

Ridgewood Park Dog Run Conditional Use Permits & Design Review

Date: March 2023
Updated October 2023

Submitted to: City of Beaverton
Community Development Department
PO Box 4755
Beaverton, OR 97076

Applicant: Tualatin Hills Parks and Recreation District
15707 SW Walker Road
Beaverton, OR 97006

AKS Job Number: 9411



12965 SW Herman Road, Suite 100
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Exhibits

- Exhibit A:** Preliminary Plans
 - Exhibit B:** City of Beaverton Application Forms and Checklists
 - Exhibit C:** Pre-Application Conference Notes
 - Exhibit D:** Property Information
 - Exhibit E:** Neighborhood Meeting Materials
 - Exhibit F:** CWS Service Provider Letter
 - Exhibit G:** Schiffler Park Traffic Report
 - Exhibit H:** Bicycle Parking Study
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Submitted to:	City of Beaverton Community Development PO Box 4755 Beaverton, OR 97076
Applicant:	Tualatin Hills Parks and Recreation District 15707 SW Walker Road Beaverton, OR 97006
Property Owner:	Tualatin Hills Parks and Recreation District 15707 SW Walker Road Beaverton, OR 97006
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062
	Contact: Glen Southerland, AICP Email: SoutherlandG@aks-eng.com Phone: (503) 563-6151
Site Location:	No situs address; north of SW Wilshire Street, west of SW 96 th Avenue, east of Beaverton-Tigard Highway/Oregon Route 217, and south of SW Sunset Highway/US Route 26
Washington County Assessor's Map:	1S 10 2CD Tax Lot 1500
Site Size:	±1.27 acres
Land Use District:	Residential Mixed A (RMA)

I. Executive Summary

Tualatin Hills Parks and Recreation District (THPRD) (Applicant) is submitting these land use applications to accommodate the creation of a new dog run located at Ridgewood Park in the City of Beaverton. This package includes applications for Conditional Use Permit for the dog run, a request for Parking Determination, and Design Review Compliance Letter.

Ridgewood Park was created in 1951 as part of the establishment of the surrounding residential subdivision. The site is a THPRD Neighborhood Park intended to serve residents within ½ mile in order to meet the recreation needs of the surrounding residential neighborhood. Ridgewood Park currently features a children’s playground, community gardens, and opportunities for informal play within the park’s green open space. The Applicant is proposing that a portion of the park be converted to provide a dog run, a type of facility of which was identified during recent THPRD planning efforts as desired throughout the parks district and is also consistent with the City of Beaverton’s goals. The planned dog run is proposed to be located in the western portion of the site within the existing park fence boundary.

A Conditional Use Permit is required for the addition of the dog run to the existing park. Staff has determined that the existing public park does not require a conditional use permit. A Design Review Compliance Letter is requested for the construction of the new fencing. Because parks and dog runs are not included within the City’s parking requirement table, the application includes a request for Parking Requirement Determination for the review of bicycle parking at the site.

The City of Beaverton has adopted THPRD plans such as the THPRD Comprehensive Plan, Parks Functional Plan, and Trails Master Plan as Master Plans by reference within the City’s Public Facilities Plan (PFP) Element, Chapter 5.2. The THPRD Parks Functional Plan states that dog parks are an “important component” of the park system and that distribution of dog parks throughout the service district is “critical.”

This application includes the City of Beaverton (City) application forms, written materials, and preliminary plans necessary for the City Planning Commission to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City’s approval of the application.

II. Site Description/Setting

The subject site is located within the City of Beaverton limits, north of SW Wilshire Street, west of SW 96th Avenue, east of Beaverton-Tigard Highway/Oregon Route 217, and south of SW Sunset Highway/US Route 26. The site was annexed into the City of Beaverton in 1999 via Proposal No. 3978 along with 45 other publicly owned properties west of the MAX Light Rail line. Ridgewood Park is zoned Residential Mixed A (RMA) and is part of the Sunset Transit Center Station Community.

The ±1.27-acre site is currently an improved park with open lawn, playground, and community garden areas. The site was created as part of Lot 5, Block 34 of Cedar Hills Plat No. 9 in 1951. As the surrounding areas were platted and roadways dedicated, particularly those related to SW Sunset Highway/US Route 26 and Beaverton-Tigard Highway/Oregon Route 217, the shape of the property changed, and unused right-of-way areas were set aside for use by Ridgewood Park. As a portion of the site is located within highway right-of-way, ODOT has provided a land use application within Exhibit B and an ODOT Use Agreement is included as Exhibit D as supplemental information to this application. The Use Agreement

allows THPRD to use a fenced in portion of the property within the OR 217/US 26 interchange and along the SW Wilshire Street off-ramp, as well as a portion south of the soundwall.

Adjacent to the property is existing single-family residential development to the east and south. Sunset Highway/US Route 26 (US 26) is immediately north of the site, with commercial areas and Providence St. Vincent Medical Center beyond. Beaverton-Tigard Highway/Oregon Route 217 (OR 217), the highway’s SW Wilshire Street off-ramp, and commercial developments are located to the west of Ridgewood Park. The following table describes the zoning and land uses in the area surrounding the site:

Table 1: Surrounding Area/Zoning

Area	Jurisdiction	Zoning District	Land Uses
North	City of Beaverton	Station Community Multiple Use (SC-MU)	Highway, Commercial
South	Washington County	R-5	Single-Family Residential
East	Washington County	R-5	Single-Family Residential
West	Washington County / City of Beaverton	Transit Oriented Business (TO: Bus), Transit Oriented Retail Commercial (TO: RC) / Station Community Multiple Use	Highway, Commercial

III. Applicable Review Criteria

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 90 – DEFINITIONS

Public Dog Park or Dog Run. A component of a public park, containing a fenced area designated for dogs to exercise and socialize off leash. Elements of a dog park or dog run may include but are not limited: a perimeter fence, separate areas for small and large dogs, appropriate surfacing for the chosen location, seating (benches), shade, fountain or other appropriate water source, covered trash receptacles, dog waste bag dispensers, and regulatory signage.

Response: The project involves the creation of a dog run within an existing park. This dog run consists of a fenced area within the bounds of the existing perimeter fence. The proposed project includes a gated entry to the dog run area at the existing sidewalk, appropriate surfacing within the dog run, dog waste bag dispensers, and trash receptacles. Typical THPRD regulatory signage is expected to be installed. Water service is provided by an existing water fountain near the proposed entry to the dog run. Seating may be added for the dog run area at a later date.

CHAPTER 20 – LAND USES

20.05. Residential Land Use Districts

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.

[Excerpt of] 20.05.15 Residential Site Development Standards Table	
Superscript Refers to Footnotes	RMA
A. Minimum Land Area ¹ (square feet)	2,000/unit
B. Minimum Lot Area ^{2, 3} (square feet)	
Single-Detached and Duplex	1,500
Triplex and Quadplex	3,000
Townhouse	1,100
Cottage Cluster	7,000
C. Maximum Residential Density	N/A
D. Minimum Residential Density (units per acres) ⁴	17
E. Minimum Lot Width ^{3, 6}	14
F. Minimum Yard Setback ^{3, 18}	
1. Front	10
2. Side	0, 3 or 5 ⁷
3. Rear	15 ⁸
4. Garage ⁷	5 or 18.5 ¹⁰
5. Garage Door to Rear ⁹	22
6. Minimum Between Buildings ¹⁰	6
G. Building Height	
1. Maximum ¹³	40
H. Maximum Floor Area Ratio (FAR) ^{3, 15, 16, 17}	Refer to Sections 20.25.10 and 20.25.15.
1. Single-Detached Dwelling	1.40
2. Duplex	1.60
3. Triplex and Quadplex	1.60
4. Townhouse	N/A
5. Cottage Cluster	N/A
All Dimensions are in Feet.	
<ol style="list-style-type: none"> 1. Minimum land area per dwelling unit in the MR zone and for only multi-dwellings in the RMA zone. 2. Minimum land area per lot in the RMA, RMB, and RMC zones; except, minimum land area per dwelling unit applies to multi-dwellings in the RMA zone. Minimum lot area standards apply to land divisions, (except middle housing land divisions). For middle housing, the standards also determine the minimum lot size needed for each middle housing type to be built on an existing lot. 3. If a duplex, triplex, quadplex, or cottage cluster has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots. 4. Refer to Section 20.25.05.D for exceptions to minimum density standards in the RMA, RMB, and RMC districts. 5. [Footnote repealed and reserved.] 6. Corner lots may need to provide a greater minimum lot width to accommodate the sight clearance areas specified in the Engineering Design Manual. 7. Side setbacks are 5 feet except when a different dimension is described in this footnote. For townhouses, the minimum side setback is zero for the attached side of the townhouse and 5 feet for sides that are not attached. For land divisions, except for townhouses or middle housing land divisions, the perimeter side setbacks are 5 feet, but side setbacks internal to the land division may be reduced to 3 feet with a total of 6 feet between buildings. In no case shall a building encroach into a Public Utility Easement (PUE). 8. The minimum rear setback to cottage cluster dwellings is 10 feet. 9. Carports shall meet the same yard setbacks as the dwelling. Garage setbacks shall be measured from the elevation containing the garage door and vehicle entrance of carports to the property line. For all other garage elevations, the building setback applies. 10. Either no greater than 5 feet or a minimum of 18.5 feet. 11. Measured from garage door elevation to opposite side of the alley right-of-way, common accessway, common driveway, or access easement line. 12. Minimum spacing between buildings on the same lot or in the same development. 	

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13. Maximum building height for all structures in a cottage cluster development is 25 feet.
 14. Also subject to additional height limitations in Section 20.30.
 15. Additional FAR may be available if existing trees are preserved, per Table 60.05.60.2.S4.c.2. If footnote 16 and 17 apply to a site, then the combined additional FAR from both scenarios shall not exceed 600 square feet. Cottage clusters are not subject to any FAR standards or FAR incentives.
 16. Single-detached, duplex, triplex, or quadplex structures in existence as of June 30, 2022 that exceed the applicable maximum FAR standard are allowed to expand up to 500 square feet in floor area above the maximum FAR permitted in the zone. If such existing structures are unintentionally destroyed, they may be rebuilt to exceed the maximum FAR by 500 square feet. If footnote 16 and 17 apply to a site, then the combined additional FAR from both scenarios shall not exceed 600 square feet.
 17. Accessory dwelling units added to an existing single-detached dwelling as of June 30, 2022 are excluded from the maximum FAR limitations.
 18. In RMA, RMB and RMC, setbacks are measured from a building façade to a lot line or nearest edge of shared access, whichever is closest to the building.
 19. Inclusive of antenna.
 20. At-grade equipment shelters.
 21. Applicable to all WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters

Response: This application involves a Conditional Use Permit for a proposed dog run, and Design Review Compliance Letter. As shown on the Preliminary Plans (Exhibit A), the application does not involve residential uses, buildings, changes to existing lot sizes or dimensions, or other applications involving the standards listed. Therefore, to the extent applicable, these criteria are met.

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.

[Excerpt of] Table 20.05.20.A		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions
Residential - Category and Specific Use		RMA
Civic		
12. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C
	B. Public Dog Parks or Dog Runs	C
	C. Public Recreational Facilities	C
	D. Community Gardens	P
<p>1. Existing single-detached dwellings as of June 30, 2022 and their accessory uses are Permitted uses in the MR zone and can be expanded or can be rebuilt if destroyed. New single-detached dwellings are Prohibited.</p> <p>2. [Footnote repealed and reserved.]</p> <p>3. The placement of a manufactured home is subject to the design and placement criteria found in Section 60.20.20.</p> <p>4. [Footnote repealed and reserved.]</p> <p>5. Limited to uses of Boarding, Rooming, and Lodging House.</p> <p>6. Storage yards for recreational vehicles, boats, and trailers owned by residents in a residential development or planned unit development.</p> <p>7. Only when abutting or directly across the street from Regional Center zones.</p> <p>8. In the MR zone, all units of a duplex, triplex, or quadplex must be attached.</p> <p>9. Existing self-storage facilities as of June 30, 2022 are Conditional uses in the RMB zone. New self-storage facilities are Prohibited.</p> <p>10. [Footnote repealed and reserved.]</p> <p>11. [Footnote repealed and reserved.]</p> <p>12. Compact Detached Dwellings on lots fronting common greens, shared courts, or public streets may be permitted on sites that are two acres or greater in size through the Conditional Use-Planned Unit Development process.</p> <p>13. Home Testing of Consumer Electronic Products uses shall:</p> <ol style="list-style-type: none"> be limited to the hours of 7:00 AM and 7:00 PM, Monday through Saturday, in which technicians are allowed to occupy the residence; have at least two off-street parking spaces for technicians, so no on-street parking would occur with the use; be limited to two vehicles on-site at any one time; have a 24-hour on-site security system; have a contract for landscape and maintenance services to ensure that the home testing properties are well maintained for the neighborhood; be limited to no more than three home testing dwelling units within a quarter mile radius at any time; be limited to single-detached dwelling units; and comply with the noise and odor limits contained in the City Code. <p>14. Animal Care uses provided as a private amenity to residents in multi-dwellings or on a common area serving multiple households. [ORD 4782; April 2020]</p> <p>15. Public Art shall be permitted pursuant to Section 60.50.25.13.</p> <p>16. Vehicle Camping may occur only where allowed through a program established by Council resolution and administered by the Mayor. The use is subject to the special requirements found in Section 60.50.25.14. Vehicle Camping uses do not require Conditional Use for extended hours of operation.</p> <p>17. Residential developments in the SCMCP area shall provide a variety of housing types consistent with the permitted and conditional uses of the applicable zone(s). The variety of housing shall be provided for sites:</p> <ol style="list-style-type: none"> Up to 15-acres (gross), a minimum of one (1) housing type; Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types; Greater than 30-acres (gross), a minimum of three (3) housing types For bullets a-c above, a minimum of 10 percent of each housing type shall be provided. 		

Response: This consolidated land use package involves a Conditional Use Permit application for a dog run within an existing public park, originally dedicated around 1951 as part of Cedar Hills Plat No. 9. A community garden is currently on-site, but not proposed to be disturbed as part of the addition of the dog run. The proposed uses are acceptable upon approval of this application.

CHAPTER 30 – NONCONFORMING USES

30.20. Nonconforming Uses.

1. Except as provided in Section 30.10, where a use of land or of a structure exists that was lawful at the time it was established, but that would not be permitted by this ordinance or subsequent amendments to this ordinance, the use may be continued so long as it remains otherwise lawful, provided:

A. No such nonconforming use shall be enlarged, increased or extended to occupy a greater area of land or of a structure than it occupied at the time it became nonconforming due to the adoption or amendment of this ordinance, except that any nonconforming use may be extended to parts of a structure that were arranged or designed for such use prior to such adoption or amendment;

Response: The park was a lawfully established and permitted use at the time of its dedication, built in Washington County. Parks are permitted conditionally within the Residential Mixed A (RMA) zoning district and the size of the park has remained consistent since its establishment. Portions of the park not associated with the dog run are not proposed to be altered.

The proposed dog run is a new conditional use and aspects of the site related to the new use will be brought into conformance with the current Beaverton Development Code. Therefore, this criterion is met.

B. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the time it became nonconforming due to the adoption or amendment of this ordinance;

Response: Nonconforming uses have not been planned to be relocated to any other portion of the site. This criterion is met.

C. If any such nonconforming use of land or of a structure is discontinued for any reason for a period of more than one year, any subsequent use of land shall conform to the requirements of this ordinance in the zoning district where such land is located;

Response: Ridgewood Park has been in use as a park since the property's dedication to the Tualatin Hills Parks and Recreation District. Supporting evidence to this effect has been included as part of this application submittal. This criterion is met.

D. No additional structure not conforming to the requirements of this ordinance shall be erected in connection with a nonconforming use of land.

Response: Structures not conforming to the requirements of Beaverton Development Code (BDC) have not been proposed. Therefore, this criterion is met.

2. To show that a use was allowed when established, a property owner may rely on evidence such as land use applications, building, land use or development permits, zoning codes and maps. To show that a use has not been discontinued for more than one year, a property owner may rely on evidence such as utility bills; income tax records; business licenses; listings in telephone, business, or Polk directories; advertisements in dated publications; building, land use, or development permits; insurance policies; leases; and dated aerial photos.

Response: Materials have been submitted which show the approval of the park as part of the Cedar Hills Plat No. 9 in 1951 in Washington County. Aerial maps and photographs have been

submitted to demonstrate that the park use has not been discontinued since its establishment. This criterion is satisfied.

3. Notwithstanding the provisions of subsection 1., above, any lawful nonconforming use of land or any structure associated with that use that would be adversely impacted or destroyed as a result of a government agency action, such as where the agency takes property through its exercise of eminent domain, requires dedication of property for public purposes or restricts the use of property by requiring a reservation of property for right-of-way purposes, may be moved to or reconstructed on the same lot and, if necessary, may be extended to an abutting lot in the same ownership, provided that the use or structure does not occupy an area greater than that occupied prior to the move. Such modification of the use or structure shall be subject to Modification of a Nonconforming Use Permit review by the Director. Other required land use applications shall be requested concurrently with the Modification of a Nonconforming Use request. The request for such review shall be made prior to the destruction of the use or structure and if not made by such time the rights granted by this subsection shall be terminated.

Response: These standards do not apply to the current land use application.

CHAPTER 40 – APPLICATIONS

40.03. Facilities Review Committee

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

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

Response: Chapter 90 of the City of Beaverton Development Code (BDC) defines critical facilities and/or services to include, “public water, public sanitary sewer, stormwater drainage, treatment, and detention, transportation, and fire protection.” The addition of the dog run use to the existing park use does not impact critical facilities or services such as those listed.

Water – The site has a connection to an existing water connection to the south that will remain in place, and which has sufficient capacity to continue to accommodate service to the park.

Sanitary Sewer – The site is adjacent to both an 8-inch City of Beaverton gravity sewer main and an 8-inch Clean Water Services gravity sewer main. The proposed project does not require the use of sanitary sewer.

Stormwater Facilities – The project site is adjacent to a 12-inch storm sewer main. The project does not propose to construct additional stormwater connections, close existing stormwater connections, or effectively increase stormwater runoff from the site.

Transportation – Access to the park is provided by SW Wilshire Street; however, the site does abut US 26 and an off-ramp associated with OR 217. The project does not propose modifications to the adjacent transportation facilities, nor does it propose to generate vehicle trips beyond the current capacity of those facilities.

Therefore, this criterion is met.

- 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: Chapter 90 of the City of Beaverton Development Code (BDC) defines essential facilities and/or services to include, “schools, transit improvements, police protection, on-site pedestrian and bicycle facilities in the right-of-way.”

The proposed project will not impact essential services such as schools, transit service, police protection, or pedestrian and bicycle facilities as it does not increase residential density or create significant traffic. These services, as applicable, currently serve the site without issue and with adequate remaining capacity. The project site is ±1,500 feet from Sunset Transit Center, which provides easy, walkable access to Ridgewood Park and surrounding areas. The park is also located near the Sunset Highway Regional Trail and local trail connectors on SW Wilshire Street, providing pedestrian and bicycle connectivity to surrounding areas.

The site is currently served by the City of Beaverton Police Department and Tualatin Valley Fire & Rescue and would continue to be served by these entities.

This criterion is met.

- 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.

Response: As discussed herein, the project satisfies applicable provisions of Chapter 20. This criterion is met.

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

Response: As discussed herein, this project satisfies application provisions of Chapter 60, as addressed later within this written narrative. The criterion is met.

- 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: The Applicant will ensure the performance of routine periodic maintenance and the necessary normal replacement of landscaping, structures, drainage facilities, screening and fencing, garbage areas, and other facilities that are not maintained by the City. At present, the park features a trash receptacle and animal waste bag dispenser near the entrance of the park. Other dispensers, receptacles, and other amenities may be added within the proposed dog run at a later time. This criterion is satisfied.

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

Response: The proposed project is a fenced dog run within an existing open space. As shown on the Preliminary Site Plan included in Exhibit A, safe and efficient pedestrian circulation is provided on-site. An Americans with Disabilities Act (ADA) accessible pedestrian connection provides access from SW Wilshire Street to the primary entrance of the site. Vehicular access to the site is not currently provided nor proposed. This criterion is met.

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

Response: As shown on the Preliminary Plans (Exhibit A), the project has an internal pedestrian circulation system to route pedestrians safely and efficiently into the site, playground, and dog run primary entrance. Vehicular circulation to the site is not provided nor proposed. This criterion is satisfied.

- 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 project involves an existing park and proposed dog run consisting of fencing and ground surfacing materials and does not involve a structure. Public facilities, as in those owned or maintained by the City of Beaverton, are not proposed. This criterion is met.

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- 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: The proposed dog run has been designed in accordance with applicable City codes and standards. The existing park complies with current applicable City codes, as addressed throughout this written narrative, but was approved under the jurisdiction of Washington County in the decades prior to annexation. The design of the park and dog run, including placement of existing fencing and landscaping, does not hinder protection from hazardous conditions, crime, and accidents. Crime Prevention Through Environmental Design (CPTED) is a standard for park safety and security addressed within the THPRD Parks Functional Plan (PFP) (April 2019) section on the subject (4.1.5.n). This criterion is satisfied.

- 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: Grading and contouring of the site is not planned as part of this project. The project is limited to fencing an existing open space to provide a dog run. This standard does not apply.

- 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: As mentioned above, and as shown on the Preliminary Site Plan included in Exhibit A, the site has been designed to accommodate direct ADA access from SW Wilshire Street, the primary entrance to the park. The Applicant recognizes the importance of accessibility to park facilities, as demonstrated within the district's PFP section addressing Park Site Standards (4.1.5.e). This criterion is met.

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

Response: As discussed in Section 50.25.1, this application contains the applicable submittal materials. This criterion is met.

2. Public Transportation Facility Improvements or Modifications, including Street Vacations

- A. The transportation facility, as proposed or modified, conforms to the Transportation System Plan.
- B. There are safe and efficient vehicular and pedestrian circulation patterns within the project boundaries.
- C. The proposed development is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of CHAPTER 60 (Special Requirements) are in place.

- D. Adequate means are provided or proposed to be provided in a satisfactory manner, to ensure continued periodic maintenance and replacement of the following, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities.
- E. The proposed transportation facility connects to the surrounding circulation systems in a safe, efficient, and direct manner.
- F. The proposed transportation facility or modification thereof will provide adequate fire equipment facility access and turnaround area, as well as adequate street lighting for crime and accident prevention as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.
- G. Grading and contouring are the minimum necessary to accommodate the proposed transportation facility, while mitigating adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.
- H. Access and facilities for physically handicapped people are maintained and/or incorporated into the subject transportation facility, with particular attention to providing continuous, uninterrupted access routes.
- I. The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code.

Response: This project does not include new streets or modifications to existing adjacent streets. These standards do not apply to the application.

40.15. Conditional Use

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.

Response: This project involves a park and proposed dog run within the Residential Mixed A (RMA) zoning district. Pursuant to Table 20.05.20.A, this type of use is a Conditional Use. Therefore, the provisions of this section are applicable to this application.

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

5. New Conditional Use.

A. **Threshold.** An application for a New Conditional Use shall be required when the following threshold applies:

- 1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.
- 2. The proposed permitted residential use is located in the floodway fringe on a lot greater than five acres in size.

Planned Unit Developments, single-detached and duplex dwellings are exempt.

3. A proposed use located on parcel(s) designated Interim Washington County, which requires Type III approval through Washington County's Development Code where no other Type 1 or greater review is required with the proposal.

Response: The subject site has a Residential Mixed A (RMA) zoning designation, and the planned project improvements include a park and proposed dog run, Conditional Uses within the RMA zoning district. Therefore, this project meets the above threshold for a new Conditional Use Permit.

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

Response: It is understood that this application will be reviewed as a Type 3 procedure.

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

1. The proposal satisfies the threshold requirements for a Conditional Use application.

Response: As previously discussed, this application includes a new Conditional Use; therefore, the project meets the threshold requirements for a Conditional Use application. This criterion is met.

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

Response: Included with this application is a check for the applicable fees. This criterion is met.

3. The proposal will comply with the applicable policies of the Comprehensive Plan.

Response: Pre-Application Conference Notes are included as part of this application as Exhibit C. The responses and findings addressing each of the below policies demonstrate that the planned project aligns with applicable provisions of the comprehensive plan:

3.6 Mixed Use Areas

“Mixed Use Corridors tend to have a mix of housing and commercial uses that face the street and provide shops and services that primarily meet the needs of several adjacent neighborhoods.”

Goal 3.6.5 Mixed Use Corridor: Promote a mix of residential and commercial uses that complement and serve adjacent neighborhoods in a pedestrian-friendly environment, Policy c. “Ensure that new development and redevelopment creates a pedestrian-friendly environment, using pedestrian-oriented design as described in the policies for all mixed use areas.”

The existing park is located within a residential neighborhood near a commercial area. The existence of the park has encouraged pedestrian-friendly development within the area by providing nearby opportunities for recreation, preventing vehicle trips to parks further away and allowing for denser development through the provision of a public open space.

The park and dog run are connected to the sidewalk network via pathways at the main and secondary entrances to the park. The dog run gate is planned to abut the existing paved pathway extending north from the park's entrance on SW Wilshire Street. A continuous paved sidewalk is available to connect the north and south entrances and no further improvements are planned.

8.4 Noise

“A healthy acoustical environment is vital to the livability of the City. Sources of environmental noise may be largely classified into four types: 1) building equipment, 2) transportation systems, 3) industrial and commercial activity and 4) human activity. Building equipment primarily includes outdoor units, such as fresh air intakes, cooling towers and condensers, fan rooms, and power transformers. Transportation systems include highway traffic, light rail trains, heavy rail trains and aircraft. Industrial noise is found at industrial sites and utility sources, and also includes construction activity on our streets, buildings and utilities. Noise emanating from human activities, including dog barking, loud voices, and loud audio systems, can be a problem in urban settings if buildings are designed without adequate consideration of noise reduction.”

Goal 8.4.1: Create and protect a healthy acoustical environment within the City,
Policy a. *“Noise impacts shall be considered during development review processes.*

Action 1: *Adopt and implement appropriate design standards for development permits for all commercial, industrial, high density, mixed use and transportation projects, and others as appropriate. Development applications should be required to demonstrate compliance with applicable noise level standards. Means of meeting the design standards might include, but are not limited to:*

- *Use of year-round landscape elements that absorb parking lot and street noise.*
- *Use of underground parking.*
- *Use of extra-thick windows.*
- *Facades constructed of materials that help to absorb sounds.*
- *Pervious surface landscape and parking lot materials that absorb sounds.*

-
- *Use of building materials that aid in the reduction of sound traveling through common floors and walls.*
 - *Dampers on heating and cooling equipment.”*

Vehicle and mechanical noises are not proposed as part of the use of the site. Buildings and building materials are also not proposed; therefore, landscaping will be the primary method of reducing the impact of noise.

The project proposes to retain existing boundary landscaping in order to minimize noise impacts to the surrounding neighborhood and located as far from residential homes as possible within the existing park. While the impacts generated by the park are small in comparison to the surrounding highways, THPRD has proposed to retain the mature hedge along the eastern property line in order to dampen and absorb sound.

Commercial areas and highways lie to the west, which do not require sound attenuation. Landscaping and other measures such as walls would be inappropriate to install along the park’s southern boundary, because of access and security concerns. However, surfaces throughout the park are composed of grass, sand, or other pervious material that will aid in controlling sound.

Visiting patrons to the park will be subject to THPRD rules and District Policies, which include requirements that dogs be kept under control at all times and may not be unattended.

10. Physical Activity

“Physical activity is essential to good health. Regular exercise helps maintain healthy weight and reduces the risk of high blood pressure, type 2 diabetes, heart attack, stroke, and several forms of cancer. It also reduces the likelihood of arthritis pain and disability, osteoporosis, depression and anxiety.

Planning efforts that promote physical activity might include pedestrian and bicycle-oriented street design or design elements that link neighborhoods to public transit. This is especially crucial for groups that are less likely to own a car including low-income households, the elderly, people with disabilities, and young adults. Not only does convenient access to parks, playgrounds, pools and trails increase physical activity, but it’s likely to contribute to the psychological health of area residents as they encourage social interaction among neighbors.”

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community. Policy a. *“Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.”*

The addition of the dog run to Ridgewood Park provides an additional place for residents of the area to have opportunities for recreation and physical activity by providing a destination for dog owners within walking distance. Additional uses within the park can

encourage greater and more frequent visitors to Ridgewood Park as well as encourage interest in the rest of the park system and THPRD amenities, contributing to the overall health of the community.

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

Response: As the proposed improvement is entirely within the bounds of the existing park, the size, dimensions, configuration, and topography of the site can reasonably accommodate the ±19,500-square-foot dog run area. The addition of interior fencing to create the area will not alter the listed aspects of the park site. Therefore, this criterion is met.

5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

Response: The impact to properties within the surrounding area is expected to be minimal. The addition of the dog park to Ridgewood Park increases the livability within the surrounding neighborhood through the provision of greater parks amenities for those seeking recreational opportunities with their pet. The project proposes to retain existing landscaping such as the tall boundary hedge in order to exceed the B2 buffer standard. This landscaping along the eastern property line will help dampen noise and prevent noise impacts to neighboring properties. THPRD park use rules will prohibit excessive noise in the park such as barking. This criterion is satisfied.

6. The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

Response: This application does not include a residential use within the floodway fringe. This standard does not apply.

[...]

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

D. Submission Requirements. An application for a Conditional Use 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 Conditional Use 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 includes the information required by the application form and Section 50.25. Forms signed by the property owner and other relevant documents noted on the application form are included in Exhibits A through G. This submittal requirement is met.

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

-
- F. Appeal of a Decision. Refer to Section 50.70.
 - G. Expiration of a Decision. Refer to Section 50.90.
 - H. Extension of a Decision. Refer to Section 50.93.

Response: These standards are understood.

40.20. Design Review

40.20.10. Applicability.

1. The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located.
2. Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following:
 - B. All uses listed as Permitted and Conditional Uses in the RMA and MR Residential zoning districts, except those that are exempt, per Section 40.20.10.3, and except those subject to Single-Detached and Middle Housing Design Review in the RMA district, per Section 40.21.10.

Response: The application involves a Conditional Use within the RMA zoning district not listed as an exempt use within Section 40.20.10.3. Design Review is required for the proposed project as outlined below.

4. Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, demolitions and redevelopments associated with them, will be treated according to the following principles:
 - A. Development constructed or approved prior to December 15, 2004 is not subject to Design Review standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:
[...]
 - C. Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable.

Response: The proposed project involves a new dog run within the existing Ridgewood Park. The park was constructed prior to December 15, 2004; therefore, the existing park is not subject to the Design Review standards and guidelines and is not considered nonconforming if it does not meet design standards. The dog run area is subject to the

applicable design standards to the extent of the site area where the redevelopment is proposed, and only that area is subject to the applicable Design Review standards.

40.20.15. Application.

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

1. Design Review Compliance Letter.

A. **Threshold.** An applicant must utilize the Design Review Compliance Letter process when the application is limited to one or more of the following categories of proposed action:

1. Minor design changes to existing building or site including, but not limited to:

[...]

h. Addition or modification of new fences, retaining walls, or both.

Response: This project qualifies for review under the standards of a Design Review Compliance Letter as it includes the addition of fencing to an existing fenced area and the addition of landscaping to meet screening requirements. This threshold is met.

[...]

5. Construction of new Community Gardens or additions to existing Community Gardens.

Response: Modifications to the existing Community Gardens has not been proposed.

B. **Procedure Type.** The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Design Compliance Letter. The decision making authority is the Director.

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

1. The proposal satisfies the threshold requirements for a Design Compliance Review Letter.

Response: As discussed herein, this project satisfies the threshold requirements for a Design Review Compliance Letter. This criterion is met.

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

Response: The Applicant has submitted the requisite fees associated with the project. This criterion is satisfied.

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

Response: This application includes applicable submittal requirements pursuant to Section 50.25.1 and other applicable Code provisions. This criterion is met.

-
4. The proposal meets all applicable Site Development Requirements of Sections 20.05.15., 20.10.15., 20.15.15., and 20.20.15. of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application which shall be already approved or considered concurrently with the subject proposal.

Response: As described herein, the project is consistent with the applicable provisions of Chapter 20. This criterion is met.

5. The proposal, which is not an addition to an existing building, is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).

Response: As previously described, this application involves the creation of a dog run area within the existing Ridgewood Park. The proposed project is not an addition to an existing building. As described herein, the project is consistent with applicable provisions of Section 60.05.15 through 60.05.30. This criterion is met.

6. If applicable, the proposed addition to an existing building and/or site, and only that portion of the building and/or site containing the proposed improvements, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:
 - a. Building articulation and variety (Section 60.05.15.1.).
 - b. Roof forms (Section 60.05.15.2.).
 - c. Exterior building materials (Section 60.05.15.4.).
 - d. Foundation landscaping requirements (Section 60.05.25.4.D.).
 - e. Screening roof-mounted equipment requirements (Section 60.05.15.5.).
 - f. Screening loading areas, solid waste facilities and similar improvements (Section 60.05.20.2.).
 - g. Lighting requirements (Section 60.05.30.).
 - h. Changes to the existing on-site vehicular parking, maneuvering, and circulation area does not require additional paving to the site and the minimum and maximum parking requirements for the subject site are met.
 - i. Pedestrian circulation.

Response: The applicable sections of code are addressed within this written narrative. This criterion is met.

7. The proposal complies with all applicable provisions in CHAPTER 60 (Special Regulations).

Response: The proposed project complies with the applicable provisions of Chapter 60, as addressed herein. This criterion is met.

-
8. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance.
 9. Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.
 10. Proposals for Community Gardens comply with Section 60.05.25.14 of CHAPTER 60. Community Gardens are exempt from Criteria 4, 5, 6, 7, and 8 above.

Response: These standards are not applicable to the proposed project.

11. 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 related documents and applications have been submitted together for concurrent approval. No other applications or documents are needed at this time. This criterion is met.

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

Response: The application for Design Review Compliance Letter has been made by THPRD, the owner of the subject property, on the appropriate City forms included as part of Exhibit B, and accompanied by the required information. This criterion is met.

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Compliance Letter application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

Response: These standards are understood.

40.55. Parking Determination

40.55.05. Purpose.

The purpose of a Parking Determination is to establish required number of parking spaces for uses which do not have a parking ratio requirement listed in the Development Code. The Parking Determination application is established for determining the required number of off-street parking spaces in advance of, or concurrent with, applying for approval of an application, development, permit, or other action. This Section is carried out by the approval criteria listed herein.

40.55.10. Applicability.

A Parking Determination may be requested in writing to establish a required off-street parking ratio or specific number of off-street parking spaces for a use or uses not

specifically listed in Section 60.30. (Off-Street Parking) of this Code, to share required parking spaces, or to determine the existence of excess required parking.

Response: The Climate Friendly and Equitable Communities rulemaking related to State-required parking rule changes becomes effective January 1, 2023. The City is currently working on Code changes related to the rule changes, with adoption of those changes expected by June 2023. As of January 1, 2023, the City cannot require minimum parking within ¾ mile of rail stops and within ½ mile of frequent-service bus lines. Ridgewood Park is ±1,600 feet (±0.3 miles) from Sunset Transit Center, meeting both the rail and frequent-service transit parking thresholds. As such, this application does not include a request for Parking Determination.

The applicable standards regarding a Parking Determination for bicycle parking are outlined below. A study was conducted by THPRD staff on several dates at several local parks with dog run/dog park facilities. The results determined that bicycle parking was not used by visitors to the dog run/dog park facilities within the observed times. Ridgewood Park and the proposed dog run are designed to serve residents of the nearby neighborhood.

40.55.15. Application.

There are three (3) Parking Determination applications which are as follows: Parking Requirement Determination, Shared Parking, and Use of Excess Parking.

1. Parking Requirement Determination.

A. Threshold. An application for Parking Requirement Determination shall be required when the following threshold applies:

1. A request that the Director establish, in writing, an off-street parking ratio or requirement for a use not listed or substantially similar to a use listed in Section 60.30. (Off-Street Parking) of this Code.

B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Parking Requirement Determination. The decision making authority is the Director.

Response: Parking requirements are determined by BDC Section 60.30. For uses that are not listed within BDC Table 60.30.10.5.B, BDC Section 60.30.10.4 states that a Parking Requirement Determination is required pursuant to Section 40.55. As public parks, dog parks, and dog runs are not listed within the applicable table, this application package includes a request for Type 2 Parking Determination. Supplemental bicycle parking study information is included as Exhibit H.

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

1. The proposal satisfies the threshold requirements for a Parking Requirement Determination application.

Response: As the proposed use is not listed within the parking table, a Parking Requirement Determination is required. The site is within the Climate Friendly and Equitable

Communities radii for prohibition of minimum parking; however, bicycle parking may be required, based on the results of the Bicycle Parking Study included as Exhibit H. This criterion is satisfied.

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

Response: The appropriate City application fees have been submitted. This criterion is met.

3. The determination is consistent with Title 4 of Metro's Regional Transportation Functional Plan.

Response: Title 4 of Metro's *Regional Transportation Functional Plan* (Metro Code Chapter 3.08) relates to parking management within the Metro area. The applicable sections of Title 4 include 3.08.410.H and .I, which apply to bicycle parking policies and minimums. Park and dog run uses are not listed within subsection H as those for which the City was required to establish minimum short-term and long-term parking. Subsection I requires that cities adopt parking policies, management plans, and regulations for Centers and Station Communities. The site is not located within a Center or Station Community, though it is located near the Sunset Transit Town Center. As the City's Transportation System Plan and parking regulations are consistent with Title 4 of Metro's *Regional Transportation Functional Plan* through consideration of vehicle and bicycle parking minimums and maximums, and consistent with new parking code per the requirements of Climate Friendly and Equitable Communities regulations, this criterion is met.

4. The determination will not create adverse impacts, taking into account the total gross floor area, number of employees, potential customer volume, and the hours of operation of the use.

Response: As shown through the information gathered and shown within Exhibit H, the creation of the dog run will not affect the bicycle parking needs of the site. At three different sites on six different days and times, no bicycle users were observed visiting the selected parks with dog run amenities. The additional use will not increase demand for bicycle parking and therefore will not create adverse impacts on the site or neighborhood. This criterion is met.

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

Response: The applicable requirements have been met as part of this application submittal per Section 50.25.1.

6. 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 required and requested documents have been submitted to the City in the proper sequence.

- D. Submission Requirements. An application for a Parking Requirement Determination 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 Parking Requirement Determination 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 applicant, the owner of the subject property, and the owner's authorized agent have provided an application for Parking Requirement Determination on the appropriate form and with the information listed on the requisite form, listed within applicable code sections, and identified by staff. This criterion is met.

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Parking Requirement Determination application to ensure compliance with the approval criteria.
- F. Appeal of Decision. Refer to Section 50.65.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Previous approval of Parking Requirement Determination application shall not be extended.

Response: These standards are understood.

40.90. Tree Plan

40.90.10. Applicability

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

[...]

Response: This project does not propose the removal of existing trees on-site; therefore, a Tree Plan application is not required.

CHAPTER 50 – PROCEDURES

50.20. Pre-Application Conference.

1. With the exception of City initiated or Wireless Facility applications, a pre-application conference shall be required for all proposals which require Type 2 or Type 3 applications. An applicant may choose to forgo the required pre-application conference for a Type 2 application upon completion of a form for that purpose provided by the Director. A pre-application conference is optional for an applicant for proposals which require only Type 1 applications.

[...]

6. If a complete application relating to a proposed development action that was the subject of a pre-application conference has not been submitted within one year of the conference, the applicant shall schedule a current pre-application conference.

Response: The proposed project involves a Type 3 application; therefore, a pre-application conference was required. The required pre-application conference was held on July 6, 2022, less than one year prior to the date of application submittal. Notes related to this meeting are included as part of Exhibit C. These criteria are met.

50.25. Application Completeness.

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

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

1. The applicant.

[...]

Response: An application form signed by the appropriate parties is included with the application materials. This criterion is met.

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.

Response: This narrative and accompanying documents respond to applicable approval criteria, regulations, and development standards. This submittal requirement is met.

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: This application includes the additional materials noted by the City staff in the Pre-Application Conference Notes (Exhibit C). This criterion is met.

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

Response: A neighborhood meeting was held on October 3, 2022, and the required documentation is included in Exhibit E. This submittal requirement is satisfied.

E. For a Type 2 or Type 3 application, a copy of the pre-application conference summary.

Response: This project was discussed with City staff at a pre-application conference held on July 26, 2022, and a copy of the Pre-Application Conference Notes is included in Exhibit C. This submittal requirement is met.

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.

Response: As discussed in the Pre-Application Conference Notes (Exhibit C), a Pre-Screening Site Assessment form from Clean Water Services is required and is included in Exhibit F. No other Service Provider Letters were required. This submittal requirement is met.

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

[...]

Response: Payment of applicable fees for this application are included with the submittal. This requirement is satisfied.

50.30. Neighborhood Review Meeting.

[...]

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

3. Procedures.

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

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.

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.

- 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.

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

- 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.
- 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:

The project site is within the boundaries of the Central Beaverton Neighborhood Association Committee (NAC). The Applicant participated within a regularly scheduled meeting of the NAC held at 7:00 p.m. on October 3, 2022, via Zoom. Notice of the meeting was mailed to all property owners within 500 feet of the property and to the listed representatives. A notice of the meeting was posted on the project site September 9, 2022—greater than 20 calendar days prior to the Neighborhood Review Meeting. At the Neighborhood Review Meeting, the project team described the proposed application, answered questions, and took comments regarding the project. Following the meeting, the Applicant’s consultant provided a copy of the meeting notes to NAC Chairperson Brian Negley via email and certified mail. These criteria are met.

- 4. To comply with this section, an applicant shall submit the following information with the application:
 - A. A copy of the notice sent to surrounding property owners and the NAC Representatives as described in Section 50.30.3.B.
 - B. A copy of the mailing list used to send out meeting notices as described in Section 50.30.3.B.
 - C. A written statement containing the information posted on the property as described in Section 50.30.3.C.
 - D. An affidavit of mailing and posting notices as described in Sections 50.30.3.A through C.
 - E. Copies of written materials and 8.5" x 11" size plans presented at the Neighborhood Review Meeting.

- F. Notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.
 - G. A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC.
 - H. If responses to the meeting notice were not received by the applicant and no one attended the Neighborhood Review Meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.
5. Failure of a property owner to receive notice shall not invalidate the Neighborhood Review Meeting proceedings.

Response: A neighborhood meeting was held on October 3, 2022, and the required documentation is included in Exhibit E. This submittal requirement is satisfied.

50.45. Type 3.

[...]

- 8. Not less than twenty (20) calendar days before the decision making authority's hearing, the applicant shall post at least one (1) signboard provided by the Director for that purpose. The signboard shall be posted in a conspicuous place visible to the public on or in the vicinity of the property subject to the application. The signboard shall state with minimum two (2)-inch high letters the case number; the telephone number where City staff can be contacted for more information. In the case of Non-Discretionary Annexation Related Zoning Map Amendments and Discretionary Annexation Related Zoning Map Amendments processed by the City, no site posting shall be required.

Response: A sign with the required information will be posted on the project site not less than 20 days prior to the hearing regarding the project. This criterion will be met.

CHAPTER 60 - SPECIAL REQUIREMENTS

60.05. Design Review Design Principles, Standards and Guidelines

60.05.05. Purpose.

The following design principles, standards and guidelines shall be met by new development, and redevelopment where applicable, throughout the City.

Response: This application involves modifications to an existing park, and, as such, this project is subject to these provisions.

60.05.11. Applicability of Design Standards to Residential Uses.

60.05.15. Building Design and Orientation Standards.

Response: The proposed project involves neither a building nor a residential use. These standards do not apply.

60.05.20. Circulation and Parking Design Standards.

Unless otherwise noted, all standards apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these standards apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the standards apply to middle housing or single-detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts.

Response: The project involves a nonresidential use within the RMA zoning district; therefore, these standards may apply.

1. Connections to the public street system.
 - A. Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element. For properties within the South Cooper Mountain Community Plan area, pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets and trails as specified in Figure 10: Community Plan Street Framework and Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan. Deviations from Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework shall be reviewed through the Planned Unit Development application. 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.

Response: The project is located within a neighborhood with an established street system. As such, pedestrian, bicycle, and motor vehicle connections are existing. The tables and figures specified within the Comprehensive Plan Transportation Element do not indicate planned facilities adjacent to the project site and are not relevant to the proposed project. The project site is not within the South Cooper Mountain Community Plan area.

2. Loading areas, solid waste facilities and similar improvements.
 - A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street or shall be fully screened from view from a public street.
 - B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.
 - C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
 1. Solid screen wall constructed of an exterior finish material utilized on one or more buildings,
 2. Solid hedge wall with a minimum of ninety-five (95) percent opacity within two (2) years.
 3. Solid wood fence

-
- D. Screening from public view by chain-link fence with or without slats is prohibited.
 - E. Screening of loading zones may be waived in Commercial and Multiple Use zones if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses.

Response: The creation of loading, solid waste facilities, and similar areas has not been proposed as part of this project. This section is not applicable.

3. Pedestrian circulation.

- A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:
 - 1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
 - 2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts occur,
 - 3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
 - 4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.

Response: The subject site is included within Figure 6.14 of the Transportation Element in the Comprehensive Plan. The site is adjacent to an existing public sidewalk and features pedestrian connections from the park entrance to the public sidewalk. This figure does not indicate additional planned pedestrian facilities adjacent to or on the site. To the extent applicable, these criteria are satisfied.

- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.

Response: As shown on the Preliminary Site Plan included in Exhibit A, the site has an existing direct walkway connection from the site, via a main point of entry, to SW Wilshire Street, a public street. The planned walkway provides a direct connection for pedestrians to access the building. This criterion is met.

- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic

conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.

Response: As shown on the Preliminary Site Plan (Exhibit A), the subject site has frontage on SW Wilshire Street and along an access-controlled state highway without pedestrian facilities west of the site. Modifications to the existing pedestrian facilities and creation of new pedestrian facilities has not been proposed. This criterion is satisfied.

D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.

Response: Parking lots and additional pedestrian connections, other than those existing, have not been proposed. This standard does not apply.

E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided and shall be composed of a different paving material than the primary on-site paving material.

Response: This standard does not apply.

F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.

Response: Existing pedestrian walkways are at least 5 feet wide. No additional walkways have been proposed. This criterion is satisfied.

4. Street frontages and parking areas.

[...]

5. Parking area landscaping.

[...]

6. Off-Street parking frontages in Multiple Use zones.

[...]

7. Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.

[...]

Response: The subject site does not include parking areas and is in a Residential district, not Multiple Use or Commercial zoning district. These subsections do not apply.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial, and Multiple Use zones.

A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:

1. The parking lot drive aisle is less than 100 feet long;

-
2. The parking lot drive aisle serves 2 or less residential units; or
 3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.
- B. Private streets, common greens, and shared courts shall meet the following standards:
- [...]

Response: The project does not include on-site buildings, parking, or drive aisles. These standards do not apply.

9. Ground floor uses in parking structures.
- [...]

Response: This application does not involve a parking structure. These criteria do not apply.

60.05.25. Landscape, Open Space, and Natural Areas Design Standards.

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

1. Minimum landscape requirements for residential developments consisting of two (2) or three (3) units of Attached Housing or Compact Detached Housing.
[...]
2. Minimum landscape requirements for residential developments consisting of four (4) to seven (7) units of Attached Housing or Compact Detached Housing.
[...]
3. Minimum landscape requirements for residential developments consisting of eight (8) or more units of Attached Housing or Compact Detached Housing.
[...]
4. Additional minimum landscape requirements for Attached Housing and Compact Detached Housing.
[...]

Response: This application does not include residential development, attached housing, or compact detached housing. These criteria are not applicable.

5. Minimum landscape requirements for non-residential developments and Mixed Use Development.
 - A. A minimum portion of the total gross lot area shall be landscaped:
 1. Conditional Uses in Residential districts, and all uses in Commercial and Industrial districts, fifteen (15) percent;

Response: The dog run is a Conditional Use within a Residential district. Ridgewood Park features existing landscaping throughout the site area (±61,000 square feet). This Code criterion requires that 15 percent of the site, or ±9,000 square feet, must be landscaped. Following conversion of the dog run area, the remainder of the park area will provide ±35,000 square feet of landscaped area, not including the existing playground and other site amenities. Additional landscaping is not proposed, and this criterion is met.

-
2. All uses in Multiple Use districts, ten (10) percent.

Response: The subject site is in a Residential district. This standard is not applicable.

3. Environmentally sensitive areas shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.

Response: The subject property does not include environmentally sensitive areas. Therefore, this requirement does not apply.

- B. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.

Response: The existing park is generally well-planted with a number of trees and shrubs providing both shade canopy and screening. Based on the required landscape area determined by Section 60.05.25.5.A.1, 12 trees are required. The site currently provides greater than 12 trees. It is assumed that these trees, having been planted a significant amount of time ago, are greater than 1.5 inches in caliper. This criterion is met.

2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.

Response: The eastern property boundary is lined with evergreen shrubs maintained at ±5 feet or greater in height. The exact number of shrubs is unknown due to their preexisting nature and hedge configuration. The criterion above requires 23 shrubs. It is assumed that this solid hedge, ±350 feet in length, provides greater than the required 23 shrubs. This criterion is met.

3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

Response: The majority of the park, ±28,000 square feet, is planted with grass. A playground surfaced with sand for impact protection and ease of maintenance is provided on the eastern edge of the park. The playground area is not proposed for modification and is preexisting. As sand is not a material listed as limited to 25 percent of the required landscape area, this criterion is met.

- C. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25)

percent of the minimum landscaping requirement for Conditional Uses in Residential districts, and shall be comprised of the following:

1. Brick pavers, or stone, scored, or colored concrete; and,
2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
3. Street furniture including but not limited to benches, tables, chairs and trash receptacles; and,
4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

Response: This project does not include a hard surface pedestrian plaza. These standards are not applicable.

- A. All building elevations visible from and within 200 feet of a public street that do not have windows on the ground floor shall have landscaping along their foundation, which shall be counted toward the minimum landscaped requirement. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, for plazas adjacent to the building, or when the building is within three (3) feet of the property line. The foundation landscaping shall be at least five (5) feet wide; and shall be comprised of the following:

[...]

Response: The proposed project does not include a building; therefore, these standards do not apply.

6. Common Greens. Common greens are intended to serve as a common open space amenity for residents. The following standards apply to common greens for compact detached housing:

[...]

Response: This project includes a large open space but does not include common greens as the project does not involve compact detached housing. These standards are not applicable.

7. Shared Courts for Compact Detached Housing. Shared courts are intended to serve pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. See Figure 3. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. See Figure 4. Access from a shared court is limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following standards apply to shared courts:

[...]

Response: This application does not involve compact detached housing. These provisions are not applicable.

8. Retaining walls. Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination

of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.

Response: Retaining walls are not proposed as part of this project. This standard does not apply.

9. Fences and walls.

- A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.
- B. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slat may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.

Response: Fences are planned as part of the proposed project in order to enclose the dog run area. The fences are planned to be composed of black powder coat chain-link fencing, similar to the existing perimeter fencing. The fence does not include slats because the site is a park with open spaces and visual security must be assured. Therefore, the site, existing and as proposed, meets these criteria.

- C. Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.
- D. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, the preceding standards apply when visible from and within 200 feet of a public street.

Response: These standards do not apply.

E. Fences and walls:

- 1. May not exceed three feet in height in a required front yard along streets, except required above ground stormwater facilities fencing which may be four feet in height in a required front yard, and eight feet in all other locations.

Response: The proposed fencing is not located within the required front yard. For this zone, RMA, the required front yard setback is 10 feet. The fence, as shown in the Preliminary Site Plan, begins at an existing fence further from the front lot line than 10 feet. This criterion is met.

- 2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.

Response: SW Wilshire Street is classified as a Neighborhood Route; therefore, this standard does not apply.

- 3. For detached housing along streets and housing facing common greens and shared courts in Multiple Use zones, 3

feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.

Response: This standard does not apply to the application.

10. Minimize significant changes to existing on-site surface contours at residential property lines.
 - A. Where grading is proposed, the requirements listed in Section 60.15.10 shall apply.

Response: Grading is not proposed as part of this project. This standard and those of Section 60.15.10 are not applicable.

- B. Notwithstanding the requirements of subsection A. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.

Response: Grading is not proposed as part of this project. This standard does not apply.

11. Integrate water quality, quantity, or both facilities. Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.

Response: No additional impervious surface is proposed as part of this application; therefore, no stormwater facilities are proposed. This standard does not apply.

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

Response: The subject site does not contain City-adopted natural resource features. This standard does not apply.

13. Landscape buffering and screening. All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2. and the following standards. For purposes of this Section, a landscape buffer is required along the property lines between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in Residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer

area and landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.45.10.

Table 60.05-2 Minimum Landscape Buffer Requirements Between Contrasting Districts		
District of Development	Location	Residential Mixed B and C (RMB, RMC)
Residential Mixed A (RMA)	Abutting	10'/B2 CU
	Across Street	N/A
<p>NOTES FOR TABLE 60.05-2:</p> <ol style="list-style-type: none"> 5' / 10' / 20' = Buffer Width B1 / B2 / B3 = Buffer Standard N/A= Not Applicable CU= Conditional Use Except for non-residential uses and parks in Residential districts, buffering requirements are not in addition to building setback requirements as described in CHAPTER 20 of the Development Code. Where a setback width is less than a landscape buffer width described in Table 60.05-2, the minimum setback width of the zone shall apply to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. [ORD 4531; April 2010] Buffering requirements for RMA, RMB, and RMC shall only be applied when a Conditional Use (CU) is proposed. [ORD 4822; June 2022] A minimum 20 foot buffer developed to a B3 standard is required for non-residential land uses and parks abutting a residential use in a residential zoning district. This standard shall apply only to side and rear property lines that abut residentially zoned properties. The Director is authorized to approve exceptions as described under Section 60.05.25.13.A, Applicability of Buffer Standards, otherwise all proposals to modify the 20-foot buffer width or B-3 standard are subject to public hearing consideration in review of applicable guidelines (Section 60.05.45.11.). [ORD 4531; April 2010] [ORD 4782; April 2020] Where a site proposed for development abuts property located outside City limits, the buffering requirement for the equivalent zone shall be applied to the property as described in Table 1, Section 1.5.2. of the Comprehensive Plan adopted pursuant to the Washington County - Beaverton Urban Planning Area Agreement (UPAA) or similar a zone as determined by the Director. 		

Table 1, 1.5.2: Annexation-related plan and zone changes not requiring discretion (Type I CPA/ZMA Applications)		
County Land Use District	City Comprehensive Plan Designation	City Zoning District
R-5, Residential 5 units/acre	Lower Density Neighborhoods (LDN)	RMC

Response: The park is zoned RMA and is adjacent to a Washington County R-5 zoning district to the east. The property line adjacent to these homes features an existing landscape buffer consisting of an evergreen hedge that is an average width greater than the 10-foot standard depth. Per the requirements of Note 8, Table 60.05-2 of the Beaverton Development Code and Table 1, Section 1.5.2 of the Beaverton Comprehensive Plan,



County R-5 zoning districts align with City Mixed Residential C (RMC) zoning districts. A Conditional Use within the RMA zoning district must provide a 10-foot/B2 landscape buffer when adjacent to the RMC district. The existing hedge provides a landscape buffer in excess of that required by code and no further plantings are required.

These criteria are met.

- A. Applicability of buffer standards:
 - 1. The buffer standards shall not be applicable to single-detached dwellings or middle housing dwellings or developments on individual parcels.
 - 2. The buffer standards shall not apply to areas where emergency access is required.
 - 3. The buffer standards shall not apply to areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
 - 4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a natural feature or an open space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the natural feature or open space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.
 - 5. The buffer standards shall not apply where required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover.

Response: As previously stated, this application involves a Conditional Use that requires landscape buffers. The listed exceptions do not apply; therefore, the provisions of the buffer standards are applicable.

[...]

- C. B2-Medium screen buffer: This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B2 buffer required for across the street.

[...]

- F. Landscaping buffering installation: All required buffering shall be installed prior to occupancy permit issuance.

[...]

Response: As discussed in Section 60.25.13, a 10-foot-wide B2 buffer is required adjacent to the park along the eastern property line which abuts Washington County R-5 zoning. As shown on the Preliminary Plans included in Exhibit A, the landscape buffer areas are existing and greater than the 10-foot minimum buffer depth. The hedge along the eastern property line is generally maintained at ±5 to 12 feet in height. The northern boundary features an existing ±15-foot soundwall along the southern edge of US 26. Ridgewood Park does not provide a screening buffer along the west or south property lines, as they abut public rights-of-way.

The site currently features a number of trees in the interior of the park, along the northern perimeter adjacent to the soundwall, and along the western fence line. As depicted on the Preliminary Plans, there are existing mature trees adjacent to the western and southern boundary. These criteria are met.

14. Community Gardens

[...]

Response: While a community garden currently exists on-site, this application does not include a new community garden, nor does it propose changes to the community garden. These standards are not applicable.

60.05.30. Lighting Design Standards

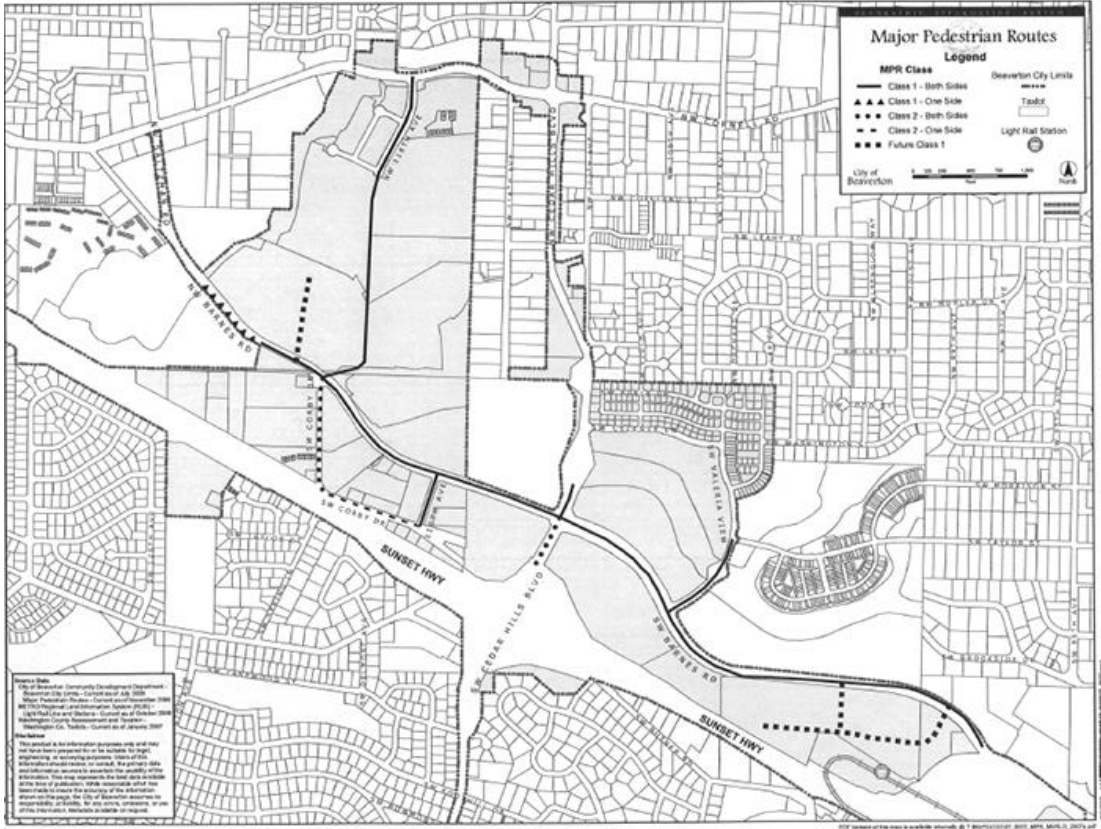
Unless otherwise noted, all standards apply to all uses in all zoning districts except RMA, RMB, and RMC. In RMA, RMB, and RMC, these standards apply only to multi-dwellings, compact detached housing, and non-residential uses.

1. Adequate on-site lighting and minimal glare on adjoining properties.
 - A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.
 - B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.
 - C. Lighting shall be provided in pedestrian plazas, if any developed.
 - D. Lighting shall be provided at building entrances.
 - E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.
2. Pedestrian-scale on-site lighting.
 - A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:
 1. Fifteen (15) feet in height for on-site pedestrian paths of travel.
 2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in Residential zoning districts.

-
3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.
 4. Fifteen (15) feet for the top deck of non-covered parking structures.
 5. The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.
 6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.
 7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.
- B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.
 - C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

Response: Ridgewood Park does not feature existing on-site lighting, vehicular circulation areas, or buildings which require lighting. New pathways have not been proposed as part of this project and the proposed dog run gate will connect directly to the existing pathway leading north from the south park entrance. As is common with public parks, the park is open to the public only between dawn to dusk. Therefore, no lighting is required and these standards do not apply.

60.05.55. Major Pedestrian Routes Maps.



Response: The project site is part of the Sunset Station Community but is not shown on the Major Pedestrian Route Map for the area. Major Pedestrian Routes are not proposed adjacent to the site.

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.

Excerpt of Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES (Excludes uses in Regional Center zoning districts - See Table 60.30.10.6)				
Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
Notes: 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted. 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5. 3. Refer to Section 60.30.10.11. for exceptions. 4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number. 5. For townhouse developments in RMA, RMB and RMC that propose a shared parking area, the parking ratio for required parking shall be 0.75 parking spaces per unit.				

Response: The application involves a park and dog run use within a park. These uses do not have listed parking requirements within Table 60.30.10.5.A, and the City is currently in the process of modifying parking requirements. Due to State-required parking rule changes put in place as part of the Climate Friendly and Equitable Communities rulemaking process, effective January 1, 2023, minimum parking cannot be required within ¼-mile of rail transit and ½-mile of frequent-service bus lines. Ridgewood Park is ±1,600 feet (±0.3 miles) from Sunset Transit Center, meeting both the rail and frequent-service transit parking thresholds. Parking is not currently provided on-site nor is it proposed as part of this application. Therefore, the automobile parking requirements of Chapter 60.30.10 do not apply.

Because bicycle parking requirements have also not been established for parks or dog runs, a Bicycle Parking Study was conducted. The study selected three parks at two different days and times for each site. As Ridgewood Park is a smaller, neighborhood park, the parks selected for comparison are larger and have greater amenities. A summary table of the park observations is attached as Exhibit H. No bicyclists or bicycle parking use was observed during the monitoring times.

60.50. Special Use Regulations

[...]

60.50.20. Fences.

Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering Design Manual and meet the following standards:

1. Fences and walls shall not exceed the following height:
 - A. Six (6) feet in a required front yard along designated Collector and Arterial streets.
 - B. Three (3) feet in height in a required front yard along all other street classifications.
 - C. Four (4) feet in height in a required front yard for required above ground stormwater facilities.

D. Eight (8) feet in height for all other yards.

Response: A four-foot-tall fence is currently provided around the perimeter of the park and will not be modified as part of this application. An additional 4-foot-tall fence is proposed to enclose the off-leash dog run area. The required front yard for the property is 10 feet in depth. The fencing is located outside of the required front yard. Therefore, the applicable criteria are met.

60.55. Transportation Facilities

60.55.15. Traffic Management Plan.

Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local Street or Neighborhood Route and having abutting property zoned R2, R4, R5, R7, or R10.

Response: This application involves the designation of a dog run area within an existing park facility. The existing park is ±55,000 square feet (±1.27 acres) in size, and the proposed dog run will be ±19,500 square feet in size. The total area of the park is not proposed to change, as the dog run will involve the addition of a fence interior to the existing park boundaries.

The Institute of Transportation Engineers (ITE) typically estimates site trip generation by describing the vehicle trips to and from the destination. ITE does not have a rate specific to dog runs or dog parks. As a result, trip generation calculations use the nearest comparison of ITE Land Use 411 – Public Park and previous (pre-COVID-19) observations of Summerlake Dog Park (a ±40,000-square-foot dog park), as well as estimates for Schiffler Dog Run (±14,700 square feet), attached as Exhibit G. Those trip generation calculations determined that Sunday peak hours created the greatest number of trips and trip generation would amount to 10 trips (5 in and 5 out) for Schiffler Dog Run. Using that methodology for a slightly larger dog run (±33 percent larger), the proposed Ridgewood Park Dog Run could expect to provide 1.33 times the trips, or 13.3 Sunday peak hour vehicle trips.

Therefore, because the threshold is not met, a Traffic Management Plan is not required.

60.55.20. Traffic Impact Analysis.

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

1. Engineer Certification. The Traffic Impact Analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the State of Oregon.
2. Analysis Threshold.
 - A. A Traffic Impact Analysis is required when the proposed land use change or development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer.
 - B. A Traffic Impact Analysis or some elements of a Traffic Impact Analysis may be required when the volume threshold under subsection A. of this section is not met but the City Engineer finds

that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.

Response: As previously discussed, ITE trip generation estimates for a use of this type do not exist, and data for a park of this size is limited. For a ±1.27-acre park, the average vehicle rate is estimated to be 1 (±0.64 vehicle trips per acre of park), while the fitted curve is estimated to amount to 89 calculated weekday vehicles per day (vpd). Using either result, the threshold for a Traffic Impact Analysis is not met, and these provisions are not applicable.

60.55.25. Street and Bicycle and Pedestrian Connection Requirements.

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

Response: As shown on the Preliminary Site Plan included in Exhibit A, safe and efficient vehicular and pedestrian circulation is provided on-site. The project is adjacent to existing 5-foot-wide sidewalks along the frontage of SW Wilshire Street on the site's southern boundary. Additionally, as further illustrated on the Preliminary Site Plan, an ADA accessible pedestrian connection provides access from SW Wilshire Street to the entrance of the existing playground area and the entrance to the proposed dog run.

The Preliminary Plans (Exhibit A) demonstrate that the planned improvements along with the existing access and sidewalk provide safe and efficient vehicular and pedestrian access to the site. This criterion is met.

2. The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel. For properties within the South Cooper Mountain Community Plan area, Figure 10: Community Plan Street Framework and Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan shall be used to identify functional classifications of streets, future streets, bicycle, and pedestrian connections. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. Trails identified in Figure 11: Community Plan Bicycle & Pedestrian Framework shall be designed to meet applicable Tualatin Hills Parks & Recreation (THPRD) District trail design standards, unless otherwise approved by THPRD. Deviations from Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework shall be reviewed through the Planned Unit Development application.

Response: Figure 6.4 of the Comprehensive Plan Transportation Element indicates that SW Wilshire Street is a Neighborhood Route. The SW Wilshire Street right-of-way, adjacent to the project site, is 60 feet in width, meeting the maximum width required for Neighborhood

Route-designated streets. The existing and planned improvements provide adequate vehicular and pedestrian access to the site.

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

Response: The site is surrounded by existing development and access-controlled highways. This criterion is not applicable.

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

Response: The park features existing connections extending to existing public sidewalks adjacent to the site. The proposed dog run will connect to these existing pathways in order to allow access to the adjacent street network. Additional or temporary connections are not required; therefore, this standard does not apply.

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

Response: The adjacent streets and other public facilities have not been identified as being of inadequate width.

6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.
7. Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.
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: Existing connections on the project site converge with adjacent existing public sidewalks. No improvements are needed to provide access to the site. These criteria are met

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

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

A. Accessways shall be provided as follows:

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

Response: This application involves modifications to an existing site. It does not include the creation of a new block or street connections. These standards are not applicable.

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

Response: The subject site is not within the South Cooper Mountain Community Plan area. Therefore, this standard is not applicable.

B. Accessway Design Standards.

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

Response: As previously discussed, this project does not include, nor is it required to provide, accessways. These standards do not apply.

10. Pedestrian Circulation.

[...]

B. Standards for Other Development.

-
1. Walkways are required between parts of a development where the public is invited or allowed to walk.
 2. A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.
 3. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multi-dwelling, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.
 4. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
 5. Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.
 6. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.
 7. On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.

Response: The site has ±112 feet of frontage on SW Wilshire Street, requiring one walkway. Another walkway is provided for the site's frontage on SW Park Way (±25 feet). As shown on the Preliminary Site Plan included in Exhibit A, this project does not include new walkways and proposes to use and connect to existing walkways. Walkways are not provided to the north and west because those highways do not permit pedestrian access. This criterion is satisfied.

[...]

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: The subject site does not include bicycle or pedestrian connections within any of the above-noted areas. These criteria do not apply.

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 project does not include bicycle or pedestrian connections along residential rear lot lines. This criterion is not applicable.

14. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:
 - A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
 - B. Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,
 - C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

Response: Streets, bicycle, and pedestrian connections are not proposed as part of this project. These standards do not apply.

60.55.30. Minimum Street Widths.

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.
2. Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street

furniture are subject to the procedures contained in CHAPTER 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City.

Response: Modifications to the standards of the Engineering Design Manual are not proposed. These standards do not apply.

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

Response: Street trees and other street frontage improvements are not proposed. This standard does not apply.

60.55.35. Access Standards.

1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved.
2. No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03.

Response: Changes to site access have not been proposed. These standards do not apply.

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

Response: The project does not propose to affect intersection visibility. The proposal is interior to the existing site and consists of a chain-link fence, which preserves visibility within the park. These criteria, as applicable, are met.

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

1. When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.

Response: This application does not include a new street or intersection. This standard is not applicable.

C. Driveways.

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

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

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area. Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.

3. No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decision-making authority may approve access from a detached dwelling to an Arterial or Collector.

Response: This project does not include the construction of a driveway or the modification of an existing driveway. Therefore, these criteria do not apply.

60.55.40. Transit Facilities.

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

[...]

Response: This application does not include transit facilities. Therefore, these criteria do not apply.

60.60. Trees and Vegetation

60.60.10. Types of Trees and Vegetation Regulated.

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

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

Response: As discussed herein, this application does not require the removal of trees. Therefore, the provisions of this section are not applicable.

IV. Conclusion

The required findings have been made, and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Beaverton Development Code. The evidence in the record is substantial and supports approval of the application.