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MODIFICATION OF FOX HOLLOW AT COOPER MOUNTAIN PUD

CITY OF BEAVERTON

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SDI Project #: NCH002

REQUESTS:

1. Modification of Conditional Use – Planned Unit Development [CU2018-0001]
2. Modification of Preliminary Subdivision [LD2018-0005]



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I. PROPOSED DEVELOPMENT AND EXISTING CONDITIONS

TNHC Oregon LLC (“Applicant”) plans to modify the approved planned unit development and subdivision for the Fox Hollow at Cooper Mountain Planned Unit Development (PUD) (CU2018-0001 and LD2018-0005) to include:

1. **Density adjustment:** The original approval included 461 lots consisting of 224 single-family detached lots, 57 single-family attached lots, a 180-unit multi-family development, and two (2) lots intended for a future school and park. This proposal includes the provision of 323 small, standard, and alley-loaded, single-family detached lots, and a lot for a future school and a lot for a future park. The minimum required residential density for the site is 235 units and there is no maximum, therefore the proposal meets the density requirement.
2. **Dwelling type adjustment:** Three (3) housing types that were previously included in the approved development, i.e., Single Family, Townhouse, and Multi-Family. The Applicant is proposing to include different housing types with this modification which include Standard Lot Single Family, Small Lot Single Family, and Alley-Loaded Dwelling.
3. **Phase line adjustments:** Adjust the phase line between Phases 5 and 6 in addition to the phase line between Phases 9 and 10 and between 10 and 13.
4. **Lot line adjustments:** A portion of Phases 8-10, 12, and 13 approved lot lines will be shifted approximately one (1) to two (2) feet to accommodate different widths of detached single-family homes.
5. **Modification of Condition of Approval:** Change in Open Space Areas Items B.2.d and e – active and passive open space square footages to increase the area included with this proposal.
6. **Setback Adjustment:** Reduce the sideyard setbacks for the RMA zone to 3-feet.

The site is located north of SW Scholls Ferry Road and west of SW Tile Flat Road. The site location is further identified as plat map 1S131000, tax lots 2000, 2100, 2200, 2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200, 3300 and 3400. The underlying zoning for the site is comprised of R2 (Phase 5, 6 and 7), R4 (Phase 3 and 8), R5 (Phase 1, 2, 4, 9, 11 and 12) and R7 (Phase 10, 13, 14 and 15). Phases 1,2 and 15 have been mass graded. Otherwise, Phases 3-15 remain unimproved and sparsely vegetated.

Under the current Development Code, the R2 zone is now the RMA Zone, R4 and R5 are now the RMB Zone, and R7 is now the RMC Zone. The new Development Code applies only to the phases that are proposed to change. Phases that will not be changed will remain under the previous code under which the original PUD was approved.

Existing surrounding land use consists of the agriculture to the north and west of the site. Planned residential development exists to the north, east and south of the site. Existing surrounding development consists of single-family residential housing.

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 application has been prepared in conformance with the current Code and triggers the following land use applications:

- Modification of Conditional Use – Planned Unit Development (CU2018-0001)
- Modification of Land Use Division – Preliminary Subdivision (LD2018-0005)

The subsequent narrative addresses this proposal’s compliance with all *applicable* conditions for approval for the proposed development pursuant to each above-listed application types and all applicable sections of the 2019 Development Code.

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

CHAPTER 20 – LAND USES

20.05. Residential Areas

The areas of the City that are designated as residential densities implement the policies of the City's Comprehensive Plan and are identified on the City's Zoning Map. Full urban services are to be provided. Four residential zones establish varied levels of residential densities and uses. [ORD 4822; June 2022]

Response: The new Zone codes apply only to the phases that are proposed to change. Phases that will not have any changes will remain under the previous code under which the original PUD was approved.

20.05.10. Purpose

1. MR Multi-Unit Residential

The MR District is intended to result in predominantly attached residential developments with the highest number of units per acre of Beaverton's residential zones. [ORD 4584; June 2012] [ORD 4822; June 2022]

Response: Not applicable. This proposal does not include areas located within the MR Multi-Unit Residential District.

2. RMA Residential Mixed A

The RMA District is intended to allow a mix of housing types, including detached and attached housing at the second-highest number of units per acre of Beaverton's residential zones. [ORD 4584; June 2012] [ORD 4822; June 2022]

Response: Under the new code in effect, the R2 zone is now the RMA Zone. As such, Phases 5, 6, and 7 are in the RMA Zone.

3. RMB Residential Mixed B

The RMB District is intended to allow a mix of housing types, including detached and attached housing, at the third-highest number of units per acre of Beaverton's residential zones. [ORD 4584; June 2012] [ORD 4822; June 2022]

Response: Under current zoning, the former R4 and R5 zoning districts are now designated as the RMB District. Phases 1-4, 8, 9, 11 and 12 are in the RMB Zone, though changes are only proposed for Phases 8, 9 and 12.

4. RMC Residential Mixed C

The RMC District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Beaverton's residential zones. [ORD 4584; June 2012] [ORD 4822; June 2022]

Response: Area previously zoned R7 is now designated as the RMC District; Phases 10, 13, 14 and 15 are included in the RMC Zone, though changes are only proposed for Phases 10 and 13.

20.05.15. Site Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below. [ORD 4584; June 2012] [ORD 4652; March 2015] [ORD 4697; December 2016]

20.05.15 Residential Site Development Standards				
Superscript Refers to Footnotes	MR	RMA	RMB	RMC
A. Minimum Land Area ¹ (square feet)	1,000/unit	2,000/unit	N/A	N/A
B. Minimum Lot Area ^{2, 3} (square feet)				
Single-Detached and Duplex	N/A	1,500	3,000	5,000
Triplex and Quadplex		3,000	4,000	5,000
Townhouse		1,100	1,300	1,500
Cottage Cluster		7,000	7,000	7,000
C. Maximum Residential Density	Refer to Sections 20.25.05. and 20.25.15.B.	N/A	N/A	N/A
D. Minimum Residential Density (units per acre) ⁴	Refer to Section 20.25.05	17	10	7
E. Minimum Lot Width ^{3, 6}	14	14	20	20
F. Minimum Yard Setbacks ^{3, 18}				
1. Front	10	10	10	10
2. Side	0, 3 or 5 ⁷	0, 3 or 5 ⁷	0, 3 or 5 ⁷	0, 3 or 5 ⁷
3. Rear	15	15 ⁸	15 ⁸	15 ⁸
4. Garage ⁹	5 or 18.5 ¹⁰	5 or 18.5 ¹⁰	18.5	18.5
5. Garage Door to Rear ¹¹	22	22	22	22
6. Minimum Between Buildings ¹²	6	6	6	6

20.05.15 Residential Site Development Standards				
Superscript Refers to Footnotes	MR	RMA	RMB	RMC
G. Building Height				
1. Maximum ¹³	60	40	35 ¹⁴	35 ¹⁴
H. Maximum Floor Area Ratio (FAR) ^{3, 15, 16, 17}	Refer to Sections 20.25.10 and 20.25.15.			
1. Single-Detached Dwelling	N/A	1.40	0.80	0.60
2. Duplex	N/A	1.60	0.90	0.65
3. Triplex and Quadplex	N/A	1.60	1.20	0.90
4. Townhouse	N/A	N/A	N/A	N/A
5. Cottage Cluster	N/A	N/A	N/A	N/A
All Dimensions are in Feet.				
<p>[ORD 4652; March 2015] [ORD 4654; March 2015] [ORD 4659; July 2015] [ORD 4697; December 2016] [ORD 4702; January 2017] [ORD 4804; August 2021] [ORD 4822; June 2022]</p> <p>1. Minimum land area per dwelling unit in the MR zone and for only multi-dwellings in the RMA zone. [ORD 4584; June 2012] [ORD 4822; June 2022]</p> <p>2. Minimum land area per lot in the RMA, RMB, and RMC zones; except, minimum land area per dwelling unit applies to multi-dwellings in the RMA zone. Minimum lot area standards apply to land divisions, (except middle housing land divisions). For middle housing, the standards also determine the minimum lot size needed for each middle housing type to be built on an existing lot. [ORD 4822; June 2022]</p> <p>3. If a duplex, triplex, quadplex, or cottage cluster has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots. [ORD 4822; June 2022]</p> <p>4. Refer to Section 20.25.05.D for exceptions to minimum density standards in the RMA, RMB, and RMC districts. [ORD 4822; June 2022]</p> <p>5. [Footnote repealed and reserved.] [ORD 4822; June 2022]</p> <p>6. Corner lots may need to provide a greater minimum lot width to accommodate the sight clearance areas specified in the Engineering Design Manual. [ORD 4822; June 2022]</p> <p>7. Side setbacks are 5 feet except when a different dimension is described in this footnote. For townhouses, the minimum side setback is zero for the attached side of the townhouse and 5 feet for sides that are not attached. For land divisions, except for townhouses or middle housing land divisions, the perimeter side setbacks are 5 feet, but side setbacks internal to the land division may be reduced to 3 feet with a total of 6 feet between buildings. In no case shall a building encroach into a Public Utility Easement (PUE). [ORD 4822; June 2022]</p> <p>8. The minimum rear setback to cottage cluster dwellings is 10 feet. [ORD 4822; June 2022]</p> <p>9. Carports shall meet the same yard setbacks as the dwelling. Garage setbacks shall be measured from the elevation containing the garage door and vehicle entrance of carports to the property line. For all other garage elevations, the building setback applies.</p> <p>10. Either no greater than 5 feet or a minimum of 18.5 feet.</p> <p>11. Measured from garage door elevation to opposite side of the alley right-of-way, common accessway, common driveway, or access easement line.</p>				

20.05.15 Residential Site Development Standards				
Superscript Refers to Footnotes	MR	RMA	RMB	RMC
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				

20.05.15.A. Minimum Land Area

Response: Not applicable. Minimum land area per dwelling unit applies to the MR Zone which is a zone not included in this project. In addition, this standard applies to multi-dwellings in the RMA zone. This proposal does not include multi-dwelling units.

20.05.15.B. Minimum Lot Area

Response: Lot area minimums pertaining to the single-detached housing in the Phases that are proposed to change, which includes the following:

Phases	Former Zone	Current Zone	Current Zone Size Requirement
5,6 & 7	R2	RMA	1,500 square feet
8, 9 & 12	R4 and R5	RMB	3,000 square feet
10, 13, 14 & 15	R7	RMC	5,000 square feet

The lot sizing standard modified within the approved PUD and under the current Development Code are met by this proposal. Lot sizes included in this proposal have been designed to include lot sizing ranging from 2,336 square feet to 3,955 square feet in the RMA Zone, 3,272 square feet to 11,364 square feet in the RMC Zone.

This proposal does not include a middle housing land division and as such the standards pertaining to middle housing do not apply to this proposal.

20.05.15.C. Maximum Residential Density

Response: There is no maximum residential density for the underlying RMA, RMB and RMC Zones.

20.05.15.D. Minimum Residential Density (units per acre)

Response: The following table demonstrates that the required minimum residential density is met with this proposal:

Phases	Former Zone	Current Zone	Min. Residential Density	Proposed Residential Density
5,6 & 7	R2	RMA	17 units/acre	TOTAL ACREAGE: 13.70 acres (5.54 net acres) 0 (Phase 5: Stormwater Facilities & Open Space) 56 (Phase 6); 43 (Phase 7)
3 & 8	R4	RMB	10 units/acre	TOTAL ACREAGE: 15.59 acres (2.75 net acres) 0 (Phase 3: Future School); 26 (Phase 8)
1, 2, 4, 11 & 12	R5			TOTAL ACREAGE: 13.66 acres (7.85 net acres) 21 (Phase 1); 42 (Phase 2); 0 (Phase 4:Future Park) 7 (Phase 9); 8 (Phase 11); 11 (Phase 12)
10, 13, 14 & 15	R7	RMC	7 units/acre	TOTAL ACREAGE: 19.99 acres (13.91 net acres) 33 (Phase 10); 31 (Phase 13); 25 (Phase 14); 20 (Phase 15)

20.05.15.E. Minimum Lot Width

Response: This proposal has been designed to include no lot under thirty-two (32) feet in width.

Required Lot Width(Feet)							
	RMA	Formerly R2	RMB	Formerly R4	Formerly R5	RMC	Formerly R7
Interior	14	14	20	40 feet (detached dwellings)	15	20	65
Corner	14	14	20	40 feet (detached dwellings)	0	6	70

20.05.15.F. Minimum Yard Setbacks

Response: This proposal has been designed to meet the setbacks in the approved PUD as follows:

<i>Required Lot Setbacks (Feet)</i>							
<i>Setbacks</i>	<i>RMA</i>	<i>Formerly R2</i>	<i>RMB</i>	<i>Formerly R4</i>	<i>Formerly R5</i>	<i>RMC</i>	<i>Formerly R7</i>
<i>Front</i>	10	8 (10 along Barrows)	10	8 (10 along Barrows Road)	12	10	12 (25 north)
<i>Garage⁹</i>	5 or 18.5 ¹⁰	18.5	5 or 18.5 ¹⁰	20	20	5 or 18.5 ¹⁰	20
<i>Garage Door to Rear¹¹</i>	22	4 (Rear Garage) 28 (Between alley loaded townhomes)	22	4 (Rear Garage) 28 (Between alley loaded townhomes)	4 (Rear Garage) 28 (Between alley loaded townhomes)	22	4 (Rear Garage) 28 (Between alley loaded townhomes)
<i>Between Buildings¹²</i>	6	--	6	--	--	6	--
<i>Side</i>	0, 3 or 5 ⁷	0/4/8	0, 3 or 5 ⁷	3/8	4/8	0, 3 or 5 ⁷	5/8
<i>Rear</i>	15 ⁸	12 (May be reduced to 4)	15 ⁸	15 (May be reduced to 4)	15 (May be reduced to 4)	15 ⁸	5

20.05.15.G. Building Height

Response: This proposal has been designed to comply with the approved building height maximums approved with the 2018 PUD.

<i>Zoning District</i>	<i>Height</i>
<i>RMA (R2)</i>	52
<i>RMB (R4)</i>	47
<i>RMB (R5)</i>	47
<i>RMC (R7)</i>	47

20.05.15.D. Maximum Building Floor Area Ratio

Response: This proposal is situated within the RMA, RMB and RMC zones. However, only the portions of the proposal which are proposed to change from the approved PUD are subject to the subject to floor area ratio (FAR). Phases 5, 6 and 7 are subject to the maximum FAR of 1.40. At this time the anticipated gross floor area is calculated as follows:

The net area is 5.54 acres for Phases 5, 6 and 7 and each building is anticipated to be 1,597 square feet.

Plan 2410-----1,597 square feet x 51 lots=81,447 square feet

Plan 2410TU—1,975 square feet x 48lots=94,800 square feet

Total floor area = 176,247 square feet

176,247/241,322(5.54*43560)=0.73.

The maximum FAR for the RMA zone is 1.40 and this is met by this proposal.

20.05.20. Land Uses

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for Residential Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.05.25. [ORD 4584; June 2012]

Table 20.05.20.A Residential - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions		
		RMA	RMB	RMC
Residential				
2. Dwellings	C. Detached ¹²	P	P	P
	G. Planned Unit Development	C	C	C
Civic				
8. Education	A. Educational Institutions	C	C	C

Response: This proposal involves detached single-family dwellings within a Planned Unit Development (PUD) as well as area reserved for a future school, both of which are approved conditional uses for the Fox Hollow at Cooper Mountain – PUD (CU2018-0001 and LD2018-0005).

20.25. Density and Bulk

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: [ORD 4822; June 2022]

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.

Response: This proposal involves the following acreage and net acreages for the proposed residential portion of the development. Acreage that is intended for future school and park use is excluded.

Zone (Previous Zone)	Size (Acres)	Net Acreage
RMA (R2)	5.54	4.43
RMB (R4)	2.75	2.20
RMB (R5)	7.85	6.28
RMC (R7)	13.91	11.13

- 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: This proposal has been designed to meet the minimum density requirements with the inclusion of 323 new dwelling units. The total minimum allowable density for the site is 235 dwelling units and there is no maximum density. In addition, since changes to Phases 5, 6 and 7 are included in this proposal, the current Development Code has been applied to minimum residential density pertaining to Phases 5, 6 and 7 since modifications to these phases are included in this proposal.

Zone (Previous Zone)	Size (Acres)	Net Acreage	Required Density	Proposed Density
RMA (R2)	5.54	4.43	129	99
RMB (R4)	2.75	2.20	24	26
RMB (R5)	7.85	6.28	55	89
RMC (R7)	13.91	11.13	69	109
TOTAL	30.05	24.04	277	323

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: This is addressed in the response included above for Section 20.25.1.A.b. above.

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: All residential density minimum calculations have been rounded to the nearest whole number.

- 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: This proposal includes the use of density averaging for the RMA-zoned property as it does not on its own meet the required minimum residential density. Overall, minimum residential site density of 251 lots is met with the inclusion of 323 residential lots.

- 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: This proposal has been designed in conformance with the South Cooper Community Plan zoning designations included in Table 2.

Table 2: Land Use Designations and Capacity Estimates

Land Use Designation	Gross Acres ¹⁷	Gross Residential Acres ¹⁸	Net Residential Acres ¹⁹	Assumed Mix of Zones	Estimated Housing Capacity (units) ²⁰	Minimum Housing Capacity (units) ²¹
High Density	122	66	31	100% R-1	1,250	1,080
Medium Density	220	206	111	30% R-2 70% R-4	1,570	1,260
Standard Density	182	170	95	30% R-5 70% R-7	660	530
Main Street	10	0	0	100% NS	N/A	N/A

- 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.*
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.*

Response: This proposal does not involve existing single-detached dwellings. This proposal includes new residential development through residential subdivision.

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 Type 2 and Type 3 land use applications: all Conditional Use, Design Review Two, 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]

Response: This proposal requires review by the Facilities Review Committee as this land use application includes applications for Conditional Use – Planned Development, 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 updated service provider letters from the Beaverton School District, Clean Water Services and the Tualatin Valley Fire & Rescue (TVFR).

Changes to the provision of essential facilities and services for Phases 5, 6 and 7 consist of the following:

Streets (Land Use Plans, Sheets 3, 4 and 6):

- Removal of the private street connection to Tract 'F' and SW Alvord Lane and replacement with Tract 'I' (Phase 6).
- Provision of Tract 'J' connecting the new private alleyway to SW Howlock Lane (Phase 6).
- Alignment of private street Tract 'I' with Tract 'H' which connects to SW Alvord Lane to the south and SW Yamsay Street to the north (Phase 7). The north-south street connection between Tract 'F' and W Alvord Lane with the approved PUD was originally offset and did not provide for a smooth transition.
- Inclusion of an east-west private alleyway between lots 225-238 (Phase 7).
- Inclusion of an east-west private alleyway between Lots 252-268 (Phase 7).

Utilities (Land Use Plans, Sheet 14):

- Inclusion of a new eight-inch diameter sanitary sewer, twelve-inch diameter storm and eight-inch diameter water mains within SW Howlock Lane.
- Inclusion of a new eight-inch diameter sanitary sewer and twelve-inch diameter storm mains within the alley south of SW Howlock Lane.
- Adjustment of the stormwater treatment and detention ponds area.

- 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.

Overall, 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.
- Twelve- (12) 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 the provision of new roadways providing vehicular, pedestrian and bicycle access to the site and include local access roads built to City L1 and L2 standards which connect to existing location street connections to SW Barrows Road via SW 185th Avenue and SW Scholls Ferry Road via SW Strobel Road. These new roadways include:

- SW Howlock Lane
- SW 185th Avenue
- SW Alvord Lane
- SW Yamsay Street
- SW Grizzly Street
- SW Pinaleno Street
- Three Private Alleys
- SW Amargosa Terrace
- SW Strobel Road
- SW Monashee Lane
- SW 182nd Avenue

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 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.

This proposal includes the provision of an area which will serve as a future public school (Phase 3) and park (Phase 4). This proposal does not include the provision of police protection but will require the payment of developers’ impact fees to help contribute to funding public safety services provided within the community.

- 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: This proposal includes a modification which includes three new east-west alleys within Phase 6 and Phase 7, an aligned north-south alley providing for connectivity between the new east-west alleys as well as SW Howlock Lane, SW Alvord Lane and SW Yamsay Streets. No other streets or pedestrian paths in this proposal are proposed to be modified. Safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development are demonstrated within the plans included in this submittal. The required intersection spacing, intersection sight distances, curb returns and illumination pedestrian facilities are met and are depicted in the plans.

Intersection Spacing

Pursuant to the City of Beaverton Engineering Design Manual Section 210.19.F., minimum required spacing along roadways with a local street functional classification is one hundred (100)

and the maximum is five hundred and thirty (530) feet. The only roadways included in the proposed modification are functionally classified as local streets. Intersection spacing meets the minimum one hundred (100) foot and maximum five hundred and thirty- (530) foot spacing along SW 185th Avenue with approximately two hundred and one (200) feet spacing between SW Yamsay Street and four hundred and twenty (420) feet between SW Alvord Lane and SW Barrows Road. In addition, this proposal has been designed to include sight clearance area consisting of two (2) fifteen- (15) foot planes. This is depicted on the Modified Preliminary Plat Plan – Northwest (Sheet 4).

Curb Returns

This proposal has been designed to meet the minimum curb radius of fifteen (15) feet with the provision of twenty-eight (28) feet curb radii for all local roadway intersections with local access roadways. Pursuant to Table 210.12, Note 1, the local access roadways included in this proposal that intersect with other local access roadways require a minimum fifteen- (15) foot curb return radii. In addition, the intersection of local access roadways and collectors, the required curb radii minimum is twenty-five (25) feet per Note 2 of Table 210.12. This proposal has been designed to include Strobel Road and SW 185th Avenue and SW Barrows Road which includes 30 feet curb return radii.

Illumination of Pedestrian Facilities Along Street

Pursuant to EDM Table 450.1, this proposal is subject to 0.5-foot candles for illumination along residential roads, private streets and roadside walk and bikeways with a fifty percent (50%) increase or 0.75-foot candles required for intersections. This proposal has been designed to include 1.00-1.99 foot candles for the post-mounted lights along the public right-of-way. Illumination levels along the public right-of-way sidewalks are included with 0.5-foot candles. In addition, this proposal has been designed to include approximately half of the private alleys with the other half illuminated by wall-mounted lighting with 2.00-4.99-foot candles.

- 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 connection between SW 185th Avenue and SW Barrows Road provides connection to the site from the surrounding area. The northward extension of SW Strobel road also provides a connection to SW Scholls Ferry Road. The new east-west alleys included in Phases 6 and 7 will provide additional circulation for the site by providing direct rear entry access to Lots 285-325, Lots 252-284 and 225-251. These new alleys include connections to SW 185th Avenue. Additional connections to the new alleys include SW Howlock Lane, SW Alvord Lane and SW Yamsay Street facilitated by the north-south vehicular and pedestrian connections, i.e., Tract 'J,' Tract 'I,' and Tract 'H' Additional pedestrian connections are included with the on-site pathway network internal to the site and also connect to the surrounding existing street network. Connections between the on-site vehicular and pedestrian circulation systems and the surrounding circulation systems are shown within the plans included in this submittal.

The safe, efficient and direct connection of roadway and sidewalks are facilitated by adherence to requisite intersection spacing, curb returns and illumination as described in Section 40.03.1.F. above.

- 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 have been designed to serve the development. 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 are structurally designed to withstand the weight of a fire apparatus, and turning radii meet the apparatus requirements, 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 home will feature several windows which will ensure 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, open spaces and pedestrian paths to discourage any unwelcome activities.

- 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 to accommodate the proposed residential use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm system. Stormwater runoff is directed to the onsite storm system, which is properly sized to avoid excessive drainage to neighboring properties, rights-of-way, and other storm facilities.

- 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. Accessibility of pedestrian routes will be facilitated by the inclusion of a minimum of five- (5) foot-wide detached sidewalks, receiving ramps and striped crosswalks at each pedestrian street crossing site along public streets included in this proposal. Phases 5, 6 and 7 provide sidewalks along the new public street (SW Howlock Lane). For more details, please see the Land Use Plans, Sheets 10-13.

- 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.

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 modifications to an approved Planned Unit Development (PUD).

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.

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; 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: This proposal involves a minor adjustment to an approved Preliminary Subdivision and a major adjustment of an approved Conditional Use Permit.

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 a modification to an approved Conditional Use – Planned Unit Development and a modification to an approved Preliminary Subdivision.

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: This proposal has been designed in conformance with the requirements of 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 requests a modification to an existing 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 in the City, 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 in 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 includes the required setbacks of the applicable zone.

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 3.8.1 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.

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. This proposal involves the removal of multi-family housing which was included in the original proposal and instead includes the provision of single-family housing for the residential portion of the project. The future school and park remain unchanged with this proposal. The minimum residential site density of 251 housing units is met with this proposal by the inclusion of 323 single-family residential units. Circulation within the site is facilitated for the single-family residential lots within the modified Phases 6 and 7 by the inclusion of one (1) new east-west alley within each phase, in addition to the inclusion of the new local street NW Howlock Lane, all of which include connection to the west SW 185th Avenue and stub the western extents of the site.

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 and block lengths. 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.

SW Barrows Road 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 minimum and maximum intersection spacing requirements which minimize the possibility for long, monotonous blocks. In addition, the north-south alleys and walkways included in Phases 6 and 7 provide additional breaks in housing. Landscaped Tract 'L' and Tract 'K' within Phase 6 provide an additional break in housing.

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: This proposal involves the modification of an approved PUD which included lessened lot widths and depths as well as setbacks. No new or additional 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 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 does not feature a length that is not 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.

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

Response: Not applicable. This proposal does not involve an expired 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 City right-of-way (ROW).

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 325 new lots from fifteen (15) lots of record within the same application. The two (15) lots of record (i.e., Tax Lots 2000, 2100, 2200, 2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200, 3300 and 3400).

1. *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.

2. *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. The parent parcels are not subject to a pending Legal Lot Determination under Section 40.47. The components of this application 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. This proposal will not create parcels with more than one zoning.

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.

3. *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.

1. *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.

4. *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.

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

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

6. *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.

7. *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.

D. 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.

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:*

1. *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 the property involved.

2. *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 all streets to the City with the exception of the alleyways.

3. *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: Not applicable. This proposal does not include or require a zoning map amendment.

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.

[...]

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.*

1. *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.

2. *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.

3. *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, which is subject to a Type 3 procedure. Therefore, all land use applications included with this submittal package are subject to the Type 3 procedure.

4. *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.

6. *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; February 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.

7. *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 and are approvable by the Planning Commission, the decision-making authority.

8. *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.

9. *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.

50.20. *Pre-Application Conference.*

- a. *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. However, a new Pre-Application conference is not required for this proposal as it involves a modification to an approved land use decision.

- b. *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 16, 2023, and was subsequently summarized in notes, and preliminarily addressed the relevant applications required for this proposal along with their associated approval criteria and procedures.

- c. *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.

- d. *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: A Pre-Application Conference was held on August 16, 2023. No new or additional pre-application meeting is required for this proposal.

- e. *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.

- f. *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 16, 2023.

50.25. *Application Completeness.*

B. *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:*
 - i. *The applicant.*
 - ii. *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.*
 - iii. *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.*
 - iv. *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.

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

Response: The applicable fee currently in effect is included in this application submittal.

C. *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.

D. *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.

E. *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.

F. *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.

- G. *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.

- H. *The application will be deemed complete for the purpose of this section upon receipt by the Community Development Department of:*
1. *All the missing information.*
 2. *Some of the missing information and written notice from the applicant that no other information will be provided; or*
 3. *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.

- I. *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.

- J. *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.

- K. *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.

- L. *For any application which has been on file with the City for more than 180 calendar days and the applicant has not met the obligations of Section 50.25.7., the application will be deemed withdrawn.*

Response: The Applicant 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.

- 1. *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 August 30, 2023. The Affidavit of Mailing is included within the application submittal package.

- 2. *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 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 signage was 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.

- 3. *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.

- 4. *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 modification to the Preliminary Subdivision, on its own, would be subject to a Type 2 procedure, the modification to the Conditional Use – Planned Unit Development application is also included which is subject to a Type 3 procedure with a higher level of review. Therefore, the application to modify an approved Preliminary Subdivision and Conditional Use – Planned Unit Development are 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 application included with this proposal, is subject to a Type 3 procedure, which requires the broadest notice and opportunity to participate. Therefore, all applications, including the modification to the Preliminary Subdivision are also 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 REQUIREMENTS

60.05. Design Review Design Principles, Standards and Guidelines
[ORD 4332; January 2005] [ORD 4332, 01/01/2005]

- A. **Types of Lighting.** *The Technical Lighting Standards Section shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.*

Response: This proposal does include pole mounted and non-pole mounted luminaires.

- B. **Areas to Be Applied.** *The roadways, access drives, parking lots, vehicle maneuvering areas, pathways and sidewalks of all new developments and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.*

Response: Private onsite lighting is provided on pedestrian paths, private alleys, and home entries.

- C. **Conformity of Lighting Plans to this Section.** *All lighting plans submitted to the City shall comply with the standards of this table.*

Response: The lighting plans conform to the standards of the table to the fullest extent that is feasible.

- D. **Standards.** *The following standards are required of all exterior lighting:*

1. *When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.*
2. *When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.*

Response: The heights of the proposed luminaires meets the requirements of Table 60.05-1 Residential

E. General Provisions. Notwithstanding any other provision of this Section to the contrary:

1. **Design Standards for Residential, Commercial, Industrial and Multiple-Use Districts:**
 - a. *No flickering or flashing lights shall be permitted.*
 - b. *No bare bulb lights shall be permitted for townhouse development and multi-dwelling development. [ORD 4822; June 2022]*
 - c. *No strobe lights shall be permitted.*
 - d. *Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways.*
2. **Special Design Standard for Residential Districts.** *No exterior neon lights shall be permitted.*
3. **Special Design Standard for Commercial and Multiple-Use Districts.** *Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.*

Response: No flickering, flashing, bare bulb, strobe, or neon lights are proposed. No lights are located in screening or buffering areas except on pedestrian walkways.

F. Exemption for Specified Public Outdoor Recreation Uses:

1. *Because of their unique requirements for nighttime visibility, public ball diamonds, public playing fields, and public tennis courts only, inclusive of facilities located on school district properties, are exempted from the exterior lighting standards of Sections D.1 through D.2 above. These outdoor recreational uses must meet all other requirements for this Section and of the Code.*
2. *The outdoor recreational uses specified above shall not exceed a maximum permitted post height of eighty (80) feet.*
3. *The outdoor recreational uses specified above may exceed a total cutoff angle of ninety (90) degrees, provided that the luminaire is shielded to prevent light and glare spillover to adjacent properties. The maximum permitted illumination at the property line or, if required, the interior buffering line, shall not exceed two (2) foot-candles.*

Response: This section does not apply. No specified public outdoor recreation facilities that are listed are being proposed.

Table 60.05-1 Technical Lighting Standards						
Zoning District Type	Minimum Required Illumination (internal) in Foot-candles		Maximum Permitted Illumination (internal) in Foot-candles		Maximum Permitted Illumination at property line in Foot-candles	Maximum Permitted Height of Luminaires
	>90	<90	>90	<90		
Residential	1.0	0.7	None	None	0.5	Pole-mounted Luminaires (inclusive of above <u>grade</u> base and light fixture): <ul style="list-style-type: none"> • 15 feet for on-site <u>pedestrian ways</u>. • 20 feet for on-site vehicular circulation areas. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> • 20 feet above building finished grade
[...]						

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.

60.12. *Habitat Friendly Development Practices*

[...]

Response: This proposal does not include or require the use of optional habitat friendly or low impact development techniques.

60.15. *Land Division Standards.*

60.15.05. *Purpose.*

It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.35 of this Code.

[ORD 4224, 09/19/2002]

Response: This proposal involves a modification to an approved proposed subdivision and as such is subject to the 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 involves a land division and as such is required to comply with the on-site surface contour grading standards specified in Section 60.15.10.3.

2. *Exemptions. The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3:*

- A. *Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.*
- B. *Storm water detention facilities subject to review and approval of the City Engineer.*
- C. *On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.*

Response: 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.

3. *On-site surface contouring. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:*

- A. *0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [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 predevelopment 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]*

Purpose: This proposal does not at this time include physical development. Once this proposal moves to the site development stage, plans included with the applicable submittal will be provided that have been designed to include grading which match smoothly with existing grades along the property. No new dramatic slopes up or down occur along the abutting property lines.

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

Purpose: Not applicable. The site does not contain significant trees and groves.

60.15.15. Final Plat Standards.

1. *Easements and Rights-of-Way. Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 120 of the Beaverton Engineering Design Manual. [ORD 4584; June 2012]*
2. *Building Lines. The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.*
3. *Dedications. Infrastructure or public improvements such as public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, sanitary sewer, storm water system, water system, traffic control devices, parks, open space, and other public rights-of-way required as needed to serve the development, shall be installed at the expense of the developer and dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes must be approved by the jurisdiction to which the park or open space is being dedicated prior to Final Land Division approval.*
4. *Homeowners' Associations and declarations. When a Homeowners' Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained and that other restrictions required by the City are included.*
5. *Monuments and bench marks. The developer shall establish and designate monuments and bench marks on the Final Plat.*
6. *Street trees. Prior to City approval of the Final Plat, street trees shall be planted along street frontages in accordance with the following:*
 - A. *For detached dwelling land divisions, the Developer shall pay a fee to the City. The City shall be responsible for tree purchase and planting, and maintenance for one year, consisting of pruning, disease control and watering. The fee shall be based upon a standard of one tree per thirty (30) lineal feet of street frontage, with standard rounding methods applied for fractions thereof. The fee to be charged and collected shall be established and from time to time amended by Resolution of the City Council.*
 - B. *For all other land divisions, trees shall be planted in accordance with an approved street tree plan.*
 - C. *Trees shall be planted in accordance with the City’s Tree Planting and Maintenance Policy.*

Response: The final plat for this proposal will be designed in conformance with all applicable City regulations.

[...]

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: This proposal has been designed to include the off-street parking spaces required by this section. For more information, see the discussion included below in response to the various subsections.

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. Pursuant to the current Beaverton Development Code iteration, a minimum off-street vehicle parking is not required for the single-detached dwellings included in this proposal.

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: Not applicable. This proposal does not include multi-family residential development.

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 the single-family residential use included in this proposal. Vehicular parking ratios based on gross floor area do not apply as this proposal only includes single-family detached uses.

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: Not applicable. The site is located in an area subject to Parking Zone B.

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 Parking Zone B as the site is located at a distance greater than one-quarter mile walking distance of bus transit stops and one-half mile walking distance of light rail station platforms.

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 B. No portion of the site is 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 includes detached dwellings and as such is not subject to bicycle ratio parking requirements.

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 and bicycle parking requirements for listed land use types. ORD 4584; June 2012]*

**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	Maximum Permitted Parking Spaces	
	Zone A	Zone B
Residential Uses		
Detached Dwellings	N/A	N/A
[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.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	Not required	Not required
[ORD 4224; August 2002] [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4782; April 2020] [ORD 4822; June 2022]		

Response: The applicable parking ratios included in the excerpted portions of Table 60.30.10.5.A. and Table 60.30.10.5.B. do not require a minimum or maximum vehicular spaces and do not require any bicycle parking spaces.

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.**

[...]

Response: This proposal is not subject to maximum vehicular 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. (See also Section 60.30.15., Off-Street Parking Lot Design for other standards.) [ORD 4312; July 2004]

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.

9. **Parking Space Calculation.**

A. **Multiple Uses.** In the case of multiple uses, the total minimum required bicycle parking and the total maximum permitted off-street vehicle parking shall be the sum of the requirements for the various uses computed separately. [ORD 4844; August 2023]

Response: Not applicable. This proposal involves single-family detached residential use and as such is not subject to the requirements applicable to multiple uses.

- B.** *Bicycle spaces which only meet the requirements of one establishment may serve more than one establishment on the same site, with the approval of a Shared Bicycle Parking application, provided that sufficient evidence is presented which shows that the times of peak bicycle parking demand for the various establishments do not coincide, and that adequate bicycle parking will be available at all times when the various establishments are in operation. [ORD 4844; August 2023]*

Response: Not applicable. This proposal involves single-family detached use and does not involve the inclusion of other uses.

10. Location of Vehicle Parking.

- A.** *For parking areas that meet one of the thresholds in subsections 1 or 2, below, parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley. [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]*
- B.** *In the RMA, RMB, and RMC zones parking and loading spaces for single-detached dwellings and middle housing may be located in side and rear yards and up to two parking spaces may be located in the front yard of each lot. [ORD 4584; June 2012] [ORD 4822; June 2022]*
- C.** *For middle housing outside the RMA, RMB, and RMC zones, and other types of housing in any zone, parking in the front yard is allowed for each dwelling unit in the driveway area and shall be hard surfaced. [ORD 4822; June 2022]*

Response: Tandem parking spaces are not proposed. All parking spaces serve single-family detached dwellings and are located within garages or in the front yard.

[...]

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

- A.** *For residential uses, proposed vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. [ORD 4844; August 2023]*
- B.** *For uses other than residential uses, twenty percent (20%) of the provided vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the provided parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002] [ORD 4844; August 2023]*
- C.** *Compact car parking spaces shall be generally grouped together and designated as such. [ORD 3228; December 1981]*

Response: Not applicable. This proposal does not include non-residential uses.

12. 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 which are subject to the requirements of this section.

60.30.15. Off-Street Parking Lot Design.
[...]

Response: Not applicable. This proposal only includes single-family detached dwellings. When the school site is developed at a later date, parking stalls will be required to be designed in conformance with applicable design requirements contained herein.

60.30.20. Off-Street Parking Lot Construction.
[...]

Response: Not applicable. The off-street parking lot has been designed in conformance with the applicable requirements of the Engineering Design Manual and Standard Drawings.

60.33. Park and Recreation Facilities & Service Provisions.
[...]

60.33.10. Annexation to THPRD.

*Except as provided in Section 60.33.15, the approval of a Conditional Use, Design Review or Land Division application for any property located in the City of Beaverton, and not within THPRD's boundaries, shall be conditional on the submittal of a legally sufficient petition to annex the property to THPRD; issuance of building permits shall be delayed until the annexation is effective. Delay of issuance of building permits until after the annexation is effective may be waived as a condition of approval by the review authority if the applicant agrees in writing to pay the appropriate THPRD Systems Development Charge for all building permits issued prior to the effective date of annexation. [ORD 4584; June 2012]
[ORD 4388, 05/18/2006; ORD 4584, 06/01/2012]*

Response: This proposal necessitates annexation to the THPRD district prior to the issuance of the first building permit. This proposal does not include a proposed change that requirement.

[...]

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. 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 multitude of pedestrian opportunities. The single-family residential buildings have been designed to include front doors and windows at street level as well as connections to abutting public sidewalks providing for pedestrian accessibility. Varied siding textures and materials are included in the building design for this proposal. All buildings except those included within alley loaded lots will be oriented with front doors to abutting public streets. Building sizing included with this proposal include heights which will not obtrude or cast extensive shadow into public rights-of-way or other buildings and as such will facilitate passive solar gain for the site.

- 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: The residential use 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 this proposal meets the minimum density requirements for the RMA, RMB, and RMC zoning districts.

Zone (Previous Zone)	Gross Acres	Net Acres	Max Density (Units)	Minimum Density (Units)	Proposed Units
RMA (R2)	5.54	4.43	No Max	129	99
RMB (R4)	2.75	2.20	No Max	24	26
RMB (R5)	7.85	6.28		55	89
RMC (R7)	13.91	11.13	No Max	69	109
Total	30.05	24.04	N/A	277	323

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 and a public pathway system.

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 include single-family residential development. No density transfer is included in this proposal.

B. **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: Residential lot sizes included in this proposal comply with the reduced lot sizes approved by the original PUD decision which allowed for a minimum lot size ranging from 25-50% of the required underlying zoning designation and maximum lot sizing that does not exceed 195 percent of the minimum land area of the zoning districts. This proposal does not include any further reduction in the approved lot sizing under the original PUD. While this subsection B does not apply to RMB and RMC zoning districts, lots within these zones are subject to the approved lot sizing requirements of the original PUD decision:

Zone (Former Zone)	Minimum Required Lot Sizing	Small Lot Sizing (50% to 70%)	Maximum Lot Size (195% Maximum)
RMA (R2)	1,500 square feet	750-1,050 square feet	2,925 square feet
RMB (R4)	3,000 square feet	1,500-2,100 square feet	5,850 square feet
RMB (R5)	3,000 square feet	1,500-2,100 square feet	5,850 square feet
RMC (R7)	5,000 square feet	2,500-3,500 square feet	9,750 square feet

This proposal does not include multi-dwellings in the RMA zone.

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: This proposal includes reductions in yard setbacks for lot lines that do not abut the perimeter of the property. These were approved under the original 2018 PUD decision and include:

Setbacks	RMA (R2)	RMB (R4)	RMB (R5)	RMC (R7)
Front	8	8	12	12
Garage	18.5	20	20	20
Side	0/4	3	4	4
Rear	12	15	15	5
Rear Garage	4	4	4	4

Per the current code, side yard setbacks in the RMA, RMB and RMC zones shall be 0, 3, or 5 feet. This proposal includes a reduction of the side setbacks in the RMA zone to 3 feet.

- 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 were approved for the Fox Mountain at Cooper Mountain PUD as they met the burden of proof to demonstrated that no conflict with pedestrian or bicycle connections to the street nor would any conflicts with the requirements for stormwater management or fire or building codes result.

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: The approved reduction in front setbacks does not facilitate the encroachment into a public utility easement.

- 2. For single-family attached and detached garages that face a public or private street shall be setback a minimum of twenty (20) 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.

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) setback for lots in the RMA zoning district and twenty (20) feet for lots in the RMB and RMC zoning districts.

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 the perimeter of the proposed development will meet the required setbacks for those areas.

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: This proposal has been designed to include garages accessed from both sides of an alley which meet the minimum four (4) foot setback and do not include fewer than twenty-eight (28) feet between garage doors.

- 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). All 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 4224, 09/19/2002; ORD 4430, 04/19/2007; ORD 4584, 06/01/2012; ORD 4654, 03/25/2015; ORD 4697, 12/02/2016]

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. A further modification is proposed to the approved side yard setbacks for this PUD for the RMA zone (3 feet).

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%) of the site. The open space area included in this proposal exceeds

the minimum required open space area. For more information, see the plans included with this application submittal.

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. While the site is located within the South Cooper Mountain Community Plan Area, it is not otherwise exempted from open space requirements.

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, other resources as deemed appropriate by the decision maker.*

Response: The water quality facilities and environmentally sensitive areas comprise portions of the overall open space areas.

2. *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. The open space area included with this proposal does not include steep slope areas.

1. *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.

2. *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 more than ten (10) acres with the inclusion of 62.92 acres. Active open space is included in this proposal exceeds the minimum twenty-five percent (25%) active area requirement of 13,139 square feet with the provision of 22,372 square feet. For more

information, see Sheet 15, Modified Open Space Plan included in the Land Use Plans submitted with this application.

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: This proposal has been designed to include active space open areas that meet the minimum forty- (40) foot width requirement. Open space areas included in the approved PUD Phase 5 and Tract ‘A’ remain unchanged. Two (2) additional open space Tract ‘L’ and Tract ‘K’ are included in this proposal which add approximately 4,887 square feet of open space area. Trail width is twenty (20) feet in many places on site. For more information, see Sheet 15, Modified Open Space.

- 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 separation 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 in 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. This proposal will demonstrate its conformance with this code section for the building permit application submittal package.

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 which includes sixty (60) feet for RMA zoned lots, thirty-five feet (35) for RMB and RMC zoned lots. Up to twelve (12) additional feet of building height was approved in 2018 under the original PUD decision.

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: This proposal does not at this time include exceptions to the graduated building height standards.

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: This proposal is not required to include graduated building heights adjacent to properties in rural development.

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.

Response: The Applicant will demonstrate this proposal's conformance with these provisions during the building permit application review.

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. Furthermore, the original PUD decision includes a provision that no front façade elevations can be repeated on adjacent lots, consistent with Section 60.35.20.

- 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

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.*
21. *Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.*
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]*
23. *An alternative feature approved by the Planning Commission*

Response: The Applicant will demonstrate this proposal’s conformance with these provisions during the building permit application review.

- 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: The Applicant will demonstrate this proposal’s conformance with these provisions during the building permit application review.

- 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: Alternative building design is not included with this proposal.

60.35.25. Planned Unit Development
[ORD 4654; March 2015]

The South Cooper Mountain Community Plan is part of the Comprehensive Plan for the City of Beaverton. It provides regulatory policies and maps, along with descriptions and illustrations of the context for those policies and maps, for 544 acres within the southwestern area of the City of Beaverton. This section of the Development Code of the City of Beaverton outlines specific implementation requirements and connections to the policies of the South Cooper Mountain Community Plan.

1. *Proposals within the South Cooper Mountain Community Plan area shall demonstrate compliance with the following applicable South Cooper Mountain Community Plan policies and figures:*

A. *Land Use:*

1. *Land Use Implementation Policy 6: location criteria guiding the selection of appropriate sites for Neighborhood Parks and Elementary Schools.*
2. *Neighborhood and Housing Policy 1: neighborhood design principles for creating walkable neighborhoods.*
3. *Neighborhood and Housing Policy 2: Residential developments shall provide a variety of housing types consistent with the permitted uses of applicable zone(s). The goal of this policy and implementing code standards is to ensure that, over time and multiple individual development reviews, South Cooper Mountain’s neighborhoods and livability are enhanced by variety in the type and design of housing in*

order to promote aesthetically pleasing residential neighborhoods as well as opportunities for people of varying incomes and life stages to live within the same neighborhood.

a. Residential developments in the South Cooper Mountain Community Plan area shall provide a variety of housing types, as identified below, for sites:

- i. Up to 15-acres (gross), a minimum of one (1) housing type;
- ii. Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types;
- iii. Greater than 30-acres (gross), a minimum of three (3) housing types.

Response: This proposal involves greater than thirty (30) acres and as such must include three (3) different housing types. This proposal includes Standard Lot Single Family, Small Lot Single Family, and Alley-Loaded Dwelling. There are seventy-seven (77) Small Lot Single Family lots included in this proposal that meet the current Development Code. There are 147 Single Family Detached Standard Lots included in this proposal in addition to 99 Single Family Detached Alley Lots.

b. Housing Types include:

- i. Standard Lot Single-Detached. Density range from 90 percent to 195 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;
- ii. Small Lot Single-Detached. Density range from 50 percent to 70 percent of the minimum land area per dwelling unit requirement of the underlying zoning district;
- iii. Compact Detached Housing & Cluster Housing. Density range from 25 percent up to 49 percent of the minimum land area per dwelling unit requirement of the underlying zoning district; cluster housing not available in RMA, RMB and RMC.
- iv. Accessory Dwelling Unit with Single-Detached Dwelling;
- v. Alley-Loaded Dwellings. A dwelling unit designed with the front façade oriented toward a street and the garage door façade oriented toward an alley.
- vi. Duplex;
- vii. Triplex & Quadplex;
- viii. Townhouse / Townhome;
- ix. Cottage Cluster;
- x. Multi-dwelling;
- xi. Live / work, only permitted in the NS zoning district.

c. For developments requiring more than one (1) housing type a minimum of 10 percent of the total dwelling units shall be of each housing type.

d. For developments utilizing the Standard Lot Single-Dwelling housing type (Section 60.35.25.1.A.3.b.i.) and not utilizing the Small Lot Single-Dwelling housing type (Section 60.35.25.1.A.3.b.ii.), the lot size for Standard Lot Single-Dwelling may range from 50 percent to 195 percent of the minimum land area per dwelling unit requirement of the underlying zoning district and it shall count as one housing type. [ORD 4822; June 2022]

4. Main Street Policy 2: Main Street pedestrian orientation and access.

5. Main Street Policy 4: Main Street design principles.

Response: This proposal includes Standard Single Family lots, Small Single Family lots, and Alley-Loaded Dwellings.

B. Transportation:

1. *Figure 10: Community Plan Street Framework map.*
2. *Street Policy 1: Community Plan Street Framework and Comprehensive Plan Chapter 6.*
3. *Street Policy 10: Community Plan Street Framework, refining specific alignments.*
4. *Figure 11: Community Plan Bicycle and Pedestrian Framework map.*
5. *Bicycle and Pedestrian Framework Policy 1: Bicycle and Pedestrian Crossings.*
6. *Bicycle and Pedestrian Framework Policy 2: Trails.*

Response: This proposal includes streets which facilitate access according to City connectivity standards and provide bicycle, vehicular and pedestrian connections. In addition, trails are included in this proposal in conformance with City standards.

C. Resource Protection and Enhancement:

1. *Figure 12: Natural Resources in the Community Plan area map.*
2. *Natural Resource Policy 1: Local Wetlands and Riparian Areas*
3. *Natural Resource Policy 2: Development adjacent the Significant Natural Resource Areas.*
4. *Urban Forestry Policy 2: Tree Planting.*
5. *Urban Forestry Policy 3: Regionally Significant Upland Habitat.*
6. *Scenic Views Policy 1: Protection of View Corridors.*
7. *Rural Edges and Transitions Policy 1: SW Tile Flat Road Landscape Buffer.*

Response: This proposal provides landscaping within open space and street planter strips in conformance with City standards.

D. Infrastructure Provision:

1. *Infrastructure Policy 1: Urban development not allowed without urban services*
2. *Infrastructure Policy 7: Alignment for new water and sewer.*

Response: This proposal includes the provision of urban services as well as appropriate alignments for new water and sewer.

2. *Proposals within the South Cooper Mountain Community Plan area shall demonstrate compliance with the following applicable Comprehensive Plan policies and figures:*

A. Chapter Six, Transportation Element:

1. *Figure 6.2a: Planned Bicycle and Pedestrian Network.*
2. *Figure 6.4a: Functional Classification.*
3. *Figure 6.6a: Future Streets Where Right-of-Way is Planned for More Than Two Lanes.*
4. *Figure 6.20: Local Connectivity Map.*

Response: This proposal has been designed in conformance with applicable Comprehensive Plan Transportation Element components pertaining to bicycle and pedestrian networks, includes the appropriate functional classifications of new roadways and the roadway connections required for same.

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 not been designed to utilize development bonuses.

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: The area that is proposed to change has been designed in accordance with the City standards and the Engineering Design Manual (EDM) and Standard Drawings. The standards of this code require that critical essential facilities as defined within Chapter 90, including transit improvements and on-site pedestrian and bicycle facilities in the public right-of-way, must be provided in accordance with the City Engineering Design Manual (EDM) and Standard Drawings.

The City Standard Drawings that apply to the project include:

Minimum Local Street Widths (Standard Drawing 200-4)

This proposal includes modifications to portions of the approved Fox Hollow PUD which includes public streets designed to the L1 standard within Standard Drawing 200-4. SW Yamsay Street has been designed to include fifty-eight (58) feet of right-of-way within which thirty-four (34) feet of paved width, a seven- (7) foot , a six and a half- (6.5) foot planter, five (5) foot sidewalk and half (0.5) foot clear space is included.

Standard Residential Driveway (Standard Drawing 211)

This proposal has been designed to include individual driveways which meet the minimum twelve- (12) foot and maximum thirty- (30) foot driveway width, and three- (3) foot expansion joints.

Standard Commercial Driveway (Standard Drawing 210)

The alley driveways included in this proposal have been designed to meet the minimum fifteen- (15) foot and maximum forty- (40) foot driveway width and ten- (10) foot expansion joints.

This proposal does not abut or impact a transportation facility under one (1) or more other governmental agencies.

The following EDM sections have been met by this proposal:

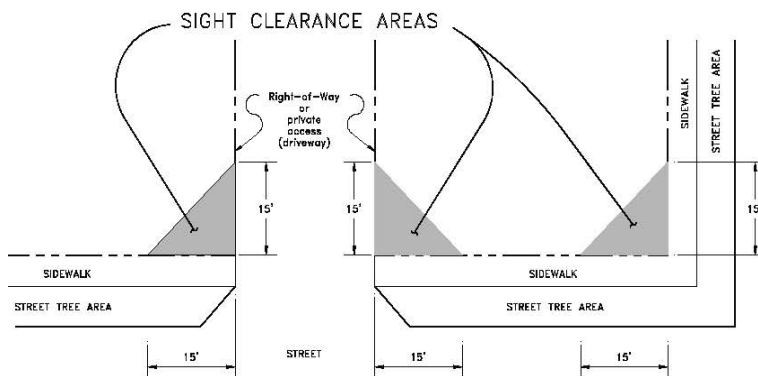
EDM 210.18.1 Visibility at Intersections

All work within the public right-of-way and adjacent to public streets and accessways shall comply with the standards of this section.

1. Except as otherwise provided in this section, no fence, berm, wall, commercial sign, vehicle, hedge, off-street parking space, or other planting or structure shall be erected, planted, placed, or maintained within a sight clearance area. If the relation of the surface of the lot to the streets is such that visibility is already obscured, nothing shall be done to reduce visibility within the sight clearance area.
 - a. The horizontal limits of the sight clearance area shall be a triangular area measuring 15 feet along the right-of-way or private access, as shown in the following diagram. The edge of the hard surface area of the private access, be it roadway, curb, or sidewalk, shall be treated as the right-of-way line in determining the site clearance areas.

Response: This proposal has been designed to include fifteen foot sight clearance areas within which no structures, fencing, signage, landscaping or other sight obscuring item. A sight distance exhibit was included in the email submittal to the City of Beaverton dated January 22, 2024.

Figure 210.3 – Sight Clearance



- b. The vertical limits of the sight clearance area shall be two planes. The lower plane shall intersect the right-of-way line at points three (3) feet above the elevation of the centerline of the adjoining street. The upper plane shall intersect the right-of-way line at points ten (10) feet above the elevation of the centerline of the adjoining street.

Response: This proposal has been designed to include sight clearance area consisting of two (2) fifteen- (15) foot planes.

- c. Poles, tree trunks, and similar objects less than 12 inches in width may be allowed in the sight clearance area if such objects meet the intersection sight distance requirements.

Response: This proposal has been designed to include undergrounded utilities. Landscaping included in this proposal will not conflict with the sight clearance area as evidenced on the landscaping plans.

- d. No modifications or exceptions to these standards shall be allowed unless approved by the City Traffic Engineer.

Response: This proposal does not include any proposed modifications or exceptions to these standards.

EDM 210.19 – Intersections

- A. The interior angle at intersecting streets shall be kept as near to 90 degrees as possible and in no case, shall it be less than 75 degrees. A straight horizontal alignment (no curves, no angle points) shall be used through the intersection and for a minimum of 25 feet each side of intersecting right-of-way lines.

Response: This proposal has been designed to maintain at a near 90-degrees and greater than 75-degrees. The interior angle at the intersection of SW Howlock Lane and SW 185th Avenue have been designed to include a 75-degree angle and is shown on the Modified Preliminary Plat Plan (Sheet 4) of the plans.

Table 210.12 - Minimum Curb Radii at Intersections (in feet)

STREET CLASSIFICATION	ARTERIAL	COLLECTOR	NEIGHBORHOOD ROUTE	LOCAL
Arterial	See Note 3	See Note 3	See Note 2	See Note 2
Collector	See Note 3	See Note 3	See Note 2	See Note 2
Neighborhood Route	See Note 2	See Note 2	See Note 1	See Note 1
Local	See Note 2	See Note 2	See Note 1	See Note 1

Note 1: Except in areas zoned for industrial uses, the intersections of local streets and neighborhood routes shall have a minimum curb radius of 15 feet. In areas zoned for industrial uses, the minimum curb radius shall be 30 feet.

Note 2: The intersection of a neighborhood route or local street with an arterial or collector street shall have a minimum curb radius of 25 feet. In areas zoned for industrial uses, the intersection of a neighborhood route or a local street with an arterial or collector street shall be designed to accommodate a WB-50 Semitrailer Design Vehicle and the curb alignment shall be designed so that the vehicle can complete a right turn using only the vehicle lanes nearest to the curbs of the two streets. See Note 4.

Note 3: At an intersection where each street is an arterial or a collector, the intersection shall be designed to accommodate a WB-50 Semitrailer Design Vehicle. If either street is designated as a Truck Route in the *Comprehensive Plan Transportation Element*, the intersection shall be designed to accommodate a WB-65 Interstate Semitrailer Design Vehicle. The curb alignment shall be designed so that the vehicle can complete a right turn using the vehicle lane nearest to the curb on the approach street and using all available lanes in the direction of travel on the departure street. See Note 4.

NOTE 4: Curbs should be designed to minimize the length of pedestrian crossings. Designers are encouraged to consider curb alignments with compound curves and other methods to minimize the intersection width needed to satisfy Notes 2 and 3. Parking lanes and bicycle lanes may be included in considering the effective width available to accommodate the turning design vehicle.

- B. Curb radii at intersections shall be as shown in Table 210.12 for the various functional classifications. The right-of-way radii at intersections shall be sufficient to maintain at least the same right-of-way to curb spacing as the lower classified street.

Response: This proposal has been designed to meet the minimum curb radius of fifteen (15) feet with the provision of twenty-eight (28) feet curb radii for all local roadway intersections with local access roadways. Pursuant to Table 210.12, Note 1, the local access roadways included in this proposal that intersect with other local access roadways require a minimum fifteen- (15) foot curb return radii. In addition, the intersection of local access roadways and collectors, the required curb radii minimum is twenty-five (25) feet per Note 2 of Table 210.12. This proposal has been designed to include Strobel Road and SW 185th Avenue and SW Barrows Road which includes 30 feet curb return radii. The alley driveways are designed per section 210.21 of the EDM.

C. *The radii standards in subsection B of this section may also be applied by the City Traffic Engineer to driveways.*

Response: This proposal does not include curb radii for the private alley driveways intersecting with SW Howlock Lane and SW Yamsay Street as the City Traffic Engineer has not required this to date.

D. *ADA ramps shall be provided at all corners of all intersections, regardless of curb type.*

Response: This proposal has been designed to include ADA ramps on the corners of all intersections and have been depicted on the Modified Preliminary Plat Plan – Northwest (Sheet 4) and the Modified Preliminary Plat Plan – Southwest (Sheet 6).

E. *Intersection Spacing Along Streets. The minimum and maximum distance between streets shall be as follows:*

STREET FUNCTIONAL CLASSIFICATION*:	DISTANCE BETWEEN INTERSECTIONS ALONG THE STREET SHALL BE AT LEAST:	DISTANCE BETWEEN INTERSECTIONS ALONG THE STREET SHALL NOT EXCEED:
Arterial	600 feet	1000 feet
Collector	200 feet	530 feet
Neighborhood Route	100 feet	530 feet
Local	100 feet	530 feet

* Street Functional Classifications are identified in the *Comprehensive Plan Transportation Element* Figure 6.4.

1. Distance between streets is 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. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density mixed-use development.

Response: The minimum required spacing along roadways with a local street functional classification is one hundred (100) and the maximum is five hundred and thirty (530) feet. The only roadways included in the proposed modification are functionally classified as local streets. Intersection spacing meets the minimum one hundred (100) foot and maximum five hundred and thirty- (530) foot spacing along SW 185th Avenue with approximately two hundred and one (200) feet spacing between SW Yamsay Street and four hundred and twenty (420) feet between SW Alvord Lane and SW Barrows Road. This is depicted on the Modified Preliminary Plat Plan – Northwest (Sheet 4).

210.20 Cul-de-sacs, Eyebrows, Turnarounds

The following specifies the minimum requirements for cul-de-sacs, eyebrows, and turnaround areas. Other

turnaround geometrics may be used when conditions warrant and City Engineer approves the design and application of its use.

A. *Cul-de-sacs, eyebrows, and turnaround areas shall be allowed only on local streets and commercial/industrial streets.*

Response: This proposal has been designed to include street stubs for SW Alvord Lane, SW Yamsay Street and SW Grizzly Street. These streets would be extended westward if that property develops at a later time. No cul-de-sacs, eyebrows or turnaround areas are included in the proposed modifications to the Fox Hollow at South Cooper Mountain PUD.

B. *Cul-de-sacs shall not be more than 200 feet in length. The length of a cul-de-sac shall be measured along the center line of the cul-de-sac from the near side right-of-way of the nearest through traffic intersecting street to the farthest point of the cul-de-sac right-of-way. See the standard drawings for cul-de-sac right-of-way and pavement requirements.*

Response: Not applicable. No cul-de-sacs are included in this proposal.

C. *The minimum curb radius for transitions into cul-de-sac bulbs shall be 25 feet, and the right-of-way radius shall be sufficient to maintain the same right-of-way to curb spacing as in the adjacent portion of the road.*

Response: Not applicable. No cul-de-sacs are included in this proposal.

D. *In a cul-de-sac serving only residential uses and having no more than five (5) abutting residential units, the dimensions of the cul-de-sac bulb may be reduced as shown in the standard drawing “minimum cul-de-sac standards.”*

Response: Not applicable. This proposal does not include a cul-de-sac serving residential uses with no fewer than five (5) abutting residential units.

F. *An eyebrow corner may be used on a local street where expected ADT will not exceed 500 vehicles per day or as otherwise approved by the City Traffic Engineer. Minimum curb radius on the outside of an eyebrow corner is 36 feet; minimum right-of-way radius is 45 feet. Eyebrow geometry shall be evaluated based on turning requirements for Fire Department vehicles. The minimum curb radius is the straight-line distance measured from the point of intersection of the tangents (of the projected centerline) to the face of the curb (36 feet required), or to the edge of right-of-way (45 feet required).*

Response: Not applicable. Eyebrow corners are not included in this proposal.

EDM 210.21 – Driveways

A. *Design standards. Driveways shall be designed and constructed to City standards per this manual and the appropriate Standard Drawings.*

Response: This proposal has been designed to include driveways in conformance with required City design standards.

B. *Elevations of Driveways. Driveways and private property access providing primary emergency vehicle access to habitable structures shall be designed with travel lanes at or above the 25-year flood elevation but not lower than six (6) inches below the 100-year flood elevation.*

Response: The site is located entirely above the 25-year and 100-year flood elevation, therefore the driveways for all primary emergency vehicle access for all residential homes will meet this standard.

- C. *Corner Clearance for Driveways. Corner clearance shall be based on an intersection analysis and shall conform to the following minimum distances:*

FOR LOTS FRONTING ON:	DESIGN SPEED (MILES PER HOUR)	MINIMUM DISTANCE BETWEEN FACE OF CURB OF INTERSECTING STREET AND NEAR SIDE EDGE OF DRIVEWAY (FEET)
Arterials and Collectors	25	150
	30	180
	35	180
	40	200
	45	230
	50	350
Neighborhood Routes		50
Local Streets		25

Note: Street Functional Classifications are identified in the *Comprehensive Plan Transportation Element Figure 6.4*.

Response: All streets included in this proposal have been designed to a L1 standard for local streets, each of which requires a twenty five (25) foot corner clearance. This proposal does not include driveway entrances onto SW Barrows Road, which is functionally classified as a collector. The alley driveways have been located to meet or exceed the minimum distance between face of curb of the intersecting street and nearside edge of the driveway.

- D. *If the minimum standards in this subsection would prohibit access to the site, a driveway with restricted turn movements acceptable to the City Traffic Engineer may be approved.*

Response: Not applicable. This proposal has been designed to meet the minimum standards in this section.

- E. *Minimum driveway spacing between driveways on arterials and collectors shall also conform to the corner clearance standards of this section.*

Response: Not applicable. This proposal does not include direct driveway access onto arterials or collectors, therefore this standard does not apply.

- F. *Driveway Approaches*

The City Traffic Engineer has the authority to limit access and access locations. Access to streets and highways under Washington County or State of Oregon jurisdiction must be formally approved by those entities at the applicant's initiative and expense. The following specifies the minimum requirements for driveways:

[...]

Response: Not applicable. The streets included in this proposal are under the City of Beaverton's

jurisdiction and as such as not subject to the Washington County or State of Oregon standards for driveway access approaches.

G. Driveway Grades.

1. *The minimum and maximum longitudinal grades for driveways shall be as shown on the Standard Drawings for driveways.*

Response: This proposal has been designed in conformance with the City of Beaverton’s residential driveway standards (#211) and will be demonstrated within the site development plans. Maximum slopes are depicted within the Modified Grading Plan – Overall (Sheet 8).

2. *The maximum longitudinal grades shown on the Standard Drawings do not apply to driveways less than 20 feet in length and driveways behind curbtight sidewalks. Such driveways, including their aprons, shall be designed individually by qualified designers to ensure that the slope of each driveway is not so steep as to prohibit adequate undercarriage clearance for any conventional unmodified passenger vehicle using the driveway.*

Response: This proposal has been designed to include residential driveways less than twenty (20) feet in length.

3. *On common residential driveways (i.e., driveways serving two or more single family residential tax lots or condominium units), the maximum longitudinal slope of the shared driveway within its intersections with each individual driveway shall be no steeper than 5 percent.*

Response: Not applicable. This proposal does not include the provision of common residential driveways.

4. *The finished grade elevations of common driveways in residential areas shall be designed at or above the 25-year flood elevation but not lower than 6 inches below the 100-year flood elevation.*

Response: Not applicable. This proposal does not include the provision of common residential driveways.

H. Driveway Width.

1. **Residential Driveway Width.**

- a. *For a residential driveway serving 1 to 3 single family residential units, the required hard surface shall meet the unobstructed width as shown in the Standard Drawings. It shall be the applicant's responsibility to determine the correct width of the driveway consistent with these minimum and maximum widths and with the dimensions of the parking area or garage served by the driveway.*

Response: This proposal includes the provision twenty- (20) foot wide of residential driveways serving individual single family residential lots, the width of which is measured from expansion joint to expansion joint. Pursuant to Standard Residential Driveway (#211), the driveway may be up to a maximum of thirty (30) feet wide measured from expansion joint to expansion joint.

- b. *For a residential driveway serving four or more single-family residential units, the required hard surface, not including the width of the driveway apron in the right-of-way, shall meet the unobstructed width as shown in the Standard Drawings.*

Response: Not applicable. This proposal does not include residential driveways serving four (4) or more single-family residential units.

EDM Section 450 – Street Illumination

450.1 General Design

Street illumination design and installation shall conform with the Oregon Standard Specifications for Construction and Oregon Standard Drawings Street Lighting installation plans shall consist of the following separate sheets:

<u>Plan Sheet</u>	<u>Minimum Scale*</u>
1. Street Lighting Legend	N/A
2. Street Lighting Plan	1-inch = 30 feet
3. Street Lighting Schematic and Details	N/A
4. Street Lighting Standard Details (Includes all ODOT and City Standard Drawings)	N/A

features clearly and to y.

Response: The Modified Lighting and Photometric Plan included in the plan set is depicted with a one- (1) inch to thirty- (30) foot scale.

All street light plans shall include pole location by station, wiring, conduit, junction boxes, photo cells, controller cabinet, power source location lighting analysis output points, driveway locations and trees along with any other pertinent information. All back-up lighting analysis, line loss and service cabinet circuit load calculations shall be submitted for review along with the plans.

All street lighting shall be designed using the Illuminating Engineering Society guidelines as modified in this manual. Street lighting fixture style and aesthetic elements shall be determined through the development review process. When trees are being proposed with street lights, all street light poles should be located near property lines and at least 20 feet from any trees, unless approved by the city Traffic Engineer.

Response: Street lighting along SW Howlock Lane is included within the Modified Landscape Plan (Sheet 17). The Modified Lighting and Photometric Plan (Sheet 16.1) does not presently include the items listed above but will be included within the plan set provided to the City of. The street lights plans which will be provided to the City of Beaverton with the Site Development application will include more details including station, wiring, conduit, junction boxes, photo cells, controller cabinet, power source location lighting analysis output points, driveway locations and trees.

All electrical components shall be UL approved and testing lab approved from labs accepted by the State of Oregon.

All street lights shall be Light-Emitting Diode (LED).

Response: The developer will be required to demonstrate that all electrical components are UL approved and testing lab approved from labs accepted by the State of Oregon. The development is currently at the land use application stage and this level of review will be appropriate with the Site Development Review application.

The contractor shall be responsible to provide all required traffic control.

The contractor shall be responsible for making arrangements with PGE for connecting the street lighting system to the local distribution system.

Response: Prior to the initiation of construction activities, the contractor shall provide and implement all required traffic control and make arrangements with PGE for connecting the street lighting system to the local distribution system.

The following codes and references shall be used in designing all street light systems:

- A. Oregon Electrical Specialty Code and National Electric Code
- B. An Information Guide for Street Lighting by AASHTO
- C. America National Standard Practice for Roadway Lighting ANSI/IESNA RP-8-00.
- D. Fundamentals of Traffic Engineering by the Institute of Transportation Engineers.

Note: The Engineer shall submit a copy of the final electrical inspection to the City prior to City acceptance of the street light system.

Response: The above-listed codes shall be used to finalize the street light system design and the Engineer shall submit a copy of the final electrical inspection to the City in accordance with this section.

Lighting Levels: Average Maintained Illuminance on the Horizontal

Table 450.1 – Lighting Levels: Average Maintained Illuminance on the Horizontal

Minimum Average Maintained in Foot Candles			
Roadway Classification	Commercial	Mixed-use and Institutional	Residential
Arterials	2.0	1.4	1.0 *
Collectors	1.2	0.9 *	0.6 *
Neighborhood Routes	1.2	0.9	0.6
Local Streets	0.9 *	0.6 *	0.5 *
Private Streets	0.6	0.5	0.5
Roadside Walk and Bikeways	0.9	0.6	0.5
Other Pedestrian and Bicycle ways		Average Foot Candles	
Walk, Bicycle Parking Spaces, and Bikeways Distant From Roadways		0.5	
Pedestrian Tunnels		4.0	
Pedestrian Overpasses		0.5	
Pedestrian Stairways		0.6	

Note: The City and the appropriate natural resource agencies shall determine whether or not lighting shall be provided for shared-use paths in designated natural resource and wildlife areas.

*Increase light level by 50 percent at intersections.

Response: This proposal is subject to 0.5-foot candles for illumination along residential roads, private streets and roadside walk and bikeways with a fifty percent (50%) increase or 0.75-foot candles required for

intersections. This proposal has been designed to include 1.00-1.99 foot candles for the post-mounted lights along the public right-of-way. Illumination levels along the public right-of-way sidewalks are included with 0.5-foot candles. In addition, this proposal has been designed to include approximately half of the private alleys with the other half illuminated by wall-mounted lighting with 2.00-4.99-foot candles.

The minimum average uniformity of lighting shall be 6 to 1 for local streets and 3 to 1 for all other areas.

Response: This shall be demonstrated within the Site Development application submittal.

The minimum average foot candles shall be more than 10% above the requirement.

Response: This proposal has been designed to include primarily 1.00-4.99-foot candles which is more than ten percent (10%) of the requirement.

All street lights shall be option 'C' as defined below unless otherwise approved in writing by the Operations Director. The Operations Director shall approve all street illumination options (A, B, or C) with PGE prior to installation.

450.2 Option 'A' Lighting

Under this option, PGE will install, own, and maintain street lighting.

Response: The developer plans to install the street lighting and retain ownership of the lighting located within the private alleys.

450.3 Option 'B' Lighting

Under this option, the developer will install the street lighting, the City shall own the poles and fixtures, and PGE will maintain it.

Response: Not applicable. The developer plans to utilize Option 'C' for all lighting along public right-of-way for this project.

450.4 Option 'C' Lighting

Under this option, the developer will install the street lighting and the City of Beaverton will own and maintain it.

[...]

Response: The developer plans to install the street lighting along public right-of-way and the City shall own and maintain them.

- 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: The area that is proposed to change includes a new public street, which provides traffic capacity, safety, and improvements in proportion to the identified impacts of the development. The change will result in fewer daily trips due to the overall reduction in density.

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

Response: The traffic engineer provided a Technical Memorandum stating that trip generation counts anticipated to result from this proposal will result in fewer trips. For this reason, a Transportation Impact Analysis included with the 2018 original approval has not been updated.

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

Response: The traffic engineer provided a Technical Memorandum stating that trip generation counts anticipated to result from this proposal will result in fewer trips. For this reason, a Transportation Impact Analysis included with the 2018 original approval has not been updated.

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

Response: The Applicant acknowledges that the decision-making authority may make the determination about the adequacy of right-of-way.

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: The area that is proposed to change includes a short new L1 public street and it is not anticipated that traffic calming will be necessary.

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.

Response: The traffic engineer provided a Technical Memorandum stating that trip generation counts anticipated to result from this proposal will result in fewer trips. For this reason, a Transportation Impact Analysis included with the 2018 original approval has not been updated. Therefore, the original Conditions of Approval from 2018 will still apply.

60.55.15. Traffic Management Plan.

[ORD 4302; June 2004]

1. *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]*
2. *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 provided a Technical Memorandum stating that trip generation counts anticipated to result from this proposal will result in fewer trips. For this reason, a Transportation Impact Analysis included with the 2018 original approval has not been updated.

3. *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: Not applicable. Traffic Management Plan is not included in the Traffic Impact Analysis.

60.55.20. Traffic Impact Analysis.

[...]

Response: This proposal does not include an updated Traffic Impact Analysis. Instead, the traffic engineer has provided a Memo which discusses the anticipated traffic generated from the proposed PUD modification will result in fewer traffic counts.

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. This is facilitated by the inclusion of a new public street which meets intersection sight distance, curb return radii and illumination. Connections for these modes of transportation

have been included within streets included in this proposal as well as physically separate access for pedestrians by the provision of detached sidewalks, reducing the potential for pedestrian and vehicular conflicts. The private alleys included in this proposed modification meet the illumination standards as well. This is described in greater detail within the response to Section 60.55.10 above.

- 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: This proposal includes roadways designed in conformity with the original 2018 approval.

- 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 the abutting existing transportation network.

- 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.

- 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: Additional right-of-way is included in the proposed design of SW 185th Avenue in order to increase the sidewalk width on the west side of the street to accommodate the multi-use path.

6. *Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.*

Response: The area that is proposed to change includes a short new L1 public street. Bicycle and pedestrian crossing will cross the new street at the stop controlled intersection of SW 185th Avenue and SW Howlock Ln.

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 in this proposal connect 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 used 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 as part of the subject or adjoining developments.

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. Block lengths included in this proposal do not 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: Street connections included in this proposal are inhibited by wetland areas, which is one of the 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: Not applicable. This proposal does not include cul-de-sacs. Roadway connections are included with this proposal, which provides 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: This proposal has been designed to include alleys which provide access connection from pedestrian pathways to streets.

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 in 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. *Walkways are required between parts of a development where the public is invited or allowed to walk.*
- B. *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.*
- C. *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, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.*

- D. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
- E. Walkways shall be paved and shall maintain at least four 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.
- F. 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.
- G. 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: The sidewalks included in the modified areas of Fox Hollow include illumination with 0.50-0.99-foot candles, with intersection areas having 1.00-1.99-foot candles in conformance with the Engineering Design Manual (EDM) Table 450.1.

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:*

Response: Not applicable. The site is not located at or within two (200) hundred 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.*

"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: Mitigation measures a required by CWS, state and federal regulations will be adhered to for the sensitive site-specific characteristics associated with the site.

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

Response: This proposal has been designed to exclude bicycle and pedestrian connections along rear lot lines.

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

- A. *Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;*

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: No project-specific modifications are included in this proposal and the City Engineer provided approval that the location and width of the proposed right of way and easements are adequate per the overall development and City masterplans.

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.

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. This proposal has been designed to include fifteen foot sight clearance areas along the right-of-way access in within which no structures, fencing, signage, landscaping or other sight obscuring item. The requisite sight clearance area consisting of two (2) fifteen- (15) foot planes in conformance with Figure 210.3 – Sight Clearance from the EDM Section 210.18 is depicted along street corners in the updated plans. The intersection (and driveway) sight distance of two-hundred and forty (240) feet requirement is met as depicted within the Sight Distance exhibit provided to the City in a letter dated January 22, 2024.

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 within the area of proposed changes. The alleys and SW Howlock and SW Alvord Ln are provided with connected streets that allow for secondary vehicular exits.

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: The area proposed to change includes a new public street. See sheet 6 of the plans showing the sight distance lines and lengths as required in EDM Table 210.12. Sight vision clearance triangles per this section have also been added to sheet 6.

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

Response: The proposed SW Howlock Lane is designed per the EDM requirements and those requirements do not need to be lessened or waived by the decision-making authority.

B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.

1. *Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density multiple use development. [ORD 4584; June 2012]*

Response: This proposal does not include multiple use development.

2. *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 within 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: Corner clearances of the stop controlled intersection have been included on sheet 6.

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: Not applicable. This proposal does not include a driveway on an Arterial or Collector.

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.

60.65. 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 and no overhead lines are proposed or exist in the area to be modified.

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 Land Division, therefore the code provisions of this section pertain to the proposed project. No overhead lines are proposed or exist in the area to be modified.

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: All private utilities will be placed underground, except surface mounted appurtenances.

- 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 with stubs for service connections.

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.

60.67. Significant Natural Resources.

[...]

Response: This proposal will not change its impact on sensitive environmental areas. The proposal will demonstrate its compliance with the South Cooper Community Plan and the natural resources study included in the original approved PUD during the building permit application review at the City.

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 as contained within the Comprehensive Plan 2035. The following discussion describes the applicable guiding land use and transportation elements of the Comprehensive Plan 2035.

A. 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

1.1.1. 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.

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.

B. 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 includes the provision of new residential development which will add 323 dwelling units which is within the allowed maximum density allowed for the site.

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 single-family residential development.

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 different sized single-family detached 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 safe and direct connections for pedestrians and bicyclists throughout the site which connect to external sidewalks and roadways.

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 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 residential use and future school use 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.

C. 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 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 is 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 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 is 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 included in this proposal. In addition, a future school location will provide convenience of location for children to get to school.

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 in 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 -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 confirms that this proposal has been designed to facilitate the required emergency fire access to the site.

IV. CONCLUSION

This written narrative and all other required items listed within the approval and submittal requirements for a modification to an approved Conditional Use (Planned Unit Development) and Land Use Division – Preliminary Subdivision have demonstrated that this proposal meets all relevant approval criteria and applicable development standards for the underlying zoning designations. Additionally, the proposal forwards several of the City's Comprehensive Plan Elements.