from both sides of an alley shall be setback a minimum of four (4) feet with no less than 28-feet between garage doors.*

Response: Not applicable. This proposal does not include dwelling units with garages and carports which are accessible from both sides of an alley.

D. *Side setbacks. Except for zero-lot line development, side setbacks internal to the Planned Unit Development, shall be a minimum of three (3) feet with a total of six (6) feet between two buildings. In no case shall a building encroach into a Public Utility Easement (PUE). Except for townhouses and Middle Housing Land Divisions, zero-lot line development shall have side yard setbacks of 10 feet on one side of the dwelling unit and no setback required on the opposite side. [ORD 4822; June 2022]*

[ORD 4224, 09/19/2002; ORD 4430, 04/19/2007; ORD 4584, 06/01/2012; ORD 4654, 03/25/2015; ORD 4697, 12/02/2016; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Response: Side setbacks internal to the Planned Unit Development included in this proposal meet the minimum three- (3) foot requirement and minimum six- (6) foot setback between buildings. For more information, see the plans included in this application submittal package.

60.35.15. *Open Space.*

Open space shall provide opportunities for active and/or passive recreation and may include existing stands of trees, resource areas, and storm water facilities as outlined in this section. Active open space shall allow human activities including recreational and social opportunities such as play fields, playgrounds, swimming pools, plazas and other recreational facilities. Open space may also be passive and include human activities limited to walking, running, and cycling, seating areas and wildlife viewing or natural areas such as a wetland.

1. **Open Space Requirement.** *A Planned Unit Development shall provide baseline open space of an area equal to at least twenty percent (20%) of the subject site.*

Response: This proposal involves a Planned Unit Development (PUD) and as such requires a minimum of twenty percent (20%) or 210,929 square feet of open space area unless additional features are included. This proposal includes open space areas which feature fifty percent (50%) active use areas and pursuant to Section 60.35.50.1, this proposal may qualify for a potential twenty percent (20%) or 42,186 square foot reduction. With the provision of the additional active open space area, a total of 167,794 square feet of open space area is required for the site. A total of 171,216 square feet of open space area is included in this proposal, exceeding the minimum requirement.

2. **Exemptions.** *Properties within the South Cooper Mountain Community Plan Area are exempt from the open space requirements in Section 60.35.15.1, but shall provide all community features, including but not limited to, trails, habitat benefit areas, and scenic views identified in the South Cooper Mountain Community Plan, as identified in Section 60.35.25. [ORD 4654; March 2015]*

Response: Not applicable. The site is not located within the South Cooper Mountain Community Plan Area.

3. **Open Space Standards.** *Open space shall be land that is available for the creation of active and/or passive areas, or resource areas that provide visible and accessible open space to the proposed community. [ORD 4654; March 2015]*

A. *The following resource areas may count towards passive open space requirements: Significant trees and/or groves, habitat benefit areas, view corridors, steep slopes, water quality facilities, environmentally sensitive areas including wetlands and any buffers required by Clean Water Services or other regulatory body, and other resources as deemed appropriate by the decision maker.*

Response: Not applicable. The site does not contain resource areas.

- B. *Open space shall be easily accessible, physically or visually, to all members of the planned community via a minimum thirty (30) foot wide street frontage or access easement;*

Response: Open space areas included in this proposal have been designed to accommodate a minimum thirty- (30) foot wide street frontage or access easement.

- C. *No more than sixty (60) percent of the gross land dedicated to active open space may have slopes greater than five (5) percent. Additional reductions to this standard may be granted by the Planning Commission based on the context of the proposed amenities and existing site conditions.*

Response: Not applicable. Open space area included with this proposal does not include steep slope areas as the site overall is relatively flat.

- D. *Open space areas shall have a dedicated meter and underground irrigation system to ensure adequate water supply during establishment period (3-years) and during periods of drought for all newly planted areas. Resource areas are exempt from this criterion.*

Response: This proposal has been designed in order to accommodate the future inclusion of a dedicated meter and underground irrigation system in conformance with this code section. The site does not include resource areas.

- E. *For developments ten (10) acres or greater, at least twenty-five (25) percent of the total required open space area shall be active open space and subject to the provisions of 60.35.15.4.*

Response: This proposal includes greater than ten (10) acres with the inclusion of 26.61 acres. Open space included in this proposal exceeds the minimum twenty-five percent (25%) active area requirement with the inclusion of fifty percent (50%) active area.

- F. *For the purpose of this Code, open space does not include:*
1. *Public or private streets;*
 2. *Surface parking lots or paved areas not designated for active or passive recreation;*
 3. *Private lots and buildings; including setbacks or landscape buffers. However, community buildings, community rooms, or both developed for the common use and ownership of the residents within a Planned Unit Development may be counted as open space.*
 4. *Vehicular access driveways or maneuvering areas.*

Response: Open space included in this proposal meets the City's definition of allowable areas.

4. **Active Open Space.** *Active open space areas are outdoor common areas that may be a gathering spots, community rooms, play areas, overlooks, or any areas that consist of active uses for owners, residents, or the community at large. Active open space shall meet the following criteria: [ORD 4654; March 2015]*

- A. *Active open space that is provided outdoors shall be no smaller than either the minimum lot size requirement of the underlying zoning district with a minimum width 40 feet. For properties in multiple use zoning districts with no minimum lot size active open space areas shall be a minimum of 5,000 square feet in area. The Planning Commission may modify this requirement to accommodate trails, overlooks, and other types of recreational features which serve the residents of the development.*

Response: The underlying zoning districts do not have a minimum lot size, therefore the minimum 5,000 square feet of area standard applies. This proposal has been designed to include active space open areas that meet the 5,000 square foot minimum area requirement within most portions of the site. The open space areas included in this proposal that do not meet these area and dimensional requirements about the single-family residential lots (Lots 1-5, 167-172, 165-166 and 180-181, 82-82 and 160-162, 87-88 and 100-101, 96-99, and 105-106 and 155-156) have been designed as trails through mid-block crossings to facilitate contiguous pedestrian use of a series of connected pathways while maintaining lot sizing which enables a larger building product. These pedestrian pathways have been designed to include variety and interest for users of these areas, and include ten- (10) foot wide pathways, benches and landscaping.

- B. *Active open space may abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, when separated from the street by a constructed barrier, such as a fence or wall, at least three (3) feet in height.*

Response: The active open space areas included in this proposal abutting a Collector have been designed to facilitate the inclusion of wider sidewalks, parallel parking and bike lanes to provide for adequate separate between uses.

- C. *Active Open Space shall be physically accessible to all residents of the development.*

Response: Active open spaces included in this proposal have been designed to be physically accessible to all residents of the development with the inclusion of sidewalk and pedestrian pathways throughout the site.

- D. *Active open space shall include physical improvements to enhance the area. Physical improvements may include; benches, gazebos, plazas, picnic areas, playground equipment, sport courts, swimming/wading pools, indoor Community Buildings or meeting facilities, play fields, or other items permitted by the Planning Commission. [ORD 4822; June 2022]*

Response: The active open space areas included in this proposal have been designed to facilitate the inclusion of physical improvements such as benches, plazas, picnic areas, playground equipment and play fields.

- E. *Floor area within buildings devoted to common uses which serve the residents of the development, such as indoor pools, game rooms, or community rooms, may be counted towards Active Open Space requirements based on the total floor area devoted to such uses.*

Response: This proposal has been designed to include outdoor areas for common uses.

5. **Maintenance and Ownership.** *Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to one of the following:*

- A. *An association of owners or tenants, created as a non-profit corporation under the laws of the state (ORS 94.572) which shall adopt and impose articles of incorporation, bylaws, and a declaration of covenants and restrictions that complies with BDC 10.18 and is acceptable to the City Attorney as providing for the continued care of the common open space. Any subsequent changes to such CC&Rs regarding open space must be approved by the City Attorney. Such an association shall be formed and continued for the purpose of maintaining the common open space and shall provide for City intervention and the imposition of a lien against the entire planned unit development in the event the association fails to perform as required; or [ORD 4822; June 2022]*

Response: A homeowner's association (HOA) will be formed for the proposed development in order to ensure the continued proper maintenance of the site. CC&Rs for the HOA will be adopted and recorded as part of the final plat.

- B. *A public agency which agrees to maintain the dedicated open space and any buildings, structures, or other improvements which have been placed on it. [ORD 4654; March 2015]*

Response: Not applicable. It is not anticipated at this time that a public agency will oversee any of the dedicated open space areas included with this proposal.

- C. *Dedicated open space shall be protected by Covenants (CC&Rs) or deed restrictions to prevent any future commercial, industrial, or residential development, and comply with BDC 10.18. [ORD 4654; March 2015] [ORD 4822; June 2022]*

[ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4430, 04/19/2007; ORD 4486, 07/24/2008; ORD 4584, 06/01/2012; ORD 4654, 03/25/2015; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Response: This proposal shall have dedicated open space included within CC&Rs which will be recorded with the final plat for the site.

60.35.20. *Building Architecture.*

1. **Purpose.** *This section applies to single-detached dwellings located in Planned Unit Developments. [ORD 4822; June 2022]*

The following architectural standards are intended to promote innovative design that considers the context of the existing built and natural environment. Buildings shall be detailed, human-scale, and respond to the natural features of the site. Cluster housing or grouping buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged along with the use of sustainable building materials and practices. Building shall be oriented to the street or other public spaces such as parks, plazas, courtyards and common areas when served by an alley. This building architecture section also offers applicable Development Bonuses and Development Incentive Options in Section 60.35.30.

Response: This proposal has been designed to include architectural features which incorporate detailed, human-scale and are oriented towards streets.

2. **Building Orientation.** *Buildings shall be oriented to the street or other public spaces such as parks, plazas, courtyards and Common Areas when served by an alley. The orientation of buildings shall promote environments that encourage walking, social interaction, and safety.*
 - A. *Exceptions to this standard may be allowed by the Planning Commission where access, topography, and natural resources prohibit the orientation of buildings to the street or other public open spaces.*

Response: Buildings included in this proposal are oriented towards the street or other public spaces which meet the definition of this code section.

- B. *In all cases buildings and or private lots shall be served by or have direct access to sidewalks or paths that connect to a private or public street/sidewalk system.*

Response: All buildings included with this proposal have been designed with direct access to sidewalks or paths that connect to a private or public street/sidewalk system.

- C. *Garages with rear alley access or garages located in the rear of the lot with shared driveways are encouraged.*

Response: The alley loaded single-family residential buildings have been oriented to include garages in the rear of the building. Shared driveways are not included in this proposal.

- D. *All buildings shall have their primary entrance to a street or publicly accessible sidewalk where buildings face public parks, common areas or open space.*

Response: All buildings included in this proposal have been designed with the primary entrance to a street or publicly accessible sidewalk where buildings face common areas or open space.

- E. *All primary entrances shall be covered or recessed with a minimum depth of three (3) feet deep and five (5) feet wide.*

Response: All primary entrances included in this proposal have been designed to meet the minimum depth of three (3) feet deep and five (5) feet wide requirement.

3. **Building Heights.** Buildings shall be to scale with similar types of existing structures on adjacent properties. This can be accomplished by utilizing graduated building heights which offer a transition between single-story residential development and multiple-story residential.

A. Maximum building height standards may be increased up to twelve feet (12') when the applicable building setback distance along the perimeter of the parent parcel is increased at a ratio of 1.5 additional feet of setback for every foot of building height over the base zone standard for building height.

Response: All buildings included in this proposal have been designed to meet the height limitations of the underlying zoning districts.

B. For the South Cooper Mountain Community Plan area, structures that do not abut the exterior boundary of the plan area, may be allowed to vary building heights, without satisfying the graduated building height transitions of Section 60.35.20.3 in order to provide for a variety in housing types within developments. [ORD 4654; March 2015]

Response: Not applicable. The site is not located in the South Cooper Mountain Community Plan area.

C. Graduated building height standards shall not apply where existing structures on adjacent properties are rural in their development or use. [ORD 4654; March 2015]

Response: Not applicable. The surrounding development does not consist of rural development or use.

4. **Architectural Standards.** Architectural standards are intended to promote quality design and detail that promote innovation and creativity that allows for a variety of building styles and types. The following standards apply to all single-detached residential developments proposed through the PUD process. In addition, single-detached dwellings, as well as middle housing multi-dwelling structures, Compact Detached Housing, and commercial, industrial, and multiple use buildings are subject to the Design Standards or Guidelines of Section 60.05 of the Development Code. [ORD 4654; March 2015] [ORD 4822; June 2022]

A. Building scale and massing shall complement surrounding uses by complying with the provisions in this Code and meeting the following criteria for residential development.

B. Front façade elevations shall not be repeated on abutting lots along the same street frontage. [ORD 4822; June 2022]

Response: This proposal has been designed to include varied front façades for the single-detached dwellings whereby none are repeated on abutting lots along the same street frontage.

C. All detached residential structures shall include design elements that provide building articulation, continuity of form and variety. Architecture should avoid long expanses of uninterrupted building surfaces. Buildings shall incorporate at least six (6) of the following building elements on the front, rear, common open space, and street facing elevations and four (4) of the following elements on interior side yard elevations:

1. *Window reveals, canopies, awnings, and covered patios.*
2. *Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide, and must be accessible from the interior living space of the house.*
3. *Porches on the front elevation that have clear dimensions of at least eight feet wide and six feet deep, and are covered by a roof supported by structurally integral columns, cables or brackets.*
4. *Three or more gables.*
5. *Offsets in roof elevations of two (2) feet or greater;*
6. *A primary sloped roof that is no flatter than 6/12 and no steeper than 12/12.*
7. *Bay or bowed windows extending out from the front building elevation that reflect an internal space such as a room or alcove.*
8. *Elevations on residential units facing streets, common greens and shared courts having at least 40 percent of the elevation area on each floor permanently treated with windows.*
9. *Window shutters on windows.*
10. *Staggered windows that do not align with windows on adjacent properties and minimize the impact of windows in living spaces that may infringe on the privacy of adjacent residents.*
11. *Windows grouped together to form larger areas of glazing, if individual window units are separated by moldings or jambs.*
12. *Windows with multiple panes of glass or designed to mimic the look of multiple panes.*
13. *Window patterns, building articulation and other treatments that help to identify individual residential units.*
14. *Dormers.*
15. *Trim markings provided for roof lines, porches, windows and doors on all elevations. The trim must be at least 3-1/2 inches wide.*
16. *Weather protection for primary building entrances that exceed 7½ feet wide by five feet deep.*
17. *An attached garage with a gable or hip roof, or with a second story above the garage.*
18. *Building face or roof offsets (minimum 12 inch offset).*
19. *The use of differentiated exterior siding materials. In general, materials should change on horizontal planes, not vertical planes. Types of siding materials may include:*
 - a. *Horizontal lap siding, including simulated horizontal lap siding where the boards in the pattern are 6 inches or less in width;*
 - b. *Vertical cedar siding;*
 - c. *Beveled siding,*
 - d. *Shingles*
 - e. *Stucco*
 - f. *Brick*
 - g. *Stone or manufactured stone*
 - h. *Scored masonry*
 - i. *Changes in a combination of texture, pattern or color of a single material*

Response: All detached residential structures included in this proposal have been designed to include variation in the building elements along the front, rear, common open space, and street facing elevations and on interior side yard elevations in compliance with this section. For more information, see the architectural renderings included in this application submittal package.

20. *Decorative structural accents such as kneebrackets or corbels, widow walks, turrets, hooded windows, pinnacles and pendants, pillars or posts, board and batten, or other architectural vernacular style common to the Pacific Northwest.*

Response: This proposal has been designed to include decorative structural accents such as pillars and board and batten.

21. *Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.*

Response: Not applicable. This proposal has not been designed to include permanent planter boxes.

22. *A landscaped courtyard of at least 100 square feet located as a transition element between a primary building entrance and a street, common green or shared court. The landscaping within the courtyard shall exceed the minimum requirements of Section 60.05.25.4. by 15%. [ORD 4576; January 2012]*

Response: This proposal has not been designed to include landscaped courtyards fronting primary building entrances for the single-detached housing.

23. *An alternative feature approved by the Planning Commission*

Response: This proposal has not been designed to include an alternative feature approved by the Planning Commission.

D. *Building elevation is measured as the horizontal plane between the lowest plate line and the highest plate line of any full or partial building story containing doors, porches, balconies, terraces and/or windows.*

Response: Building elevations included in this proposal are measured as the horizontal plane between the lowest plate line and the highest plate line of any full or partial building story containing doors, porches, balconies, terraces and/or windows.

E. *Alternative building design may reflect modern building form and style. These styles may have less detail or ornamentation but shall have demonstrated successful use of materials and form, and a cohesive architectural style and be approved by the Planning Commission.*

*[ORD 4430, 04/19/2007; ORD 4584, 06/01/2012; ORD 4654, 03/25/2015; ORD 4822, 06/30/2022]
Effective on: 6/30/2022*

Response: This proposal has been designed to include buildings with less ornamentation and do not include knee brackets or corbels, widow walks, turrets, hooded windows or pinnacles and pendants. However, since the single-detached buildings include other design elements such as pillars and board and batten, as well as different materials, the building design included in this proposal demonstrates successful use of materials and form.

60.35.25. *South Cooper Mountain Community Plan*

[...]

Response: Not applicable. The site is not located within the South Cooper Mountain Community Plan area.

60.35.30. Development Bonuses and Development Incentive Options.

The PUD also offers the applicant additional standards which can be met as incentives to promote more creative and innovative approaches to site design and infrastructure. The Development Incentive Options are not required; an applicant may choose to meet the standard provisions and requirements of the PUD code. The Development Incentive Options are intended to promote a wide variety of creative and sustainable design practices that better integrate site design, building architecture, and open space with the existing built and natural environment and lead to exceptional community building in the City of Beaverton. Development Incentive Options shall also consider the form and function of the physical improvements and their relationship to each other and the existing environment. Development plans that meet selected Development Incentive Options chosen by the applicant may take advantage of one or both:

- Reduced open space requirements;
- Setback reduction of the parent parcel.

Development Incentive bonuses are described below and quantify the flexibility and options that the developer may use to obtain additional flexibility in open space requirements and setback reductions. Approval of the Development Incentive Options and the additional development flexibility allowed are at the discretion of the Planning Commission. In all cases the total incentives and bonuses may not reduce open space by more than sixty (60) percent of the open space as required in Section 60.35.15. [ORD 4654; March 2015]

The following Development Bonuses and Incentive Options are intended to provide design flexibility.

[ORD 4430, 04/19/2007; ORD 4584, 06/01/2012; ORD 4654, 03/25/2015]

Effective on: 3/25/2015

Response: This proposal has been designed to include development incentive options pertaining to the additional inclusion of active open space areas in conformance with Section 60.35.50.1.A. A minimum of fifty percent (50%) of active space areas has been proposed within the open space areas.

60.35.40. Allowed Development Bonuses.

Site plans that meet selected Development Incentive Options chosen by the applicant may take advantage of one or a combination of the following Development Bonuses:

1. Decrease open space area requirement by using a combination of Development Incentive Options up to a maximum of sixty (60) percent of that required by the PUD standard open space requirements; [ORD 4654; March 2015]
2. Reduce front and rear setbacks of parent parcel up to ten (10) percent within the perimeter of the PUD. [ORD 4430, 04/19/2007; ORD 4654, 03/25/2015]

Effective on: 3/25/2015

Response: This proposal includes a reduction in the open space area requirement by using the option included in Section 60.35.50.1. below. The site does not qualify for rear yard setbacks for single-detached dwellings abutting the southern and eastern portions of the site as the abutting property zoning rear yard setbacks apply.

60.35.50. Development Incentive Options.

1. **Open Space Development Incentive Options = Twenty (20) Percent Open Space Reduction.** Up to a twenty (20) percent reduction in the required amount of open space as approved by the Planning Commission may be achieved by conforming to the open space options listed below. The Planning Commission may consider other improvements in addition to those listed that offer a similar level of quality and continuity in the proposed open space:

- A. *Active Recreation - Development of Twenty-five (25) percent of active open space in addition to the minimum required active open space as usable for active recreation, such as: play structures, picnic areas, or sports field; or [ORD 4654; March 2015]*

Response: The Applicant may qualify for up to a twenty percent (20%) reduction in the minimum required open space area due to the inclusion of an additional twenty-five percent (25%) of active uses within open space areas. For more information, see the plans included in this application submittal package.

- B. *View Preservation - Open space is sited such that a view corridor of a significant natural vista is preserved for the community at large, such as views into Significant Tree Groves or Significant Natural Resource Areas.*

Response: Not applicable. The site does not contain and is not located nearby a view corridor of a significant natural vista.

2. ***Architectural Development Incentive Options for a Decrease in Open Space, Front and Rear Setbacks.*** *The following architectural incentives promote sustainable building practices and architectural detail in order to promote high quality design and character. A maximum decrease of up to twenty (20) percent of the required open space or ten (10) percent of the front and rear setbacks on the parent parcel is at the discretion of the Planning Commission, where the applicant's site plan and proposed architecture meet one of the following incentives:[ORD4498; January2009][ORD4654; March2015]*

- A. *Develop lots such that 90% meet solar access requirement (60.45.05) for a ten (10) percent decrease in open space.*
- B. *Install a 'Greenroof' or Ecoroof on 100 percent of the roof area of twenty (20) percent of the detached dwellings or 20 percent of the total roof area for attached dwellings, multi-dwellings, commercial, or industrial buildings for a ten (10) percent decrease in the required open space. [ORD 4822; June 2022]*
- C. *Up to ten (10) percent reduction in front and rear parent parcel setbacks as approved by the Planning Commission may be achieved by developing cluster housing that preserves and increases open space by twenty (20) percent above baseline requirement.*

Response: Not applicable. Section 60.45.05 has been repealed from the BDC.

3. ***Affordable Housing Development Incentive Options for a Decrease in Open Space.*** *Up to a fifty (50) percent reduction in the required amount of open space as approved by the Planning Commission may be achieved by development of ten (10) percent of the units as affordable housing. Up to a sixty (60) percent reduction in the required amount of open space as approved by the Planning Commission may be achieved by development of twenty (20) percent of the units as affordable housing.*

Affordable housing is defined as housing affordable to households earning up to 100 percent of the median household income in Washington County, or less as adjusted for family size as determined by the U.S. Department of Housing and Urban Development (HUD). Housing prices and/or rents shall be limited to that level through deed restriction for up to thirty (30) years. Approval of the affordable housing Development Incentive Option shall be subject to a developer identifying and contracting with a public, or private housing agency that will administer the housing affordability guarantee.

[ORD 4430, 04/19/2007; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4654, 03/25/2015; ORD 4822, 06/30/2022] Effective on: 6/30/2022

Response: Not applicable. This proposal does not include the provision of affordable housing as defined herein.

60.50. Special Use Regulations

[ORD 4224, 09/19/2002]

60.50.03. Accessory Dwelling Unit.

[...]

Response: Not applicable. This proposal does not include the provision of accessory dwelling units.

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

[ORD 4048; July 1999]

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. [ORD 4462; January 2008] [ORD 4474; March 2008] [ORD 4498; January 2009]*

Response: This proposal contains structures and uses that are incidental and subordinate to the uses allowed as Permitted and Conditional Uses within the underlying zoning districts such as park benches.

2. *All accessory buildings must comply with the following provisions:*

[...]

Response: This proposal has not been designed to include accessory buildings.

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.); [ORD 4822; June 2022]*
- L. *Carport; [ORD 4822; June 2022]*
- 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.) [ORD 4822; June 2022]*

5. *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. [ORD 4822; June 2022]
[ORD 4474; March 2008]*

Response: This proposal does not include accessory uses.

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. [ORD 4474; March 2008]*

Response: Not applicable. Accessory uses customarily associated with commercial and industrial uses are not included in this proposal.

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.*

Response: This proposal does not include conflicting interpretations of whether a use or structure is an accessory use.

6. A. *The City Council may, by resolution, establish a list of uses found not to be accessory to specific Permitted Uses.*

Response: Not applicable. Accessory uses included with this proposal do not require City Council interpretation as they are outright permitted in conjunction with a mixed use Planned Unit Development.

- B. *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.*

Response: Not applicable. Accessory uses included with this proposal do not require City Council interpretation as they are outright permitted in conjunction with a mixed use Planned Unit Development.

- C. *The City Council may delegate to the Planning Commission the authority to perform the functions authorized and required by this subsection.*

[ORD 4474; March 2008]

[ORD 3162, 04/03/1980; ORD 3293, 11/25/1982; ORD 4048, 07/08/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4224, 09/19/2002; ORD 4462, 01/10/2008; ORD 4474, 03/27/2008; ORD 4498, 01/15/2009; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Response: Not applicable. No accessory uses are included with this proposal and as such does not require City Council interpretation.

60.50.10. Height Regulations.

The height limitations contained in this Code do not apply to normal appurtenances placed on or extending above the roof level, such as spires, belfries, cupolas, chimneys, antennas, ventilators, elevator housing, or

*other structures; provided, however, that no structure shall be erected which fails to comply with any applicable state or federal law or regulation. Antennas for wireless communication facilities are not exempted by this section from the applicable height regulations as specified in this Code. [ORD 3293; November 1982] [ORD 4107; May 2000] [ORD 4248; May 2003] [ORD 4498; January 2009] [ORD 3293, 11/25/1982; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4498, 01/15/2009]
Effective on: 6/1/2012*

Response: Building heights included with this proposal do not factor in normal appurtenances placed on or extending above the roof level. Further, this proposal, does not include wireless communication facilities.

*60.50.15. Projections into Required Yards and Public Right-of-Way.
[ORD 3162; April 1980]*

1. *The following structures may project into required yards, but may not project into a utility easement without an encroachment permit, as issued by the City Attorney per the consent and approval of the City Engineer. [ORD 4584; June 2012]*
 - A. *Paved terraces may project into required front, side or rear yards provided that no structures placed thereon shall violate other requirements of this ordinance.*
 - B. *Unroofed landings and stairs may project into required front and rear yards only.*
 - C. *Window sills, belt courses, cornices, eaves and similar incidental architectural features may project not more than 2 feet into any required yard if the side setback is 5 feet. If the side setback is less than 5 feet, then architectural features allowed in the side setback shall be determined by the applicable Building Code. [ORD 4822; June 2022]*
 - D. *Open fire escapes shall not project more than 4 feet, 6 inches into any required yard.*
 - E. *Chimneys shall not project more than 24" into any required yard.*
 - F. *Bay windows without a foundation may project into the front and rear yard setback by not more than 2 feet and may not occupy more than 50 percent of any one wall plane of a structure. In no case shall such bay windows be located less than 3 feet from a property line. [ORD 3739; September 1990] [ORD 4397; August 2006] [ORD 4822; June 2022]*
 - G. *Decks may project into a required rear yard in the RMB or RMC zoning district, provided the deck is no less than 5 feet from the rear property line, and provided the height of the deck is limited to 10 feet, as measured at the top of the railing. [ORD 4822; June 2022]*

Response: This proposal does not include projections into required yard setbacks.

2. *Buildings within the RC-E zone may have the following projections into the public right-of-way; [ORD 3352; January 1984] [ORD 4058, September 1999] [ORD 4584; June 2012] [ORD 4799; January 2021]*
 - A. *Planters;*
 - B. *Awnings and Canopies; [ORD 4107; May 2000]*
 - C. *Ornamental and architectural features.*

The type, size and other features of the projections may be approved by the appropriate decision making authority after receiving a recommendation from the Facilities Review Committee. The decision making authority may also impose reasonable conditions. [ORD 3162; April 1980] [ORD 4224; August 2002]

Response: Not applicable. The site is not located within the RC-E zoning district.

3. *Except as Otherwise Permitted: [ORD 3293]*

- A. *No person shall obstruct any public right-of-way or any portion thereof or place or cause to be placed therein or thereon anything whatsoever tending to obstruct or interfere with the full and free use of such public right-of-way or in any degree interfere with the normal flow of pedestrian or vehicular traffic.*
- B. *No person shall erect, construct, build, raise, place or maintain any post, pole, sign, wall, fence, tree, building structure or any other object in or upon any public right-of-way, except trees planted in planter strips.*
- C. *No person in charge of property shall allow anything prohibited by this section or which otherwise restricts the public use of a sidewalk or parking strip abutting such property to remain there.*
[ORD 3162, 04/03/1980; ORD 3293, 11/25/1982; ORD 3352, 01/19/1984; ORD 3739, 09/08/1990; ORD 4058, 09/16/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4397, 08/10/2006; ORD 4584, 06/01/2012; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]
Effective on: 6/30/2022

Response: This proposal does not include or require obstructions to public right-of-way.

60.50.20. *Fences.*

Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering Design Manual and meet the following standards: [ORD 3162; April 1980] [ORD 3287; October 1982] [ORD 4365; October 2005] [ORD 4782; April 2020]

1. *Fences and walls shall not exceed the following height:*

- A. *Six (6) feet in a required front yard along designated Collector and Arterial streets.*
- B. *Three (3) feet in height in a required front yard along all other street classifications.*
- C. *Four (4) feet in height in a required front yard for required above ground stormwater facilities.*
- D. *Eight (8) feet in height for all other yards.*

[ORD 3162, 04/03/1980; ORD 3287, 10/21/1982; ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4782, 04/17/2020]
Effective on: 4/17/2020

Response: This proposal has been designed to include fencing which does not exceed the heights listed above. For more information, see the land use plans included in this application submittal package.

60.50.25. *Uses Requiring Special Regulation.*

[...]

Response: Not applicable. This proposal does not include uses requiring special regulation, such as kennels, riding academies and stables, animal hospitals, cemetery, crematory, mausoleum, columbarium, churches, hospitals or other eleemosynary institutions, aircraft landing facilities or natural resource extraction, childcare or daycare facilities, etc.

60.55. *Transportation Facilities*

[...]

60.55.10. *General Provisions.*

[ORD 4302; June 2004]

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. [ORD 4782; April 2020]*

Response: Improvements within the existing right-of-way along SW 185th Avenue, W Baseline Road and SW Stepping Stone Drive that are included with this proposal are in conformance with the applicable engineering and public works design standards. Improvements included in this proposal along SW 185th Avenue provide a seven and a half (7 ½) foot planter, a six- (6) foot sidewalk with a half foot buffer behind the sidewalk and a one- (1) foot right-of-way dedication. Improvements included in this proposal along W Baseline Road a seven and a half (7 ½) foot planter, a six- (6) foot sidewalk with a half foot buffer behind the sidewalk and a six- (6) foot right-of-way dedication. Improvements included in this proposal along NW Stepping Stone Drive is a six- (6) foot sidewalk and a ten- (10) foot right-of-way dedication.

Street C included with this proposal has been designed with a tapered sidewalk to match SW 184th Avenue with a five- (5) foot sidewalk and a four-foot wide planter strip that tapers to match existing planter strip width. Similarly, Street E included with this proposal has been designed with a tapered sidewalk to match SW 181st Avenue with a five- (5) foot sidewalk. The five- (5) foot sidewalk meets the Engineering Design Manual standard.

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. [ORD 4103; May 2000]*

Response: This proposal has been designed to include measures to improve traffic capacity, traffic safety and transportation improvements with the inclusion of the right-turn lane from W Baseline Road onto Street A and signalization at SW 185th Avenue and Street A.

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: A Traffic Management Plan is not required as outlined in the Traffic Impact Analysis.

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: It is acknowledged that the decision-making authority may impose development conditions of approval per Section 10.65.1. of this code.

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

Response: Dedication of right-of-way is required for W Baseline Road.

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: This proposal has been designed to include traffic calming measures in Street A and include parallel parking and bike lanes on both sides of the street, curb extensions to shorten pedestrian crossing lengths, street trees and wide sidewalks.

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. [ORD 4706; May 2017]*

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.

[ORD 4061, 10/15/1999; ORD 4103, 05/04/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4418, 02/22/2007; ORD 4706, 05/19/2017; ORD 4782, 04/17/2020]

Effective on: 4/17/2020

Response: This proposal includes the provision of signalization at the intersection of SW 185th Avenue and Street A in order to mitigate for the impacts of development.

60.55.15. *Traffic Management Plan.*

[ORD 4302; June 2004]

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. [ORD 4584; June 2012] [ORD 4822; June 2022]

1. *For each development application that requires a Traffic Management Plan, the Plan shall identify:*
 - A. *The hours when the added trips from the development will be 20 or more vehicles per hour.*
 - B. *The existing volume of trips on the residential street during each of those same hours.*
 - C. *The volume of trips that the development will add on the residential street during each of those same hours.*
 - D. *Recommended traffic management strategies designed to City standards to mitigate the impacts of the increased trips attributed to the development. Potential traffic management strategies include, but are not limited to, any combination of speed humps, curb extensions, intersection treatments, and traffic control devices.*

Response: The traffic engineer that provided the Traffic Impact Analysis determined that a Traffic Management Plan was not required.

2. *The Traffic Management Plan shall discuss whether the recommended improvements both on-site and off-site are justified, reasonably related to, and roughly proportional to the impacts of the proposed development and shall include information sufficient for the City to assess whether the proposed mitigation strategies are reasonably related and roughly proportional to the level of impact. [ORD 4103; May2000]*

*[ORD 3238, 01/28/1982; ORD 3494, 03/27/1986; ORD 4061, 10/15/1999; ORD 4103, 05/04/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]
Effective on: 6/30/2022*

Response: The Traffic Management Plan is not included in the Traffic Impact Analysis.

60.55.20. *Traffic Impact Analysis.*

[ORD 4103; May 2000] [ORD 4302; June 2004]

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.*

Response: The Traffic Impact Analysis (TIA) included in this application submittal package is prepared and certified by a traffic 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. [ORD 4706; May 2017]*

Response: This proposal is anticipated to generate more three hundred (300) vehicles or more per day and therefore necessitates the provision of a Traffic Impact Analysis (TIA). This proposal is estimated to add approximately 294 trips in the AM Peak Hour (97 in and 214 out) and 392 trips in the PM Peak Hour (228 in and 163 out).The required contents of the Traffic Management Plan are included in the TIA. Furthermore, the TIA indicates that this proposal can be constructed with recommended traffic improvements and facilitate the continued safe operation of surrounding streets.

- 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: A Traffic Impact Analysis is required pursuant to subsection A.

3. **Study Area.** *The Traffic Impact Analysis shall evaluate the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to*

experience a change in the quality of traffic flow. The City Engineer may identify additional locations for study if existing traffic operation, safety, or performance is marginal or substandard. Prior to report preparation, the applicant shall submit the proposed scope and analysis assumptions of the Traffic Impact Analysis. The City Engineer shall determine whether the scope and analysis assumptions are adequate.

Response: The Traffic Impact Analysis evaluated the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow. For more information, see the Traffic Impact Analysis that is included in this application submittal package.

4. **Contents of the Traffic Impact Analysis Report.** The Traffic Impact Analysis report shall contain the following information organized in a logical format:

- A. Executive Summary
- B. Description of Proposed Development
- C. Existing Conditions
- D. Traffic Forecasts
- E. Traffic Impacts
- F. Mitigation Identification
- G. Recommendations

A. Executive Summary. An Executive Summary of no more than three single-sided pages shall be included at the beginning of the Traffic Impact Analysis report. The Executive Summary shall summarize the analysis and conclusions and identify recommended transportation improvements.

B. Description of Proposed Development. The Traffic Impact Analysis shall provide a comprehensive project description including but not limited to the following:

- 1. Vicinity map.
- 2. Site plan.
- 3. Project phasing.
- 4. Time schedule.
- 5. Intended use of the site, including the range of uses allowed without additional land-use approvals.
- 6. Intensity of use.

Response: The content requirements of this subsection are included in the Traffic Impact Analysis contained within this application submittal package.

C. Existing Conditions. The Traffic Impact Analysis shall provide a complete evaluation of existing conditions and include maps and/or tables displaying the following information for the Area of Influence and any additional locations previously identified by the City Engineer:

- 1. Street system including street names and functional classifications.
- 2. Pavement and shoulder widths.
- 3. Striping and channelization.
- 4. Driveways.
- 5. Freight access and loading areas.
- 6. Intersections.
- 7. Traffic volumes.
 - a. Existing traffic shall be measured within the previous twelve months.

- b. *Traffic volumes shall be based on data from a minimum of two typical weekdays (Tuesday through Thursday). In addition, data shall be provided for weekends if weekends are the peak traffic period for either the existing street or the proposed development. [ORD 4706; May 2017]*
- c. *Seasonal variations in traffic volumes shall be considered.*
- 8. *Existing intersection performance indicators including volume-to-capacity ratio and control delay.*
- 9. *Transit information including stop and shelter locations, route numbers, headways, passenger loading, pull outs, and times of service.*
- 10. *Bicycle ways, sidewalks, and accessways.*
- 11. *Collision data for the most recent three-year period for which collision data is available.*

Response: The Traffic Impact Analysis contained within this application submittal package addresses all pertinent existing conditions.

D. *Traffic Forecasts.* *The Traffic Impact Analysis report shall provide forecasts of future traffic within the Area of Influence and any additional locations previously identified by the City Engineer. Traffic forecasts shall be provided for both the Buildout Year and the Long-Range Forecast Year. The report shall include complete documentation of trip generation calculations including Institute of Transportation Engineers (ITE) Trip Generation (latest published edition) use code(s) or an alternative basis of trip generation and the rationale for using the alternative.*

E.

- 1. *Buildout Year Analysis.* *Buildout Year forecasts shall be Total Traffic at the time of anticipated completion and occupancy of each phase of the development and at the time of completion and occupancy of the entire development. The City shall provide traffic information on other developments to consider in the calculation of Added Traffic.*

Response: The build out year forecasted for construction completion included in the Traffic Impact Analysis report is 2025.

- 2. *Long-Range Forecast Year Analysis.* *The Traffic Impact Analysis shall include an analysis of the potential worst-case long-range impacts to the local transportation system identified in the City's Comprehensive Plan Transportation Element and the regional transportation system identified in Metro's Regional Transportation Plan. The forecast year shall be the forecast year of the Comprehensive Plan Transportation Element or an alternate year approved by the City Engineer. The Traffic Impact Analysis shall include a prediction of whether any phase of the proposed development will change the long-range transportation needs identified in the Comprehensive Plan and the extent to which traffic from the proposed development contributes to the long-range improvement needs.*

Response: The forecast year included in the Traffic Analysis Report is the forecast year of the Comprehensive Plan Transportation Element.

- 3. *Traffic Forecast Analysis Assumptions.*
 - a. *Trip generation. Estimates of the proposed development's trip generation shall be made for peak period traffic. Selection of the peak period used in the analysis shall be justified and shall consider, at a minimum, the peak period for the proposed development and the peak period for surrounding streets. The City Engineer may require review of other time*

periods based on known or anticipated marginal or substandard traffic capacity or traffic safety. Trip generation estimates shall be based on ITE's Trip Generation (latest published edition). The City Engineer may approve different trip generation rates when trip generation rates are not available in ITE's Trip Generation or different rates are justified.

Response: Peak period traffic generation estimates are included in the Traffic Impact Analysis report based on the 2021 ITE's Trip Generation Manual 11th Edition.

- b. Trip distribution and assignment. Traffic generated by the proposed development shall be logically distributed and assigned to the street system within the Area of Influence and any additional locations previously identified by the City Engineer. Trip distribution and assignment shall be based on trip distribution information from Washington County, ODOT, or Metro, on analysis of local traffic patterns based on data less than 12 months old, or on alternative data approved by the City Engineer.*

Response: The Traffic Impact Analysis report includes logical trip distribution and assignment.

- 4. Intersection and Highway Interchange Analysis. Intersection and highway interchange analysis shall conform to the method for operations analysis described in the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve an alternative analysis method. The analysis shall document that the impacts of queuing from adjacent intersections or traffic restrictions has been addressed.*

Response: The intersection and highway interchange analysis included in the TIA conforms to the method for operations analysis described in the Highway Capacity Manual 2000 published by the Transportation Research Board.

- F. Traffic Impacts. The Traffic Impact Analysis shall evaluate access, safety, operation, capacity, circulation, level of service, and performance of the transportation system within the proposed development's Area of Influence and any additional locations previously identified by the City Engineer for both the Buildout Year and any phases thereof, and the Long-Range Forecast Year. Performance analysis shall be based on the standards of Section 60.55.10.7.*

- 1. Safety considerations shall be evaluated. Potential safety problems resulting from conflicting turning movements between and among driveways, intersections, and internal traffic shall be addressed. Distance to the nearest driveways on both sides of streets fronting the site and in both directions from site access points shall be shown. On-Site driveway stacking and queuing impacts shall be assessed. The potential for shared access with adjacent development shall be assessed.*
- 2. Geometric design and operational improvements including but not limited to acceleration lanes, deceleration lanes, turning lanes, traffic signals, and channelization shall be considered, evaluated, and recommended when determined necessary by standards and practices adopted by ODOT, Washington County, the City or approved by the City Engineer.*
- 3. Adequacy of sight distance shall be addressed at the proposed road access point(s) for both the existing road configuration and for the ultimate road configuration based on improvements planned for the development and improvements identified in the Comprehensive Plan Transportation Element. Sight distance shall meet City standards.*

4. *The analysis shall also identify and evaluate related impacts on bicycle, pedestrian, and transit access, circulation, and facilities.*
5. *Other, operational, circulation, safety, and capacity issues shall be evaluated and addressed as required by this code and by the City Engineer.*

Response: Based on the analysis completed by the Traffic Engineer, it was determined that a traffic signal at the intersection of Street A and SW 185th Avenue is needed. In addition, the Traffic Engineer in the Traffic Impact Analysis identified the following improvements are required in conjunction with the proposed development:

- A westbound left-turn lane with a storage length of 200 feet be provided on Street A approaching SW 185th Avenue.
- The existing center two-way left-turn lane on SW 185th Avenue be re-stripped to provide a southbound left-turn lane at the intersection with 75 feet of storage.
- The new traffic signal will provide signal interconnect to the SW 185th Avenue corridor to the extent required by the County.

- G. *Mitigation Identification. In order to protect the public transportation system from potentially adverse impacts of the proposal, to fulfill an identified need for public services within the impacted area related to the development, or both, the Traffic Impact Analysis shall identify methods of mitigating on-site and off-site deficiencies for present and proposed phases of the development. The analysis shall make recommendations for improvements necessary for safe and efficient traffic flow and bicycle, pedestrian, and transit movement and access based on and roughly proportional to the identified impacts. Buildout Year, Long-Range Forecast Year, and project phasing impacts shall be considered. [ORD 4418; February 2007]*

Response: The mitigation elements identified in the Traffic Impact Analysis pertain to the intersection of Street A and SW 185th Avenue.

- H. *The traffic impact analysis shall discuss the estimated levels of impact, improvements, and mitigations, and shall demonstrate how the recommended mitigations are roughly proportional to the identified impacts. [ORD 4418; February 2007]*

Mitigation shall be consistent with improvements identified in the Comprehensive Plan Transportation Element. At a minimum, the Traffic Impact Analysis shall consider ultimate rights-of-way and additional streets, bicycle, and pedestrian connections and extensions and intersection improvements that are identified in the Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 and connections required by Section 60.55.25. of this code. Mitigation measures may also include, but are not limited to, additional street connections and street extensions, turn lanes, signalization, signal modifications, installation of medians, shared access and other access management strategies, geometric improvements such as lane geometry improvements, and intersection realignments.

Where stop-controlled intersections do not meet the minimum performance standard of Section 60.55.10.7., an additional street connection or a street extension shall be considered as a potential mitigation measure.

Response: The mitigation elements identified in the Traffic Impact Analysis pertain to the intersection of Street A and SW 185th Avenue and include signalization, turn lane provision and widening.

- I. **Recommendations.** *The Traffic Impact Analysis report shall clearly state the mitigation measures recommended by the analysis and shall summarize how the recommended mitigations are roughly proportional to the identified impacts. The recommended street and highway mitigation measures shall be shown on a scaled drawing that depicts existing and recommended improvements. [ORD 4418; February 2007]
[ORD 4061, 10/15/1999; ORD 4103, 05/04/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4418, 02/22/2007; ORD 4584, 06/01/2012; ORD 4706, 05/19/2017]
Effective on: 5/19/2017*

Response: Mitigation associated with the intersection of Street A and SW 185th Avenue is clearly described in the Traffic Impact Analysis.

60.55.25. Street and Bicycle and Pedestrian Connection Requirements.
[ORD 4302; June 2004]

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: This proposal has been designed to provide safe and efficient pedestrian, bicyclist and motor vehicle circulation and access. Connections for these modes of transportation have been included within streets included in this proposal as well as physically separate access for pedestrians, reducing the potential for pedestrian and vehicular conflicts.

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. [ORD 4822; June 2022]*

Response: Street A is identified in the Comprehensive Plan Transportation Element as a future Collector Street. This proposal has been designed to include Street A as a Collector street.

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: This proposal has been designed to include reasonably direct access for pedestrians, bicycles and motor vehicles, providing continuity of access to neighboring properties and abutting existing transportation systems.

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: This proposal has been designed with streets, bicycle and pedestrian connections extending to the property boundaries to existing streets abutting the site. In addition, this proposal has been designed to include pedestrian and bicycle connections internal to the site.

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: The Traffic Engineer did not determine that additional right-of-way is required for the existing streets that abut the site.

6. *Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.*

Response: While the site does not abut one (1) or more signalized intersections, the signalization of the intersection of Street A and SW 185th Avenue is included in this proposal. This proposal has been designed to include pedestrian connections that will converge with this intersection. This proposal has not been designed to include bicycle connections to exterior streets since there are no bicycle lanes or other bicycle infrastructure surrounding the site.

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: Bicycle and pedestrian connections included with this proposal connect to the on-site circulation system to existing streets. Connections are not included for driveways or parking lots on adjoining properties as adjoining properties are zoned and uses for residential purposes.

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: Not applicable. This proposal does not include or require the provision of a special setback line as the developed site will not be subject to requiring future construction of streets.

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. [ORD 4397; August 2006] [ORD 4697, December 2016]*

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.*

Response: Not applicable. Blocks lengths included with this proposal do not exceed 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.

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. [ORD 4397; August 2006] [ORD 4697; December 2016]*

Response: Not applicable. None of the conditions described in Section 60.55.25.14 exist at the site nor are there any block lengths included in this proposal which exceed 1,200 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.

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. [ORD 4397; August 2006] [ORD 4697; December 2016]*

Response: Not applicable. Street connections included in this proposal are not inhibited by conditions described in Section 60.55.25.14.

4. *The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.*

Response: Not applicable. Cul-de-sacs are not included in this proposal therefore accessway connections between cul-de-sacs do not apply.

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: This proposal involves a proposed development which includes a pedestrian-only connection to SW 182nd Avenue from a portion of the southwest property. Otherwise, roadway connections are included with this proposal which provide links to the surrounding roadway network.

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. [ORD 4652; March 2015]*

Response: Not applicable. The site is not located within the South Cooper Mountain Community Plan area.

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. [ORD 4332; January 2005]*

Response: Pedestrian accessways included with this proposal have been located to provide a reasonably direct connection between likely pedestrian and bicycle destinations. In addition, each intersection has been designed for this proposal to include ramps installed per Beaverton standards that allow for pedestrian crossing.

10. Pedestrian Circulation. [ORD 4487; August 2008]

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.*

Response: A pedestrian way connects to at least one (1) main entrance of each residential structure to at least one (1) 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.*

Response: Pedestrian ways which are included in subsection 1 have been designed to include hard-surfacing and a width of five (5) feet.

3. *In lieu of meeting the standards above, cottage clusters are subject to the pedestrian access standards in Section 60.05.60.3. [ORD 4822; June 2022]*

Response: Not applicable. The standards in subsection 1 and 2 are met by this proposal. Further, this proposal does not include the provision of cottage clusters.

B. Standards for Other Development. [ORD 4822; June 2022]

1. *Walkways are required between parts of a development where the public is invited or allowed to walk.*

Response: Walkways are included within the commercial mixed-use portion of the site included with this proposal.

2. *A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.*

Response: This proposal has been designed to include walkways every 300 feet of street frontage in addition to the sidewalks abutting the site within the commercial mixed-used portion of the

site. Direct walkway connections to the existing sidewalks abutting the site are not included within the single-detached dwellings included in this proposal.

3. *Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multi-dwelling, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development. [ORD 4822; June 2022]*

Response: Walkways connections included in this proposal are provided linking building entrances to one another, from building entrances to adjacent public streets and existing transit stops as well as planned internal walkways and existing surrounding pedestrian and bicycle facilities.

4. *Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.*

Response: This proposal has been designed to minimize the frequency of pedestrian crossings where vehicles operate.

5. *Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards. [ORD 4782; April 2020]*

Response: Walkways included in this proposal have been designed to include five (5) feet of unobstructed width throughout the development. Main Street has been designed to include wheel stops and bollards and ten- (10) foot sidewalks which will prevent parked vehicles from obstructing the walkway.

6. *The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.*

Response: This proposal has been designed to include ADA-accessible principal building entrances, walkways and connections to parking areas which serve the proposed development.

7. *On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.*

Response: This proposal has been designed to include lighting which has illumination in conformance with the requirements of this subsection.

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

A. *For development within 200 feet of a Major Transit Stop:*

1. *Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;*
2. *Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;*
3. *Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;*
4. *Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,*
5. *Provide lighting at the transit stop to City standards.*

Response: Not applicable. The site is not located at or within two (200) hundred feet of a Major Transit Stop.

B. *Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.*

Response: Not applicable. This proposal is not located within three hundred (300) feet of a Major Transit Stop.

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.*

Response: Not applicable. The site does not contain area identified in this subsection.

13. *"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: Not applicable. No mitigation measures are required for this proposal as there are no sensitive site-specific characteristics associated with the site.

14. *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: This proposal has been designed to exclude bicycle and pedestrian connections along rear lot lines.

15. *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;*

Response: Not applicable. There are no existing topographic conditions whereby slopes in excess of City standards inhibit street, bicycle and pedestrian connection from the site to surrounding streets.

- B. *Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,*

Response: Existing development to the south of the site precludes the extension roadway to connect to SW Jay Court.

- 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.*

[ORD 4061, 10/15/1999; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4332, 01/01/2005; ORD 4397, 08/10/2006; ORD 4487, 08/21/2008; ORD 4652, 03/06/2015; ORD 4697, 12/02/2016; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Response: Not applicable. There are no known leases, easements, covenants or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

60.55.30. *Minimum Street Widths.*

[ORD 4302; June 2004] Minimum street widths are depicted in the Engineering Design Manual. [ORD 4418; February 2007]

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. [ORD 4418; February 2007]*

Response: A project-specific modification included in this proposal involves Street A with the inclusion of parking lanes on each side of the roadway. For more dimensional information pertaining to Street A, see the plans (*Sheet C035*) included in this application submittal package.

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. [ORD 4418; February 2007]

Response: Not applicable. No modifications pursuant to this subsection are included or required for this proposal.

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. [ORD 4782; April 2020]
[ORD 3238, 01/28/1982; ORD 3494, 03/27/1986; ORD 3965, 11/07/1996; ORD 4061, 10/15/1999; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4365, 10/20/2005; ORD 4418, 02/22/2007; ORD 4782, 04/17/2020]
Effective on: 4/17/2020*

Response: This proposal has been designed to include street trees at a maximum of thirty (30) feet

60.55.35. *Access Standards.*
[ORD 4302; June 2004]

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: This application includes a development plan that demonstrates safe access to and from the site is facilitated by the street plan.

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. [ORD 4584; June 2012]*

Response: This proposal does not include twenty-five (25) or more dwelling units with access onto a closed-end street system.

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. [ORD 4462; January 2008]*

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. [ORD 4111; July 2000]*

Response: Not applicable. The site is not located within a Town Center or Regional Center therefore the sight distance clearance area requirements of this subsection do not apply.

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: Not applicable. The requirements specified in 60.55.35.3.A. do not apply to this proposal.

- 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. [ORD 4782; April 2020]*

Response: Not applicable. This proposal does not involve a highway interchange in the City.

- 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: This proposal has been designed to meet the required corner clearance for the intersection of Street A and SW 185th Avenue where signalization is planned as part of the proposed development.

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.

Response: This proposal has been designed to include Street A, a collector street, which includes connections to several local streets internal to the proposed development as well as connections to SW 185th Avenue and W Baseline Road.

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.*

[ORD 3494, 03/27/1986; ORD 4061, 10/15/1999; ORD 4103, 05/04/2000; ORD 4111, 07/14/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4418, 02/22/2007; ORD 4462, 01/10/2008; ORD 4584, 06/01/2012; ORD 4782, 04/17/2020]

Effective on: 4/17/2020

Response: No driveway connections from single-detached dwellings to Collector streets are included with this proposal.

60.55.40. Transit Facilities.

[...]

Response: Not applicable. This proposal does not involve transit routes or transit facilities.

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. [ORD 4584; June 2012]

[ORD 3740, 08/21/1990; ORD 4224, 09/19/2002; ORD 4348, 05/19/2005; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Response: This proposal involves the removal of community trees. Therefore, this code section applies to the proposed development.

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.

[ORD 3740, 08/21/1990; ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Response: The site contains community 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.
- 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: Not applicable. This proposal includes the removal of existing trees and does not include the pruning of existing trees.

2. **Removal and Preservation Standards.**

A. All removal of Protected Trees shall be done in accordance with the standards set forth in this section. [ORD 4697; December 2016]

Response: Not applicable. The site does not contain Protected Trees, therefore the standards of this section do not apply.

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

Response: Not applicable. This proposal does not include the removal of landscape or protected trees.

C. For SNRAs and Significant Groves, the following additional standards shall apply:
[...]

Response: Not applicable. The site does not contain SNRAs or Significant Groves.

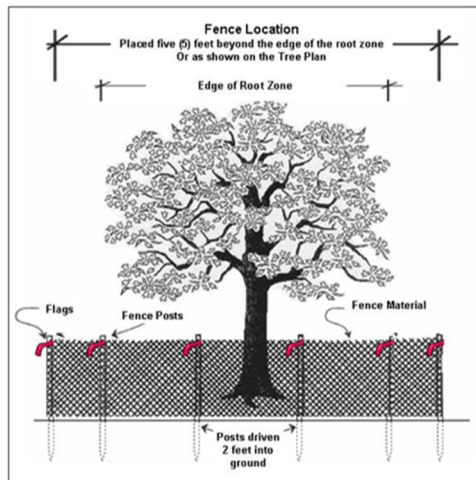
60.60.20. **Tree Protection Standards during Development.**

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

A. A construction fence must be placed around a tree or grove beyond the edge of the root zone. The fence shall be placed before physical development starts and remain in place until physical development is complete. The fence shall meet the following:

1. The fence shall be a four foot (4') tall orange plastic or snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy 12 gauge wire shall be strung between each post and attached to the top and midpoint of each post. Colored tree flagging indicating that this area is a tree protection zone is to be placed every five (5) linear feet on the fence to alert construction crews of the sensitive nature of the area.

Response: Construction fencing in compliance with this section will be included with this proposal as part of the site development.



2. *Other City approved protection measures that provide equal or greater protection may be permitted, and may be required as a condition of approval.*

Response: Alternative City approved protection measures are not included with this proposal at this time.

B. *Within the protected root zone of each tree, the following development shall not be permitted:*

1. *Construction or placement of new buildings.*
2. *Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval.*
3. *New impervious surfaces.*
4. *Trenching for utilities, irrigation, or drainage.*
5. *Staging or storage of any kind.*
6. *Vehicle maneuvering or parking*
[ORD 3740, 08/21/1990; ORD 3766, 03/02/1991; ORD 4224, 09/19/2002; ORD 4348, 05/19/2005; ORD 4584, 06/01/2012]
Effective on: 6/1/2012

Response: The prohibited activities listed within this section shall not be undertaken within the protected root zone of each tree that overlaps the site from trees located on adjacent property.

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.*
 - A. *All mitigation tree planting shall take place in conformance with accepted arboricultural practices and shall be spaced a minimum of ten (10) feet apart.*

Response: Not applicable. No Significant Individual Trees or trees within Significant Groves or SNRAs are located on site. Therefore, the standards pertaining to this section do not apply.

60.65. Utility Undergrounding

[ORD 4118; September 2000]

[ORD 4118, 09/14/2000; ORD 4224, 09/19/2002]

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.*

[ORD 4118, 09/14/2000]

Effective on: 6/1/2012

Response: This proposal has been designed to include underground utilities. For more information see the utility plans included in this application submittal package.

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.).

[ORD 4118, 09/14/2000]

Effective on: 6/1/2012

Response: This proposal involves activities subject to Design Review and Land Division, therefore the code provisions of this section pertain to the proposed project.

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.

- 1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a Collector or Arterial roadway, and City funded roadway projects which the City Council has specifically considered and declined to fund utility undergrounding as a component of the roadway project, Washington County funded roadway projects, such as MSTIP projects, and Oregon Department of Transportation funded roadway projects. [ORD 4343; April 2005] [ORD 4363; August 2005]*

Response: The Applicant acknowledges that this subsection does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets.

- 2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;*

Response: The Applicant acknowledges that it will make the necessary arrangements with the serving private utility services for the provision of internet cable.

- 3. The City reserves the right to approve surface mounted facilities;*

Response: The Applicant acknowledges that the City is the approval authority for surface mounted facilities.

- 4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and*

Response: The Applicant acknowledges that all public and private utilities must be constructed or installed prior to the final surfacing of the streets.

5. *Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.*

Response: This proposal has been designed to for service connections. Street stubs are not included with this proposal. Instead, street connections are included with this proposal.

6. *Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.*

Response: The Applicant acknowledges that it is responsible for undergrounding utilities unless there is an existing franchise agreement between the City and the particular private utility, or PUC rule.

7. *If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.*

*[ORD 4118, 09/14/2000; ORD 4343, 04/28/2005; ORD 4363, 09/15/2005]
Effective on: 6/1/2012*

Response: The Applicant acknowledges that it has the financial responsibility for the construction of private utility provision of underground installation additional is required to accommodate extra capacity beyond those necessitated by the proposed development. This is not at this time anticipated for this proposal.

60.65.20. *Information on Plans.*

The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. *Easements for all public and private utility facilities;*
2. *The location of all existing above ground and underground public and private utilities within 100 feet of the site;*
3. *The proposed relocation of existing above ground utilities to underground; and*
4. *That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code. [ORD 4697; December 2016]*

*[ORD 4118, 09/14/2000; ORD 4697, 12/02/2016]
Effective on: 12/2/2016*

Response: This required information is depicted in the plans included in this application submittal package.

60.65.25. *Optional Fee In Lieu of the Undergrounding Requirement.*

[...]

Response: Not applicable. The Applicant does not currently contemplate a fee in lieu of undergrounding utilities.

60.65.30. Fees to be Paid In-Lieu of Undergrounding.
[...]

Response: Not applicable. The Applicant does not currently contemplate a fee in lieu of undergrounding utilities. Therefore, the fees associated with the optional fee-in-lieu of undergrounding utilities do not apply.

III. CONFORMANCE WITH THE COMPREHENSIVE PLAN

This proposal has been designed in conformance with the long-range guidance on development in the City of Beaverton is contained within the Comprehensive Plan 2035. The following discussion describes the applicable guiding land use and transportation elements of the Comprehensive Plan 2035.

B. LAND USE ELEMENT

Under the provisions of the Development Code of the City of Beaverton (herein after interchangeably referred to as BDC or Code), the applicable approval criteria must be met for land use development application submittals which includes demonstrating that the threshold requirements are met, payment of required City application fees required and corroboration that the proposal is consistent with the relevant provisions of the Code. This proposal triggers the following land use applications:

Chapter 3 Land Use Element

3.1.1. Encourage development and land use patterns that support a variety of transportation options

Policy a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.

Response: This proposal has been designed to include pedestrian pathways throughout the site, connecting to sidewalks that are included along private and public streets as well as sidewalks along the surrounding public streets SW 185th Avenue, W Baseline Road, SW 181st Avenue and SW 179th Street.

Policy b) Encourage development and programs that reduce the need for vehicle use and ownership.

Response: This proposal has been situated within proximity of a light rail station and bus stops, providing multi-modal opportunities of transportation.

Policy c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.

Response: This proposal has been designed to include safe, comfortable and direct pedestrian and connections. There are no surrounding bicycle facilities, therefore, this proposal has not been designed to provide bicycle pathways that connect to the greater surrounding area.

Policy d) Apply land use designations and development regulations that support high-density development near transit and services, in order to provide greater opportunities to live, work, and meet daily needs near transit.

Response: The site was assigned dual zoning designations of Station Community – Mixed Use (SC-MU) and Station Community – High Density Residential (SC-HDR) when it was annexed to the City on February 7, 2023 (ANX2022-0007). This proposal involves a request to reconfigure the site zoning. Both underlying

zoning districts are subject to a minimum density of twenty-four (24) dwelling units per acre when a site is located greater than four-hundred (400) feet from a light rail station (LRT). The SC-HDR and SC-MU designations do not have a maximum residential use density.

Policy e) Encourage increased intensity of development within Mixed Use, Commercial, and Employment areas that are located within a half-mile of high capacity transit stops or stations, such as MAX and WES.

Response: The site is located within a half-mile of a MAX light rail station.

Policy f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.

Response: Bus no. 52 stops adjacent to the site along SW 185th Avenue. A direct pedestrian pathway from the site is included with this proposal which connects to the existing sidewalk fronting along SW 185th Avenue, including the bus stop location.

Policy g) Encourage providing amenities for transit users at transit stops or stations, such as food carts and coffee stands, covered benches, trash/recycling receptacles, and lighting.

Response: An existing light pole is located within approximately forty (40) feet of the bus stop bench and will be retained with the proposed development. Otherwise, amenities for transit users are not included in this proposal.

Policy l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.

Response: This proposal has been designed to situate automobile access and parking areas that are not in conflict with pedestrian and multi-modal transit users.

Goal 3.3.1. Promote sustainable development, resilience and resource protection

Policy a) Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

Response: This proposal involves development within an existing urban area and as such will contribute to relieving development pressure in rural areas.

Goal 3.6.1 Support Pedestrian Oriented Mixed-Use Areas

Policy a) Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.

Response: This proposal involves the provision of a mix of commercial and residential uses that are accessible by pedestrian, transit and vehicular users.

Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.

Response: The various types of residential dwelling units included have been located within walking distance of one another and are connected by a series of pedestrian pathways and sidewalks.

Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.

Response: This proposal does not include auto-oriented commercial uses.

Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:

- i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development*

Response: This proposal includes a pedestrian-oriented design whereby the mixed use buildings are located adjacent to an interconnected network of sidewalk and pedestrian pathway areas which connect to sidewalks along SW 185th Avenue and W Baseline Road.

- ii. Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks*

Response: Landscaping, grade changes and modest setbacks are included with this proposal in order to provide privacy to residential buildings with window and doors facing the street.

- iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)*

Response: This proposal has been designed to include complete streets and sidewalks internal to the site and which connect to surrounding area roadways and sidewalks. In addition, this proposal has been designed minimize conflicts between pedestrian and vehicular traffic.

Goal 3.6.4 Station Communities: Encourage development and redevelopment around light rail stations that leverages proximity to light rail as an amenity for urban living/working and supports a variety of transportation modes

Policy a) Encourage vertical mixed use development that provides for street-level retail while accommodating housing or office uses above, to support businesses that rely on foot traffic.

Response: This proposal has been designed to include four (4) mixed use commercial-residential uses whereby the first floor includes commercial uses and subsequent floors contain residential apartments.

Policy b) Incorporate high-density residential development, particularly within a half-mile walking distance of the light rail station, to provide the highest accessibility to light rail to the greatest number of households.

Response: High density residential development is included in this proposal within the four (4) mixed use buildings and include 348 apartment units. This proposal has been designed to include 533 dwelling units within about a half-mile from a light rail station.

Policy c) Encourage new multi-story commercial / employment development that increases the number of employees who have direct and convenient access to transit.

Response: The mixed-use commercial-residential buildings included with this proposal will provide employment opportunities within close proximity to transit.

Policy d) Limit surface parking to encourage compact development and reduce the space between buildings to support walking between destinations.

Response: This proposal has been designed to limit surface parking to the commercial mixed use area of the site as well as the public roadway transecting the site, connecting to SW 185th Avenue and W Baseline Road.

Policy e) Within a half-mile of the light rail station platform and along routes that are likely to be used by pedestrians to access public transportation, require development to provide the pedestrian-oriented design features such as windows, awnings, detailed building facades and street furniture.

Response: This proposal has been designed to include pedestrian-oriented design features such as windows and detailed building facades.

C. HOUSING ELEMENT

Chapter 4 Housing Element)

Goal 4.1.1 Provide an adequate supply of housing to meet future needs

Policy a) Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate

Response: This proposal will provide new residential development which will add 533 dwelling units to a site previously used as a plant nursery and will make available land to use within the city for residential use.

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: This proposal constitutes an infill development which will capitalize on existing infrastructure. Public water, sewer, storm and roadways are available to the site. surrounding uses include development

Goal 4.1.1 Provide an adequate supply of housing to meet future needs.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: This proposal includes the provision of 533 new dwelling units within a half-mile of a light rail transit station in addition to commercial use area.

Goal 4.2.1 Provide a variety of housing types that meet the needs and preferences of residents.

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs, including an adequate amount of detached single family housing to meet projected demand.

Response: This proposal includes a variety of housing types including single-family residential housing.

Policy f) Encourage the development of a variety of housing types within planned unit developments and other large projects, which can serve to improve the aesthetic character of the neighborhood and provide housing choices for different income levels.

Response: This proposal includes a variety of housing types within a planned unit development project and includes single-family detached, townhouse and apartment housing.

Goal 4.5.1 Livability

Policy a) Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources and scenic view corridors

Response: This proposal has been designed with a neighborhood character and includes multi-modal connections throughout the site which connect to external sidewalks and roadways.

Policy e) When considering comprehensive plan and zoning map amendments, address the potential impacts of densification, including increased traffic and noise, on established neighborhoods

Response: This proposal includes a zoning map amendment to reconfigure the existing locations of the Station Community – High Density Residential (HDR) and Station Community-Mixed Use (SC-MU) zoning designations. This reconfiguration will maintain compliance with the comprehensive plan which designates the site for residential use.

Policy g) Work with regional partners to improve bicycle and pedestrian access to nearby parks, schools, and neighborhood services and provide increased opportunities for healthy active living

Response: This proposal has been designed in conformance with City of Beaverton and Washington County comprehensive plans, transportation elements.

Policy h) Encourage a compact mix of uses at the neighborhood level that increase the number of local jobs and services, and reduce impacts to the city’s transportation system.

Response: This proposal includes mixed use of commercial and residential uses at a neighborhood level which will facilitate the creation of jobs and reduce impacts to the city’s transportation system as existing light rail and bus transportation are located nearby.

D. ACTIVE TRANSPORTATION ELEMENT

Chapter 6 Transportation Element

Goal 6.2.1 Goal: Transportation facilities designed and constructed in a manner to enhance Beaverton’s livability and meet federal, state, regional, and local requirements.

Policy a) Maintain the livability of Beaverton through proper location and design of transportation facilities.

Response: This proposal includes the provision of roadways, sidewalks and pedestrian pathways which provides connectivity within the site and to the abutting roadways and sidewalks.

Policy e) Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.

Response: This proposal has been designed to meet City and County traffic safety standards with the inclusion of adequately spaced roadways and traffic calming measures as recommended by the traffic engineer in their Traffic Impact Analysis in this application submittal package.

Policy f) New commercial and industrial development shall identify traffic plans for residential streets where increased cut-through traffic may occur due to the proposed development.

Response: This proposal has been designed with five (5) connections to surrounding public streets and are included meeting the spacing and other intersection requirements of the applicable City and County design standards.

Goal 6.2.2 Goal: A balanced multimodal transportation system that provides mobility and accessibility for users.

Policy c) Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.

Response: This proposal has been designed to include housing in close proximity to an existing light rail train station and bus station, providing future residents with convenient access to different transportation options.

Policy d) Design sidewalks and the pedestrian access systems to City standards to enhance walkability: complete the accessible pedestrian network, provide safe direct access to transit and activity centers, and provide safe crossings at intersections with pedestrian friendly design.

Response: This proposal has been designed to be pedestrian-oriented with the inclusion of sidewalks along all non-alleyway streets and pedestrian pathways which connect to external abutting sidewalks.

Policy e) Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, commercial, employment, and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs.

Response: Access to surrounding areas are facilitated by the proposed development with the inclusion of pedestrian, bicycle and motor vehicle connections. This proposal has been designed with park and recreational areas are included with this proposal. In addition, public transit is located within close proximity to the site which provides additional options for connectivity with the greater community.

Policy f) Develop neighborhood and local connections to provide convenient circulation into and out of neighborhoods. Work to prevent and eliminate pedestrian and bicycle “cul-de-sacs” that require substantial out-of-direction travel for pedestrians and bicyclists.

Response: This proposal has been designed with several sidewalk connections to abutting existing sidewalks. In addition, this proposal has been designed with pedestrian and bicycle connectivity which facilitates in- and out-direction of travel.

Policy g) Identify specific areas within the City where pedestrian needs and the pedestrian experience should be given highest priority in the design of streets, parking, intersections, connectivity, signal controls, mapping and signing, and other transportation facilities.

Response: This proposal has been designed to include pedestrian facilities throughout in order to meet the needs of future residents and surrounding residential neighborhoods. While the site is not part of an area identified by the City where there are unmet pedestrian needs, this proposal includes street, parking, intersections and multi-modal connectivity to the greater area.

Policy h) The permanent closure of an existing road in a developed neighborhood is not recommended and will be considered by the City only under the following circumstances: as a measure of last resort, when the quality of life in the neighborhood is being severely threatened by excessive traffic volumes or the presence of a traffic safety hazard; or, as part of a plan reviewed through the City's land use, site development, and/or capital improvement process(es). Maintain existing neighborhood connectivity by avoiding closures of existing streets except when the closure is part of a larger plan for improvements to the neighborhood.

Response: Not applicable. This proposal does not include the closure of an existing road in a developed neighborhood and instead includes the provision of new roadways some of which include extensions for existing roadways from existing abutting developed neighborhood roads.

Policy i) Design streets to accommodate transit while minimizing impacts to traffic flow.

Response: This proposal has been designed to include internal roadways to the site which link to existing abutting roadways. No changes are required or included with this proposal to the existing nearby transit stops for bus and rail.

Policy j) Require developers to include pedestrian, bicycle, and transit-supportive improvements within proposed developments and adjacent rights-of-way in accordance with adopted policies and standards.

Response: This proposal has been designed to include pedestrian, bicycle, and transit-supportive improvements within proposed developments and adjacent rights-of-way in accordance with adopted policies and standards.

Goal 6.2.3 Goal: A safe transportation system.

Policy b) Design streets to serve anticipated function and intended uses as determined by the Comprehensive Plan.

Response: This proposal has been designed to include streets in accordance with the appropriate functional classification for their intended uses as determined by the Comprehensive Plan.

Policy c) Enhance safety by prioritizing and mitigating high crash locations within the City.

Response: While the site is not located within a high crash location in the City, this proposal has been designed to include safety measures benefitting pedestrians, bicyclists and motor vehicles.

Policy d) Designate safe walkway and bikeway routes from residential areas to schools, parks, transit, and other activity centers.

Response: This proposal has been designed to include walkways physically separated from vehicular traffic which will help ensure safe walking conditions. This proposal has also been designed to include bicycle routes internal to the site within pathways and along roadways which have limited access to existing abutting roadways. Furthermore, the roadways included in this proposal have been designed to be classified with a lower functional classification which are designed to encourage lower motor vehicular speeds.

Policy e) Construct multi-use paths only where they can be developed with satisfactory design components that address safety, security, maintainability, and acceptable uses. Multiuse paths should converge at traffic-controlled intersections to provide for safe crossing, and paths should be separate and

distant from major streets for most of their length. Mid-block crossings for trails access, such as the Denney Road Fanno Creek Trail crossing, will be considered as appropriate where findings for safety are met and such crossings are approved by the City.

Response: The pathways included in this proposal facilitate multi-modal access for pedestrians and bicyclists and are connected across roadways by means of crosswalks. This proposal does not include or require provisions for trail access.

Policy f) Provide satisfactory levels of maintenance to the transportation system in order to preserve user safety, facility aesthetics, and the integrity of the system as a whole

Response: This proposal has been designed to include improvements to existing abutting roadways as well as the provision of new roadways internal to the site. These improvements will help enhance the existing transportation system.

Policy g) Maintain access management standards for streets consistent with City, County, and State requirements to reduce conflicts among vehicles, trucks, rail, bicycles, and pedestrians. Preserve the functional integrity of the road system by limiting access per City standards.

Response: This proposal has been designed to include streets which are consistent with applicable City, County and State requirements to reduce multi-modal transportation conflicts and meet all access management standards.

Policy h) Ensure that adequate access for emergency services vehicles is provided throughout the City.

Response: This proposal has been designed to meet the emergency service vehicle requirements. The Tualatin Valley Fire and Rescue in their Service Provider Letter included in this application confirm that this proposal has been designed to facilitate the required emergency fire access to the site.

Goal 6.2.5 Goal: Transportation facilities that serve and are accessible to all members of the community.

Policy a) Construct transportation facilities, including access to and within transit waiting areas, to meet the requirements of the Americans with Disabilities Act.

Response: This proposal does not include the construction of public transportation; however, it includes accessible pedestrian connections to the existing bus stop adjacent to the site along SW 185th Avenue.

IV. CONCLUSION

This written narrative and all other required items listed within the approval and submittal requirements for a Conditional Use (Planned Unit Development), Design Review Three, Land Use Division – Preliminary Subdivision, Tree Plan Two and a Zoning Map Amendment have demonstrated that this proposal meets all relevant approval criteria and applicable development standards for the underlying Station Community – High Density Residential (HDR) and Station Community – Multiple Use (SC-MU) zoning designations. Additionally, the proposal forwards several of the City’s Comprehensive Plan Elements and Guidelines.