



# SCHIFFLER PARK: PERMANENT RESTROOM

5495 SW ERICKSON AVENUE | BEAVERTON, OREGON 97005

## APPLICANT'S REPRESENTATIVE

3J CONSULTING, INC.  
9600 NW NIMBUS AVENUE, SUITE 100  
BEAVERTON, OR 97008  
CONTACT: SAM HUCK  
PHONE: (503) 946-9365

## OWNER | APPLICANT:

TUALATIN HILLS PARK & RECREATION DISTRICT  
6220 SW 112TH AVENUE, SUITE 100  
BEAVERTON, OR 97008  
CONTACT: MATT KILMARTIN  
PHONE: (503) 614-4010

## APPLICATION TYPE

MAJOR MODIFICATION OF A CONDITIONAL USE  
DESIGN REVIEW COMPLIANCE  
PARKING DETERMINATION

## SUBMITTAL DATE

DECEMBER 13, 2022

**Table of Contents**

GENERAL INFORMATION .....2  
SITE INFORMATION .....2  
INTRODUCTION .....3  
    APPLICANT'S REQUEST .....3  
    SITE DESCRIPTION/SURROUNDING LAND USE.....3  
    PROPOSAL.....3  
    NEIGHBORHOOD MEETING .....3  
APPLICABLE CRITERIA .....4  
CHAPTER 20 – LAND USES .....4  
    20.05. Residential Land Use Districts.....4  
CHAPTER 40 – APPLICATIONS.....5  
    40.03. Facilities Review Committee.....5  
    40.15. Conditional Use .....8  
    40.20. Design Review.....11  
    40.55. Parking Determination .....16  
CHAPTER 60 - SPECIAL REQUIREMENTS ..... 18  
    60.05. Design Review Design Principles, Standards and Guidelines .....18  
    60.15. Land Division Standards.....43  
    60.30. Off-Street Parking.....44  
    60.40. Sign Regulations .....53  
    60.50. Special Use Regulations.....54  
    60.55. Transportation Facilities .....56  
    60.65. Utility Undergrounding.....62  
SUMMARY AND CONCLUSION.....65

**Appendices**

- Appendix A – Land Use Plans
- Appendix B – Building Elevations
- Appendix C – Technical Reports and SPLs
- Appendix D – Tax Map
- Appendix E – Pre-Application Conference Notes
- Appendix F – Neighborhood Meeting Material
- Appendix G – Parking Determination

## GENERAL INFORMATION

Property Owner and Applicant: **Tualatin Hills Park & Recreation District**  
6220 SW 112<sup>th</sup> Avenue, Suite 100  
Beaverton, OR 97008  
Contact: Matt Kilmartin, RLA, CPSI  
Phone: (503) 614-4010  
Email: m.kilmartin@thprd.org

Applicant's Representative: **3J Consulting, Inc.**  
9600 SW Nimbus Avenue, Suite 100  
Beaverton, OR 97008  
Contact: Sam Huck, Planner  
Phone: (503) 946-9365 x251  
Email: sam.huck@3j-consulting.com

## SITE INFORMATION

Parcel Number: Tax Map: 1S116DC, Tax Lots: 400, 1100, 2202, 5000, 5100  
Address: 5495 SW Erickson Ave, Beaverton OR, 97005  
Gross Site Area: 9.84 Acres  
Zoning Designation: RMC  
Existing Use: Schiffler Park  
Surrounding Zoning: The properties to the north are zoned RMC. The properties to the south are zoned RMC and RMB. The properties to the east are zoned RMC. The properties to the west are zoned RMA and RMB.  
Street Classification: Erickson Ave is classified as a Collector Street.



## **INTRODUCTION**

### **APPLICANT'S REQUEST**

The Tualatin Hills Park & Recreation District (“THPRD”) proposes to construct a permanent accessible restroom facility located at Schiffler Park and seeks approval of concurrent Major Modification of a Conditional Use, Design Review and Parking Determination applications. This narrative has been prepared to describe the proposed development and to document compliance with the relevant sections of Beaverton’s Development Code.

Major Modifications of a Conditional Use Permit and Design Review Three are evaluated under the Type III quasi-judicial decision process. The Parking Determination is a staff-level decisions; however, all three applications will be reviewed concurrently by the Planning Commission. The Planning Commission will render a decision after a public hearing on the applications is held.

### **SITE DESCRIPTION/SURROUNDING LAND USE**

Schiffler Park is located at 5495 SW Erickson Ave, Beaverton OR, 97005 and is located within the City of Beaverton. The subject site is approximately 9.84 acres in size and consists of five tax lots identified as 1S116DC00400, 1S116DC01100, 1S116DC02202, 1S116DC05000 and 1S116DC05100. The parcels are zoned RMC (Rezoned June 30, 2022, previously R-7). Schiffler Park is located near SW Erickson Ave which is classified as a Collector and SW Berthold which is classified as a Neighborhood Route.

### **PROPOSAL**

The proposed development will provide a 211-square-foot permanent double restroom facility to the existing park. The proposed restroom facility will be located on tax lot 1S116DC05100, the location of which is shown on Appendix “D” – Tax Maps. Development is not proposed in the on-site resource areas. \*Note: The total impervious area added/modified with this development proposal is below 1,000 square feet. The applicant team does not expect a Site Development permit to be required, but expects a FC/ROW permit to be required.

### **NEIGHBORHOOD MEETING**

The Applicant conducted a neighborhood meeting on August 4, 2022, to explain the proposed development and answer questions from the surrounding property owners. The submitted materials include the required affidavits, mailing labels, meeting minutes, and other material sent and posted prior to the neighborhood meeting, are shown as Appendix “F” – Neighborhood Meeting Materials supporting this narrative.

**APPLICABLE CRITERIA**

The following sections of Beaverton’s Development Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Major Modification of a Conditional Use and a Design Review Compliance application.

**CHAPTER 20 – LAND USES**

**20.05. Residential Land Use Districts**

**20.05.15. Site Development Standards**

<b>Table 20.05.15 Residential Site Development Standards</b>	<b>RMC</b>
<b>C. Minimum Lot Area</b>	
<b>Single-Detached and Duplex</b>	<b>5,000</b>
<b>Triplex and Quadplex</b>	<b>5,000</b>
<b>Townhouse</b>	<b>1,500</b>
<b>Cottage Cluster</b>	<b>7,000</b>
<b>D. Minimum Residential Density</b>	<b>7</b>
<b>E. Minimum Lot Width</b>	<b>20</b>
<b>F. Minimum Yard Setbacks</b>	
<b>1. Front</b>	<b>10</b>
<b>2. Side</b>	<b>0, 3 or 5</b>
<b>3. Rear</b>	<b>15</b>
<b>4. Garage</b>	<b>18.5</b>
<b>5. Garage Door to Rear</b>	<b>22</b>
<b>6. Minimum Between Buildings</b>	<b>6</b>
<b>G. Building Height</b>	
<b>1. Maximum</b>	<b>35'</b>

**Finding:** As shown in Table 20.05.15 Residential Site Development Standards, the minimum lot area ranges from 1,500 to 7,000 depending on the type of home. The subject site is approximately 9.84 acres and exceeds all lot area requirements. Because this proposal does not include any residential development, the Minimum Residential Density is not applicable because the proposed development is not a residential use. The Minimum Lot Width of 20 feet is exceeded on the subject property. All setbacks for the RMC zone will be maintained and not changed for this proposed development. The Maximum Building Height for a building in the RMC zone is 35 feet. As shown in Appendix “B” – Building Elevations, the height of the permanent restroom facility is well under 35 feet. This standard is met.

**20.05.20. Land Uses**

<b>Civic</b>	
<b>Table 20.05.20.A Residential - Category and Specific Use</b>	<b>RMC</b>
<b>12. Recreation</b>	
<b>A. Public Parks, Parkways, Playgrounds, and Related Facilities</b>	<b>C</b>

**Finding:** As shown in Table 20.05.20.A. Residential - Category and Specific Use in the BDC, Public Parks, Parkways, Playgrounds, and Related Facilities are listed under Recreation as a conditional use in the Residential Mixed C (RMC). The subject property is in the Residential Mixed C (RMC) zoning district and was approved as a park through the conditional use process under the Schiffler Parking Expansion, case files DR2010-0121, CU2010-0012, and TP2010-0005. This application includes a major modification of a conditional use permit. This standard is met.

## **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.**

**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.**

**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.**

**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.**

**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.**

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

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

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

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

**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.**

**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.**

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

**Finding:**

- A. Service Provider Letters (SPLs) have been obtained from the applicable Critical Facility providers for the proposed restroom including Clean Water Services (CWS), and the City of Beaverton (COB) Engineering Department. As shown in the CWS SPL, all critical facilities and services related to storm water drainage, treatment and detention from the proposed restroom facility does not require any mitigation and will not impact water quality and protection. The COB Water SPL describe how the proposed restroom facility will be served, and not have a negative impact or influence the capacity for public water and public sanitary sewer. The COB Water SPL describes that there is Adequate service level to serve the proposed project. The attached email from TVF&R describes that there is no need for a TVF&R SPL, because all firefighting operations will be conducted from SW Erikson Ave. Transportation facilities will not be impacted, as discussed further in this narrative. For additional information on how the critical facilities will not be impacted, see the SPLs in Appendix "C".
- B. Existing essential facilities will continue to serve the park with the proposed addition of the restroom facility. No changes are being proposed that will affect the schools serving the surrounding residents. No changes are being proposed that include transit improvements. No changes are being proposed that will affect the surrounding community, and the police protection will not need to be increased. The existing on-site pedestrian and bicycle facilities will be enhanced with the addition of a restroom to be located on existing on-site pedestrian and

bicycle circulation routes on the site, and the placement of the restroom facility will not break the existing connection of the previously approved pedestrian and bicycle connections as discussed further in this narrative.

- C. As shown in Table 20.05.20.A. Residential - Category and Specific Use, Public Parks, Parkways, Playgrounds, and Related Facilities are listed under Recreation as a conditional use in the Residential Mixed C (RMC). The subject property is located in the Residential Mixed C (RMC) zoning district. This standard is met.
- D. Findings discussed further in this narrative.
- E. The applicant is responsible for the continued maintenance and necessary normal replacement of the common facilities in the same manner in which THPRD has maintained and normally replaced other facilities and structures at parks throughout the region.
- F. There are existing safe and efficient pedestrian circulation patterns within the boundaries of the park. The proposed restroom facility will provide a 5 foot wide pathway that is ADA compliant from the existing pedestrian pathway to the restroom facility as shown in Appendix "A" – Land Use Plans, on the east side of the proposed restroom facility. The pedestrian circulation is enhanced by this due to the relatively short length of pathway that is needed to get to the proposed restroom from the existing circulation, making it an efficient circulation pattern for pedestrian access to the proposed restroom facility.
- G. The existing on-site pedestrian circulation patterns will be unchanged from the current approved circulation patterns on the subject site, and connect the proposed restroom to the existing pathway network. The on-site pedestrian circulation system around the proposed restroom facility connect to the surrounding system by enhancing the direct connection to the proposed restroom facility, by repaving the asphalt in front of the proposed restroom facility, as shown in Appendix "A" – Land Use Plans. The existing system connects directly to the surrounding system by joining existing pathways that connect the neighborhoods and park without crossing property lines making it a safe, efficient, and direct connection.
- H. The proposed structure is designed in accordance with the City's codes and standards. Included in this application is a Service Provider Letter from Tualatin Valley Fire and Rescue.
- I. The proposed development is not modifying the existing transportation that provides fire equipment facility access and turnaround areas, as well as no change to the existing street lighting for crime and accident prevention. No changes are proposed to existing protection from hazardous conditions due to inadequate, substandard or ill-designed development.
- J. Minimal grading on the development site will include site disturbance of 1,420 square feet directly in the development site area. This area is very small compared to the 9.84 acre park. The proposed grading will have minimal and no adverse impact on neighboring properties, no adverse impacts on public right-of-way, no impact to surface drainage, water storage facilities, and the public storm drainage system. The maximum cross slope of the walkways will be 2%/1.5%, the maximum running slope of the walkways will be 7.4%/5%. The maximum general catch slopes will be 4H:1V, and the maximum grade change from the existing grade to the finished grade will be 1.0'.



- K. The pathways around the proposed restroom will adhere to and be built to applicable ADA standards, and the proposed restroom facility is ADA compliant. The proposed pathways around the restroom provide continuous, uninterrupted access routes. No other changes to the existing Schiffler Park access and facilities for physically handicapped people in the are proposed in this application.
- L. This application and narrative include all the required materials specified in 50.25.1 of the Development Code.

This standard is met.

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

**Finding:** No Public Transportation Facility Improvements or Modifications, including Street Vacations are being proposed with this application and therefore these standards are not applicable.

### **40.15. Conditional Use**

#### **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.

#### **4. Major Modification of a Conditional Use.**

**A. Threshold.** An application for Major Modification of a Conditional Use shall be required when one or more of the following thresholds apply:

1. An increase in the gross floor area of an existing Conditional Use more than 10% or more than 1,000 gross square feet of floor area for all properties that are located in a Residential zoning district or within a distance of up to and including 50 feet of a Residential zoning district.
2. An increase in the gross floor area of an existing Conditional Use by more than 25% or in excess of 3,000 gross square feet of floor area for all properties that are not located in a Residential zoning district and are located at a distance of more than 50 feet from a Residential zoning district.
3. Any projected or actual increase in vehicular traffic to and from a site approved for an existing Conditional Use of more than 100 vehicle trips per day as determined by using the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon for all properties that are located in a Residential zoning district or are located at a distance of up to and including 50 feet from a Residential zoning district.
4. A projected or actual increase in vehicular traffic to and from a site approved for an existing conditional use of more than 200 vehicle trips per day as determined by using the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon for all properties that are not located in a residential zoning district and are located at a distance of more than 50 feet from a residential zoning district.

**Finding:** The permanent restroom proposed is additional floor area to an existing Conditional Use Permit and therefore requires a major modification of a Conditional Use. This standard is met.

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

**Finding:** The applicant team understands the City's Planning Commission may impose conditions on this application however, no unique conditions are anticipated.

**C. Approval Criteria. In order to approve a Major Modification of a 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 Major Modification of a Conditional Use application.**

**Finding:** The proposed restroom addition satisfies the threshold requirements for a Major Modification of a Conditional Use application, as discussed above. This standard is met.

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

**Finding:** The Applicant team has submitted all fees associated with the land use review. This standard is met.

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

**Finding:** The restroom complies with the following applicable Comprehensive Plan policies:

Goal 3.8.1 Complete and Livable Neighborhoods:

*"g) Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available."*

The proposed permanent restroom facility brings new public benefit to the existing park, which helps park users by having an option of using the restrooms without having to leave the general premises of the park. The location of the proposed restroom facility provides and does not interrupt the connections to existing safe, and convenient connections by foot or bike to the walkways in the adjacent neighborhoods. The proposed restroom facility will integrate into the existing pathways that connect the adjacent neighborhoods to the existing parks and schools in the area.

*"h) Use Crime Prevention through Environmental Design (design that provides opportunities for "eyes on the street" through street-facing windows and doors) to reduce graffiti, vandalism and other property crimes and to promote a feeling of safety for pedestrians."*

The proposed restroom facility within the existing park incorporates the CPTED principal of Natural Surveillance, with the homes on SW Erickson Avenue facing the proposed location and tennis courts in close proximity. Additionally, the CPTED principal

of Management will be ongoing through regular cleaning and maintenance performed by Tualatin Hills Parks and Recreation District staff. This standard is met.

- 4. The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.**

**Finding:** The existing park was approved as a conditional use under City case files DR2010-0121, CU2010-0012, and TP2010-0005. The Applicant does not request any conditions from the original case files be removed or modified. This standard 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.**

**Finding:** The proposed restroom building is a type and size used in other parks in the City. The location, design and functional characteristics of the restroom building will result in it being compatible with, and have minimal impact on, the livability and appropriate use and development of properties in the surrounding area, and complements the existing use of the park. This standard is met.

- 6. The proposal will not modify previously established conditions of approval for the prior Conditional Use consistent with Section 50.95.6. of the Development Code.**

**Finding:** This CUP modification does not include modification of previously established conditions of approval for the prior Conditional Use. This standard is met.

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

**Finding:** All of the applications and documents related to the addition of a restroom to this existing park are being submitted concurrently as is appropriate for this request. This standard is met.

**D. Submission Requirements. An application for a Major Modification of 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 Major Modification of a 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.**

**Finding:** The application provided by the Director and all required material have been prepared by the owner's authorized agent. This standard is met.

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

**Finding:** The applicant team acknowledges that conditions of approval may be imposed on the approval of this application for a Major Modification of a Conditional Use. This standard is met.

#### **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:**
  - A. All uses listed as Conditional Uses in the RMB and RMC zoning districts. [ORD 4584; June 2012] [ORD 4822; June 2022]**
  - B. All uses listed as Permitted and Conditional Uses in the RMA and MR Residential zoning districts, except those that are exempt, per Section 40.20.10.3, and except those subject to Single-Detached and Middle Housing Design Review in the RMA district, per Section 40.21.10. [ORD 4584; June 2012] [ORD 4822; June 2022]**
  - C. All uses listed as Permitted and Conditional Uses in all Commercial, Industrial, and Multiple-Use zoning districts.**
  - D. Site grading.**
- 3. Design Review approval shall not be required for the following:**
  - A. Single-detached dwellings and middle housing in the RMA, RMB, and RMC zoning districts, which are subject to Single-Detached and Middle Housing Design Review, per Section 40.21.10. Also, other uses listed as Permitted Uses in the RMC and RMB zoning districts. [ORD 4584; June 2012] [ORD 4822; June 2022]**
  - B. Residential accessory structures in any Residential or Commercial zoning district. [ORD 4542; June 2010] [ORD 4822; June 2022]**
  - C. Existing single-detached dwellings in the MR zoning district and in Commercial, Industrial, and Multiple-Use zoning districts. [ORD 4782; April 2020] [ORD 4822; June 2022]**
  - D. Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.**
  - E. Painting of any building in any zoning district.**
  - F. Wireless communication facilities.**
  - G. Food Cart Pods. [ORD 4662; September 2015]**
  - H. Uses, activities, and structures located on a private parking lot and approved pursuant to the Open Air Beaverton program. [ORD 4819; January 2022]**
- 4. Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing**

developments, and proposed additions, demolitions and redevelopments associated with them, will be treated according to the following principles:

- A. Development constructed or approved prior to December 15, 2004 is not subject to Design Review standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:
    - 1. If structural damage or destruction is less than or equal to fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction can be replaced as legally existed on the site before the casualty loss.
    - 2. If structural damage or destruction is more than fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction must meet the provisions of this Code in every regard unless otherwise authorized by the provisions of this Code. [ORD 4531; April 2010]
  - B. Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards.
  - C. Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable. [ORD 4531; April 2010]
5. Design Review approval is required for all applicable new and existing developments. The City recognizes, however, that meeting minimum Floor Area Ratio (FAR) in an early phase of a multi-phased development on a large site may be difficult. The City also recognizes that creating high quality pedestrian environments along public streets is a priority. In recognition of these and other issues, the following options are available.
- A. Projects may use a Design Review Build-out Concept Plan (DRBCP), approved through a Type 3 process, to develop a site by demonstrating conceptually full compliance at build-out with the design review standards and/or guidelines established in Section 60.05. Such projects shall demonstrate in a DRBCP how future development of the site, to the minimum applicable floor area ratio (FAR), while meeting the development standards contained in CHAPTER 20 of the Beaverton Development Code and to the minimum applicable design standards contained in Section 60.05 or greater, can be achieved at ultimate build out of the DRBCP. A DRBCP shall:
    - 1. Include a plan and narrative intended to address feasibility of constructing future phases, consistent with applicable development standards of the Development Code within the total site area where the project is proposed, and may include abutting properties if under same ownership.
    - 2. Not rely on the removal of a structure proposed in an early phase in order to demonstrate compliance in later phases.
    - 3. Compliance with any applicable Design Standards and/or Guidelines shall not be deferred to future phases of a DRBCP. [ORD 4531; April 2010] [ORD 4706; May 2017]



- B. When a development site abuts two (2) or more Arterial Streets that are also designated Major Pedestrian Routes, application of the applicable design standards may be moved from along the Arterial Streets. This alternative is to provide parking lot drive aisles developed as internal private streets, and to locate buildings along the internal private streets, subject to the following:**
- 1. The internal private streets shall extend from the Arterial Street to another public street, or back to an Arterial Street in such a way that street continuity is maintained along the entire internal street, and with abutting properties.**
  - 2. A public access easement shall be required along the internal private streets.**
  - 3. Buildings shall occupy a minimum percentage of the frontage of the internal private streets that is equal to the amount of lineal building frontage that would have been required under the standards for the Major Pedestrian Routes, and a minimum of 50% of the internal private streets shall have building frontage on both sides of the street.**
  - 4. All applicable design standards contained in Section 60.05., particularly 60.05.15.6. Building location and orientation along streets in Commercial and Multiple Use districts, 60.05.15.7 Building scale along Major Pedestrian Routes, 60.05.20.4 Street frontages and parking areas, 60.05.20.6 Off-Street parking frontages in Multiple Use zones, and 60.05.20.9 Ground floor uses in parking structures shall be met by buildings along the internal private streets. [ORD 4584; June 2012]**

**Finding:** The proposed restroom addition is a modification to a conditional use in the RMC zone, and as such design review is applicable. This proposal includes a new free-standing building within an existing development as identified in 4.B above. Compliance with the applicable design review criteria is found further in this report. This standard is met.

#### **40.20.15. Application.**

##### **3. Design Review Three.**

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

- 1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district. [ORD 4397; August 2006] [ORD 4410; December 2006] [ORD 4462; January 2008] [ORD 4584; June 2012]**
- 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential zoning district. [ORD 4410; Nov. 2006] [ORD 4462; December 2007] [ORD 4584; June 2012]**
- 3. Building additions in Residential, Commercial, or Multiple Use zones more than 30,000 gross square feet of floor area. [ORD 4531; April 2010]**
- 4. Building additions in industrial zones more than 30,000 gross square feet. [ORD 4531; April 2010]**
- 5. Construction of a permanent structure, not considered a building, in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which exceeds 10,000 square feet in size and is a use permitted within the underlying zoning district. [ORD 4782; April 2020]**
- 6. Projects proposed utilizing the options described in Section 40.20.10.5.**

7. New parks in Residential zoning districts.
8. A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).
9. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

**Finding:** The threshold for the Design Review Three is met through number 8, a project that meets the Design Review Compliance Letter threshold, but does not meet the applicable design standards in the DRCL.

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

**Finding:** The applicant team acknowledges that conditions of approval may be imposed on the approval of this application for a Major Modification of a Conditional Use. This standard is met.

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

1. The proposal satisfies the threshold requirements for a Design Review Three application.
2. All City application fees related to the application under consideration by the decision making authority have been submitted.
3. For proposals meeting Design Review Three application thresholds numbers 1 through 7, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).
4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:
  - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
  - b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or
  - c. The location of the existing structure to be modified is more than 300 feet from a public street.
5. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance.
6. For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP.
7. For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through

**60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s).**

- 8. For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).**
- 9. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

- Finding:**
1. This development proposal satisfies the threshold for a design review three application through Threshold number 8, in which the project meets the Design Review Compliance Letter threshold, but does not meet the applicable design standard(s).
  2. At the time of this application submittal, all application fees related to the concurrent applications have been submitted.
  3. The proposed development meets the Design Review Three application threshold number 8, and applicable Design Standards and Design Guidelines are described further in this narrative.
  4. The proposed permanent restroom facility is on an existing development, and is consistent with all the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) as described further in this narrative.
  5. The grading standards outlined in Section 60.15.10 are discussed further in this narrative.
  6. This development proposal is not using the DRBCP process and therefore, this standard is not applicable.
  7. This development proposal for a permanent restroom facility meets the Threshold number 8 for Design Review III, and meets all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where they cannot be fully met, in which case this narrative addresses the applicable corresponding Design Guideline(s), as described further in this narrative.
  8. This application meets the Threshold 8 for Design Review Three, and addresses both the Design Standards where they are met and the Design Guidelines when a corresponding Design Standard cannot be met, and are addressed further in this narrative.
  9. All applications and documents related to this request has been submitted to the City in proper sequence.

These standards are met.

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

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

**Finding:** The applicant's authorized agent has completed the form provided by the Director and filed it concurrently with other applications for this development proposal. The applicant team acknowledges that conditions of approval may be imposed on the approval of this application for a Design Review. This standard is met.

#### **40.55. Parking Determination**

##### **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.**

**Finding:** The applicant understands that a Parking Determination has been requested for this development application in writing from the Pre-Application Conference, which is addressed further in this narrative. This standard is met.

##### **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.**

**Finding:** A Parking Determination is required for any development type that is not listed in the Off-Street parking tables of BDC Section 60.30. Public Parks are not specifically referenced in the Development Code Parking Tables, therefore a Parking Determination is required. No additional parking is proposed with this application. The following three examples of other public parks show how the Schiffler Park will function properly as a result of the 211-square-foot permanent restrooms with no additional parking:

- A) Pio Pio Park
- B) Recuerdo Park
- C) Roxbury Park

All three of these parks have a comparable mix of surrounding land uses, primarily low density residential, some multifamily, and some commercial buildings. The necessary parking at Schiffler Park based on the analysis of the example parks is approximately 10 vehicle parking spaces. The current number available off-street parking at Schiffler Park provides an adequate level of parking for the improvements in this application. Based on the three examples evaluated, the construction of a permanent restroom facility at Schiffler Park will not substantially increase the expected number of trips. Additionally, the proposed construction of the restroom facility is estimated to not exceed the 300 daily vehicles, which is the threshold for further analysis. Metro's Regional Transportation Functional Plan Table 3.08-3 Parking Ratios does not list the minimum and maximum parking ratios for public parks, and instead defers to cities to

determine the functional threshold. The use of these three examples demonstrates that no additional parking proposed in this application satisfies the requirements for a Parking Determination for the City of Beaverton. A Parking Determination study conducted for both Schiffler Park and Greenway Park has been submitted as Appendix "G" for reference. This standard is met.

**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.**

**Finding:** The applicant team acknowledges that the Director is the decision making authority for this Parking Requirement Determination. This standard is met.

**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.**
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.**
- 3. The determination is consistent with Title 4 of Metro's Regional Transportation Functional Plan. [ORD 4584; June 2012]**
- 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.**
- 5. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code. [ORD 4404; October 2006]**
- 6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

**Finding:**

1. The proposed restroom for the park satisfies the threshold requirements for a Parking Requirement Determination application. An application for Parking Requirement Determination shall be required when the following threshold applies: 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. The Parking Determination was confirmed as needed in the Pre-Application Conference. The pre-application notes are submitted with this proposal as Appendix "E".
2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  - a. CU2022-0009 – Receipt Number: 20226660
  - b. DR2022-0115 – Receipt Number: 20226663
  - c. PD2022-0004 – Receipt Number: 20226665
3. This Parking Determination is consistent with Title 4 of Metro's Regional Transportation Functional Plan and will not create adverse impacts due to the small size and supportive nature of the structure to the existing park use.



4. The parking determination application is supported by a Parking Determination Memo attached as Appendix “G”, and concludes that The proposed improvement, a permanent bathroom, does not result in any increase in the expected number of trips related to Schiffler Park and Greenway Park.
  5. This proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
  6. Any applications and documents related to the request, which will require further City approval, will be submitted to the City in the proper sequence
- This standard is met.

**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.**

**Finding:** This narrative is submitted in conjunction with a Parking Determination application that outlines the subject property owner and the owner’s authorized agent. This narrative supplies the information required by the application form, and by Section 50.25, and other information identified through the Pre-Application Conference as shown in Appendix E – Pre-Application Conference Notes. This standard 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.**

**Finding:** The applicant team acknowledges that conditions of approval may be imposed on the approval of this application for a Parking Determination. This standard is met.

## **CHAPTER 60 - SPECIAL REQUIREMENTS**

### **60.05. Design Review Design Principles, Standards and Guidelines**

#### **60.05.15. Building Design and Orientation 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.**

#### **1. Building articulation and variety.**

**A. Multi-dwellings in all Residential zones, and townhouses in the MR zone, shall be limited in length to two hundred (200) feet.**

**Finding:** The proposed permanent restroom facility is not a Multi-dwelling or townhouse and, therefore this standard is not applicable.

**B. Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant entrances devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18"), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is:**

- 1. Thirty (30) percent in Residential zones, and all uses in Commercial and Multiple Use zones.**
- 2. Fifty (50) percent in Commercial zones where glazing is less than thirty-five (35) percent pursuant to Section 60.05.15.8.A.3.**
- 3. Fifteen (15) percent in Industrial zones. In Industrial zones, where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities, the above standards shall apply only to elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances.**

**Finding:** The proposed permanent restroom facility will be visible from and within 200 feet of an adjacent public street. The proposed building elevations does not have thirty (30) percent of the total square footage of permanent architectural features providing variety, and this standard cannot be met, therefore the corresponding "Building articulation and variety" guideline is addressed further in this narrative. This standard is not applicable.

**C. The maximum spacing between permanent architectural features, both vertically and horizontally, shall be no more than:**

- 1. Forty (40) feet in Residential zones, and all uses in Commercial and Multiple Use zones.**
- 2. Sixty (60) feet in Industrial zones.**
- 3. Fifteen (15) feet in detached residential developments in Multiple Use zones for walls facing streets, common greens, and shared courts.**

**D. In addition to the requirements of Section 60.05.15.1.B and C., detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. Building elevations shall be articulated with architectural features such as windows, dormers, porch details, alcoves, balconies or bays.**

**Finding:** The proposed permanent architectural features cannot appropriately meet this standard, therefore the corresponding "Building articulation and variety" guideline is addressed further in this narrative.

## **2. Roof forms.**

**A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.**

**B. Sloped roofs on residential uses in residential zones and on all uses in multiple use and commercial zones shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches.**

**C. All roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches or architecturally treated, such as with a decorative cornice.**

**D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.**

**E. Smaller feature roofs are not subject to the standards of this Section.**

**Finding:** The proposed restroom facility will not meet these standards due to the sloped roof being 2/12 pitch. The corresponding "Roof forms" Design guideline has been addressed further in this narrative.

### **3. Primary building entrances.**

**A. Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.**

**Finding:** This development proposal does not meet the minimum size for the weather protection covered area on a primary building entrance and is therefore subject to the applicable corresponding Design Guidelines, outline in the "Primary building entrances" Design Guidelines section further in this narrative.

### **4. Exterior building materials**

**A. For attached residential uses in Residential zones and all residential uses in Multiple Use zones, a minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances shall be double wall construction.**

**B. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances, may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment.**

**This standard shall also apply to all uses in the Industrial zones, except for buildings containing manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principal use of the site where this standard shall apply only to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space.**

**C. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless**

**pigmented, textured, or both. In Industrial districts, foundations may extend up to four (4) feet above the finished grade level.**

- Finding:** A. The proposed development is not for an attached residential use, therefore this standard is not applicable.
- B. The exterior building materials proposed are masonry block walls with mortar joints grouted solid, with all cells having a running bond pattern as shown in Appendix "B" – Building Elevations. The exterior building materials will have both smooth face and split face block. No more than 30% of each elevation that is visible from and within 200 feet of a public street or a public park will be plain, smooth, unfinished concrete or concrete block. 70% of each elevation will be architecturally treated with split face block. The exterior walls will be painted.  
This standard is met.
- C. The masonry blocks used will be textured as split face block, as well as smooth face block meeting the above standard 60.05.15.4.B. No more than 30% of each elevation that is visible from and within 200 feet of a public street or a public park will be plain, smooth, unfinished concrete or concrete block. 70% of each elevation will be architecturally treated with split face block.  
This standard is met.

#### **5. Roof-mounted equipment.**

**A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:**

- 4. A parapet wall; or**
- 5. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or**
- 6. Setback from the street-facing elevation such that it is not visible from the public street(s); or**
- 7. Screened from view by another building.**

**B. As shown in the diagram below, the vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade at the property line or public right-of-way abutting the development site's front yard setback for a distance of one hundred (100) lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines.**

- Finding:** There is no roof-mounted equipment proposed with this submittal, and therefore this standard is not applicable because there will be no roof mounted equipment that needs screening from view from adjacent streets or adjacent properties. The proposed restroom facility includes two (2), 3-inch vent through the roof (VTR) with vent boot as shown in Appendix "B" Sheet 02, which as described in 60.05.15.5.C., is exempt from this standard.

#### **6. Building location and orientation along streets in Commercial and Multiple Use zones**

**Finding:** This development proposal is not in commercial or mixed use zone and, therefore this above criterion is not applicable.

#### **7. Building scale along Major Pedestrian Routes.**

**Finding:** This development proposal is not along a Major Pedestrian Route and, therefore the above design standards are not applicable.

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

**Finding:** This development proposal is not for a commercial or multiple use building and, therefore the above design standards are not applicable.

#### **9. Compact Detached Housing design.**

**Finding:** This development proposal is not for a compact detached housing and, therefore the above design standards are not applicable.

#### **10. Ground floor elevations on eligible residential-only buildings.**

**Finding:** This development proposal is not for any eligible residential-only buildings and, therefore the above design standards are not applicable.

#### **60.05.20. Circulation and Parking Design Standards.**

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

##### **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.**

**Finding:** No changes are proposed to the existing, connections to the public street system. All new pedestrian and bicycle connections will remain connected to the on-site existing circulation system that extend to the boundary of the parcel. Adjacent existing and planned streets will remain connected, and no new connections are being proposed with this application. A Parking Determination is submitted with this application to



demonstrate continued compliance with the parking requirements. This standard is met.

## **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. [ORD 4531; April 2010]**
- 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. A hedge 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.**

**Finding:** There are no on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults, loading docks or loading zones, solid waste facilities or any chain-link fences proposed with this submittal. There are no loading areas zones proposed in this development. No screening of the aforementioned improvements will be needed and are not proposed in this development proposal and, therefore this standard 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.
- 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.
  - 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.
  - 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.
  - 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.
  - 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.

- Finding:**
- A. The proposed restroom facility will be adjacent to and incorporated into the existing pedestrian pathways on the site, which will provide connections to the new restroom facility and to the existing park facilities and amenities where pedestrian access is desired.
  - B. A direct walkway will connect the proposed restroom facility to the existing walkways. The direct walkway will allow park users to enter and leave the proposed restroom facility in a continuous and uninterrupted way.
  - C. There will be no changes to the existing reasonably direct walkways into the full site and no changes to existing accesses abutting the site.
  - D. There will be no changes to existing pedestrian connection through the parking lots or parking lot design, as approved through the previous land use history: Schiffler Parking Expansion, case files DR2010-0121, CU2010-0012, TP2010-0005.
  - E. There are no changes proposed to the pedestrian connectivity within or adjacent to the existing park and no proposed pedestrian connections that will cross a driveway or vehicular access aisles.
  - F. The proposed pedestrian connections will have a minimum of five (5) foot wide unobstructed clearance, and will be paved in accordance with applicable ADA standards as shown in Appendix "A". This standard is met.

#### 4. Street frontages and parking areas.

- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:
  - 1. A minimum six (6)-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or
  - 2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.

**Finding:** There are no new surface parking areas or modifications to existing surface parking areas proposed with this submittal and, therefore, this standard is not applicable.

#### 5. Parking area landscaping.

- A. Landscaped planter islands shall be required according to the following:
  - 1. Residential uses in residential zones, one for every eight (8) contiguous parking spaces.
  - 2. All uses in Commercial and Multiple Use zones, one for every ten (10) contiguous parking spaces.
  - 3. All Conditional Uses in Residential zones one for every twelve (12) contiguous parking spaces.
  - 4. All uses in Employment / Industrial zones, one for every twelve (12) contiguous parking spaces.
- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.
- C. Linear raised sidewalks and walkways within the parking area, connecting the parking spaces and on-site building(s), may be counted towards the total required number of landscaped islands, provided that all of the following is met:
  - 1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
  - 2. The minimum unobstructed sidewalk width is five feet.
  - 3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.
  - 4. Trees are located in planting area with groundcover or planted in covered tree wells.

- 5. **Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.**
- D. **Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist.**

**Finding:** There are no new surface parking areas or modifications to existing parking areas and parking area landscaping proposed with this submittal and, therefore, these standards for parking area landscaping are not applicable.

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

- A. **Off-Street surface parking areas shall be located to the rear or side of buildings. Surface parking areas located adjacent to public streets are limited to a maximum of:**
  - 1. **1.50% of the street frontage along Class 1 Major Pedestrian Routes,**
  - 2. **2.65% along Class 2 Major Pedestrian Routes, and**
  - 3. **3.50% of the street frontage for detached residential projects along any street.**

**Finding:** There are no off-street parking areas proposed and the site is not in a Multiple Use zone and, therefore, this standard is not applicable.

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

- A. **A sidewalk is required on all streets. Except where approved through Sidewalk Design Modification (40.58), the sidewalk shall be a minimum of ten (10) feet wide and provide an unobstructed path at least five (5) feet wide.**
- B. **A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb.**
- C. **Residential development fronting common greens and shared courts, and detached units fronting streets are exempt from these standards of 7.B above and are subject to the Engineering Design Manual.**

**Finding:** There are no changes proposed to the existing sidewalks along streets and primary building elevations, and the site is not in a Commercial or Multiple Use zone, therefore, this standard is not applicable.

**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:**
1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.
  2. Private streets serving less than five (5) residential units shall have raised curbs and a minimum five (5) foot wide unobstructed sidewalk on at least one side.
  3. When common greens and shared courts are utilized, an unobstructed walkway a minimum of five (5) feet wide shall be provided within the common green or shared court.

**Finding:** This proposal does not include improvements to parking lot drive isles, and/or private streets with parking stalls, and does not include any private streets, common greens, and shared courts. There are no changes proposed to the drive aisles and streets on or near the site and, as such, this standard is not applicable.

**9. Ground floor uses in parking structures.**

- A. Parking structures located on Major Pedestrian Routes shall incorporate one or more active retail or commercial uses other than parking at ground level along the entire portion of the structure fronting onto such routes. Compliance to this standard is not required when a semi-subterranean parking structure is proposed, provided that the height of such structures, or portions thereof, is not greater than three and one-half (3 1/2) feet above the elevation of the adjoining walkway or sidewalk.**

**Finding:** There are no proposed parking structures as part of this development proposal and therefore, this standard is not applicable to the proposal.

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

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

**Finding:** The majority of the lot area is considered landscaped. This standard is met.

- 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.**
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.**
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.**

**Finding:** The existing landscaping on the subject site exceeds the requirements, and no changes to the existing landscaping are being proposed with this development application. This standard 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.**

**Finding:** No hard surface pedestrian plaza or combined hard and soft surface pedestrian plaza is being proposed with this development and, therefore this standard is not applicable.

- D. 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:**
1. **One (1) tree having a minimum planting height of six (6) feet shall be planted for every thirty (30) lineal feet of foundation.**
  2. **One (1) shrub having a minimum mature height of twenty-four (24) inches shall be planted for every three (3) lineal feet of foundation and shall be planted between required trees; and,**
  3. **Groundcover plants shall be planted in the remainder of the landscaped area not occupied by required trees and shrubs, and shall not be planted in rows, but in a staggered manner for more effective covering.**



**Finding:** This Design standard cannot be fully met, therefore the applicable “Minimum landscaping in Residential zones” design guideline has been addressed further in this narrative.

## **6. Common Greens.**

**Finding:** There are no common greens proposed with this development, therefore this design standard is not applicable.

## **7. Shared Courts for Compact Detached Housing**

**Finding:** There is no compact detached housing proposed with this development, therefore this design standard is 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.**

**Finding:** No retaining walls are being proposed with this development application and no screening landscape buffer is required for this application and, therefore, this standard is not applicable.

## **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. Slats 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.**
- 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.**
- 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.**

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

**Finding:** No fences or walls are being proposed with this development application and no screening landscape buffer is required for this application and, therefore, this standard is not applicable.

**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.**
- 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.**

**Finding:** The grading standards listed in Section 60.15.10 have been addressed further in this narrative. No grading is proposed within 25 feet of a property line, or an identified Significant Individual Tree, or identified Natural Resource Area. This standard is met.

**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.**

**Finding:** No surface stormwater detention or treatment is required for this development proposal and, therefore, this standard is not applicable.

**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.**

**Finding:** The proposed restroom facility will not encroach into any required resource buffer and the natural resources will be preserved and maintained without encroachment. This standard is met.

**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.

**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. [ORD 4822; June 2022]
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.

**B. B1-Low screen buffer:** This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the 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 buffer area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street.

**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.

- D. **B3-High screen buffer:** This buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum six (6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within three (3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of five (5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. 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.
- E. **Changes to buffer widths and standards:** Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be reviewed through the public hearing process, except for the following:
  - 1. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is five (5) feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implemented.  
Requests for changes in buffer widths and buffer standards shall only be authorized in review of the Design Review Guidelines for Landscape buffering and screening (60.05.45.11).
- F. **Landscaping buffering installation:** All required buffering shall be installed prior to occupancy permit issuance.
- G. **Pedestrian plazas in buffer areas:** For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided.

**Finding:** City Staff confirmed in the Pre-Application Conference and notes that no landscape buffering is required for this development proposal as shown in Appendix "E" – Pre-Application Conference Notes, therefore this standard is 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.**

**Finding:** The proposed development will have lighting at the pedestrian building entrance to the restroom only. No changes to existing vehicular circulation areas, pedestrian circulation areas, and canopy lighting are proposed in this development application. Because all the lighting standards cannot be fully met, the corresponding Design Guideline has been addressed further in this narrative. This standard is not applicable.

**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.**

**Finding:** No pole-mounted or lighted bollards are proposed with this development application. All non-pole mounted luminaires are addressed in the corresponding Design Guideline as described further in this narrative. This standard is not applicable.

**60.05.35. Building Design and Orientation Guidelines.**

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

**1. Building articulation and variety.**

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

- B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standards 60.05.15.1.A and B)**
- C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)**
- D. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B)**
- E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court or major parking area should be avoided. (Standards 60.05.15.1.B, C and D)**
- F. Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an Industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)**

- Finding:**
- A. While the proposed development is not a residential building, it is still of limited length and avoids undifferentiated elevations. The total square footage of the proposed building is 211 square feet, making the proposed restroom facility of pedestrian scale, which allows for circulation between the building and the connected existing walkways for pedestrians.
  - B. The building elevations are varied on sides of the proposed development, as shown in the Appendix "B" – Building Elevations. The building elevations shown in the appendix have different roof levels on the front and rear, architectural features of windows on the front side, and continuous linear component similar to datum lines, that provide façade articulation with the running bond pattern of masonry block concrete on the elevations.
  - C. The proposed restroom facility has windows, concrete exterior walls in a running bond pattern, and the facility entrance provides vertical elements. This will balance the relatively short horizontal features.
  - D. The proposed development is only 211 square feet, with windows and facility entrances that help to promote and enhance a comfortable pedestrian scale and is orientated towards the existing pedestrian circulation network in the Park.
  - E. One building elevation will face SW Erickson Avenue, as shown in Appendix "A" – Land Use Plans. As demonstrated in Appendix "A" and supported by Appendix "B" – Building Elevations, the east side elevation facing SW Erickson Avenue will have a service/maintenance door facing the adjacent street. This elevation facing the street is articulated with the architectural feature of a door, and does not present an



undifferentiated blank wall. Additionally, the proposed restroom will have differentiating roof levels on the east and west of the proposed restroom facility.

F. This requirement is not applicable to this proposed development because the principal use of the building is not manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities and the site is not in an industrial zone.

The above design guidelines are met.

## 2. Roof forms.

- A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized. (Standards 60.05.15.2.A and B)**
- B. Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C)**
- C. Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)**

**Finding:** A. The proposed development will have a sloped roof of at least 2/12 pitch, and have a visible Standing Seam Roof pattern with a visible Glulam Rafter underneath, providing both distinction and variety and detail when viewed from the street.  
B. The proposed restroom facility does not have a flat roof.  
C. The proposed restroom facility is not an addition to an existing structure.  
This design guideline is met.

## 3. Primary building entrances.

- A. The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3)**
- B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)**

**Finding:** A. The primary building entrance is recessed underneath the restroom roof that projects 17 and one half inches from the building, which will protect pedestrians from the rain and sun, as shown in Appendix "B" – Building Elevations.  
B. The primary building entrance is attractive and functional for the needs of the park users, and will have a different finish than the rest of the building elevation because it is a door.  
This design guideline is met.

## 4. Exterior building materials.

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

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

**Finding:** This application meets the Design Standards of BDC 60.05.15.4.B., therefore this design guideline is not applicable.

**5. Screening of equipment. All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)**

**Finding:** This Design Guideline and the corresponding Design Standard for Roof-Mounted Equipment is not applicable as discussed above in this narrative and, therefore this standard is not applicable.

**6. Building location and orientation in Commercial and Multiple Use zones.**

**Finding:** This development proposal is not in commercial or mixed use zone and, therefore this above guideline are not applicable.

**7. Building scale along Major Pedestrian Routes.**

**Finding:** This development proposal is not along a Major Pedestrian Route and, therefore the above design guidelines are not applicable.

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

**Finding:** This development proposal is not for a commercial or multiple use building and, therefore the above design guidelines are not applicable.

**9. Compact Detached Housing design.**

**Finding:** This development proposal is not for a compact detached housing and, therefore the above design guidelines are not applicable.

**10. Ground floor elevations on eligible residential-only buildings.**

**Finding:** This development proposal is not for any eligible residential-only buildings and, therefore the above design guidelines are not applicable.

**60.05.40. Circulation and Parking Design Guidelines.**

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

**1. Connections to public street system. The on-site pedestrian, bicycle and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1)**

**Finding:** The proposed restroom facility meets the above Design Standards; therefore these design guidelines are not applicable.

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

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

**Finding:** The proposed addition of a restroom building does not include changes to the loading areas, solid waste facilities or similar improvements on the site and as such, these design guidelines are not applicable.

**3. Pedestrian circulation.**

- A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)**
- B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)**
- C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)**
- D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)**
- E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through H)**
- F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)**

**Finding:** The proposed restroom facility meets the above Design Standards for pedestrian circulation; therefore these design guidelines are not applicable.

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

**Finding:** There are no new surface parking areas or modifications to existing surface parking areas or landscaped areas proposed with this submittal and, therefore, this Design Guideline is not applicable.

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

**Finding:** There are no new or modifications to existing parking areas and parking area landscaping proposed with this submittal and, therefore, these design guidelines for parking area landscaping are not applicable.

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

- A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)**
- B. Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standard 60.05.20.6)**

**Finding:** There are no off-street parking areas proposed and the site is not in a Multiple Use zone and, therefore, these design guidelines are not applicable.

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

- A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)**
- B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)**

**Finding:** There are no changes proposed to the existing sidewalks along streets and primary building elevations, and the site is not in a Commercial or Multiple Use zone, therefore, this design guideline is not applicable.

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

- A. On-Site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)**
- B. Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)**

**Finding:** This proposal does not include improvements to parking lot drive aisles, does not include any improvements to on-site vehicle circulation and does not include proposals for any long, continuous parking aisles, as such, this design guideline is not applicable.

**9. Parking structures in Multiple Use zones. [ORD 4584; June 2012] Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes. (Standard 60.05.20.9)**

**Finding:** There are no proposed parking structures as part of this development proposal and the site is not in a multiple use zone therefore, this design guideline is not applicable.

#### **60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.**

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

##### **1. Common open space for residential uses in Residential zones.**

- A. Common open spaces should be provided that are sized and designed for anticipated users, and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standards 60.05.25.1 through 3)**
- B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standards 60.05.25.1 through 3)**
- C. Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standards 60.05.25.1 through 3)**
- D. Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face on to the common open space. (Standards 60.05.25.1 through 3)**

**Finding:** The proposed restroom facility is not a residential use; therefore this design guideline is not applicable.

##### **2. Minimum landscaping in Residential zones.**

- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)**
- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.4)**

**Finding:** The corresponding standard is met in 60.05.25.5 and is addressed in this narrative, therefore this design guideline is not applicable.

##### **3. Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.**

- A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)**
- B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)**
- C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standards 60.05.25.5.A and B)**
- D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)**
- E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)**

**Finding:** The corresponding standard is met in 60.05.25.5 and is addressed in this narrative, therefore this design guideline is not applicable.

#### **4. Common Greens.**

- A. Common greens should be designed to provide access for only pedestrians and bicycles to abutting properties. Common greens should also serve as a common open space amenity for residents. (Standard 60.05.25.6)**
- B. The size of the common green right-of-way should be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green. (Standard 60.05.25.6.A.1)**
- C. When a public pedestrian connection is desired it should be designed as a distinct feature to distinguish it from an adjacent common green. (Standards 60.05.25.6.A.2 and 3)**
- D. Common greens should not provide access to parking. (Standard 60.05.25.6.A.4)**

**Finding:** No common greens are proposed in this application, therefore these design guidelines are not applicable.

#### **5. Shared Courts.**

- A. Shared courts should safely accommodate pedestrians and vehicles within the same circulation area and provide safe access to abutting properties. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. (Standards 60.05.25.7.A and B)**
- B. The size and length of a shared court should be sufficient to accommodate expected users and uses. The size and length should take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court. (Standards 60.06.25.7.A and .B)**

**Finding:** No shared courts are proposed in this application, therefore these design guidelines are not applicable.

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

**Finding:** No retaining walls are being proposed in this development proposal. This design guideline is not applicable.

#### **7. Fences and walls.**

- A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9)**



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

**Finding:** No fences or wall are being proposed in this development proposal; therefore this design guideline is not applicable.

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

**Finding:** No changes to on-site surface contours at residential property lines is proposed in this development, and the corresponding design standard is met, therefore this design guideline is not applicable.

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

**Finding:** No above-ground stormwater detention and treatment facilities are proposed in this development proposal. This design guidelines are not applicable.

**10. Natural areas. Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12)**

**Finding:** The existing natural areas that the park is surrounded with will not be disturbed with this development proposal, and the corresponding design standard is met, therefore this standard is not applicable.

**11. Landscape buffering and screening.**

- A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13)**
- B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13)**

- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)
- D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E).

**Finding:** City Staff confirmed in the Pre-Application Conference and notes that no landscape buffering is required for this development proposal as shown in Appendix “E” – Pre-Application Conference Notes, therefore this design guideline is not applicable.

**60.05.50. Lighting Design Guidelines.**

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

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)
2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)
3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)
4. On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2.) Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary.

- Finding:**
1. The proposed non-pole mounted lighting mounted on the side of the restroom facility maximizes safety by lighting the area directly in front of the building entrance. The proposed building will use an Cylinder shaped wall mounted OLLWD LED Downlight, with a Dark Bronze finish. No other changes to the lighting in the park is proposed in this development
  2. Safety lighting for the area directly in front of the building entrance is pedestrian scale and will be mounted well under 12 feet. The proposed lighting is wall mounted, and is appropriate for in size and placement for the architectural design features of the building and is shown in the Building Elevations in Appendix “B”.
  3. Because the Cylinder downlight lighting will be a downlight only, abutting and adjacent residential properties will not be impacted by glare from the proposed restroom facility. Other measures to mitigate potential glare are that when the park is closed, the light will be off.
  4. Additional On-Site lighting is unnecessary because the Park will retain the current hours of operation, and only be open during daylight hours. The proposed restroom facility will have the same hours of operation and be closed from dusk until dawn. No additional on-site lighting around the proposed development is proposed with

this application because the park will be closed, and no one will be using the park during the non-daylight hours. THPRD has described the unique circumstances to the site, and has described nighttime lighting as an “attractive nuisance”, which causes disruption and encourages nighttime activity when the park is closed.

This design guideline is met.

## **60.15. Land Division Standards**

### **60.15.10. Grading Standards.**

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

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

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

**Finding:** The proposed restroom facility will have 1,420 square feet of grading activity, and no exemptions from this standard is being requested.

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

- A. 0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.**
- B. More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.**
- C. More than 10 feet and up to and including 15 feet from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.**
- D. More than 15 feet and up to and including 20 feet from property line: Maximum of eight (8) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.**
- E. More than 20 feet and up to and including 25 feet from property line: Maximum of ten (10) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable.**
- F. Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.**

- G. The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development.**

**Finding:** The proposed grading on the site for the proposed restroom facility will be located over 60 feet from a property line. The proposed grading will be a total of 1,420 square feet. The maximum cross slope of the walkways will be 1.5%. The maximum running slope of the walkways will be 5%. The maximum general catch slopes will be 3H:1V. The maximum grade change from the existing grade to the finished grade will be 0.7', which is less than the maximum described in 60.15.10.3.F above, and the slope after grading post development does not exceed the pre-development slope. These standards are met.

**4. Significant Trees and Groves. Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:**

- A. 0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;**
- B. More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the tree's drip line, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;**
- C. Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.**

**Finding:** No significant trees or groves are identified within the subject site as shown on the City of Beaverton Interactive mapping for Natural Resources: Significant Individual Trees, therefore this standard is not applicable.

#### **60.30. Off-Street Parking**

##### **60.30.05. Off-Street Parking Requirements.**

**Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05 to 60.30.20.**

**1. Availability. Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.**

- A. Businesses that are approved pursuant to the Open Air Beaverton program and are located outside of Regional Center Parking District 1 may utilize a minimum of two off-street parking spaces, or up to one off-street parking space per 1,000 square feet of interior floor area occupied by the business, whichever is greater, for the program. In calculating the number of parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.**

- B. Businesses that are approved pursuant to the Open Air Beaverton program and are located inside of Regional Center Parking District 1 may utilize an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission.**
- 2. Vehicle Parking. Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.**
- 3. Bicycle Parking. [ORD 3965; November 1996] Bicycle parking shall be required for quadplexes, townhouses (with 4 or more units), cottage clusters, multi-dwellings, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual. [ORD 4397; August 2006] [ORD 4822; June 2022]**

**Finding:** This development proposal includes a Parking Determination application that satisfactorily demonstrates adequate parking for vehicles and bicycles around the site to serve the proposed 211-square-foot restroom facility. No changes are proposed to the existing, approved on-street parking, and the attached Appendix "G" supports this. This standard is met.

#### **60.30.10. Number of Required Parking Spaces.**

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

- 1. Parking Calculation. Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.**
- 2. Parking Categories.**
  - A. Vehicle Categories. Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use, except for those uses which are located in the Regional Center which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan.**
    - 5. Minimum number of required parking spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.**
    - 6. Parking Zone A. Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.**
    - 7. Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are**

located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.

8. Dual parking zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center - East zoning district. In the cases in the Regional Center - East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel.
9. Regional Center Parking Districts 1 and 2. Located within the boundary of the Regional Center are two (2) parking districts. Within these two districts, the parking requirements of Section 60.30.10.5.A do not apply. The required number of parking spaces for the Regional Center Parking Zones 1 and 2 shall be governed by Section 60.30.10.6.

**B. Bicycle Categories.** The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.

1. Short-Term parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking is encouraged to be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority
2. Long-Term parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.
3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.
4. Bicycle parking in the Old Town Parking Zones 1 and 2 shall be governed by the bicycle parking requirements listed in Section 60.30.10.5.

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

4. Uses Not Listed. For uses not specifically mentioned in this section, the requirements for off-street parking facilities for vehicles and bicycles shall be determined with a Parking Requirement Determination (Section 40.55.1.).

5. Parking Tables. The following tables list the required minimum and maximum vehicle (Table 60.30.10.5.A) and bicycle parking requirements (Table 60.30.10.5.B) for listed land use types. The vehicle parking table excludes uses located in Regional Center zoning districts.

**Finding:** This development proposal intended use is not included in the Parking Tables and therefore includes a Parking Determination application that satisfactorily demonstrates adequate parking on this site to serve the proposed 211-square-foot restroom facility.



No changes are proposed to the existing, approved parking, which is supported by Appendix "G". This standard is met.

**7. Exceeding Parking Ratios.** More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.10.15.2. (Major Adjustment) of this Code. However, if surplus parking is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Major Adjustment for parking.

Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone.

**Finding:** The applicant team acknowledges the City's Planning Commission may impose conditions on this application however, no unique conditions are anticipated. This standard is met.

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

**Finding:** No additional parking and no changes to the existing parking on the subject site are proposed in this development, and because this is not a residential use, this standard is not applicable.

#### **9. Parking Space Calculation.**

- A. Multiple Uses.** In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately.
- B. Spaces which only meet the requirements of one establishment may serve more than one establishment on the same parking lot, provided that sufficient evidence is presented which shows that the times of peak parking demand for the various establishments do not coincide, and that adequate parking will be available at all times when the various establishments are in operation.**

**Finding:** No additional parking and no changes to the existing parking on the subject site are proposed in this development and because this development proposal is not for multiple uses, this standard is not applicable.

#### **10. Location of Vehicle Parking.**

- A. All required off-street parking spaces shall be provided on the same property as the use requiring the spaces, with the following exceptions:**
  - 1. By approving a Parking Determination application for Shared Parking, the decision making authority may permit the required off-street parking spaces in Residential, Commercial, and Industrial zoning districts to be located on any property within 500**

- feet of the property where the use requiring the parking is located and, in Multiple Use zoning districts, on any lot within any distance.
2. By approving a Temporary Displaced Parking application, the decision making authority may permit parking displaced by development to be located off site temporarily, in accordance with the provisions of Section 40.80.15.5.
  3. Where a Middle Housing Land Division has been approved, pursuant to Section 40.45.15.10., parking spaces may be on a separate child lot or tract as the associated dwellings, but shall be on the same parent lot.
- B. B. For parking areas that meet one of the thresholds in subsections 1 or 2, below, parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.
1. Residential dwellings: Tandem spaces that can be accommodated within the driveway do not count in calculation provided the number of parking spaces backing out into the street or right of way does not exceed two. All other development: More than two parking spaces.
  2. All parking spaces shall meet minimum standards outlined in Section 60.30.15 unless otherwise approved through a Major Adjustment or Major Adjustment - Affordable Housing.
- C. In the RMA, RMB, and RMC zones parking and loading spaces for single-detached dwellings and middle housing may be located in side and rear yards and up to two parking spaces may be located in the front yard of each lot.
- D. For middle housing outside the RMA, RMB, and RMC zones, and other types of housing in any zone, parking in the front yard is allowed for each dwelling unit in the driveway area and shall be hard surfaced.

**Finding:** No additional parking and no changes to the existing parking on the subject site are proposed in this development, which is supported by the concurrent Parking Determination Application and supporting materials in Appendix "G", therefore this standard is not applicable.

**11. Reductions and Exceptions.** Reductions and exceptions to the required vehicle and bicycle parking standards as listed in Sections 60.30.10.5. and 60.30.10.6. may be granted in the specific cases listed below. Sites within the Downtown Design District that apply for one or more of the vehicle parking reductions listed below cannot exceed a combined 15% reduction from the required parking standards in the table found in Section 60.30.10.6.

- A. **Vehicle Parking Reduction for Transit Amenities.** For sites outside of the Downtown District, any existing use or proposed use on an existing transit route may apply for and the City may reduce the number of required vehicle parking spaces by either five percent or ten percent through provision of a pedestrian plaza. The property owner shall initiate the request for parking space reduction through the City application process.
1. A five percent (5%) credit may be approved if:
    - a. The pedestrian plaza is adjacent to a transit route with transit service currently available, and is within 1/4 mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza shall be adjacent to the bus stop,
    - b. The pedestrian plaza is open to the public,

- c. The pedestrian plaza is at least 200 square feet exclusive of connecting walkways,
  - d. A bench, landscaping and trash receptacle is provided as part of the pedestrian plaza. (Landscaping shall not exceed 50 percent of the total area.), and
  - e. The property owner provides a parking analysis demonstrating to the City's satisfaction that the vehicle parking demand for the existing or proposed use will be met with the reduction in place.
2. A ten percent (10%) credit may be approved if:
    - a. The pedestrian plaza is adjacent to a transit route with transit service currently available, and is within 1/4 mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza shall be adjacent to the bus stop,
    - b. The pedestrian plaza is open to the public,
    - c. The pedestrian plaza is at least 300 square feet exclusive of connecting walkways,
    - d. A transit shelter (if required by Tri-Met and the City), landscaping and trash receptacle is provided as part of the pedestrian plaza. (Landscaping shall not exceed 50 percent of the total area.), and
    - e. The property owner provides a parking analysis demonstrating to the City's satisfaction that the vehicle parking demand for the existing or proposed use will be met with the reduction in place.
  3. Provision of pedestrian plazas shall be coordinated with Tri-Met through the City's application process and shall be constructed to Tri-Met and City standards.
- B. **Vehicle Parking Reduction for Rail Stop Proximity in Downtown.** For sites within the Downtown District, any existing use or proposed use within one-eighth mile of an existing rail transit stop may apply for and the City may reduce the minimum number of required vehicle parking spaces by twelve (12) percent.
  - C. **Vehicle Parking Reduction for Central Blocks in Old Town.** For sites within the bounds of SW Farmington Road, SW Angel Avenue, SW 2nd Street, and SW Tucker Avenue may apply for and the City may reduce the number of required vehicle parking spaces by twelve (12) percent.
  - D. **Vehicle Parking Reduction for Bus Stop Proximity in Downtown.** [ORD 3965; November 1996] For sites within the Downtown District, any existing use or proposed use within one-eighth mile of an existing bus transit stop that has 20 minute peak hour transit service may apply for and the City may reduce the number of required vehicle parking spaces by twelve (12) percent. Sites that apply for vehicle parking reductions through Section 60.30.11.B-C may not apply for this reduction.
  - E. **Reduction for Transportation Management Association Participation.** [ORD 4107; May 2000] The minimum number of off-street parking spaces may be reduced by as much as ten percent (10%), if the applicant agrees to participate in a Transportation Management Association program approved by the City for the area within which the project is located.
  - F. **Reduction for Combination of Uses with Shared Parking.** The minimum number of off-street parking spaces may be reduced by as much as thirty percent (30%) subject to all of the following:
    1. The combination of uses will permit shared parking sufficient to justify a reduction in the parking standard and the design of the site and parking, and conditions of

- operation of parking agreed to by the applicant, will promote parking patterns and parking use consistent with the permitted reduction;
2. The probable long-term occupancy of the building or use, based upon its design, will not generate additional parking demand; and
  3. The applicant agrees to participate in a Transportation Management Association approved by the City for the subarea within which the project is located.
- G. **Reduction for Special Needs Residential.** The Director may, upon request, allow a reduction in the number of required off-street vehicle and bicycle parking spaces in housing developments for elderly or handicapped persons if such reduction is deemed appropriate after analysis of the size and location of the development, resident auto ownership, number of employees, possible future conversion to other residential uses and other similar relevant factors.
- H. **Vehicle Parking Reduction for Enrollment with a Car Share Program in Downtown For sites within the Downtown District,** the minimum number of required parking spaces may be reduced with the enrollment in a Car Sharing Program, subject to the following:
1. The enrollment period shall be no less than ten (10) years; and
  2. The required vehicle parking may be reduced by two (2) spaces for every one (1) car-share space provided, with a maximum reduction of ten (10) spaces or a twenty-five (25) percent reduction in required spaces, whichever is less.
- I. **Reduction for Substitution of Bicycle Parking.** For uses located within a 1/4 mile radius of a transit stop, as measured from any portion of a parcel to the centerline of the nearest adjacent public right of way or the center of the station platform, the provision of bicycle parking may be used to reduce minimum vehicle parking requirements at a rate of two long-term bicycle parking spaces per vehicle space, but not more than five percent (5%) of the total number of required vehicle parking spaces. The property owner shall provide a parking analysis demonstrating that the vehicle parking demand will be met with the reduced number of vehicle spaces. Bicycle parking used to reduce vehicle parking spaces shall be covered long-term bicycle parking consistent with the Engineering Design Manual and Standard Drawings.
- J. **Exemption for Temporary Uses.** Temporary uses authorized by this Code are exempt from bicycle parking requirements.
- K. **Exemption for Duplex, Triplex, and Quadplex Conversions in RMA, RMB, and RMC.** In the RMA, RMB, and RMC zones, no additional vehicle parking shall be required when a duplex, triplex, or quadplex is created through conversion of, or addition to, an existing single-detached dwelling.
- L. **Reduction for On-Street Parking in the RMA, RMB, and RMC Zones.** For middle housing sites, minimum parking requirements may be reduced if on-street parking is present abutting the site.
1. For each qualifying on-street parking space, the parking requirement shall be reduced by one space, up to the following maximum reductions:
    - a. One space for a duplex.
    - b. Two spaces for a triplex or quadplex.
    - c. One space per three cottages for a cottage cluster.
  2. To qualify, the on-street parking shall be:
    - a. A legal place to park (consistent with location standards in City Code, such as not next to a fire hydrant or a mailbox).

- b. On street, abutting the site (on the same side of the street) and entirely within the site's property lines that are perpendicular to the street.
- c. On a paved surface.
- d. At least 20 feet long and 7 feet wide.

**M. Open Air Beaverton**

- 1. Businesses that are approved pursuant to the Open Air Beaverton program and are located outside of Regional Center Parking District 1 may utilize a minimum of two off-street parking spaces, or up to one off-street parking space per 1,000 square feet of interior floor area occupied by the business, whichever is greater, for the program. In calculating the number of parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
- 2. Businesses that are approved pursuant to the Open Air Beaverton program and are located inside of Regional Center Parking District 1 may utilize an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission.

**Finding:** No reductions or exceptions as described above are being requested with this land use submittal. There is no listen parking requirement for the use of the park in RMC zone, and no additional parking is proposed with this application, which is supported by a Parking Determination application and supporting materials in Appendix "G". This standard is met.

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

- A. For residential uses, required vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.7.
- B. For uses other than residential uses, twenty percent (20%) of the required vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the required parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate.
- C. The Facilities Review Committee may recommend allowing the required parking spaces for short term parking to include spaces for compact cars if the applicant shows that there will be adequate parking for non-compact cars and a method of enforcing the compact car parking is available.
- D. Compact car parking spaces shall be generally grouped together and designated as such.

**13. Carpool and Vanpool Parking Requirements.**

- A. In industrial, institution, and office developments, including government offices, with 50 or more employee parking spaces, at least three percent of the employee parking spaces shall be designated for carpool and/or vanpool parking. For the purposes of this section, carpool is defined as two or more persons per car, and vanpool is defined as five or more persons per van. The carpool/vanpool spaces shall be clearly marked and signed for reserved carpool and/or vanpool parking. The reserved carpool/vanpool parking time may be specified so that the reserved spaces may be used for general

parking if the reserved spaces are not occupied after a specific time period, which shall be clearly posted on the sign.

- B. **Location.** Designated carpool/vanpool spaces shall be the closest employee motor vehicle parking spaces to the building entrance normally used by employees, except for the motor vehicle parking spaces designated for persons with disabilities, which shall be the closest to the building entrance.

**Finding:** No Compact car parking spaces or Carpool and Vanpool parking spaces are proposed in the development and, therefore this standard is not applicable.

#### **60.30.15. Off-Street Parking Lot Design.**

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

A = Parking Angle

B = Stall Width

C = Stall Depth (no bumper overhang)

D = Aisle Width

E = Stall Width (parallel to aisle)

F = Module Width (no bumper overhang)

G = Bumper Overhang

H = Backing Area

I = Module Intermesh

**NOTE:**

1. For one (1) row of stalls use "C" plus "D" as minimum bay width.
2. Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
3. For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle and access areas.
4. The stall width for self-parking of long duration is 8.5 feet; for higher turnover self-parking is 9.0 feet; and for supermarkets and similar facilities (shoppers and packages) is 9.5-10 feet.
5. The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24 feet. The minimum aisle width for emergency vehicle access (one way traffic) is 20 feet. Except as permitted in Section 60.30.15. Note 8(c). [ORD 4822; June 2022]
6. Where appropriate, bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth. Dimensions of required recreational vehicle spaces are 10 feet by 25 feet.
7. Parking lots in conjunction with government and public buildings, as defined by Chapter 11 of the International Building Code, are to include parking for the handicapped as required in that chapter. These special spaces may be included within the total spaces required. [ORD 3494; March 1986] [ORD 4365; October 2005] [ORD 4697; December 2016]
8. Single Detached and Middle Housing in RMA, RMB and RMC zones: [ORD 4822; June 2022]
  - a. Parallel parking spaces may count as required parking and shall be a minimum of 8 feet wide and 20 feet long. For parallel parking spaces located within the



driveway, the driveway width shall conform to drive aisle widths, outlined in Section 60.30.15. Note 8(c).

- b. Driveways shall meet the minimum driveway standards in the Engineering Design Manual.
- c. Drive aisles shall have a minimum width of 22 feet for two-way traffic or 20 feet for one-way traffic.

**Finding:** No off-street parking is being designed through this development proposal; therefore this standard is not applicable.

#### **60.30.20. Off-Street Parking Lot Construction.**

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

**Finding:** No off-street parking is being designed through this development proposal; therefore this standard is not applicable.

#### **60.40. Sign Regulations**

##### **60.40.05. Purpose.**

The general purpose of this Chapter is to implement the Beaverton Comprehensive Plan, to protect the health, safety, property, and welfare of the public, and to ensure compliance with State and Federal constitutional protections to freedom of speech. To achieve these purposes, the text of this Chapter is to establish a regulatory framework for signs which will:

1. Provide a neat, clean, orderly, and attractive appearance to the community.
2. Provide for safe construction, location, erection, and maintenance of signs.
3. Prevent proliferation of signs and sign clutter and minimize adverse visual safety factors to travelers on public rights-of-way.
4. Provide for readily identifiable locations and addresses to persons travelling on public right-of-way.
5. Provide clear standards for regulating signs based on location, size, type, time, place, manner, aesthetics and number.

**Finding:** The applicant team acknowledges that any signs to be installed will comply with the requirements in this section. This standard is met.

##### **60.40.10. Signs Exempt from Permits and Regulation.**

The following signs are exempt from regulation and do not require permits:

1. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control of that right-of-way for the purpose of traffic control, transit, public safety and wayfinding.
2. Signs constructed or placed by public utility companies for the general purpose of providing information concerning a pole, line, pipe or other facility belonging to the public utility as an aid to public safety.
3. Signs that are placed outside and are not visible from public rights-of-way.
4. Public Art as defined in Section 2.03.245.A of the Beaverton City Code.
5. Street address identifiers (numbers or letters) of buildings.

6. Plaques, markers or banners placed by the city or city recognized agency or organization for the general purpose of recognizing historic significance or military service.
7. Signs allowed as part of a Special Event Permit, subject to separate regulation under Chapter 7, Section 7.05 of the Beaverton City Code.
8. No sign is exempt from the provisions of Section 60.40.25 (Prohibited Signs) and Section 60.40.55. (Nonconforming and Illegal Signs).
9. Signs approved pursuant to the Open Air Beaverton program.

**Finding:** Any signs that will be placed will be outside and not visible from the public right-of-way making this proposed development exempt from the remaining standards of this section. Any signs placed will adhere to conform to the current sign regulations. This standard is met.

## **60.50. Special Use Regulations**

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

1. Structures or uses incidental and subordinate to the uses allowed as Permitted and Conditional Uses in any zone are allowed as accessory uses and structures subject to the provisions of this section.
2. All accessory buildings must comply with the following provisions:
  - A. **Size.** For lots ten thousand (10,000) square feet or less, the combined footprint of all accessory structures may not exceed five hundred (500) square feet. For lots greater than ten thousand (10,000) square feet, the combined footprint may not exceed seven hundred (700) square feet. However, regardless of size, the lot coverage by all accessory structures shall be no more than twenty five (25) percent of a rear yard area. Community buildings associated with cottage cluster developments are exempt from these size limitations;
  - B. **Height.** Accessory structures shall not exceed one story and shall be no greater than fifteen (15) feet in height. Community buildings associated with cottage cluster developments are exempt from this height limitation, and are instead subject to height limits in Section 20.05.15.G.;
  - C. They shall not be allowed in a required front yard, unless indicated in Section 60.50.05.3.;
  - D. They shall not be located within six (6) feet of the main building for residential lots. Required separation distances for commercial and industrial zoned lots shall be determined by the applicable Building Code;
  - E. **Setbacks.** A structure with a height of eight feet or less shall be located no closer than three (3) feet to any lot line nor built over an easement. For each foot of height, or fraction thereof, in excess of eight feet, the accessory structure shall be set back one additional foot from all lot lines;
  - F. They shall cause no encroachment upon or interference with the use of any adjoining property or public right-of-way;
  - G. **Attached accessory structures.** When an accessory structure is attached to the main structure, such accessory structure shall be considered as part of the main structure. Attached means wall-to-wall or any permanent attachment, as determined by the Director;
  - H. They shall be built in accordance with the applicable building codes and as determined by the Building Official.

3. **Examples of residential accessory uses. The following types of accessory structures or similar structures as determined by the Planning Director shall be permitted in districts where residential use types are allowed:**
  - A. **A greenhouse or hothouse;**
  - B. **A guesthouse may be maintained accessory to a dwelling, provided there is no kitchen space or cooking facilities in the guesthouse;**
  - C. **Pools;**
  - D. **Children's playhouses and structures;**
  - E. **Sheds;**
  - F. **Barns;**
  - G. **Gazebos;**
  - H. **Solar and wind energy systems;**
  - I. **Recreation room;**
  - J. **Laundry facilities;**
  - K. **Garage (if applicable, garages must comply with the Garages and Off-Street Parking Area design standards or guidelines in Section 60.05.60.); [ORD 4822; June 2022]**
  - L. **Carport; [ORD 4822; June 2022]**
  - M. **Accessory storage;**
  - N. **Pump House;**
  - O. **Fenced Dog Run;**
  - P. **Dog Houses;**
  - Q. **Tennis and other game courts;**
  - R. **Community building. (Community Buildings must comply with all applicable standards or guidelines in Table 60.05.60.3.) [ORD 4822; June 2022]**
  - S. **A book-sharing box (Allowed in the front yard setback if the height is limited to 48 inches and volume is limited to 7 square feet, and the box is not in the Sight Clearance Area described in the Engineering Design Manual). A book-sharing box placed in an easement shall be subject to the terms of the easement.**
4. **Non-residential accessory uses. Accessory uses customarily associated with the principal commercial or industrial use shall be permitted where these commercial and industrial use types are authorized. [ORD 4474; March 2008]**
5. **A conflict of interpretation concerning whether a use or structure is an accessory use or structure shall be resolved in accordance with the provisions of Section 10.20.**
6. **A. The City Council may, by resolution, establish a list of uses found not to be accessory to specific Permitted Uses.**
  - A. **Prior to including a use on such list the City Council shall hold a public hearing and allow interested persons an opportunity to testify on the matter.**
  - B. **The City Council may delegate to the Planning Commission the authority to perform the functions authorized and required by this subsection.**

- Finding:**
1. The permanent restroom facility structure is incidental and subordinate to the existing conditional use.
  2.
    - A. The permanent restroom facility structure does not exceed the size restrictions, and is only 211 square feet. The lot coverage by all accessory structures on the subject property is well under twenty five percent.

- B. The height of the proposed accessory use structure is eleven (11) feet and one half (.5) inches.
  - C. The placement of the proposed restroom facility will not be in a required front yard.
  - D. There is no applicable main building for the subject property, and no required separation distances apply.
  - E. The setbacks from the lot lines are being maintained and the proposed restroom facility does not fall within the setbacks. The proposed restroom facility is located approximately 85 feet from the closest property line.
  - F. No encroachment upon or interference with the use of adjoining property or public right-of-way will be caused by the proposed placement of the restroom facility structure because of where the proposed restroom facility will be located.
  - G. This structure is a detached accessory structure.
  - H. The proposed facility adheres to all applicable building codes.
3. The proposed accessory use permanent restroom facility is similar in size and scale to the list provided in the Code, and the applicant team recognizes that this determination may be determined by the Planning Director.
  4. The subject site is accessory to a residential use. This subsection is not applicable.
  5. The applicant team acknowledges that if there is a conflict of interpretation that the conflict shall be resolved with the provisions of Section 10.20.
  6. The applicant team understands that the City Council may, by resolution, establish a list of uses found not to be accessory to specified permitted uses.

The above standards are met.

## **60.55. Transportation Facilities**

### **60.55.10. General Provisions.**

- 1. All public and private transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies. [ORD 4782; April 2020]**
- 2. In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development. [ORD 4103; May 2000]**
- 3. For applications that meet the threshold criteria of section 60.55.15. (Traffic Management Plan) or of section 60.55.20. (Traffic Impact Analysis), these analyses or limited elements thereof may be required.**
- 4. The decision-making authority may impose development conditions of approval per Section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements). 5. Dedication of right-of-way shall be determined by the decision-making authority.**
- 6. Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the Area of Influence or any additional locations identified by the City Engineer. Traffic calming measures shall be designed to City standards.**

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

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

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

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

**Finding:** There are no anticipated traffic impacts to meet the thresholds of this section due to no expansion of the size, scale, and use of the existing park. A Parking Determination application has been prepared and submitted concurrently with this application, and supporting material for that Parking Determination application can be found in Appendix "G". This standard is met.

#### **60.55.15. Traffic Management Plan.**

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

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

- A. The hours when the added trips from the development will be 20 or more vehicles per hour.
- B. The existing volume of trips on the residential street during each of those same hours.
- C. The volume of trips that the development will add on the residential street during each of those same hours.
- D. Recommended traffic management strategies designed to City standards to mitigate the impacts of the increased trips attributed to the development. Potential traffic management strategies include, but are not limited to, any combination of speed humps, curb extensions, intersection treatments, and traffic control devices.

2. The Traffic Management Plan shall discuss whether the recommended improvements both on-site and off-site are justified, reasonably related to, and roughly proportional to the impacts of the proposed development and shall include information sufficient for the City to assess whether the proposed mitigation strategies are reasonably related and roughly proportional to the level of impact.

**Finding:** The proposed development will not add 20 or more trips on all streets as described in the Parking Determination supporting materials in Appendix "G", therefore no Traffic Management Plan is required. A Parking Determination Application has been prepared and submitted concurrently with this application. This standard is met.

#### **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.

**Finding:** The proposed development will not generate 300 vehicles or more per day as described in the Parking Determination supporting materials in Appendix "G", therefore no Traffic Impact Analysis is required. A Parking Determination Application has been prepared and submitted concurrently with this application. This standard is met.

#### **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.

**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.

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.

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.

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.

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.

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.
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.

**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.

**10. Pedestrian Circulation.**

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

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

**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. [ORD 4822; June 2022]
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.

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

**A. For development within 200 feet of a Major Transit Stop:**

1. Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;
2. Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;
3. Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;
4. Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,
5. Provide lighting at the transit stop to City standards.

**B. Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.**

**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.**

**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.**

**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:**

**Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section**

- 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.**

**Finding:** No changes are being proposed to the existing streets and bicycle and pedestrian connections for this development proposal as previously approved in case files DR2010-0121, CU2010-0012, and TP2010-0005. Existing accessways to the subject site are to remain intact, and the permanent restroom facility will be served by existing trails and walkways in the park. This standard is met.

## **60.65. Utility Undergrounding**

### **60.65.05. Purpose.**

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

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

**Finding:** The applicant team understands the purpose of undergrounding utilities. This standard is met.

### **60.65.10. Authority.**

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

**Finding:** The applicant team understands utility undergrounding applies to this application due to the Design Review III application submitted concurrently. This standard is met.

#### **60.65.15. Regulation.**

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

- 1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a Collector or Arterial roadway, and City funded roadway projects which the City Council has specifically considered and declined to fund utility undergrounding as a component of the roadway project, Washington County funded roadway projects, such as MSTIP projects, and Oregon Department of Transportation funded roadway projects.**
- 2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;**
- 3. The City reserves the right to approve surface mounted facilities;**
- 4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and**
- 5. Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.**
- 6. Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.**
- 7. If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.**

**Finding:** The subject property at the proposed location has utilities to the proposed restroom facility existing underground. The utilities to be connected to the proposed restroom facility will be undergrounded, which is depicted on Appendix "A" – Land Use Plans, Sheet C200. This standard is met.

#### **60.65.20. Information on Plans.**

**The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:**

- 1. Easements for all public and private utility facilities;**

2. The location of all existing above ground and underground public and private utilities within 100 feet of the site;
3. The proposed relocation of existing above ground utilities to underground; and
4. That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code.

**Finding:** The impacts to utilities are depicted on Appendix "A" – Land Use Plans, Sheet C100 and C200. This standard is met.

#### **60.65.25. Optional Fee In Lieu of the Undergrounding Requirement.**

If any of the following criteria are met as determined by the City, after receiving a recommendation from the Facilities Review Committee, at the applicant's option, applicant shall either immediately place the private utilities underground or pay a fee to the City toward future undergrounding in lieu of immediately placing private utilities underground.

**Criteria.** An applicant may request an optional fee in-lieu of the undergrounding requirement by submitting a written request to the Director that addresses how one or more of the following criteria are met. The written request shall include the information required in Sections 60.65.20.2. and 3., shall identify the segment(s) of the required utility undergrounding that meet the criteria below, and shall explain in narrative and graphic form how one or more of the criteria are met.

1. Placement of private utilities underground would conflict with the current City of Beaverton Engineering Design Manual and Standard Drawings or the Clean Water Service's Design and Construction Manual, as applicable;
2. An improvement project(s), which would include placement of said private utilities underground, other than as a part of the proposed development, are funded in the City's or another public agency's current fiscal year budget, are under design, or are under construction, and the City has determined that utility undergrounding can be accomplished more efficiently as part of such other improvement project(s).
3. Excluding service connection(s) of private utility(s) to structure(s), the length of any one of the three private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 60.65.25.3. If any of the existing or proposed utilities meets the corresponding threshold, as specified in this criterion, then, at the option of the applicant, the applicant shall either pay a fee in-lieu for undergrounding all of said utilities that are not already underground or place all of said utilities underground. If any of the utilities exist and are deemed exempt from the undergrounding requirement, as specified in Section 60.65.15.1., only that exempt utility shall not be required to pay an in-lieu fee. All other existing utilities that share the location of the exempt utility shall either pay an in-lieu fee or be placed underground.

**Finding:** The proposed restroom facility development is not requesting an undergrounding fee-in-lieu at this time, and the applicant team understands that one may be requested in certain circumstances in accordance with this section after receiving a recommendation from the Facilities Review committee. This standard is met.

#### **60.65.30. Fees to be Paid In-Lieu of Undergrounding.**

1. Applicants subject to the undergrounding in-lieu fee shall pay to the City an amount per linear foot of each private utility that is subject to underground relocation which is not placed



underground. The amount of the fee shall be established by the City Council by resolution and shall be based on average costs of undergrounding by the private utility providers.

2. All in-lieu fees paid to the City shall be dedicated to future private utility undergrounding projects in which the City takes part. Any in-lieu fees paid on behalf of a particular property shall not have such property subject to future assessment or other City charge for the same work unless a credit is given for the fee having been paid.

3. By accepting an in-lieu fee, the City is not thereby assuming responsibility for placing overhead private utilities underground. In the event that an in-lieu fee has been paid to the City, the City shall credit all properties as to which the owner has paid in-lieu fees for undergrounding private overhead utilities against any future public assessment(s) or charge(s) in connection with such private utility undergrounding project(s).

4. All in-lieu fees shall be paid prior to the issuance of a Site Development Permit.

**Finding:** The proposed development is not requesting an undergrounding fee-in-lieu at this time; therefore this standard is not applicable.

#### **SUMMARY AND CONCLUSION**

Based upon the materials submitted herein, the Applicant respectfully requests approval from the Beaverton's Planning Commission for the Major Modification of a Conditional Use, Design Review and Parking Determination applications.