

**ORDINANCE NO. 4844**

**AN ORDINANCE AMENDING THE BEAVERTON DEVELOPMENT CODE RELATING TO THE PARKING POLICY AND CODE PROJECT, TA2023-0001**

**WHEREAS**, on March 1, 2023, the Planning Commission conducted a public hearing to consider a City-initiated proposal to amend the Beaverton Development Code to implement the Parking Policy and Code Project to comply with the newly adopted Climate-Friendly and Equitable Communities Rules in Oregon Administrative Rules, chapter 660, division 12; and

**WHEREAS**, the Planning Commission received and considered the submitted staff report, exhibits, and proposal to recommend approval of this text amendment to the City Council; and

**WHEREAS**, the Planning Commission voted to recommend approval of the text amendment as presented by staff on March 1, 2023, with amendments; and

**WHEREAS**, on May 2, 2023, the City Council held a public hearing which was continued to July 18, 2023, to consider the Planning Commission's recommendation on the Parking Policy and Code Project, TA2023-0001; now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

**Section 1. Amendment.** The Beaverton Development Code is amended as set forth in **Exhibit A**, as amended by Exhibit B, both of which are attached and incorporated by this reference.

**Section 2. Findings.** In support of the amendment, the Council adopts the findings in **Exhibit B**, Supplemental Staff Memorandum dated June 20, 2023, and the **Exhibit C**, Planning Division Staff Report dated February 22, 2023, both of which are attached and incorporated by this reference and supported by evidence in the entire record including Planning Commission Land Use Order No. 2931, and minutes from the March 1, 2023, Planning Commission meeting.

**Section 3. Severability.** The sections and subsections of this ordinance are severable. If any part of this ordinance is held unconstitutional or otherwise invalid by a court of competent jurisdiction, the remaining parts shall remain in full force and effect unless:

A. The remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional or invalid part that it is apparent that the remaining parts would not have been enacted without the unconstitutional or invalid part; or

B. The remaining parts, standing alone, are incomplete and incapable of being

executed according to the legislative intent.

**Section 4. Effective Date.** This ordinance takes effect thirty days after its passage.

First reading this 18<sup>th</sup> day of April, 2023.

Public hearing this 18<sup>th</sup> day of July, 2023.

Duly passed by the City Council this 18<sup>th</sup> day of July, 2023.

Signed by the Mayor the 19<sup>th</sup> day of July, 2023.

ATTESTED:

SIGNED:

Catherine Jansen  
CATHERINE JANSEN, City Recorder

Lacey Beaty  
LACEY BEATY, Mayor

# **Parking Policy and Code Project**

## PC Recommended Development Code Amendments



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Этот документ доступен на других языках и в других форматах по запросу



**Parking Policy and Code Project – Draft Development Code Amendments**

- Commentary is for information only.
- Proposed new language is underlined.
- Proposed deleted language is ~~stricken~~.
- Language that has been skipped is indicated by “\*\*\*”

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## **CHAPTER 40 - APPLICATIONS**

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[ORD 4224; September 2002]

**Contents:**

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## 40.96. Wireless Facility

## 40.97. Zoning Map Amendment

[ORD 4584, 06/01/2012]

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### Commentary: Section 40.10. Adjustment

Under 40.10.15.1, Minor Adjustment, a criterion is added to clarify that adjustments on maximum permitted vehicle parking spaces are not allowed to exceed limits in Section 60.30.10.2 to ensure compliance with newly added requirements on Climate-Friendly and Equitable Communities parking maximums. This same language is added to “Major Adjustment” and “Major Adjustment – Affordable Housing.” While minimum vehicle parking requirements are proposed to be removed citywide, there will still be numerical maximum parking requirements.

Under 40.10.15.4. Major Adjustment - Affordable Housing, the following criterion is proposed to be deleted since it is no longer relevant: “In the case of an adjustment to the numerical requirements contained in Section 60.30. (Off-Street Parking), any part of the site of the proposed development shall be connected by a public route that is no longer than one-quarter mile from a bus transit stop that has 20-minute or more frequent peak-hour transit service or connected by a public route that is no longer than one-half mile to a light-rail platform. Alternatively, the application shall provide a parking analysis demonstrating that the actual parking needs of the development can be accommodated onsite. The parking analysis shall include examples from at least two other comparable developments. Additional examples may be required by the City Engineer or designee.”

## 40.10. Adjustment

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### 40.10.15. Application.

There are Four (4) Adjustment applications which are as follows: Minor Adjustment, Major Adjustment, Minor Adjustment - Affordable Housing, Major Adjustment - Affordable Housing. [ORD 4397; August 2006] [ORD 4758; March 2019]

#### 1. Minor Adjustment.

- A. Threshold. An application for Minor Adjustment shall be required when one or more of the following thresholds apply:
1. Involves up to and including a 10% adjustment from the numerical Site Development Requirements specified in [CHAPTER 20](#) (Land Uses) or [Section 70.15](#) (Downtown Zoning and Streets) if the site is located within the Downtown Design District. This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described [Section 60.12.40.4., .5., .6. and .7.](#) [ORD 4531; April 2010] [ORD 4799; January 2021]
  2. Involves up to and including a 10% adjustment from the numerical Development Standards for Grading specified in [Section 60.15.10.](#) (Land Division Grading Standards) of this Code. [ORD 4397; August 2006]
  3. Involves up to and including a 10% adjustment from the numerical Food Cart Pod standards specified in [Section 60.11.10](#) and [60.11.15](#) of this Code. [ORD 4662; September 2015]



4. Involves up to and including a 10% adjustment from the numerical Off-Street Parking standards specified in Section 60.30.10 of this Code.
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Minor Adjustment. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Minor Adjustment 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 Minor Adjustment application.
  2. The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.
  3. Special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.
  4. The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.
  5. Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.
  6. City designated significant trees and/or historic resources, if present, will be preserved.
  7. Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved. [ORD 4782; April 2020]
  8. If more than one adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.
  9. Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.
  10. The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.
  11. The proposal is consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless applicable provisions are modified by means of one or more Adjustment, Variance, Planned Unit Development applications that already have been approved or are considered concurrently with the subject proposal. [ORD 4799; January 2021]
  12. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.
  13. 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: drainage ditches, 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 periodic maintenance by the City or other public agency.
  14. The proposal does not exceed the maximum number of permitted vehicle parking spaces identified in Section 60.30.10.2.
  15. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

[ORD 4404; October 2006] [ORD 4473; March 2008] [ORD 4822; June 2022]



- D. Submission Requirements. An application for a Minor Adjustment 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 Minor Adjustment 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 Minor Adjustment application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.65.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.
2. **Major Adjustment.**
- A. Threshold. An application for Major Adjustment shall be required when one or more of the following thresholds apply:
1. Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirements specified in CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District. This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4., .5., .6. and .7. [ORD 4531; April 2010] [ORD 4799; January 2021]
  2. Involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Development Standards for Grading specified in Section 60.15.10. (Land Division Grading Standards) of this Code. [ORD 4397; August 2006]
  3. Involves an adjustment of more than 10% from the numerical requirements contained in Section 60.30. (Off-Street Parking). [ORD 4473; March 2008] [ORD 4782; April 2020]
  4. Involves an adjustment of more than 10% and up to and including a 50% adjustment from the numerical Food Cart Pod standards specified in Section 60.11.10 and 60.11.15 of this Code. [ORD 4662; September 2015]
- B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Major Adjustment. The decision making authority will be the Planning Commission. [ORD 4532; April 2010]
- C. Approval Criteria. In order to approve a Major Adjustment 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 Adjustment application.
  2. The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.
  3. Special conditions or circumstances exist on the site that make it difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.
  4. The special conditions or circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.
  5. Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.
  6. City designated significant trees and/or historic resources, if present, will be preserved.
  7. Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved. [ORD 4782; April 2020]
  8. If more than one adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.





9. Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.
10. Either it can be demonstrated that the proposed modification equally or better meets the intent of the standard to be modified or the proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.
11. The proposal is consistent with all applicable provisions of [CHAPTER 20](#) (Land Uses) or Section [70.15](#) (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal. [ORD 4799; January 2021]
12. The proposal is consistent with all applicable provisions of [CHAPTER 60](#) (Special Requirements) and that all improvements, dedications, or both 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 proposal.
13. 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: drainage ditches, 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 periodic maintenance by the City or other public agency.
14. [The proposal does not exceed the maximum number of permitted vehicle parking spaces identified in Section 60.30.10.2.](#)
15. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

[ORD 4404; October 2006] [ORD 4473; March 2008] [ORD 4822; June 2022]

- D. Submission Requirements. An application for a Major Adjustment 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 Adjustment 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 Major Adjustment application to ensure compliance with the approval criteria.
  - F. Appeal of a Decision. Refer to Section [50.70](#).
  - G. Expiration of a Decision. Refer to Section [50.90](#).
  - H. Extension of a Decision. Refer to Section [50.93](#).
3. \*\*\*
4. **Major Adjustment - Affordable Housing.** [ORD 4758; March 2019]
- A. Threshold. An application for Major Adjustment - Affordable Housing shall be required when one or more of the following thresholds apply:
    1. For eligible regulated affordable housing developments, an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirement specified in [CHAPTER 20](#) (Land Uses) except for height standards, which shall be limited to a 25% adjustment. Density shall be limited to a 25% adjustment in Residential Zoning Districts. This threshold does not apply to adjustment requests for height where credits have been earned for height increase through Habitat Friendly Development Practices, as described Section [60.12.40.4.](#), [.5.](#), [.6.](#), and [.7.](#)



2. For eligible regulated affordable housing developments, an adjustment of more than 10% and up to and including 50% adjustment from the numerical Development Standards for Grading specified in Section [60.15.10](#). (Land Division Grading Standards) of this Code.
  3. For eligible regulated affordable housing developments, any change from the numerical requirements contained in Section [60.30](#). (Off-Street Parking).
- B. Procedure Type. The Type 3 procedure, as described in Section [50.45](#). of this Code, shall apply to an application for Major Adjustment - Affordable Housing. The decision making authority will be the Planning Commission.
- C. Approval Criteria. In order to approve a Major Adjustment - Affordable Housing 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 Adjustment - Affordable Housing application.
  2. The application complies with all applicable submittal requirements as specified in Section [50.25.1](#). and includes all applicable City application fees.
  3. Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.
  4. If more than one adjustment and/or variance is being requested concurrently, the cumulative effect of the modifications will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.
  5. The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.
  6. The proposal is consistent with all applicable provisions of [CHAPTER 20](#) (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.
  7. The proposal is consistent with all applicable provisions of [CHAPTER 60](#) (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of [CHAPTER 60](#) (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.
  - ~~8. In the case of an adjustment to the numerical requirements contained in Section [60.30](#). (Off-Street Parking), any part of the site of the proposed development shall be connected by a public route that is no longer than one quarter mile from a bus transit stop that has 20-minute or more frequent peak-hour transit service or connected by a public route that is no longer than one-half mile to a light-rail platform. Alternatively, the application shall provide a parking analysis demonstrating that the actual parking needs of the development can be accommodated onsite. The parking analysis shall include examples from at least two other comparable developments. Additional examples may be required by the City Engineer or designee.~~
  9. 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: drainage ditches, 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 periodic maintenance by the City or other public agency.
  10. The proposal does not exceed the maximum number of permitted vehicle parking spaces identified in [Section 60.30.10.2](#).

[ORD 4822; June 2022]



- D. Submission Requirements. An application for a Major Adjustment - Affordable Housing 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 Adjustment - Affordable Housing application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), verification of regulated affordable housing status, 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 Major Adjustment - Affordable Housing application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.70.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

[ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4397, 08/10/2006; ORD 4404, 10/19/2006; ORD 4473, 03/27/2008; ORD 4487, 08/21/2008; ORD 4498, 01/15/2009; ORD 4531, 04/01/2010; ORD 4532, 04/01/2010; ORD 4662, 09/11/2015; ORD 4758, 03/22/2019; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

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**Commentary: Section 40.20. Design Review.**

Changes in this section remove references to minimum parking requirements, which are proposed to be removed citywide.

## 40.20. Design Review

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### 40.20.15. Application.

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

#### 1. Design Review Compliance Letter.

- A. Threshold. An applicant must utilize the Design Review Compliance Letter process when the application is limited to one or more of the following categories of proposed action: [ORD 4822; June 2022]
  - 1. Minor design changes to existing building or site including, but not limited to:
    - a. Façade changes, except changes in color.
    - b. Addition, elimination, or change in location of windows.
    - c. Addition, elimination, or change in location of person doors and loading doors.
    - d. Addition of new and change to existing awnings, canopies, and other mounted structures to an existing façade.
    - e. Demolition or other reduction in square footage of an existing building. [ORD 4584; June 2012]
    - f. Modification of up to 15 percent on-site landscaping with no reduction in required landscaping.
    - g. Modification of off-street parking and maneuvering area with no increase to the paved area of the site ~~and the minimum and maximum parking requirements for the subject site are met.~~ [ORD 4782; April 2020]
    - h. Addition or modification of new fences, retaining walls, or both. [ORD 4531; April 2010]



- i. Changing of existing grade.
  - j. Removal of Landscape Trees [ORD 4365; October 2005] [ORD 4659; July 2015]
  - k. Addition of no more than twenty-five (25) percent landscape features that consist only of natural materials. [ORD 4397; August 2006]
  - l. Addition or modification of on-site lighting. [ORD 4531; April 2010] [ORD 4584; June 2012]
  - m. Construction or modification of a permanent structure, not considered a building, which has a footprint of up to 1,000 square feet and is a use permitted within the underlying zoning district. [ORD 4782; April 2020]
2. Proposed additions of gross floor area to buildings in residential, commercial, or multiple use zones up to and including building area equal to 25% of the gross square feet of floor area of the existing building, but not to exceed 2,500 gross square feet of floor area.
  3. Proposed additions to buildings in industrial zones up to and including building area equal to 15% of the gross square feet of floor area of the existing building, but less than 30,000 gross square feet of floor area.
  4. New construction of non-habitable buildings in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, up to and including a gross building area of 1,000 square feet. [ORD 4531; April 2010] [ORD 4584; June 2012]
  5. Construction of new Community Gardens or additions to existing Community Gardens.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Design Compliance Letter. The decision making authority is the Director.
- C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Compliance Letter application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Design Compliance Review Letter.
  2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
  4. The proposal meets all applicable Site Development Requirements of Sections 20.05.15., 20.10.15., 20.15.15., and 20.20.15. of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application which shall be already approved or considered concurrently with the subject proposal. [ORD 4584; June 2012]
  5. The proposal, which is not an addition to an existing building, is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).
  6. If applicable, the proposed addition to an existing building and/or site, and only that portion of the building and/or site containing the proposed improvements, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:
    - a. Building articulation and variety (Section 60.05.15.1.).
    - b. Roof forms (Section 60.05.15.2.).
    - c. Exterior building materials (Section 60.05.15.4.).
    - d. Foundation landscaping requirements (Section 60.05.25.4.D.).
    - e. Screening roof-mounted equipment requirements (Section 60.05.15.5.).
    - f. Screening loading areas, solid waste facilities and similar improvements (Section 60.05.20.2.).
    - g. Lighting requirements (Section 60.05.30.).



h. Changes to the existing on-site vehicular parking, maneuvering, and circulation area does not require additional paving to the site ~~and the minimum and maximum parking requirements for the subject site are met.~~ [ORD 4782; April 2020]

i. Pedestrian circulation.

[ORD 4578; March 2012]

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

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

9. Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.

10. Proposals for Community Gardens comply with Section 60.05.25.14 of CHAPTER 60. Community Gardens are exempt from Criteria 4, 5, 6, 7, and 8 above. [ORD 4659; July 2015] [ORD 4782; April 2020]

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

[ORD 4404; October 2006]

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

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

F. Appeal of a Decision. Refer to Section 50.60.

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

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

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#### **Commentary: Section 40.23. Downtown Design Review.**

Minimum parking requirements are proposed to be removed citywide. Text is updated to specify that if vehicles will not be on-site, there is no need for a vehicle circulation plan. References to required parking are also removed.

## **40.23. Downtown Design Review**

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### **40.23.10. Applicability.**

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6. Downtown Design Review approval is required for all applicable new and existing developments within the Downtown Design District. 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. In recognition of this potential challenge, the Applicant may submit a Phased Downtown Development Plan (PDDP) concurrent with a Downtown Design Review application.



Projects may use a PDDP, approved through a Type 3 process, to develop a site in phases, where the first phase does not meet the minimum FAR standards established in Section 70.15. Such projects shall demonstrate through a phasing plan how future development of the site will meet the minimum applicable floor area ratio (FAR) at ultimate buildout, while meeting the other applicable Development Standards contained in Section 70.15, and the applicable Design Standards and/or Guidelines contained in Section 70.20 at each phase of development. A PDDP shall:

- A. Include a plan and narrative that addresses 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; and
  - B. Be 1.5 acres or greater in size, including abutting properties if under the same ownership; and
  - C. For sites within in the RC-BC zone:
    1. If the site is greater than 1.5 acres, but less 2 acres, demonstrate that the first phase of development provides at least 75% of the minimum FAR as defined in Section 70.15;
    2. If the site is 2 acres or greater, demonstrate that the first phase of development provides at least 66% of the minimum FAR as defined in Section 70.15.; and
  - D. For sites within in the RC-MU and RC-DT zones:
    1. If the site is greater than 1.5 acres, but less 2 acres, demonstrate that the first phase of development provides at least 85% of the minimum FAR as defined in Section 70.15;
    2. If the site is 2 acres or greater, demonstrate that the first phase of development provides at least 75% of the minimum FAR as defined in Section 70.15.; and
  - E. Demonstrate that the first phase of development provides at least 66% of the minimum FAR as defined in Section 70.15.; and
  - F. Include a conceptual utility plan to demonstrate how future-phase development will be served for each phase; and
  - G. Include a conceptual pedestrian and, if vehicle access or parking is provided on-site, a vehicle circulation plan to demonstrate site connectivity for each phase; and
  - H. Not rely on the removal of a structure in an early phase in order to demonstrate compliance in later phases; and
  - I. Comply with all applicable Design Standards and/or Guidelines. Compliance shall not be deferred to future phases of a PDDP.
7. Projects must demonstrate that all applicable Design Standards and/or Guidelines are met. The City, however, recognizes the possibility of a creative and high-quality project that better meets the intent of the Downtown Design District code. To provide greater flexibility that allows for exceptional design, an applicant may request to have one or more applicable Design Guidelines waived. The applicant must demonstrate that the project better meets the Intent Statement and Design Principles of the sub-section(s) in which the Design Guideline is located in than the Design Guideline itself. Design Guidelines may only be waived through a Type 3 process.

[ORD 4799, 01/08/2021; ORD 4819, 01/14/2022]

Effective on: 1/14/2022

### **40.23.15. Application.**

[ORD 4799; January 2021]

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

#### **1. Downtown Design Review Compliance Letter.**



- A. **Threshold.** An applicant may utilize the Downtown Design Review Compliance Letter process when the application is limited to one or more of the following categories of proposed action:
1. Minor design changes to existing building or site including, but not limited to:
    - a. Façade changes, except changes in color.
    - b. Addition, elimination, or change in location of windows.
    - c. Addition, elimination, or change in location of person doors and loading doors.
    - d. Addition of new and change to existing awnings, canopies, and other mounted structures to an existing façade.
    - e. Demolition or other reduction in square footage of an existing building.
    - f. Modification of up to 15 percent on-site landscaping with no reduction in landscaping.
    - g. Modification of off-street parking with no ~~reduction in required parking spaces or~~ increase in paved area.
    - h. Addition or modification of new fences, retaining walls, or both.
    - i. Changing of existing grade.
    - j. Removal of Landscape Trees.
    - k. Addition of no more than twenty-five (25) percent landscape features that consist only of natural materials.
    - l. Addition or modification of on-site lighting.
  2. Proposed additions of gross floor area to buildings up to and including building area equal to 25% of the gross square feet of floor area of the existing building, but not to exceed 2,500 gross square feet of floor area.
  3. New construction of non-habitable buildings up to and including a gross building area of 1,000 square feet.
  4. Construction of new Community Gardens or additions to existing Community Gardens.

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**Commentary: Section 40.40. Home Occupation.**

Minimum parking requirements are proposed to be removed citywide. Text is updated to remove a criterion under "Home Occupation Two" that requires off-street parking.

## 40.40. Home Occupation

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### 40.40.15. Application.

There are two (2) Home Occupation applications which are as follows: Home Occupation One and Home Occupation Two.

1. \*\*\*

2. **Home Occupation Two.**

- A. **Threshold.** An application for Home Occupation Two shall be required when one or more of the following thresholds apply:
1. A home occupation is proposed where outside customers or employees visit the premises. [ORD 4697; December 2016]



- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Home Occupation Two. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Home Occupation Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

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~~19. Excluding required residential parking, adequate off-street parking exists to accommodate vehicular traffic for any employee, customer, or both.~~

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#### **Commentary: Section 40.55. Parking Determination**

Minimum vehicle parking requirements are proposed to be removed citywide, so a Parking Determination application for determining the minimum parking requirements for vehicles will no longer be needed. However, there will still be minimum bicycle parking requirements as well as maximum vehicle parking requirements. The section is updated to clarify this. Shared Parking is also renamed and updated to “Shared Bicycle Parking” since applications for shared vehicle parking will no longer be needed. There is a specific distance requirement for short-term bicycle parking in Section 60.30.10, so this is specified here for consistency.

The “Use of Excess Parking” application is most relevant for minimum vehicle parking requirements, which are proposed to be deleted citywide. Since the application is no longer needed, it is proposed to be deleted.

## **40.55. Parking Determination**

[ORD 4224, 09/19/2002]

### **40.55.05. Purpose.**

The purpose of a Parking Determination is to establish ~~the maximum permitted number of vehicle parking spaces and~~ required number of bicycle parking spaces for uses which do not have a parking ratio requirement listed in the Development Code. The Parking Determination application is established for determining the required number of parking spaces in advance of, or concurrent with, applying for approval of an application, development, permit, or other action. This Section is carried out by the approval criteria listed herein. [ORD 4584; June 2012]

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

Effective on: 6/1/2012

### **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 or to share required bicycle parking spaces, ~~or to determine the existence of excess required parking.~~ [ORD 4365; October 2005] [ORD 4584; June 2012] [ORD 4697; December 2016]

[ORD 4071, 11/25/1999; ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4584, 06/01/2012; ORD 4697, 12/02/2016]

Effective on: 12/2/2016

### **40.55.15. Application.**





There are ~~threetwo~~ (2) Parking Determination applications which are as follows: Parking Requirement Determination ~~and~~, Shared ~~Bicycle~~ 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 vehicle or a bicycle parking ratio or requirement for a use not listed or substantially similar to a use listed in Section 60.30. (Off-Street Parking) of this Code.
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Parking Requirement Determination. The decision making authority is the Director.
- 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.
- 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.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Parking Requirement Determination application to ensure compliance with the approval criteria.
- F. Appeal of Decision. Refer to Section 50.65.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Previous approval of Parking Requirement Determination application shall not be extended.

## 2. **Shared Bicycle Parking.**

- A. Threshold. An application for Shared Bicycle Parking shall be required when one or more of the following thresholds apply:
  - 1. The required off-streetbicycle parking for two or more uses will share required bicycle parking spaces.
  - 2. All or a portion of the required bicycle parking will be provided at an off-site location. [ORD 4397; August 2006]
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Shared Bicycle Parking. The decision making authority is the Director.



- C. Approval Criteria. In order to approve a Shared Bicycle Parking 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 Shared Bicycle Parking application.
  2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  3. The shared ~~off-street~~long-term bicycle parking is located on any property within 500 feet of the property upon which the use requiring the long-term bicycle parking is located, ~~except in Multiple Use zoning districts where the location may be at any distance.~~ [ORD 4706; May 2017]
  4. The location of the shared bicycle parking and the site containing the use shall be connected by a hard surface pedestrian pathway. [ORD 4706; May 2017]
  5. ~~If the location of the shared parking and the site containing the use are separated by a street of collector or higher designation, the two locations shall each be within 300 feet of a controlled pedestrian crossing, such as a traffic light, stop controlled intersection or marked pedestrian crossing such as a striped intersection or pedestrian-activated signal. [ORD 4706; May 2017]~~Short-term bicycle parking shall be located on site within 50 feet of a primary entrance. If there are site, setback, building design, or other constraints, short-term 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.
  6. If multiple properties are involved, the owners of the properties have each agreed to the shared bicycle parking by entering into a shared bicycle parking agreement. [ORD 4584; June 2012]
  7. The time of peak bicycle parking demand for the various uses located on the subject properties occur at different times of the day.
  8. Adequate bicycle parking will be available at all times when the various uses are in operation.
  9. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.
  10. There are safe and efficient ~~vehicular and~~ pedestrian circulation patterns and vehicular circulation patterns, if vehicle access is provided, within the boundaries of the site.
  11. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
  12. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.  
[ORD 4404; October 2006]
- D. Submission Requirements. An application for a Shared Bicycle Parking shall be made by the owners of the subject properties, or the owners' authorized agents, on a form provided by the Director and shall be filed with the Director. The Shared Bicycle Parking 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 Shared Bicycle Parking application to ensure compliance with the approval criteria.
- F. Appeal of Decision. Refer to Section 50.65.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Previous approval of Shared Bicycle Parking application shall not be extended.



### ~~3. Use of Excess Parking.~~

- ~~A. Threshold. An application for Use of Excess Parking shall be necessary when one or more of the following thresholds apply:~~
- ~~1. A request to declare required off-street parking is in excess of the need for the use on the subject property.~~
- ~~B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Use of Excess Parking. The decision making authority is the Director.~~
- ~~C. Approval Criteria. In order to approve a Use of Excess Parking 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 Use of Excess Parking application.~~
  - ~~2. All City application fees related to the application under consideration by the decision making authority have been submitted.~~
  - ~~3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]~~
  - ~~4. Excess parking accounts for a minimum of 20% of the required parking for all uses of the site;~~
  - ~~5. Excess parking has existed for the previous 180 days;~~
  - ~~6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.~~
- ~~D. Submission Requirements. An application for Use of Excess Parking 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 Use of Excess Parking 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 Use of Excess Parking application to ensure compliance with the approval criteria.~~
- ~~F. Appeal of Decision. Refer to Section 50.60.~~
- ~~G. Expiration of a Decision. Refer to Section 50.90.~~
- ~~H. Extension of a Decision. Previous approval of Use of Excess Parking application shall not be extended.~~

[ORD 3293, 11/25/1982; ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4397, 08/10/2006; ORD 4404, 10/19/2006; ORD 4584, 06/01/2012; ORD 4706, 05/19/2017]

Effective on: 5/19/2017

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## 40.80. Temporary Use

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### **Commentary: Section 40.80.10. Applicability.**

Minimum vehicle parking requirements are proposed to be removed citywide, so references to required parking are removed in this section.



## 40.80.10. Applicability.

Uses and activities that are determined to be temporary in nature shall be subject to the provisions of this section. Except where the use and activity is expressly exempt under this chapter, a Temporary Use permit is to be obtained prior to commencing the use or activity and the decision making authority may impose conditions as necessary to ensure compliance with the approval criteria. [ORD 4587; August 2012]

Exemptions: No Temporary Use permit is required for non-mobile temporary use if the use or activity:

1. Is located on property zoned Commercial, Multiple Use, or Industrial where the proposed temporary use or activity is permitted outright by the zone; and
2. Operates for no more than three consecutive days in a week and for no more than six times in any twelve-month period; and
3. Is located outside all required vision clearance areas and the first 20 feet of vehicle aisle space as measured from all site entrances and exits to the public right-of-way; and
4. Has received the property owner's permission; and
5. Operates only between 7:00 a.m. and 10:00 p.m.; and
6. Occupies an area that is no more than ~~five parking spaces or~~ 800 square feet of surface area and does not block access for pedestrians, required bicycle parking, excluding vehicle drive aisles and minimum off-street parking as required in Section 60.30. and areas required for fire access; OR
7. Is a Special Event permitted under Chapter 7 of the City Code.

[ORD 4224, 09/19/2002; ORD 4587, 08/17/2012]

Effective on: 6/8/2017

### Commentary: Section 40.80.15. Application.

Minimum vehicle parking requirements are proposed to be removed citywide, but there will still be minimum bicycle parking requirements. Language is updated to clarify this. Temporarily Displaced Parking application is edited to remove criteria that references required parking.

## 40.80.15. Application.

There are five (5) Temporary Use applications which are as follows: Temporary Mobile Sales, Temporary Non-Mobile Sales, Temporary Structure, Temporary Real Estate Office, and Temporary Displaced Parking. [ORD 4757; March 2019]

### 1. Temporary Mobile Sales.

- A. Threshold. An application for Temporary Mobile Sales shall be required when the following threshold applies:
  1. The sale of plants, flowers, books, crafts, produce, beverages, food, and other similar items in a single location for a period that is greater than three (3) hours and less than seven (7) hours per day. [ORD 4513; August 2009] [ORD 4701; January 2017]
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Temporary Mobile Sales. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Temporary Mobile Sales 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 Temporary Mobile Sales application.
  2. All City application fees related to the application under consideration by the decision making authority have been submitted.



3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]
  4. The proposal is located entirely within private property and will not impact public infrastructure that includes, but is not limited to ADA ramps, sidewalk, fire hydrants. The applicant has written permission from the property owner to utilize the subject property for the proposal. [ORD 4584; June 2012] [ORD 4782; April 2020]
  5. The applicant has written permission from the City if the proposal is located on a public right-of-way within any of the Regional Center or Town Center zoning districts. [ORD 4584; June 2012]
  6. The use in which the proposed temporary use is engaged is listed as a Permitted use in the specific Commercial, Industrial or Multiple Use zoning district and complies with all applicable use restrictions of the zone. [ORD 4513; August 2009] [ORD 4782; April 2020]
  7. The proposal will not be located within the vision clearance area of an intersection as specified in the Engineering Design Manual and Standard Drawings. [ORD 4365; October 2005]
  8. The proposal does not involve use of a permanent building.
  9. The proposal shall not obstruct ~~or occupy~~ minimum required bicycle parking spaces, ~~unless it can be demonstrated that the minimum required parking is not being used by the permanent use located on the subject site pursuant to Section 40.55.15.3. (Excess Parking) of the Development Code. [ORD 4513; August 2009] [ORD 4584; June 2012]~~
  10. Safe vehicle and pedestrian circulation is provided consistent with Section 60.55. (Transportation Facilities) of the Development Code. [ORD 4584; June 2012]
  11. The proposed hours of operation for the temporary use are allowed in that zoning district and do not require Conditional Use approval. [ORD 4513; August 2009]
  12. No more than two other permits for Temporary Use - Mobile Sales have been issued on the same site during the same approval period or portion thereof. [ORD 4513; August 2009] [ORD 4701; January 2017]
  13. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
- D. Submission Requirements. An application for a Temporary Mobile Sales shall be made by the owner of the proposed temporary use, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Temporary Mobile Sales application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness).
- E. Conditions of Approval. All applications for Temporary Use - Mobile Sales shall comply with the following conditions identified below. The decision making authority may impose other conditions on the approval of a Temporary Mobile Sales application to ensure compliance with the approval criteria. [ORD 4513; August 2009]
1. The Temporary Mobile Sales shall obtain a City Business License.
  2. Temporary Mobile Sales involving the sale of food products shall be licensed by the appropriate State and/or local agency.
  3. All Temporary Mobile Sales activities shall be conducted at the particular location authorized.
  4. The Temporary Mobile Sales shall not have hours of operation exceeding seven (7) hours in a twenty four (24) hour period. [ORD 4513; August 2009]
  5. Signage shall be permitted for Temporary Mobile Sales consistent with Section 60.40.15.12. of this Code.
  6. During operation, the operator of a Temporary Mobile Sales shall maintain a copy of the City approval and present same for inspection upon request by City personnel.
  7. Suitable receptacles for disposal of trash, as defined by the City of Beaverton Code 4.08.030. must be provided and maintained by the permittee on the site of the temporary use in sufficient numbers, as determined by the Director, to accommodate all trash generated by the Temporary Mobile Sales. The



permittee shall be responsible for disposal of accumulated trash and for clean-up of trash generated by the Temporary Mobile Sales. [ORD 4697; December 2016]

8. All products for sale, structures, and vehicles associated with the Temporary Mobile Use shall be removed daily at the end of the approved time period. [ORD 4701; January 2017]
9. Tables and chairs available for customer seating shall be limited to an area not to exceed eight-feet by eighteen-feet and shall not obstruct ~~or occupy~~ minimum required bicycle parking spaces, ~~unless it can be demonstrated that the minimum required parking is not being used by the permanent use located on the subject site pursuant to Section 40.55.15.3. (Excess Parking) of this Code.~~ [ORD 4513; August 2009]
10. The Director may impose conditions necessary to ensure ~~that adequate parking exists and~~ that vehicles entering or exiting the site do not create a safety hazard.
11. The Director may impose conditions necessary to safeguard the public health and safety and to minimize potential adverse impact created by the Temporary Mobile Sales on the surrounding property and use.

F. Appeal of a Decision. Refer to Section 50.60.

G. Expiration of a Decision. The use authorized by the decision making authority shall commence, operate, and conclude within one year of the date of approval. After one year, the permit shall expire unless the permit is renewed pursuant to the provisions for Permit Renewal as stated under Section 50.97. [ORD 4513; August 2009]

H. Extension of a Decision. Previous approvals of Temporary Mobile Sales shall not be extended.

## 2. Temporary Non-Mobile Sales.

A. Threshold. An application for Temporary Non-Mobile Sales shall be required when the following threshold applies:

1. The sales of holiday vegetation and fireworks, circuses, carnivals, animal rides and use of private property for promotional product sales or service, except where activity is eligible for exemption under Applicability of Section 40.80.10. [ORD 4587; August 2012]

B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Temporary Non-Mobile Sales. The decision making authority is the Director.

C. Approval Criteria. In order to approve a Temporary Non-Mobile Sales 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 Temporary Non-Mobile Sales application.
2. All City application fees related to the application under consideration by the decision making authority have been submitted.
3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]
4. The proposal is located entirely within private property and the applicant has written permission from the property owner to utilize the subject property for the proposal. [ORD 4584; June 2012]  
[ORD 4587; August 2012] [ORD 4782; April 2020]
5. The use in which the proposed temporary use is engaged is listed as a Permitted use in the specific Commercial, Industrial or Multiple Use zoning district and complies with all applicable use restrictions of the zone. [ORD 4513; August 2009] [ORD 4782; April 2020]
6. The proposed temporary use is located on property within a Residential zoning district where non-residential uses have been legally established and are located on an Arterial or Collector. [ORD 4782; April 2020]



7. The proposal will not be located within the vision clearance area of an intersection as specified under Section 60.55.50.
  8. The proposal does not involve use of a permanent building.
  - ~~9. The proposal shall not obstruct or occupy permanent required parking spaces unless it can be demonstrated that the permanent required parking is not being used by the permanent use located on the subject site pursuant to Section 40.55.15.3. (Excess Parking) of the Development Code. [ORD 4584; June 2012]~~
  10. The site of the proposal has safe vehicle and pedestrian circulation consistent with Section 60.55. (Transportation Facilities) of the Development Code. [ORD 4782; April 2020]
  11. The proposed hours of operation for the temporary use are allowed in that zoning district and do not require Conditional Use approval. [ORD 4513; August 2009]
  - ~~12. The site of the proposal has adequate parking facilities to accommodate the anticipated needs consistent with Section 60.30. (Off-Street Parking) of the Development Code. [ORD 4584; June 2012]~~
  13. Temporary Non-Mobile Sales has not occurred more than twice on the same site in the same calendar year. [ORD 4782; April 2020]
  14. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
- D. Submission Requirements. An application for a Temporary Non-Mobile Sales shall be made by the owner of the proposed temporary use, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Temporary Non-Mobile Sales application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness). [ORD 4513; August 2009]
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Temporary Non-Mobile Sales application to ensure compliance with the approval criteria. In addition to imposing other conditions to ensure compliance with the approval criteria, the decision making authority may also impose one or more of the following conditions when appropriate:
1. The Temporary Non-Mobile Sales shall obtain a City Business License.
  2. Temporary Non-Mobile Sales involving the sale of food products shall be licensed by the appropriate State and/or local agency.
  3. Temporary Non-Mobile Sales involving the sale of fireworks shall be licensed by the appropriate State and/or local agency.
  4. All Temporary Non-Mobile Sales activities shall be conducted at the particular authorized location.
  5. Signage shall be permitted for Temporary Non-Mobile Sales consistent with Section 60.40.15.7. of this Code. [ORD 4782; April 2020]
  6. During operation, the operator of a Temporary Mobile Sales shall maintain a copy of the City approval and present same for inspection upon request by City personnel.
  7. Suitable receptacles for disposal of trash as defined by the City of Beaverton Code 4.08.085, subsection C, must be provided and maintained by the permittee on the site of the Temporary Non-Mobile Sales in sufficient numbers, as determined by the Director, to accommodate all trash generated by the Temporary Non-Mobile Sales use. The permittee shall be responsible for disposal of accumulated trash and for clean-up of trash generated by the Temporary Non-Mobile Sales.
  8. The Director may impose conditions necessary to safeguard the public health and safety and to minimize potential adverse impact created by the Temporary Non-Mobile Sales on the surrounding property and use.
- F. Appeal of a Decision. Refer to Section 50.60.



- G. Expiration of a Decision. The use authorized by the decision making authority shall commence, operate, and conclude within 45 days of the date of approval.
- H. Extension of a Decision. Approvals of Temporary Non-Mobile Sales shall not be extended.

### 3. **Temporary Structure.**

- A. Threshold. An application for Temporary Structure shall be required when the following threshold applies:
  1. The placement of a temporary mobile structure while development is taking place.
  2. Placement of drop-off station. [ORD 4587; August 2012]
  3. A temporary wireless communication facility inclusive of needed equipment shelters and on-site improvements to facilitate continuity in service during initial construction, repair, maintenance, or replacement of permanent equipment for a period identified in Section 60.70.55. [ORD 4248; May 2003] [ORD 4804; August 2021]
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Temporary Structure. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Temporary Structure 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 Temporary Structure application.
  2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]
  4. The proposal will not be located within the vision clearance area of an intersection as specified under Section 60.55.35. [ORD 4462; January 2008]
  5. Safe vehicle and pedestrian circulation is provided consistent with Section 60.55. (Transportation Facilities) of the Development Code. [ORD 4584; June 2012]
  - ~~6. The site of the proposal has adequate parking facilities to accommodate the anticipated needs of the uses on the site consistent with Section 60.30. (Off-Street Parking) of the Development Code. [ORD 4584; June 2012]~~
  7. The proposal is for an approved development located within the City.
  8. The proposal would locate a temporary mobile structure within the boundaries of the subdivision where land is for sale or under development.
  9. A construction permit for the permanent development has been issued and has not expired.
  10. The Temporary Structure shall be located on the same lot or a lot abutting the activity. If the abutting lot is separately owned, written authorization from the owner must be provided.
  11. The Temporary Structure shall not block fire hydrants, storm drains, manholes, catch basins, or other similar infrastructure improvements.
  12. No connection of the temporary structure to any water, sanitary or storm sewer utility shall be allowed unless the system(s) are deemed substantially complete by the City.
  13. Occupancy for temporary sales trailers or sales offices shall not be allowed until substantial completion of the sanitary sewers is obtained, or portable toilets are available.
  14. If the proposal is a drop-off station, the proposal is located in a Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012]
  15. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.





16. Temporary Wireless Communication Facilities shall meet the requirements in Code Section 60.70.55. [ORD 4804; August 2021]

- D. Submission Requirements. An application for a Temporary Structure 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 Temporary Structure 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 Temporary Structure application to ensure compliance with the approval criteria. In addition to imposing other conditions to ensure compliance with the approval criteria, the decision making authority may also impose the following conditions when applicable:
1. The occupant of the Temporary Structure shall obtain a City Business License.
  2. Signage shall be permitted for a Temporary Structure consistent with Section 60.40.15.7 of this Code. [ORD 4782; April 2020]
  3. The Director may impose conditions as are necessary to ensure ~~that adequate parking exists and~~ that vehicles entering or exiting the site do not create a safety hazard.
  4. The Director may impose conditions as are necessary to safeguard the public health and safety and to minimize potential adverse impact created by the temporary use on the surrounding property and use.
  5. The Director may impose conditions as are necessary which establish a duration of time that the Temporary Structure may be located on the subject site.
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. The use authorized by the decision making authority shall commence, operate, and conclude within 2 years of the date of approval unless otherwise specified by the Director.
- H. Extension of a Decision. Refer to Section 50.93.
4. **Temporary Real Estate Office.**

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- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Temporary Real Estate Office application to ensure compliance with the approval criteria. In addition to imposing other conditions to ensure compliance with the approval criteria, the decision making authority may also impose the following conditions when applicable:
1. The Temporary Real Estate Office shall obtain a City Business License.
  2. All Temporary Real Estate Office activities shall be conducted at the particular location authorized.
  3. Signage shall be permitted for a Temporary Real Estate Office consistent with Section 60.40.15.7 of this Code. [ORD 4782; April 2020]
  4. The Director may impose conditions as are necessary to ensure ~~that adequate parking exists and~~ that vehicles entering or exiting the site do not create a safety hazard.
  5. The Director may impose conditions as are necessary to safeguard the public health and safety and to minimize potential adverse impact created by the Temporary Real Estate Office on the surrounding property and use.
  6. The Director may impose conditions as are necessary which establish a duration of time that the Temporary Real Estate Office may be located on the subject site.
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. The use authorized by the decision making authority shall commence, operate, and conclude within 2 years of the date of approval unless otherwise specified by the Director.



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

[ORD 4587; August 2012]

5. **Temporary Displaced Parking. [ORD 4757; March 2019]**

- A. Threshold. An application for Temporary Displaced Parking shall be required when the following threshold applies:
1. The placement of temporarily displaced parking due to development activity on private property.
  2. The placement of temporary construction worker parking due to development activity on private property.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Temporary Displaced Parking. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Temporary Displaced Parking 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 Temporary Displaced Parking application.
  2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
  4. The proposal does not utilize on-street parking to provide temporary displaced parking.
  5. The proposed displaced parking is located in an area that has a gravel or impervious surface.
  6. The proposed displaced parking will not increase the quantity, or decrease the quality, of the surface water runoff from the subject site.
  7. The proposed displaced parking will not pose a threat to the public safety or convenience.
  8. The proposal for displaced parking is associated with an approved development application or proposed concurrently with a land use application submittal.
  9. The need for the proposed displaced parking is caused by an inability to accommodate parking on the development site due to development activity.
  10. The proposed displaced parking will not be located within the vision clearance area of an intersection as specified in the Engineering Design Manual and Standard Drawings.
  - ~~11. The proposed displaced parking will not occupy or obstruct minimum required parking spaces for another use or site. The following tools may be used to show that minimum parking for another use or site will be maintained:~~
    - ~~a. An approved Excess Parking determination application through Section 40.55.15.3 of the Development Code, demonstrating that not all of the minimum required parking is being used by the permanent use located on the subject site.~~
    - ~~b. Information that demonstrates different peak parking demand hours for the uses reliant on the required parking. The proposal shall include sufficient parking to accommodate overlapping periods of use for the duration of the Temporary Displaced Parking use.~~
  12. Safe vehicle and pedestrian circulation is provided consistent with Section 60.55. (Transportation Facilities) of the Development Code.
  13. The proposed displaced parking is located within 1/4 mile of the development activity site or is combined with a transportation access plan that includes private shuttle or one-seat-ride transit access with a maximum service headway of 20 minutes during peak hours and no more than a two (2) mile radius from the use dependent on the parking.



14. The proposal includes a plan for permitting, monitoring, and enforcing the proper use of the displaced parking.
15. The number of parking spaces provided ~~meets the minimum required parking for the use(s) being displaced and~~ is no greater than the number of spaces being displaced.
16. Any displaced ADA parking spaces ~~must~~shall be replaced at a one-to-one ratio and meet ADA access requirements.
17. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

D. Submission Requirements. An application for Temporary Displaced Parking shall be made by the owner of the development creating the need for the displaced parking, the owner's authorized agent, or the owner of the property where the Temporary Displaced Parking will be located, on a form provided by the Director that shall be filed with the Director. The Temporary Displaced Parking application shall be accompanied by the information required by the application form and by Section 50.25. (Application Completeness).

E. Conditions of Approval. All applications for Temporary Use Displaced Parking shall comply with the conditions stated below. The decision making authority may impose additional conditions to ensure compliance with the approval criteria.

1. The Temporary Displaced Parking use shall cease with the issuance of a Certificate of Occupancy for the project that displaced ~~required~~ parking or within one (1) year, whichever is sooner.
2. Temporary Displaced Parking activities shall be conducted at the particular location(s) authorized and are not transferable to additional or alternative location(s).
3. The permittee of the Temporary Displaced Parking use shall make a copy of the City approval available for inspection upon request by the City.
4. Signage shall be permitted for Temporary Displaced Parking consistent with Section 60.40.15.6.

[ORD 3494, 03/27/1986; ORD 3998, 01/01/1998; ORD 4005, 02/05/1998; ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4265, 10/09/2003; ORD 4365, 10/20/2005; ORD 4418, 02/22/2007; ORD 4462, 01/10/2008; ORD 4513, 08/13/2009; ORD 4584, 06/01/2012; ORD 4587, 08/17/2012; ORD 4697, 12/02/2016; ORD 4701, 01/13/2017; ORD 4757, 03/15/2019; ORD 4782, 04/17/2020; ORD 4804, 08/13/2021]

Effective on: 8/13/2021

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## **CHAPTER 50 - PROCEDURES**

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[ORD 4224; September 2002] [ORD 4702; January 2017]

### **Contents:**

- 50.05. Initiation of an Application.**
- 50.10. Withdrawal of an Application.**
- 50.15. Classification of Applications.**
- 50.20. Pre-Application Conference.**
- 50.25. Application Completeness.**
- 50.30. Neighborhood Review Meeting.**
- 50.35. Type 1.**
- 50.40. Type 2.**
- 50.45. Type 3.**
- 50.50. Type 4.**
- 50.53. Expedited Land Division and Middle Housing Land Division.**
- 50.55. Conduct of Planning Commission Hearing.**
- 50.57. Time Limits on Planning Commission Hearing Testimony.**
- 50.58. Testimony, Exhibits, and Other Evidence before the Planning Commission.**
- 50.60. Appeal of a Type 1 Decision.**
- 50.65. Appeal of a Type 2 Decision.**
- 50.70. Appeal of a Type 3 Decision.**
- 50.75. City Council Consideration of a Type 4, Street Vacation, Non-Discretionary Annexation Related Zoning Map Amendment, Quasi-Judicial Zoning Map Amendment, and Discretionary Annexation Related Zoning Map Amendment Application.**
- 50.80. Conduct of Planning Commission Appeal Hearing.**
- 50.82. Time Limits on Planning Commission Appeal Hearing Testimony.**
- 50.83. Testimony, Exhibits, and Other Evidence before the Planning Commission.**
- 50.85. Conduct of the City Council Appeal Hearing.**
- 50.87. Time Limits on City Council Appeal Hearing Testimony.**
- 50.88. Testimony, Exhibits, and Other Evidence before the City Council.**
- 50.89. Withdrawal of an Appeal.**
- 50.90. Expiration of a Decision.**
- 50.93. Extension of a Decision.**
- 50.95. Modification of a Decision.**
- 50.97. Permit Renewal.**
- 50.99. Re-Application or Supplemental Application after Denial.**



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**Commentary: Section 50.90. Expiration of a Decision and 50.93. Extension of a Decision.**

The Shared Parking application is proposed to be renamed to specify it refers to bicycle parking, as reflected in Section 40.55. The Use of Excess Parking application is proposed to be deleted. These changes are incorporated below.

## 50.90. Expiration of a Decision.

1. Except as otherwise specifically provided in a specific decision or in this Code, a final decision made pursuant to this Chapter shall expire automatically on the following schedule unless the approval is enacted either through construction or establishment of use within the specified time period.

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- D. One (1) year from the effective date of the decision:
  - Design Review Compliance Letter (Section 40.20.15.1.)
  - Downtown Design Review Compliance Letter (Section 40.23.15.1.)
  - Food Cart Pod Modification (Section 40.32.15.1.)
  - Home Occupation One (Section 40.40.15.1.)
  - Home Occupation Two (Section 40.40.15.2.)
  - Loading Determination (Section 40.50.15.1.)
  - Parking Requirement Determination (Section 40.55.15.1.)
  - Shared Bicycle Parking (Section 40.55.15.2.)
  - Sidewalk Design Modification (Section 40.58.15.)
  - Signs (Section 40.60.15.1.)
  - ~~Use of Excess Parking (Section 40.55.15.3.)~~

- E. \*\*\*

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## 50.93. Extension of a Decision.

1. An application to extend the expiration date of a decision made pursuant to the Development Code may be filed only before the decision expires as provided in Section 50.90. or before the decision expires as provided in the appropriate subsection of the specific application contained in CHAPTER 40 (Applications). [ORD 4584; June 2012]
2. The following land use decisions are not subject to extensions of time: Director's Interpretation (Section 40.25.), Home Occupation (Section 40.40.), Expedited Land Division (Section 40.45.15.9.), Preliminary Middle Housing Land Division (Section 40.45.15.10.), Loading Determination (Section 40.50.), Parking Requirement Determination (Section 40.55.15.1.), Shared Bicycle Parking (Section 40.54.15.2.), ~~Use of Excess Parking (Section 40.54.15.3.)~~, Sign (Section 40.60.), Temporary Mobile Sales (Section 40.80.15.1.), Temporary Non-Mobile Sales (Section 40.80.15.2.), and all Zoning Map Amendment (Section 40.97.) applications. [ORD 4544; July 2010] [ORD 4822; June 2022]

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## CHAPTER 60 - SPECIAL REQUIREMENTS

### Contents:

- 60.05. Design Review Design Principles, Standards and Guidelines
- 60.07. Drive-Up Window Facilities
- 60.10. Floodplain Regulations
- 60.11. Food Cart Pod Regulations
- 60.12. Habitat Friendly Development Practices
- 60.15. Land Division Standards
- 60.20. Manufactured Home Regulations
- 60.25. Off-Street Loading Requirements
- 60.30. Off-Street Parking
- 60.33. Park and Recreation Facilities and Services Provision
- 60.35. Planned Unit Development
- 60.40. Sign Regulations
- 60.45. [REPEALED]
- 60.50. Special Use Regulations
- 60.55. Transportation Facilities
- 60.60. Trees and Vegetation
- 60.65. Utility Undergrounding
- 60.67. Significant Natural Resources
- 60.70. Wireless Communications Facilities

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

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### 60.05.10. Design Principles.

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

1. **Building Design and Orientation.** Design buildings that enhance the visual character of the community and take into account the surrounding neighborhoods, provide permanence, and create a sense of place. In Residential, Commercial and Multiple Use districts, design buildings that contribute to a safe, high quality pedestrian-oriented streetscape.
2. **Multiple Use District Building Orientation and Design.** Locate buildings so they are conveniently and safely accessible from on-site and off-site sidewalks and streets, and so buildings near the edge of a right of way provide a high quality, pedestrian oriented streetscape, contribute to safety by offering "eyes on the street" and promote pedestrian safety and use. Provide a pedestrian-friendly environment through building and site design treatments that may vary in nature and degree depending on the character of the urban area, the characteristics of the street, and the type of use and development proposed.



- 3. **Circulation and Parking Design.** Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.
- 4. **Landscape, Open Space, and Natural Areas Design.** Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.
- 5. **Lighting Design.** Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.

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

Effective on: 6/8/2017

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**Commentary: Section 60.05.20. Circulation and Parking Design Standards.**

Language is added to comply with OAR 660-012-0405, which contains design requirements for or new developments that add more than one-quarter acre of surface parking on a lot or parcel.

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

Unless otherwise noted, all standards apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these standards apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the standards apply to middle housing or single-detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts. [ORD 4822; June 2022]

**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. [ORD 4531; April 2010] [ORD 4822; June 2022]

2. \*\*\*

3. \*\*\*

4. \*\*\*

**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. [ORD 4584; June 2012]



3. All Conditional Uses in Residential zones one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]
  4. All uses in Employment / Industrial zones, one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]
- 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.

[ORD 4531; April 2010]

- 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.
- E. A new development that adds more than one-quarter acre of surface parking to a lot or parcel shall provide trees and sidewalks along driveways. Surface parking shall include the perimeter of all parking spaces, including maneuvering areas and interior landscaping. For the purposes of this standard, a driveway shall mean a vehicular maneuvering area that connects the street to a parking lot or parking lots on the site but that does not provide direct access to parking spaces. Instead, a driveway provides access to drive aisles, and those drive aisles provide direct access to parking spaces. For the length of the driveway or driveways, excluding segments that provide access to other vehicular maneuvering areas, the following shall be provided:
1. One tree from the city's adopted street tree list with an expected tree crown at 15 years of at least 15 feet for every 25 feet of driveway. For driveway segments of sufficient length to require more than one tree, the trees shall be planted in a continuous, shared trench unless site conditions involving drive aisles, required pedestrian walkways, or utilities shown in the application interrupt the trench. The trees' expected canopies at 15 years shall be contiguous (with gaps of less than 3 feet between expected canopies). Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.
  2. Pedestrian walkways along at least one side of the driveway designed consistent with Section 60.05.20.3.D through F.

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

Text is removed that requires parking near Community Gardens. Minimum parking requirements are proposed to be removed citywide.

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

Unless otherwise noted, all standards apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these standards apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the standards apply to middle housing or single-detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts. [ORD 4822; June 2022]

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### **14. Community Gardens [ORD 4697; December 2016]**

- A. **Fences.** Community Gardens shall have a fence constructed of durable materials commonly used in the construction of fencing. Fences shall be a minimum of four (4) feet in height. Coated chain link may be permitted. Temporary construction fencing, erosion control fencing, tree protection fencing and other temporary fencing materials shall not be permitted.
- ~~B. **Parking.** Parking must be available in the general vicinity of the garden, on-street parking spaces may count toward this requirement.~~
- C. **Size.** Community gardens shall not exceed one acre in size.

[ORD 4659; July 2015]

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**Commentary: Section 60.05.40. Circulation and Parking Design Guidelines.**

Text is added to clarify that specific guidelines apply when surface parking and on-site vehicle circulation is provided. Text is also added to the guidelines to clarify that Standard 60.05.20.5.E shall be met.

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

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

- 1. **Connections to public street system.** The on-site pedestrian, bicycle and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1) [ORD 4531; April 2010]
- 2. \*\*\*
- 3. \*\*\*
- 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)
- 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 ~~– Standard 60.05.20.5.E shall be met~~)
- 6. **Off-Street parking frontages in Multiple Use zones.** [ORD 4462; January 2008] [ORD 4584; June 2012]
  - A. Surface parking when provided 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)
- 7. **Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.** [ORD 4584; June 2012]
  - A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)
  - B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)
- 8. **Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.** [ORD 4584; June 2012]
  - A. On-Site vehicle circulation when provided should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8) [ORD 4531; April 2010]
  - B. Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)
- 9. **Parking structures in Multiple Use zones.** [ORD 4584; June 2012] Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes. (Standard 60.05.20.9) [ORD 4531; April 2010]

[ORD 4332, 01/01/2005; ORD 4462, 01/10/2008; ORD 4531, 04/01/2010; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

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**Commentary: Section 60.05.60. Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.**

Standards and Guidelines in Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes are revised to specify that Engineering Design Manual standards also apply. Additional edits clarify that certain standards and guidelines only apply if vehicular access exists or is proposed on the site. References to minimum required parking are also removed.

Table 60.05.60.3. Design Guidelines and Standards for Townhouses and Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters include similar edits.

## **60.05.60. Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.**

[ORD 4822; June 2022]

### **1. Applicability.**

- a. Unless otherwise noted, the standards and guidelines in this section apply to single-detached dwellings (including manufactured homes but excluding compact detached housing) and middle housing in the RMA, RMB, and RMC zoning districts. Compact detached housing is subject to the standards in Sections 60.05.15 – 60.05.30.
- b. These standards and guidelines do not apply to middle housing created through conversion of, or addition to, an existing single-detached dwelling; however, the conversion or addition shall not increase nonconformance with these standards or guidelines.



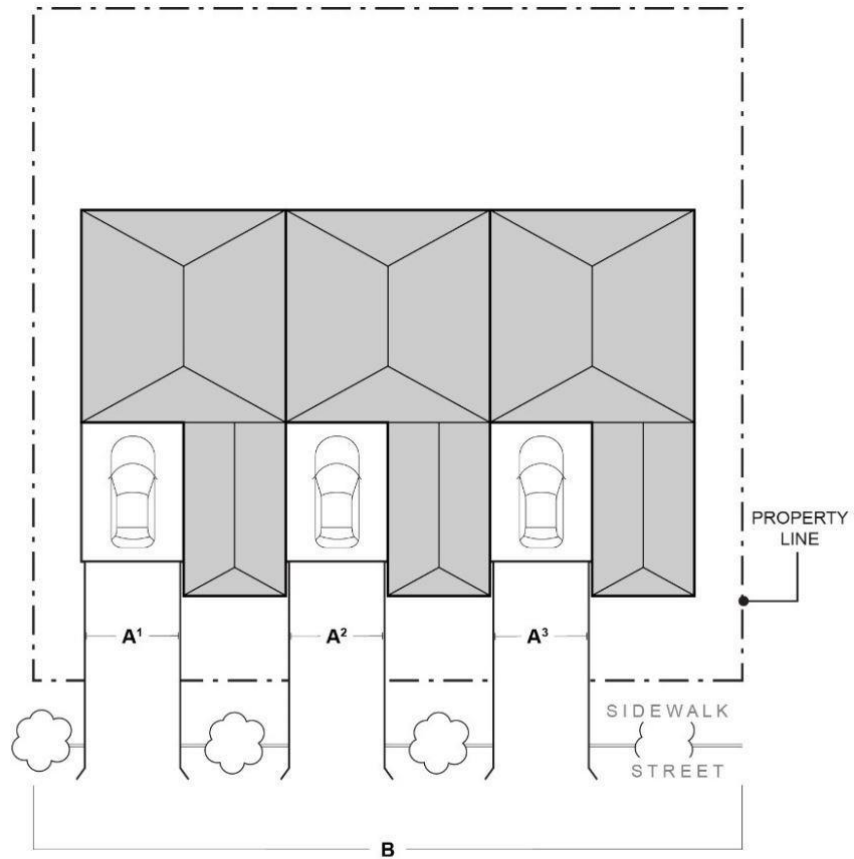
- c. If a duplex, triplex, quadplex, or cottage cluster has been divided by a middle housing land division, the standards and guidelines that are applicable to the lot or applicable on a per-lot basis shall apply to the middle housing parent lot, not to the middle housing child lots.
2. **Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes.** Unless otherwise noted, single-detached dwellings (including manufactured homes), duplexes, triplexes, and quadplexes shall meet the standards of this section.

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Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes	
Design Guideline	Design Standard
***	***
<b>Garages and Off-Street Parking Areas</b>	
<p><b>G7a. Type 3.</b> Developments shall support a pedestrian-friendly street environment by minimizing the visual and safety impacts of garages, parking areas, and vehicle circulation areas and promoting room on the lot for housing near streets. <u>Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer.</u></p> <p><b>G7b. Type 2.</b> Design Standard S7 shall be met.</p>	<p><b>S7.</b> The combined width of all garages (attached and detached) and outdoor on-site parking and maneuvering areas shall not occupy more than 50 percent of any public or private street frontage (other than an alley). <u>If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply.</u> See Figure 7.</p> <ul style="list-style-type: none"> <li>a. If vehicle access to the lot is inside a cul-de-sac, then the combined width of all garages and outdoor on-site parking and maneuvering areas shall not occupy more than 50 percent of any street frontage as measured 20 feet from the right of way.</li> </ul>



**Figure 7  
Garages and Off-Street Parking Areas**



- (A) Garage and on-site parking and maneuvering areas
- (B) Total street frontage

$$\frac{A^1 + A^2 + A^3}{B} \leq 50\%$$

**Table 60.05.60.2. Design Guidelines and Standards for  
Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes**

Design Guideline	Design Standard
<b>Driveway Location</b>	
<b>G8.</b> Design Standard S8 shall be met.	<b>S8.</b> Notwithstanding the corner clearance for driveway standards in the Beaverton Engineering Design Manual (EDM), driveways may be located as close as 3 or 6 feet from property lines depending on sidewalk type classified by the EDM.



**Table 60.05.60.2. Design Guidelines and Standards for  
Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes**

Design Guideline	Design Standard
<b>Driveway Approaches</b>	
<p><b>G9a. Type 3.</b> Developments shall limit potential conflicts between vehicles and pedestrians, preserve on-street parking, allow adequate space for street trees, and minimize the visual impact of off-street vehicle parking and circulation areas. <u>Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer.</u></p> <p><b>G9b. Type 2.</b> Design Standard S9 shall be met.</p>	<p><b>S9.</b> Driveway approaches shall comply with the following:</p> <ol style="list-style-type: none"> <li>a. The total width of all driveway approaches for a lot shall not exceed 32 feet per public or private street frontage, as measured at the property line. See Figure 8. For lots with more than one frontage, see 60.05.60.1.S9.b. <u>If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply.</u></li> <li>b. In addition, lots with more than one public or private street frontage shall comply with the following:               <ol style="list-style-type: none"> <li>1. <u>If vehicular access exists or is proposed on the site, lots</u> shall access the street with the lowest functional classification per the city's adopted Transportation System Plan. For lots abutting an alley, access may be taken from the alley. If the lot has frontage on two local streets, driveways may access one or both streets.</li> <li>2. <u>If vehicular access exists or is proposed on the site, lots</u> may have either:                   <ol style="list-style-type: none"> <li>a. Two driveway approaches not exceeding 32 feet in total width on one public or private street frontage (See Figure 10); or</li> <li>b. One driveway approach per public or private street frontage. The combined width of both approaches cannot exceed 32 feet. See Figure 11.</li> </ol> </li> </ol> </li> <li>c. Driveway approaches shall also meet the residential driveway standards in the Beaverton Engineering Design Manual.</li> </ol>

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**Table 60.05.60.2. Design Guidelines and Standards for  
Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes**

Design Guideline	Design Standard
<b>Driveway Length</b>	
<p><b>G10a. Type 3.</b> Design Standard S10 or Design Guideline G10b shall be met.</p> <p><b>G10b. Type 2.</b> Driveways should connect parking, drive aisles, and other improvements with at least one street. <u>If vehicular access exists or is proposed, On-site vehicle</u> circulation shall be easily identified and include a higher level of improvements such as curbs, sidewalks, and landscaping. Alternative</p>	<p><b>S10.</b> If a driveway is equal to or greater than 150 feet in length, then it shall be designed as a private street according to the Beaverton Engineering Design Manual. If a driveway is less than 150 feet long, then it does not need to be designed as a private street.</p>



**Table 60.05.60.2. Design Guidelines and Standards for  
Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes**

Design Guideline	Design Standard
designs shall be subject to review and approval of the City Engineer.	
<b>Lighting Design</b>	
<p><b>G11a. Type 3.</b> Sites with an off-street parking lot area that exceeds 1,400 square feet shall:</p> <ul style="list-style-type: none"> <li>a. Utilize lighting to maximize safety within a development,</li> <li>b. Minimize direct and indirect glare impacts to abutting properties and streets, and,</li> <li>c. Where the proposal does not comply with <a href="#">Table 60.05-1</a>, describe why compliance with the standard is either infeasible or unnecessary.</li> </ul> <p><b>G11b. Type 2.</b> Design Standard S11 shall be met.</p>	<p><b>S11.</b> Sites with an off-street parking lot area that exceeds 1,400 square feet shall comply with Technical Lighting Standards (<a href="#">Table 60.05-1</a>). The off-street parking lot area includes the combined square footage of parking stalls and drive aisles only.</p>
<b>Solid Waste Facilities</b>	
<p><b>G12.</b> Design Standard S11 shall be met.</p>	<p><b>S12. Minimum Required Storage Area and Location.</b> Lots with one or more buildings with a combined floor area of less than 4,000 square feet shall provide a minimum storage area of 40 square feet for waste storage and/or recycling containers. Lots with one or more buildings with a combined floor area of 4,000 square feet or greater shall provide a minimum storage area of 80 square feet for waste storage and/or recycling containers.</p> <p>Storage of solid waste facilities shall comply with the following:</p> <ul style="list-style-type: none"> <li>a. Storage areas for multiple units on one lot may be combined or shared.</li> <li>b. Storage area requirements may be satisfied with a single location or multiple locations and may combine both interior and exterior locations. If multiple locations are used, the minimum footprint for each storage area shall be 3-feet by 3-feet.</li> <li>c. Storage areas shall not be in required outdoor open areas, as provided in 60.05.60.1.S3.</li> <li>d. <del>Storage areas may be in a parking area, if the site provides at least the minimum number of parking spaces required in 60.30.10 after deducting the minimum required storage area</del> <u>Storage areas shall be located in areas accessible to waste service vehicles.</u></li> <li>e. Storage areas shall be located so that they do not obstruct pedestrian or vehicle traffic movement on the site or on public or private streets adjacent to the site.</li> </ul>



**Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes**

Design Guideline	Design Standard
	f. Exterior storage areas shall comply the corner clearance for driveway standards in the Beaverton Engineering Design Manual.
***	***

3. **Design Guidelines and Standards for Townhouses.** Unless otherwise noted, townhouse developments shall meet the standards of this section.

**Table 60.05.60.3. Design Guidelines and Standards for Townhouses**

Design Guideline	Design Standard
***	***
<b>Garages and Off-Street Parking Areas</b>	
<p><b>G8a. Type 3.</b> Developments shall support a pedestrian-friendly street environment by minimizing the visual and safety impacts of garages, parking areas, and vehicle circulation areas and promoting room on the lot for housing near streets. <u>Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer.</u></p> <p><b>G8b. Type 2.</b> Design Standard S8 shall be met.</p>	<p><b>S8.</b> If a townhouse has frontage on a public or private street, then the following standards apply.</p> <ol style="list-style-type: none"> <li>If the lot width for a townhouse unit is 20 feet or greater, the combined widths of all garages and outdoor on-site parking and maneuvering areas shall not occupy more than 50 percent of any street frontage. See Figure 7.</li> <li>If the lot width for a townhouse unit is under 20 feet, the combined widths of all garages and outdoor on-site parking and maneuvering areas shall not occupy more than 60 percent of any street frontage.</li> <li><u>If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply.</u></li> </ol>
<b>Driveway Location</b>	
<p><b>G9.</b> Design Standard S9 shall be met.</p>	<p><b>S9.</b> Notwithstanding driveway standards in the Beaverton Engineering Design Manual (EDM), the following driveway location standards apply:</p> <ol style="list-style-type: none"> <li>For lot lines that are external to the townhouse development site, driveways may be located as close as 3 or 6 feet from the lot line depending on sidewalk type classified by the EDM.</li> <li>For lot lines that are internal to the townhouse development site (i.e., shared by abutting townhouse lots or tracts), driveways may be located 0 feet from the lot line.</li> </ol>
<b>Driveway Access</b>	
<p><b>G10a. Type 3.</b> Townhouse developments shall limit potential conflicts between vehicles and pedestrians, preserve on-street parking, allow adequate space for street trees, and minimize the visual impact of off-street vehicle parking and circulation areas. Rear vehicle access to townhouse units, where possible, is</p>	<p><b>S10.</b> Off-street parking areas for townhouses may take access through alleys, the front yard, or shared driveways (consolidated access). Depending upon the option(s) selected, the following standards apply:</p> <ol style="list-style-type: none"> <li><b>Alley Access.</b> Townhouse development sites abutting an alley may take access to the rear of townhouse units from the alley rather than the public street.</li> </ol>



Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
<p>encouraged over front yards with driveways.</p> <p><b>G10b. Type 2.</b> Design Standard S10 shall be met.</p>	<p>b. <b>Front Access.</b> Off-street parking areas in the front yard, and driveways in front of a townhouse are allowed if they meet the following standards (see Figure 12):</p> <ol style="list-style-type: none"> <li>1. Each townhouse unit lot has public or private street frontage of at least 15 feet on a local street or neighborhood route.</li> <li>2. A maximum of one (1) driveway approach is allowed for every townhouse unit. Driveway approaches and/or driveways may be shared.</li> <li>3. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot.</li> <li>4. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame.</li> </ol> <p>c. <b>Consolidated Access.</b> See Figure 13.</p> <ol style="list-style-type: none"> <li>1. <b>Corner Lots.</b> <u>If vehicular access exists or is proposed, a</u> townhouse development that includes a corner lot shall take access from a single driveway approach on the side of the corner lot that is on a lower classification street per the city's adopted Transportation System Plan. The driveway and approach are not allowed in the area between the front building façade and front lot line of any of the townhouses.</li> <li>2. <b>Interior Lots.</b> A townhouse development that does not include a corner lot shall consolidate access for all lots into a single driveway. The driveway and approach are not allowed in the area between the front building façade and front lot line of any of the townhouses.</li> <li>3. Townhouse developments shall include access easements for vehicular access and emergency access for any consolidated access or shared driveways.</li> </ol>
<b>Driveway Length</b>	
<p><b>G11a. Type 3.</b> Design Standard S11 or Design Guideline G11b shall be met.</p> <p><b>G11b. Type 2.</b> Driveways should connect parking, drive aisles, and other improvements with at least one street. <u>If vehicular access exists or is proposed, On-site vehicle</u> circulation shall be easily identified and include a higher level of improvements such as curbs, sidewalks, and landscaping. Alternative designs shall be subject to review and approval of the City Engineer.</p>	<p><b>S11.</b> If a driveway is equal to or greater than 150 feet in length, then it shall be designed as a private street according to the Beaverton Engineering Design Manual. If a driveway is less than 150 feet in length, then it does not need to be designed as a private street.</p>





**Table 60.05.60.3. Design Guidelines and Standards for Townhouses**

Design Guideline	Design Standard
<b>Lighting Design</b>	
<p><b>G12a. Type 3.</b> Sites with an off-street parking lot area that exceeds 1,400 square feet shall:</p> <ul style="list-style-type: none"> <li>d. Utilize lighting to maximize safety within a development,</li> <li>e. Minimize direct and indirect glare impacts to abutting properties and streets, and,</li> <li>f. Where the proposal does not comply with <a href="#">Table 60.05-1</a>, describe why compliance with the standard is either infeasible or unnecessary.</li> </ul> <p><b>G12b. Type 2.</b> Design Standard S12 shall be met.</p>	<p><b>S12.</b> Sites with an off-street parking lot area that exceeds 1,400 square feet shall comply with Technical Lighting Standards (<a href="#">Table 60.05-1</a>). The off-street parking lot area includes the combined square footage of parking stalls and drive aisles only.</p>
<b>Solid Waste Facilities</b>	
<p><b>G13.</b> Design Standard S13 shall be met.</p>	<p><b>S13. Minimum Required Storage Area and Location.</b> Townhouse structures with a combined floor area of less than 4,000 square feet shall provide a minimum storage area of 40 square feet for waste storage and/or recycling containers. Townhouse structures with a combined floor area of 4,000 square feet or greater shall provide a minimum storage area of 80 square feet for waste storage and/or recycling containers.</p> <p>Storage of solid waste facilities shall comply with the following:</p> <ul style="list-style-type: none"> <li>a. Storage areas for multiple units in one building may be combined or shared.</li> <li>b. Storage area requirements may be satisfied with a single location or multiple locations and may combine both interior and exterior locations. If multiple locations are used, the minimum footprint for each storage area shall be 3-feet by 3-feet.</li> <li>c. Storage areas shall not be in required outdoor open areas, as provided in 60.05.60.2.S4.</li> <li>d. <del>Storage areas may be in a parking area, if the site provides at least the minimum number of parking spaces required in 60.30.10 after deducting the minimum required storage area</del><u>Storage areas shall be located in areas accessible to waste service vehicles.</u></li> <li>e. Storage areas shall be located so that they do not obstruct pedestrian or vehicle traffic movement on the site or on public or private streets adjacent to the site.</li> <li>f. Exterior storage areas shall comply the corner clearance for driveway standards in the Beaverton Engineering Design Manual.</li> </ul>
***	***

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4. **Design Guidelines and Standards for Cottage Clusters.** Unless otherwise noted, cottage clusters developments shall meet the standards of this section.

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**Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters**

Design Guideline	Design Standard
***	***
<b>Driveway Length</b>	
<p><b>G24a. Type 3.</b> Design Standard S24 or Design Guideline G24b shall be met.</p> <p><b>G24b. Type 2.</b> Driveways should connect parking, drive aisles, and other improvements with at least one street. <u>If vehicular access exists or is proposed, on-site vehicle circulation shall be easily identified and include a higher level of improvements such as curbs, sidewalks, and landscaping. Alternative designs shall be subject to review and approval of the City Engineer.</u></p>	<p><b>S24.</b> If a driveway is equal to or greater than 150 feet in length, then it shall be designed as a private street according to the Beaverton Engineering Design Manual. If a driveway is less than 150 feet in length, then it does not need to be designed as a private street.</p>
<b>Garages and Off-Street Parking Areas</b>	
<p><b>G25a. Type 3.</b> Developments shall support a pedestrian-friendly street environment by minimizing the visual and safety impacts of garages, parking areas, and vehicle circulation areas and promoting room on the lot for housing near streets. <u>Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer.</u></p> <p><b>G25b. Type 2.</b> Design Standard S25 shall be met.</p>	<p><b>S25.</b> The combined width of all garages (including detached garages) and outdoor on-site parking and maneuvering areas on a site shall not occupy more than 50 percent of any public or private street frontage (other than an alley). See Figure 7. <u>If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply.</u></p>
<b>Parking Design (see Figure 15.)</b>	
<p><b>G26a. Type 3. Clustered Parking.</b> If clustered parking is proposed, the site design should minimize the visual impact of parking areas by providing landscape islands within larger parking areas and/or feature multiple smaller shared parking areas instead of larger parking areas.</p> <p><b>G26b. Type 2. Clustered Parking.</b> An applicant may increase the number of contiguous spaces in a parking cluster above the S25.a. or b. standard, or reduce the required landscaping below the S25.c. standard, by demonstrating that special conditions or circumstances exist</p>	<p><b>S26. Clustered Parking.</b> Off-street parking may be provided with individual cottages or arranged in clusters. If clustered parking is proposed, it shall meet the following standards:</p> <ol style="list-style-type: none"> <li>Cottage cluster developments with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.</li> <li>Cottage cluster developments with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.</li> <li>Parking clusters shall be separated from other parking spaces or parking clusters by at least 4 feet of landscaping. If all parking spaces are made of pervious pavement, then this standard does not apply.</li> <li>Clustered parking areas may be covered.</li> <li>Clustered parking areas shall meet the standards in Section <a href="#">60.30.15</a>, if applicable.</li> </ol>

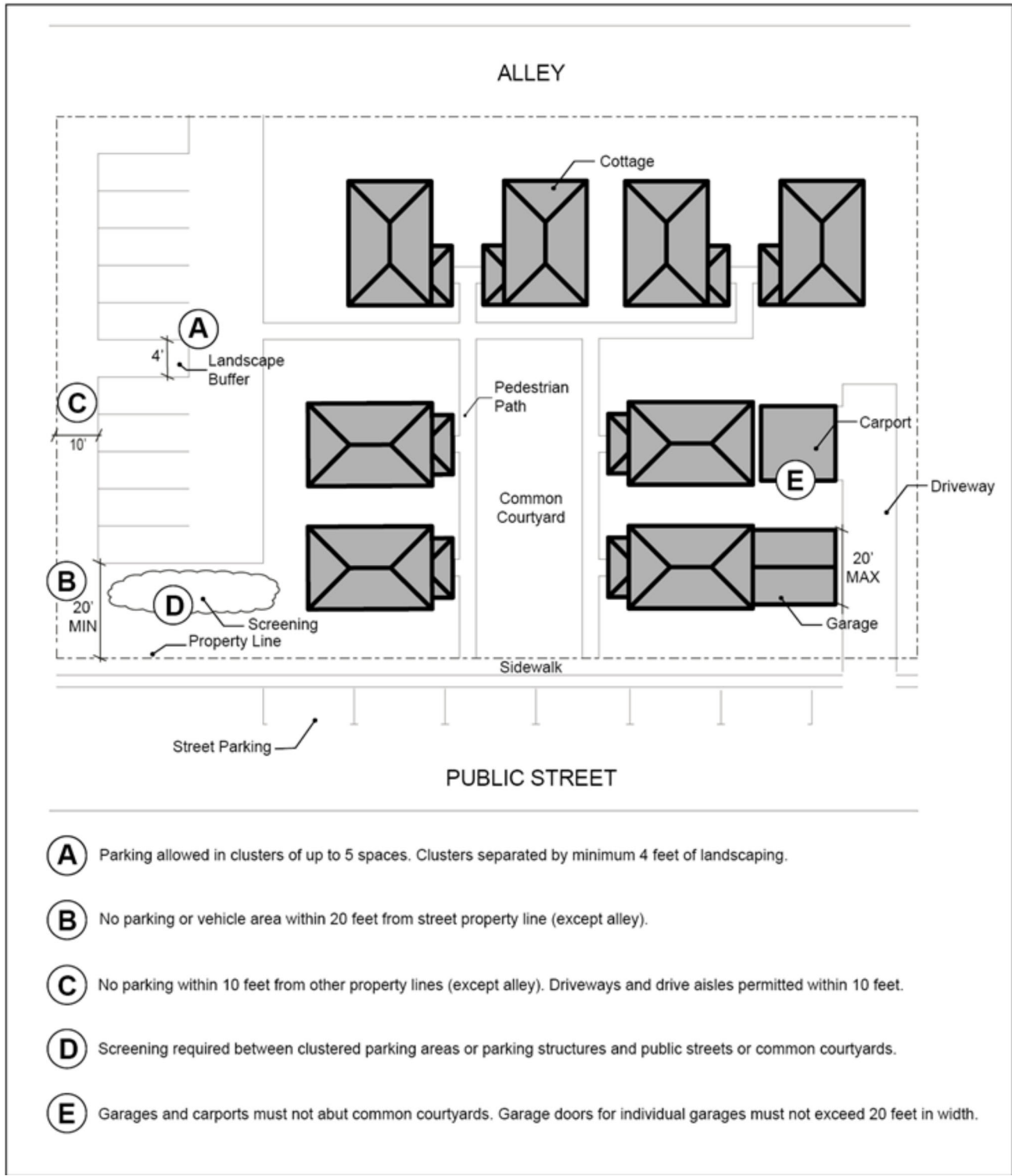


**Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters**

Design Guideline	Design Standard
<p>on the site that make it physically difficult or impossible to meet the applicable standard. Otherwise, Design Standard S25 shall be met.</p>	
<p><b>G27a. Type 3. Parking Location and Access.</b> Off-street parking areas shall be located so as not to detract from a pedestrian-friendly street environment. Driveways shall meet the driveway standards in the Beaverton Engineering Design Manual.</p> <p><b>G27b. Type 2. Parking Location and Access.</b> Design Standard S27 shall be met.</p>	<p><b>S27. Parking Location and Access.</b></p> <ul style="list-style-type: none"> <li>a. Off-street parking areas with 5 or more spaces shall not be located within 20 feet from any lot line that abuts a street (except an alley).</li> <li>b. No off-street parking space is permitted within 10 feet of a lot line that does not abut a street or an alley.</li> <li>c. Driveways shall meet the driveway standards in the Beaverton Engineering Design Manual.</li> </ul>
***	***
<p><b>Solid Waste Facilities</b></p>	
<p><b>G35.</b> Design Standard S35 shall be met.</p>	<p><b>S35. Minimum Required Storage Area.</b> Cottage cluster developments with a combined floor area of less than 4,000 square feet shall provide a minimum storage area of 40 square feet for waste storage and/or recycling containers. Cottage cluster developments with a combined floor area of 4,000 square feet or greater shall provide a minimum storage area of 80 square feet for waste storage and/or recycling containers.</p> <p>Storage of solid waste facilities shall comply with the following:</p> <ul style="list-style-type: none"> <li>a. Storage areas for multiple units in the same cottage cluster development may be combined or shared.</li> <li>b. Storage area requirements may be satisfied with a single location or multiple locations and may combine both interior and exterior locations. If multiple locations are used, the minimum footprint for each storage area shall be 3-feet by 3-feet.</li> <li>c. Storage areas shall not be in common courtyards, as provided in 60.05.60.3.S10.</li> <li>d. <del>Storage areas may be in a parking area, if the site provides at least the minimum number of parking spaces required in 60.30.10 after deducting the minimum required storage area.</del></li> <li>e. Storage areas shall be located so that they do not obstruct pedestrian or vehicle traffic movement on the site or on public or private streets adjacent to the site.</li> <li>f. Exterior storage areas shall comply the corner clearance for driveway standards in the Beaverton Engineering Design Manual.</li> </ul>
***	***



**Figure 15  
Cottage Cluster Parking Design Standards**



[ORD 4822, 06/30/2022]

Effective on: 6/30/2022



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**Commentary: Section 60.07. Drive-Up Window Facilities.**

Minimum parking requirements are proposed to be removed citywide. Language in this section is removed and updated related to required parking.

## 60.07. Drive-Up Window Facilities

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### 60.07.10. Standards.

The decision making authority shall review proposed drive-up window facilities to determine that the following standards are addressed in the design:

1. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street. [ORD 4332; January 2005]
2. ~~Restaurants providing drive-up window service shall have sufficient parking and seating to accommodate anticipated customer volume.~~
3. ~~Restaurants providing drive-up window service shall provide at least two (2) designated parking spaces immediately beyond the service window, or provide other satisfactory methods, to allow customers requiring excessive waiting time to receive their food while parked.~~
4. Financial and other commercial establishments providing drive-up window facilities which do not provide for walk-in customer service (i.e., not allowing transactions within the structure) shall provide for safe, convenient and readily accessible exterior walk-up window service, such as an automatic teller machine, at any time during regular business hours. ~~Additionally, at a minimum, two parking spaces shall be provided allowing convenient access to the walk-up service window.~~
5. ~~If a drive-up window is provided,~~ The design of the stacking area shall allow customers' vehicles to leave the stacking line for emergency reasons.
6. ~~If provided, o~~On-site parking for walk-in customers shall be designed to be readily accessible to all public entrances to the building and to provide safe, convenient access.
7. Establishments having drive-up window facilities shall have sufficient stacking area to ensure that public rights-of-way and shared access driveways are not obstructed. [ORD 4584; June 2012]
8. Communication's sound system shall not exceed a measurement of 55 decibels at the adjoining property line.

[ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

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**Commentary: Section 60.11. Food Cart Pod Regulations.**

Minimum parking requirements are proposed to be removed citywide. References to required parking are removed. Language is also added to specify food cart pods shall not obstruct required bicycle parking in Section 60.11.10. Site Design.

In Section 60.11.25. Parking, language requiring parking is replaced with, "Where parking is provided onsite it shall comply with applicable standards of 60.30 Off-Street Parking unless the applicable



provisions are subject to an Adjustment which shall be already approved or considered concurrently with the subject proposal.”

## 60.11. Food Cart Pod Regulations

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### 60.11.10. Site Design.

[ORD 4662; September 2015]

1. Site Design Standards for Food Cart Pods:
  - A. Food carts and amenities shall be located on a paved or concrete surface.
  - B. Food cart pods shall not occupy pedestrian walkways or required landscaping.
  - ~~C. Food cart pods shall not occupy or obstruct bicycle or vehicle parking required for an existing use.~~
  - D. Carts and/or objects associated with the food cart use shall not occupy fire lanes or other emergency vehicle access areas.
  - E. Front yard setbacks for food carts shall be a minimum of 6 feet.
  - F. Rear and side yard setbacks for food carts and amenities shall be the same as the zone in which it is located, except when a side or rear yard abuts a residential zoning district. Any side or rear yard abutting a residential zoning district shall meet the setbacks 60.11.10.1.G below. [ORD 4822; June 2022]
  - G. Rear and/or side yards abutting residentially zoned property shall have a minimum setback of 20 feet or the minimum setback for the zone in which it is located, whichever is greater. This setback may be reduced to 10 feet by meeting the buffering requirements for a B-3 buffer in section 60.05.25.13.D of the Development Code but may not be less than the minimum allowed in the zoning district of the food cart pod.
  - H. Carts shall not be located or oriented in a way that requires customers to queue in a driveway.
  - I. Uses shall not create tripping hazards in pedestrian and vehicular circulation areas with items including, but not limited to, cords, hoses, pipes, cables, or similar materials.
  - J. Where more than one cart is located on a site, carts shall be separated by a minimum of 6 feet.
  - K. Food carts shall not be located in the Vision Clearance Area as described in the *Engineering Design Manual*.
  - L. Fences shall be constructed consistent with Section 60.05.25.9. [ORD 4701; January 2017]

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### 60.11.25. Parking.

[ORD 4662; September 2015]

1. ~~Where parking is provided onsite it shall comply with applicable standards of 60.30 Off-Street Parking unless the applicable provisions are subject to an Adjustment which shall be already approved or considered concurrently with the subject proposal. Food Cart Pods in Commercial and Industrial zoning districts shall provide a minimum of one (1) parking space per approved food cart. Food Cart Pods in Multiple Use Zoning districts are exempt from parking requirements. [ORD 4822; June 2022]~~

[ORD 4662, 09/11/2015; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

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## 60.12. Habitat Friendly Development Practices

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### Commentary: Section 60.12.35. Habitat Benefit Area (HBA) Preservation.

Minimum parking requirements are proposed to be removed citywide. References to required parking are removed and replaced with clearer language.

### 60.12.35. Habitat Benefit Area (HBA) Preservation.

Locations of HBAs are depicted on the *Comprehensive Plan Volume III Habitat Benefit Area Map*. Habitat resource classification and delineation methodologies are included in the *Comprehensive Plan for the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*.

#### 1. Preservation, Enhancement, Mitigation, Creation.

- A. Purpose. HBA Preservation includes preservation, enhancement, mitigation, or creation of HBA based upon habitat delineation.
- B. Credits. Use of the following credits is limited to the amount of HBA preservation proposed. One (1) square foot of HBA preserved results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of HBA preservation.

1. \*\*\*

2. \*\*\*

3. \*\*\*

- 4. Landscape Island Standard Reduction. For every one (1) square foot proposed HBA preservation, within ten (10) feet of a proposed parking lot area, an applicant can request a credit of one (1) square foot toward the landscape island standard of Section 60.05.20.5.

Standards. Landscape Island Standard Reduction credits for HBA preservation shall satisfy the following standards in addition to the applicable standards of Section 60.12.30. and Section 60.12.35.C.

- a. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 50 percent of the landscape islands ~~required by standard for the project based upon the minimum number of parking spaces required for the subject site divided by the applicable standard of~~ Section 60.05.20.5.A.

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### Commentary: Section 60.12.40. Low Impact Development (LID) Techniques.

Minimum parking requirements are proposed to be removed citywide. References to required parking are edited.

### 60.12.40. Low Impact Development (LID) Techniques.

Use of LID techniques is allowed throughout the City unless otherwise stated.

1. \*\*\*

#### 2. Site Soil Amendment.

- A. Purpose. Site Soil Amendment within proposed landscape areas for projects located in a Residential (MR and RMA only), Commercial, Industrial, or Multiple Use zoning district. [ORD 4584; June 2012] [ORD 4822; June 2022]



- B. Credits. Use of the following credits is limited to the amount Site Soil Amendment proposed. One (1) square foot of Site Soil Amendment results in one credit. Awarding a credit or a combination of credits shall not result in receipt of multiple credits for one (1) square foot of Site Soil Amendment.
1. Landscape Standard Reduction. For every one (1) square foot of Site Soil Amendment proposed an applicant can request a credit of one and one-half (1.5) square feet toward the landscape standard.  
Standards. Landscape Standard Reduction credits for Site Soil Amendment shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
    - a. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
  2. Landscape Island Standard Reduction. For every one (1) square foot of Site Soil Amendment proposed an applicant can request a credit of one and one-half (1.5) square feet toward the landscape island standard limited to 50 percent of the landscape island standard for the project site.  
Standards. A request for Landscape Island Standard Reduction credits for Site Soil Amendment shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
    - a. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 50 percent of the landscape island standard for the project based upon the minimum number of parking spaces ~~provided~~**required** for the subject site divided by applicable standard of Section 60.05.20.5.A.

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## 60.30. Off-Street Parking

[ORD 4224, 09/19/2002]

### Commentary: Section 60.30.05 Off-Street Parking Requirements

Minimum vehicle parking requirements are proposed to be removed citywide. The Regional Center Parking District 1 proposed to be removed, but current requirements for Open Air Beaverton will remain, which is consistent with the Beaverton Code Section 7.06.065. The reference to the Regional Center Parking District 1 is replaced with Downtown zoning districts (RC-MU, RC-BC, RC-DT, RC-OT), which cover the same geography. Current bicycle requirements will also remain. Language is updated for clarity.

### 60.30.05. Off-Street Parking Requirements.

~~When provided, p~~Parking spaces shall be ~~provided and satisfactorily designed and~~ 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.~~
1. **Open Air Beaverton.** Businesses that are approved pursuant to the Open Air Beaverton program and are **not** located ~~outside of Regional Center Parking District 1 in RC-MU, RC-BC, RC-DT, nor RC-OT~~ 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 **to** 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. Businesses that are approved pursuant to the Open Air Beaverton program and are located ~~inside of Regional Center Parking District 1 in RC-MU, RC-BC, RC-DT, or RC-OT~~ may utilize





an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission. [ORD 4819; January 2022]

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]

[ORD 4107; May 2000]

[ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4397, 08/10/2006; ORD 4819, 01/14/2022; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

#### **Commentary: Section 60.30.10. Number of Required Parking Spaces.**

Minimum vehicle parking requirements are proposed to be removed citywide. This section is proposed to be renamed to "Number of Parking Spaces." Other references to required parking are edited, including references to parking reductions and exceeding parking ratios.

Language is added to comply with state rules for calculating parking maximums: "Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures shall be exempted from the calculations in this section."

A new section is added to comply with parking maximum state rules on Climate-Friendly and Equitable Communities (CFEC). The requirements in Oregon Administrative Rules 660-012-0415 are described in this section.

Table 60.30.10.5.A. contains the following changes:

- Minimum parking requirements are deleted for all uses.
- The different uses under "Triplex or Quadplex in RMA, RMB, or RMC Zone" are collapsed since they will have the same parking requirements, and separate rows are no longer needed.
- The land uses of "Dwellings, Live/Work (per unit)," "Residential Care Facilities (per bed, maximum capacity)," and "Rooming, Boarding, or Lodging Houses (per guest room)" are move under the "Commercial" land use category in alignment with Chapter 20.
- A footnote is removed since it is no longer needed.

Table 60.30.10.6 – Parking Ratio Requirements for Motor Vehicles in the Regional Center and Figure 60.30.10 are proposed to be deleted. Regional Center Parking Districts 1 and 2 are proposed to be deleted since they are no longer needed. Parking maximums in Table 60.30.10.6 are the same as parking maximums in Table 60.30.10.5.A. References to Regional Center Parking Districts 1 and 2 are also deleted.

Current bicycle requirements will remain. Some language is updated for clarity.

### **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 for Maximum Parking**. Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures shall be exempted from the calculations in this section.
2. **Climate-Friendly and Equitable Communities (CFEC) Parking Maximums**. For developments on parcels where any part of the parcel is within a Metro Title 6 Regional Center, within a Metro Title 6 Town Center, within three-quarters mile of a rail transit stop, or within one-half mile of the centerline of a frequent transit corridor shall comply with the applicable limits in Section 60.30.10.2.A through D. A frequent transit corridor is a corridor with bus service, considering all bus routes that travel along that corridor, arriving with a scheduled frequency of at least four times an hour during peak service. If Table 60.30.10.5.A and Section 60.30.10.2.A through D have different parking maximums, the stricter, lower number of maximum permitted vehicle parking spaces allowed shall apply.
  - A. Parking maximums shall be no higher than 1.2 off-street parking spaces per studio dwelling unit and two off-street parking spaces per non-studio dwelling unit in a multi-dwelling development. These maximums shall include visitor parking; and
  - B. Parking maximums for the following commercial and retail uses listed in Sections 20.05.20, 20.10.20, 20.15.20, 20.20.20, and 70.15.20, regardless of the use categories listed in Table 60.30.10.5.A, shall be no higher than 5 spaces per 1,000 square feet of floor area: Animal Care; Care, except for Residential Care Facilities; Financial Institutions; Marijuana uses, except Marijuana Processing; Meeting Facilities; Office; Retail, except for Eating and Drinking Establishments; Rental Business; Personal Service Business; Service Business/Professional Services; Vehicles, except Major Automotive Service, Minor Automotive Service, Heavy Equipment Sales, Sales or Lease, Trailer, Recreational Vehicle or Boat Storage, Trailer Sales or Repair, and Vehicle Storage Yard; and
  - C. For each individual lot with a building or buildings totaling more than 65,000 square feet of floor area, surface parking shall not consist of more area than the floor area of the building or buildings. For the purposes of this standard, the surface parking area shall include parking spaces, drive aisles, drive-through lanes, and maneuvering areas for passenger vehicles but shall not include paved areas not for use by passenger vehicles, such as loading areas or outdoor storage of goods and materials; and
  - D. For uses where vehicle parking maximums apply, the maximum cannot exceed 150 percent of the minimum off-street vehicle parking requirement in the Beaverton Development Code on January 1, 2020.
3. **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 that may~~ be provided for each land use, ~~except for those uses which are located in the Regional Center which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan.~~ [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016]
    1. Minimum number of required parking spaces. ~~For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use. No minimum parking is required for any use.~~
    2. Parking Zone A. Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.
    3. Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.



4. Dual parking zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center - East zoning district. In the cases in the Regional Center - East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel. [ORD 4107; May 2000]
  5. ~~Regional Center Parking Districts 1 and 2. Located within the boundary of the Regional Center are two (2) parking districts. Within these two districts, the parking requirements of Section 60.30.10.5.A do not apply. The required number of parking spaces for the Regional Center Parking Zones 1 and 2 shall be governed by Section 60.30.10.6. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016] [ORD 4799; January 2021]~~
- 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~~ shall be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.
  2. Long-Term parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.
  3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings. [ORD 4302; June 2004]
  4. ~~Bicycle parking in the Old Town Parking Zones 1 and 2 shall be governed by the bicycle parking requirements listed in Section 60.30.10.5. [ORD 4471; February 2008]~~
4. **Ratios.** In calculating the required number of ~~vehicle and~~ bicycle parking spaces, or maximum number of vehicle 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, and~~ fractions less than 0.5 shall be rounded down to the nearest whole number. [ORD 3965; November 1996]
  5. **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 40.55.15.1.). [ORD 4224; August 2002]
  6. **Parking Tables.** The following tables list the ~~required minimum and~~ maximum permitted vehicle (Table 60.30.10.5.A) and required minimum bicycle parking requirements (Table 60.30.10.5.B) for listed land use types. ~~The vehicle parking table excludes uses located in Regional Center zoning districts (See Table 60.30.10.6).~~ [ORD 4584; June 2012] [ORD 4782; April 2020]



**Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES**  
**(Excludes uses in Regional Center zoning districts—See Table 60.30.10.6)**

Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
<b>Residential Uses</b>				
Single-Detached Dwellings, Duplex, or Townhouse in RMA, RMB or MC Zone (per unit) <sup>5</sup>	N/A	1.0	N/A	N/A
Triplex or Quadplex in RMA, RMB, or RMC Zone (per unit)			N/A	N/A
<del>Triplexes or Quadplexes on lots less than 3,000 square feet in area</del>	<del>N/A</del>	<del>1.0 per lot</del>	<del>N/A</del>	<del>N/A</del>
<del>Triplexes or Quadplexes on lots greater than or equal to 3,000 square feet and less than 5,000 square feet in area</del>	<del>N/A</del>	<del>2.0 per lot</del>	<del>N/A</del>	<del>N/A</del>
<del>Quadplexes on lots greater than 5,000 square feet but less than 7,000 square feet in area</del>	<del>N/A</del>	<del>3.0 per lot</del>	<del>N/A</del>	<del>N/A</del>
<del>All other Triplexes and Quadplexes</del>	<del>N/A</del>	<del>1.0 per unit</del>	<del>N/A</del>	<del>N/A</del>
Cottage Cluster (per unit)	N/A	1.0	N/A	N/A
Duplex, Triplex, Quadplex, or Townhouse in Other Zone				
One bedroom (per unit)	1.0	1.25	1.8	1.8
Two bedrooms (per unit)	1.0	1.50	2.0	2.0
Three or more bedrooms (per unit)	1.0	1.75	2.0	2.0
Multi-Dwelling				
One bedroom (per unit)	1.0	1.25	1.8	1.8
Two bedrooms (per unit)	1.0	1.50	2.0	2.0
Three or more bedrooms (per unit)	1.0	1.75	2.0	2.0
<del>Dwellings, Live/Work (per unit)</del>	<del>1.25</del>	<del>1.25</del>	<del>1.8</del>	<del>1.8</del>
Dwelling, Accessory Unit	N/A	N/A	1.8	1.8
Mobile Homes (per unit)	1.0	1.0	2.0	2.0
<del>Residential Care Facilities (per bed, maximum capacity)</del>	<del>0.25</del>	<del>0.5</del>	<del>0.5</del>	<del>0.5</del>
<del>Rooming, Boarding, or Lodging Houses (per guest room)</del>	<del>1.0</del>	<del>1.0</del>	<del>1.25</del>	<del>1.5</del>
<b>Commercial Amusements</b>				
Arena/Stadium (per seat, maximum occupancy)	N/A	N/A	0.25	0.25
Movie Theaters (per seat, maximum occupancy)	0.3	0.3	0.4	0.5
Sports Clubs/Recreational Facilities	4.3	4.3	5.4	6.5
Tennis/Racquetball Courts	1.0	1.0	1.3	1.5
<b>Institutions</b>				
Hospital (per bed)	2.0	2.0	3.0	4.0
Public Buildings or other Structures	2.7	2.7	3.4	4.1
Welfare or Correctional Institution (per bed)	0.3	0.3	0.5	0.75
Fire Station	1.0	1.0	2.0	2.0



**Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES**  
**(Excludes uses in Regional Center zoning districts—See Table 60.30.10.6)**

Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
<b>Commercial Uses</b>				
Retail, including shopping centers	<del>3.0</del>	<del>3.3</del>	5.1	6.2
Offices, Administrative Facilities	<del>2.7</del>	<del>2.7</del>	3.4	4.1
Bank, Financial Institutions	<del>3.0</del>	<del>3.3</del>	5.4	6.5
Service Businesses	<del>3.0</del>	<del>3.0</del>	5.1	6.2
Rental Businesses, including vehicle and trailer rental	<del>2.7</del>	<del>3.3</del>	3.5	4.1
Medical, Dental Clinics	<del>3.9</del>	<del>3.9</del>	4.9	5.9
Mortuaries (per seat, maximum occupancy)	<del>0.25</del>	<del>0.25</del>	0.5	0.75
Eating, Drinking Establishments				
Fast Food with drive-through service in the, SC-MU, and SC-HDR zones.	<del>5.0</del>	<del>N/A</del>	12.4	14.9
Fast Food with drive-through service in all other zones.	<del>10.0</del>	<del>10.0</del>	12.4	14.9
Other eating, drinking establishments in the, SC-MU, and SC-HDR zones.	<del>5.0</del>	<del>N/A</del>	19.1	23.0
Other eating, drinking establishments in all other zones.	<del>10.0</del>	<del>10.0</del>	19.1	23.0
Temporary Living Quarters (per guest room)	<del>1.0</del>	<del>1.0</del>	1.25	1.5
<u>Dwellings, Live/Work (per unit)</u>	<del>1.25</del>	<del>1.25</del>	<u>1.8</u>	<u>1.8</u>
<u>Residential Care Facilities (per bed, maximum capacity)</u>	<del>0.25</del>	<del>0.5</del>	<u>0.5</u>	<u>0.5</u>
<u>Rooming, Boarding, or Lodging Houses (per guest room)</u>	<del>1.0</del>	<del>1.0</del>	<u>1.25</u>	<u>1.5</u>
<b>Places of Assembly</b>				
Places of Worship (per seat at maximum occupancy)	<del>0.25</del>	<del>0.25</del>	0.6	0.8
Auditoria, meeting facilities; Social or Fraternal Organizations (per seat, maximum occupancy)	<del>0.25</del>	<del>0.25</del>	0.5	0.5
Educational Institutions: College, University, High School, Commercial School (spaces/number of FTE students and FTE staff)	<del>0.2</del>	<del>0.2</del>	0.3	0.3
Educational Institutions: Middle School, Elementary School (spaces/number of FTE staff)	<del>1.0</del>	<del>1.0</del>	1.5	1.5
Nursery Schools, Day or Child Care Facilities (spaces/number of FTE staff)	<del>0.8</del>	<del>1.5</del>	2.0	2.0
Library, museum, art gallery	<del>2.5</del>	<del>2.5</del>	4.0	6.0
Park and Ride facilities	<del>N/A</del>	<del>N/A</del>	N/A	N/A
Transit Centers	<del>N/A</del>	<del>N/A</del>	N/A	N/A
<b>Industrial</b>				
Manufacturing	<del>1.6</del>	<del>1.6</del>	2.0	2.0



**Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES**  
**(Excludes uses in Regional Center zoning districts—See Table 60.30.10.6)**

Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage.	<del>0.3</del>	<del>0.3</del>	0.4	0.5
<b>Limited Industrial</b>				
Research Facilities	<del>2.5</del>	<del>2.5</del>	3.4	3.4
[ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008] [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4782; April 2020] [ORD 4822; June 2022]				
Notes:				
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.				
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.				
3. Refer to Section 60.30.10.11. for exceptions.				
4. In calculating the <del>required maximum</del> number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.				
<del>5. For townhouse developments in RMA, RMB and RMC that propose a shared parking area, the parking ratio for required parking shall be 0.75 parking spaces per unit. [ORD 4822; June 2022]</del>				

**Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES**

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
<b>Residential Uses</b>		
Single-Detached Dwellings and Middle Housing	1 space per unit	1 space per unit
Multi-Dwelling Structure	2 spaces or 1 space per 20 dwelling units	1 space per dwelling unit
Residential Care Facilities (based upon maximum capacity)	1 space per 100 beds	1 space per 50 beds
Rooming, Boarding, or Lodging Houses (per guest room)	Not required	1 space for every 10 guest rooms
<b>Commercial Amusements</b>		
Arena/Stadium/Theater	2 spaces or 1 space per 200 seats	2 spaces or 1 space per 1,000 seats
Bowling Alley	1 space per 4,000 sq. ft. of floor area	1 space per 4,000 sq. ft. of floor area
Dance Hall, Skating Rink	1 space per 500 sq. ft. of floor area	1 space per 4,000 sq. ft. of floor area
Recreational Facility	2 spaces, or spaces to meet the combined requirements of the uses being conducted	2 spaces, or spaces to meet the combined requirements of the uses being conducted
<b>Commercial Uses</b>		



Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
Retail, including shopping centers	2 spaces or 1 space per 12,000 sq. ft. of floor area	2 spaces or 1 space per 12,000 sq. ft. of floor area
Offices, Administrative Facilities	2 spaces or 1 space per 8,000 sq. ft. of floor area	2 spaces or 1 space per 8,000 sq. ft. of floor area
Bank, Financial Institutions	2 spaces or 1 space per 8,000 sq. ft. of floor area	2 spaces or 1 space per 8,000 sq. ft. of floor area
Medical, Dental Clinics	2 spaces or 1 space per 20,000 sq. ft. of floor area	2 spaces or 1 space per 10,000 sq. ft. of floor area
Eating, Drinking Establishments	2 spaces or 1 space per 4,000 sq. ft. of floor area	2 spaces or 1 space per 4,000 sq. ft. of floor area
Mortuaries	Not required	1 space
Automotive Service, Minor	2 spaces or 1 space per 5,000 sq. ft. of floor area	2 spaces or 1 space per 5,000 sq. ft. of floor area
Truck, trailer, and automobile rental	Not required	2 spaces
Temporary Living Quarters	Not required	1 space per 50 guest units
<b>Places of Assembly</b>		
Auditoria, meeting facilities	1 space per 10,000 sq. ft. of floor area	2 spaces
Places of Worship	1 space per 10,000 sq. ft. of floor area	2 spaces
Social or Fraternal Organizations	2 spaces, or spaces to meet the combined requirements of the uses being conducted	2 spaces, or spaces to meet the combined requirements of the uses being conducted
Educational Institutions: College, University, Commercial School	Not required	4 spaces per classroom
Educational Institutions: High School	Not required	1 space per 18 students
Educational Institutions: Middle School, Elementary School	Not required	1 space per 9 students
Nursery Schools, Day or Child Care Facilities	Not required	1 space per classroom
Library, museum, art gallery	1 space per 2,500 sq. ft. of floor area	1 space per 10,000 sq. ft. of floor area
Park and Ride Facilities	Not required	5% of auto spaces
Transit Centers		
Bus	Not required	2 spaces per bus bay
Light Rail (per station)	Not required	10 spaces

**Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES**

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
<b>Institutions</b>		
Hospital	1 space per 100 beds	1 space per 50 beds
Welfare or Correctional Institution	1 space per 100 beds	1 space per 50 beds
<b>Industrial</b>		
Manufacturing	Not required	2 spaces, or 1 space per 20,000 sq. ft. of floor area
Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage.	Not required	2 spaces, or 1 space per 80,000 sq. ft. of floor area
<p>[ORD 4224; August 2002] [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4782; April 2020] [ORD 4822; June 2022]</p> <p>Notes:</p> <p>1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.</p> <p>2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.</p> <p>3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.</p> <p>4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.</p>		

7. ~~**Regional Center Parking Tables.** The following tables list the required minimum and maximum vehicle parking requirements for land use types in the Regional Center. Within the boundary of the Regional Center—Old Town (RC-OT), Regional Center—Beaverton Central (RC-BC), Regional Center—Mixed Use (RC-MU), Regional Center—Downtown Transition (RC-DT), and Regional Center—East (RC-E) are two (2) parking districts. [ORD 4584; June 2012] [ORD 4686; July 2016] [ORD 4799; January 2021]~~

**Table 60.30.10.6—PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES IN THE REGIONAL CENTER**

Land-Use-Category	Required Parking Spaces		Maximum-Permitted Parking Spaces	
	Parking District-1	Parking District-2	Zone-A	Zone-B
<b>Residential Uses</b>				
Detached dwellings (per unit)	.75	1.0	N/A	N/A
Duplex, Triplex, Quadplex, Townhouse, or Multi-Dwelling (per unit)	.75	1.0	2.0	2.0
Dwelling, Accessory Unit	.75	1.0	1.8	1.8
<b>Commercial</b>				
Hospital (per bed)	2.0	2.0	3.0	4.0
Medical, Dental Clinics	0	3.9	4.9	5.9
Arena/Stadium/Movie Theater (per seat, maximum occupancy)	0	N/A	0.25	0.25
Movie Theater (per seat, maximum occupancy)	0	0.3	0.4	0.5

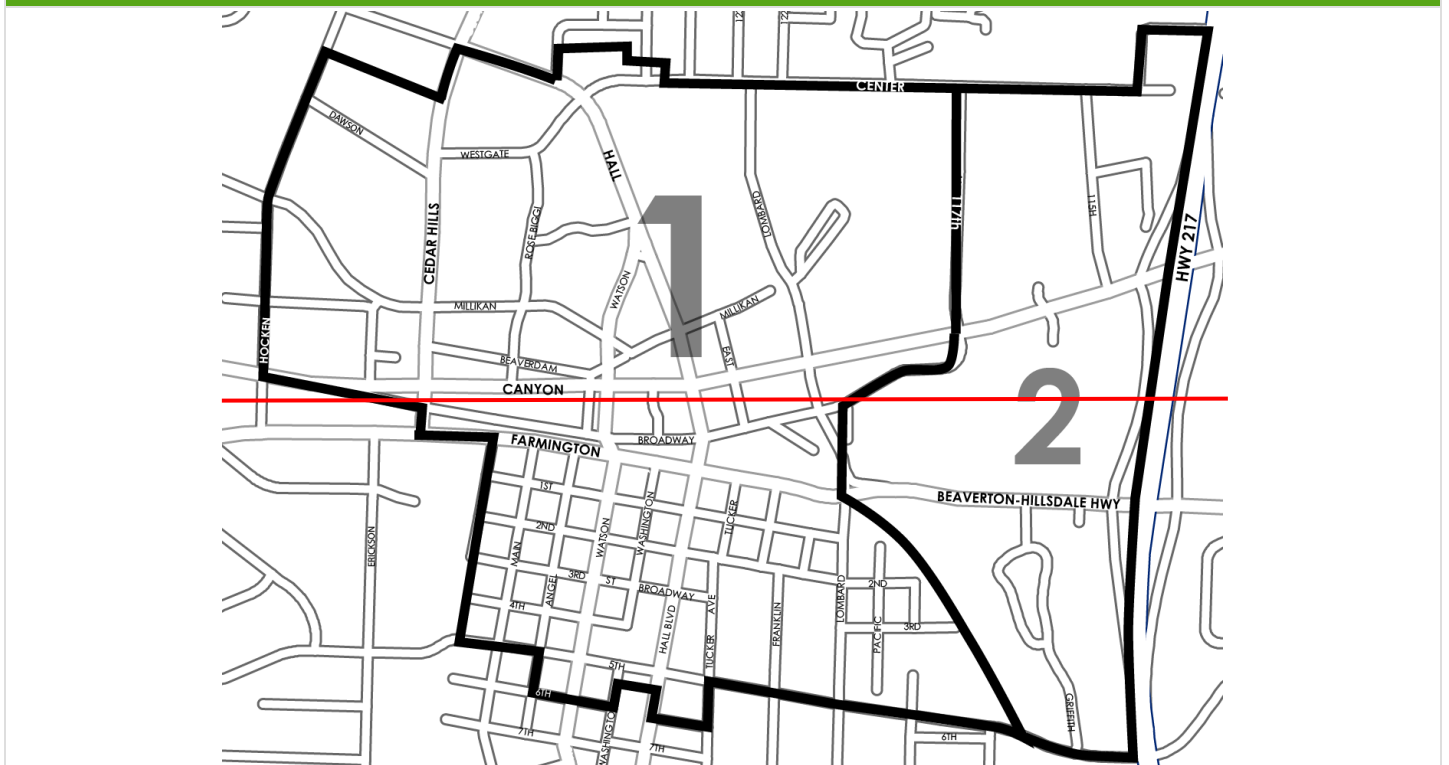


**Table 60.30.10.6—PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES IN THE REGIONAL CENTER**

Land-Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Parking District 1	Parking District 2	Zone-A	Zone-B
Residential Care Facilities (per bed, maximum capacity)	0.25	0.25	0.5	0.5
Rooming, Boarding, or Lodging Houses (per guest room)	0	1.0	1.25	1.5
Eating, Drinking Establishments	0	10.0	19.1	23.0
Bank, Financial Institutions	0	3.0	5.4	6.5
Live/Work Uses (per unit)	0.75	1.25	1.8	1.8
Offices, Administrative Facilities	0	2.7	3.4	4.1
Rental Businesses, including vehicle and trailer rental	0	2.7	3.5	4.1
Retail, including shopping centers	0	3.0	5.1	6.2
Service Businesses/Professional Services	0	3.0	5.1	6.2
Temporary Living Quarters (per guest room)	0	1.0	1.25	1.5
Sports Clubs/Recreational Facilities	0	4.3	5.4	6.5
Tennis/Racquetball Courts	0	1.0	1.3	1.5
Mortuaries (per seat, maximum occupancy)	0	0.25	0.5	0.75
<b>Civic</b>				
Educational Institutions: College, University, High School, Commercial School (spaces/number of FTE students and FTE staff)	0.2	0.2	0.3	0.3
Educational Institutions: Middle School, Elementary School (spaces/number of FTE staff)	1.0	1.0	1.5	1.5
Nursery Schools, Day or Child Care Facilities (spaces/number of FTE staff)	0.8	0.8	2.0	2.0
Places of Worship (per seat at maximum occupancy)	0.25	0.25	0.6	0.8
Public Buildings or other Structures	2.7	2.7	3.4	4.1
Auditoria, Meeting Facilities; Social or Fraternal Organizations (per seat, maximum occupancy)	0.25	0.25	0.5	0.5
Library, museum, art gallery	2.5	2.5	4.0	6.0
Park and Ride Facilities	N/A	N/A	N/A	N/A
Transit Centers	N/A	N/A	N/A	N/A
Welfare or Correctional Institution (per bed)	0.3	0.3	0.5	0.75
<b>Industrial</b>				
Manufacturing	1.6	1.6	2.0	2.0
Research Facilities	2.5	2.5	3.4	3.4
[ORD 4471; February 2008] [ORD 4498; January 2009] [ORD 4584; June 2012] [ORD 4686; July 2016] [ORD 4782; April 2020] [ORD 4799; January 2021] [ORD 4822; June 2022]				



**Figure 60.30.10 REGIONAL CENTER PARKING DISTRICTS MAP**



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

~~Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone. [ORD 4224; August 2002] [ORD 4498; January 2009] [ORD 4659; July 2015]~~

9. **Residential Parking Dimensions.** For all residential uses, any ~~required~~provided parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. In RMA, RMB and RMC, parallel parking spaces may also be used to meet minimum required parking spaces and shall not be less than 8 feet wide and 20 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.) [ORD 4312; July 2004] [ORD 4822; June 2022]
10. **Parking Space Calculation.**
- ~~Multiple Uses.~~ In the case of multiple uses, the total ~~minimum required~~requirements for off-street vehicle and bicycle parking ~~and the total maximum permitted off-street vehicle parking facilities~~ shall be the sum of the requirements for the various uses computed separately.
  - ~~Spaces-Bicycle spaces~~ which only meet the requirements of one establishment may serve more than one establishment on the same ~~parking lot site, with the approval of a Shared Bicycle Parking application~~, provided that sufficient evidence is presented which shows that the times of peak bicycle parking demand for the various establishments do not coincide, and that adequate bicycle parking will be available at all times when the various establishments are in operation.

11. **Location of Vehicle Parking.**



- A. ~~All required off-street parking spaces shall be provided on the same property as the use requiring the spaces, with the following exceptions:~~
1. ~~By approving a Parking Determination application for Shared Parking, the decision-making authority may permit the required off-street parking spaces in Residential, Commercial, and Industrial zoning districts to be located on any property within 500 feet of the property where the use requiring the parking is located and, in Multiple Use zoning districts, on any lot within any distance. [ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008] [ORD 4706; May 2017] [ORD 4757; March 2019]~~
  2. ~~By approving a Temporary Displaced Parking application, the decision-making authority may permit parking displaced by development to be located off site temporarily, in accordance with the provisions of Section 40.80.15.5. [ORD 4757; March 2019]~~
  3. ~~Where a Middle Housing Land Division has been approved, pursuant to Section 40.45.15.10., parking spaces may be on a separate child lot or tract as the associated dwellings, but shall be on the same parent lot. [ORD 4822; June 2022]~~
- B. For parking areas that meet one of the thresholds in subsections 1 or 2, below, parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley. [ORD 4822; June 2022]
1. Residential dwellings: Tandem spaces that can be accommodated within the driveway do not count in calculation provided the number of parking spaces backing out into the street or right of way does not exceed two. All other development: More than two parking spaces.
  2. All parking spaces shall meet minimum standards outlined in Section 60.30.15 unless otherwise approved through a Major Adjustment or Major Adjustment – Affordable Housing.
- [ORD 4822; June 2022]
- C. In the RMA, RMB, and RMC zones parking and loading spaces for single-detached dwellings and middle housing may be located in side and rear yards and up to two parking spaces may be located in the front yard of each lot. [ORD 4584; June 2012] [ORD 4822; June 2022]
- D. For middle housing outside the RMA, RMB, and RMC zones, and other types of housing in any zone, parking in the front yard is allowed for each dwelling unit in the driveway area and shall be hard surfaced. [ORD 4822; June 2022]
12. ~~Reductions and Exceptions. [ORD 3358; March 1984] Reductions and exceptions to the required vehicle and bicycle parking standards as listed in Sections 60.30.10.5. and 60.30.10.6. may be granted in the specific cases listed below. Sites within the Downtown Design District that apply for one or more of the vehicle parking reductions listed below cannot exceed a combined 15% reduction from the required parking standards in the table found in Section 60.30.10.6. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4799; January 2021]~~
- A. ~~Vehicle Parking Reduction for Transit Amenities. [ORD 3965; November 1996] 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. [ORD 4799; January 2021]~~
1. ~~A five percent (5%) credit may be approved if: [ORD 4584; June 2012]~~
    - 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, [ORD 4822; June 2022]~~
    - 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: [ORD 4584; June 2012]~~
  - 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, [ORD 4822; June 2022]~~
  - 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. [ORD 4799; January 2021]~~
- 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. [ORD 4799; January 2021]~~
- 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. [ORD 4799; January 2021]~~
- 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. [ORD 4584; June 2012]~~
- F. ~~Reduction for Combination of Uses with Shared Parking. [ORD 4107; May 2000] The minimum number of off-street parking spaces may be reduced by as much as thirty percent (30%) subject to all of the following: [ORD 4584; June 2012]~~
  - 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. [ORD 3108; April 1979] [ORD 4584; June 2012]

- ~~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. [ORD 4799; January 2021]~~
- ~~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. [ORD 4365; October 2005] [ORD 4584; June 2012]~~
- ~~J. Exemption for Temporary Uses. Temporary uses authorized by this Code are exempt from bicycle parking requirements. [ORD 4584; June 2012]~~
- ~~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. [ORD 4822; June 2022]~~
- ~~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. [ORD 4822; June 2022]~~
- ~~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 [ORD 4819, January 2022]~~
- ~~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.

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

- A. For residential uses, ~~required~~ proposed vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. ~~Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.7. [ORD 4471; February 2008]~~
- B. For uses other than residential uses, twenty percent (20%) of the ~~required~~ provided vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the ~~required~~ provided parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002]
- ~~C. The Facilities Review Committee may recommend allowing the required parking spaces for short term parking to include spaces for compact cars if the applicant shows that there will be adequate parking for non-compact cars and a method of enforcing the compact car parking is available. [ORD 4224; August 2002]~~
- D. Compact car parking spaces shall be generally grouped together and designated as such. [ORD 3228; December 1981]

14. **Carpool and Vanpool Parking Requirements.** [ORD 3965; November 1996]

- 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 provided 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. [ORD 4107; May 2000] [ORD 4302, June 2004]

[ORD 3108, 04/03/1979; ORD 3181, 07/16/1980; ORD 3228, 12/10/1981; ORD 3293, 11/25/1982; ORD 3494, 03/27/1986; ORD 3739, 09/08/1990; ORD 3958, 06/11/1996; ORD 3965, 11/07/1996; ORD 4036, 04/02/1999; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4312, 07/22/2004; ORD 4365, 10/20/2005; ORD 4418, 02/22/2007; ORD 4462, 01/10/2008; ORD 4471, 02/28/2008; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4659, 07/10/2015; ORD 4686, 07/15/2016; ORD 4706, 05/19/2017; ORD 4757, 03/15/2019; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021; ORD 4819, 01/14/2022; ORD 4822, 06/30/2022]

Effective on: 6/30/2022



### Commentary: Section 60.30.15 Off-Street Parking Lot Design.

Minimum vehicle parking requirements are proposed to be removed citywide. References to required parking are deleted. Language is added to clarify that parallel parking spaces count towards parking maximums.

Language is added to comply with OAR 660-012-0410 to accommodate electric vehicle charging in new multi-dwelling buildings with 5 or more dwelling units.

Language is also added to comply with OAR 660-012-0405, which includes requirements for new development that includes more than one-quarter acre of surface parking on a lot or parcel.

## 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). Parallel parking spaces count towards parking maximums.



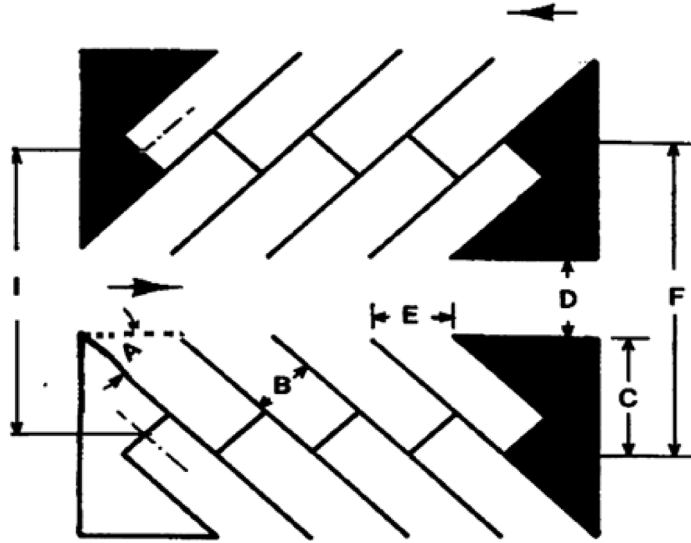
- b. Driveways shall meet the minimum driveway standards in the Engineering Design Manual.
  - c. Drive aisles shall have a minimum width of 22 feet for two-way traffic or 20 feet for one-way traffic.
- 9) Newly constructed multi-dwelling residential buildings with five or more residential dwelling units and newly constructed multiple-use buildings consisting of privately owned commercial space and five or more residential dwelling units shall provide sufficient electrical service capacity, as defined in ORS 455.417, to accommodate no less than 40 percent of all vehicle parking spaces serving the residential units. For the purposes of calculating which spaces serve residential units, applicants shall provide sufficient electrical capacity to 40 percent of parking spaces on the entire site or designate which vehicle parking spaces will be dedicated for residential use, install signage indicating that those spaces are for residential use only, and provide sufficient electrical capacity to 40 percent of the parking spaces designated for residential use. Townhouses are not included for purposes of determining the applicability of this regulation.
- 10) A new development that adds more than one-quarter acre of surface parking to a lot or parcel shall provide one of the features in a through c below. Surface parking area to determine the one-quarter acre threshold shall be measured around the perimeter of all parking spaces, maneuvering areas, and interior landscaping. The parking area calculation shall be a cumulative calculation for all parking areas on the lot or parcel:
- a. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space on the property. Existing solar panels present on the site that will be retained on the site after development may count toward this requirement if they meet this standard. Panels may be located anywhere on the property. In lieu of installing solar panels on site, the developers may pay \$1,500 per parking space in the development into a previously established city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose if such a fund exists;
  - b. Actions to comply with OAR 330-135-0010; or
  - c. Tree canopy covering at least 50 percent of the parking lot at maturity but no more than 15 years after planting. For the purposes of this tree canopy standard, the parking lot area shall include the area of parking stalls, interior parking lot landscaping, and vehicle maneuvering areas and shall not include loading areas, areas designated for outdoor storage (except outdoor storage of vehicles related to Vehicle Sales, Lease or Rental uses), and parking lot area covered with solar panels). The following standards apply:
    - i. Tree canopy coverage shall be calculated based on the total actual crown area of existing mature trees to remain on the site after development plus the anticipated crown area within the parking area at 15 years maturity of proposed trees to be planted. For the purposes of the calculation, tree canopy that covers fully enclosed buildings shall not count toward the canopy coverage but tree canopy over carports shall count toward canopy coverage. For the purposes of the calculation, when expected canopies overlap they can be counted twice when the overlap is 5 feet or less but areas that overlap more than 5 feet cannot be counted twice. Individual trees planted within interior landscape islands between parking spaces shall not count toward the tree canopy coverage percentage.
    - ii. Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.
    - iii. Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.



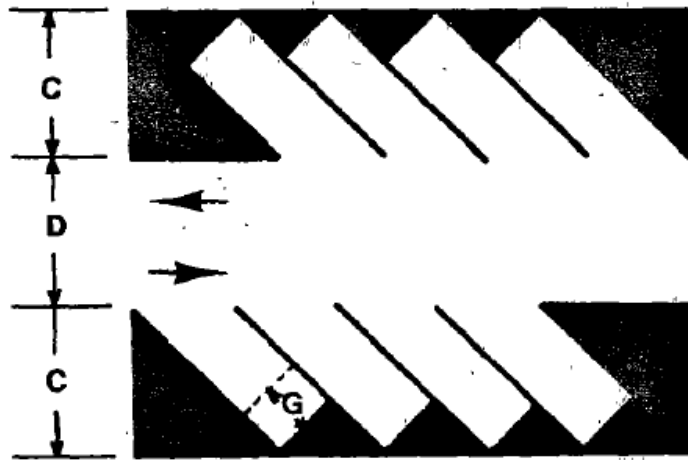


A	B	C	D	E	F	G	H	I
45 degrees	8.5	18.7	12.0	12.0	49.4	2.0	5.0	43.4
60 degrees	8.5	19.8	14.5	9.8	54.1	2.5	5.0	49.9
75 degrees	8.5	19.6	23.0	8.8	62.2	2.5	5.0	60.0
90 degrees	8.5	18.5	24.0	8.5	61.0	3.0	5.0	61.0
90 degrees*	7.5	15.0	24.0	7.5	58.0	2.0	5.0	58.0

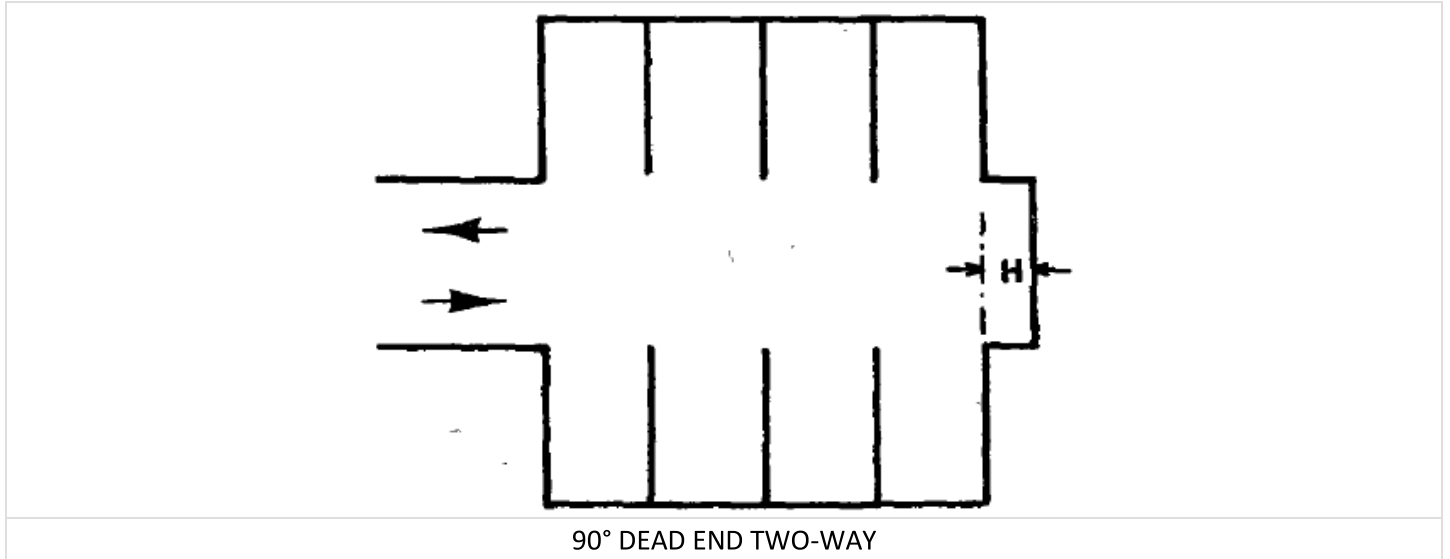
\* "Compact" Car (Section 60.30.10.12.)



[ORD 4584; June 2012]



ANGLE TWO-WAY



[ORD 3228, 12/10/1981; ORD 3494, 03/27/1986; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4697, 12/02/2016; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

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## 60.50. Special Use Regulations

[ORD 4224, 09/19/2002]

### Commentary: Section 60.50.03 Accessory Dwelling Unit.

Minimum parking requirements are proposed to be removed citywide. References to required parking are removed.

### 60.50.03. Accessory Dwelling Unit.

[ORD 4048; July 1999]

1. **Purpose.** Accessory dwelling units are intended to increase the City's housing stock while minimizing neighborhood impacts, respecting the scale and design of detached dwelling residential neighborhoods, and maintaining their character. At the same time, accessory dwelling units are not intended to apply toward any minimum density requirements in other sections of this Code. [ORD 4224; August 2002]
2. **Requirements.** The following requirements are specific to the construction of an accessory dwelling unit and are intended to ensure that the accessory dwelling units are subordinate to the primary residence. Development standards of the underlying zone and the requirements in Section 40.05 Accessory Dwelling Unit apply, except as provided below. [ORD 4782; April 2020] [ORD 4822; June 2022]
  - A. An accessory dwelling unit is permitted only in conjunction with a single-detached dwelling. [ORD 4822; June 2022]
  - B. An accessory dwelling unit may be created in the following manner:
    1. Conversion of existing living area, attic, basement or garage; [ORD 4782; April 2020]
    2. Adding floor area to the primary structure or to an accessory structure, subject to the limitations of the zoning district in which it is located; [ORD 4822; June 2022]



3. Constructing a new detached dwelling or placing a manufactured home on the lot (in either case, the accessory dwelling unit can be internal or detached). [ORD 4822; June 2022]
- C. Size [ORD 4782; April 2020]
1. Accessory dwelling units shall not exceed 800 square feet in floor area, except as provided in subsection 2. [ORD 4822; June 2022]
  2. Accessory dwelling units that result from the conversion of a level or floor (e.g. basement, attic, or second story) of the primary dwelling are not subject to the size limitations in Section 60.50.03.2.C.1 and may occupy the entire level or floor, provided no new square footage is added through a contemporaneous home renovation. [ORD 4822; June 2022]
  3. The floor area measurements are based on what the square footage of the primary dwelling and accessory dwelling unit will be after the accessory dwelling unit is created from the primary dwelling.
  4. Accessory dwelling units added to an existing single-detached dwelling as of June 30, 2022 are excluded from the maximum FAR limitations of Section 20.05.15.H. [ORD 4822; June 2022]
- D. Entrance. [ORD 4822; June 2022]
1. An accessory dwelling unit created by adding floor area to an accessory structure shall have a separate exterior entrance.
- ~~E. **Parking.**~~
- ~~1. **Where the accessory dwelling unit is built on parking areas required for the primary dwelling, the required parking for the primary dwelling shall be replaced on-site. [ORD 4782; April 2020]**~~
- F. Location.
1. Accessory dwelling units shall be attached by the floor, ceiling, wall, or portion thereof to the primary unit or shall be separated by 6 feet from the primary unit and other structures on-site. [ORD 4822; June 2022]
  2. Notwithstanding the setback standards of the underlying zone, if an accessory dwelling unit is limited to one story, with a maximum height of 15 feet measured from the finished grade, it may be located 5 feet from the rear property line. [ORD 4822; June 2022]
  3. Accessory dwelling units shall not be located over any easement. [ORD 4782; April 2020] [ORD 4822; June 2022]
  4. Accessory dwelling units shall be built in accordance with state and local codes.  
[ORD 4224; August 2002]

[ORD 4048, 07/08/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

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**Commentary: Section 60.50.25 Uses Requiring Special Regulation .**

Minimum parking requirements are proposed to be removed citywide. Language is removed that involves assessing parking needs.

## **60.50.25. Uses Requiring Special Regulation.**

In addition to other standards and requirements by this ordinance, all uses included in this section shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this ordinance, the more restrictive provision shall control. [ORD 4782; April 2020]

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- 10. ~~Park and Ride Facilities.~~ Approved off-street parking lots connected with a non-residential use may be used jointly as park and ride lots ~~if, by determination of the Director after receiving a recommendation from the Facilities Review Committee, the park and ride use will not conflict with the parking needs of the site's principal use both in terms of traffic volume and hours of use, and~~ as long as there are no specific conditions placed on the site by the Director, the Planning Commission, or the City Council which would preclude such use. Park and ride lots as principal uses are Permitted in those zones allowing parking structures and surface parking lots. [ORD 3204; February 1981] [ORD 4224; August 2002]

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## 60.70. Wireless Communications Facilities

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**Commentary: Section 60.70.35. Development Standards for WCF.**

Text is removed requiring parking for Wireless Communications Facilities. Minimum parking requirements are proposed to be removed citywide.

### 60.70.35. Development Standards for WCF.

Development standards are applicable to all zoning districts. Except as noted in Section 60.70.35.18., the following development standards shall apply to all wireless communication facilities (WCF), excluding satellite antennas in all zoning districts. Refer to Section 60.70.40 for development standards for satellite antennas: [ORD 4584; June 2012] [ORD 4596; February 2013]

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- 15. ~~**Parking.** A minimum of one (1) readily accessible parking space shall be provided to serve new WCF towers or collocated WCF for the purpose of regular maintenance or emergency repairs. The decision-making authority may waive the minimum parking requirement. Waivers may be authorized if the applicant can demonstrate that there is existing on-site parking, on-street parking, leased parking, or parking on separate adjacent property authorized for use by a written agreement.~~

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# CHAPTER 70 - DOWNTOWN DESIGN DISTRICT

**Contents:**

- 70.05. Administration**
- 70.10. Downtown Design Principles**
- 70.15. Downtown Zoning and Streets**
- 70.20. Downtown Design Guidelines and Standards**

[ORD 4799, 01/08/2021]

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## 70.20 Downtown Design Guidelines and Standards

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### 70.20.05 Site Design

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**Commentary: Section 70.20.05.7 Parking, Loading and Service Areas.**  
 Minimum parking requirements are proposed to be removed citywide. Language referencing required on-site parking is updated.

**70.20.05.7 Parking, Loading and Service Areas**

- a. Intent. To minimize the visual impact of parking, loading and service areas, support pedestrian interest along public rights of way and other pedestrian ways, and minimize conflicts between pedestrians and vehicles along key streets.
- b. Applicable Design Principles
  - 1. Design Places for People (Section 70.10.1)
  - 2. Promote High Quality Design (Section 70.10.3)
  - 3. Provide Safe and Comfortable Connectivity (Section 70.10.5)
- c. Design Guideline and Standards

**Table 70.20.05.7.A Design Guidelines and Standards: Parking, Loading and Service Areas**

Design Guideline	Design Standard
<b>Vehicle and Parking Access</b>	
<b>G1.</b> Curb cuts shall meet S1.	<b>S1.</b> Curb cuts permitted under this section are subject to the applicable minimum standards within the adopted Engineering Design Manual.
<b>G2.</b> Driveways accessed from public streets shall be minimized in order to promote pedestrian safety and walkability, ensure safe vehicle maneuvering, and maximize on-street parking.	<b>S2.</b> No additional driveways accessed from public streets shall be permitted, except where the Development Code requires the development to provide <del>on-site parking or</del> on-site loading, or where structured parking <del>or on-site parking</del> is provided.
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## CHAPTER 90 - DEFINITIONS

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The following words and phrases shall be construed to have the specific meaning assigned to them by definition.

Words used in present tense include the future tense, and the singular includes the plural, unless the context clearly indicates the contrary.

The term "shall" is always mandatory and the words "may" and "should" are permissive. [ORD 4659; July 2015]

The masculine gender includes the feminine and neuter.

[ORD 4224; September 2002]

[ORD 4224, 09/19/2002; ORD 4659, 07/10/2015]

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### At or Near a Major Transit Stop.

**At** a major transit stop means a parcel that is adjacent to or includes a major transit stop or is located within 200 feet of a major transit stop.

**Near** a major transit stop means a parcel that is within 300 feet of a major transit stop.

[ORD 3965, 11/07/1996]

Effective on: 6/1/2012

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**Bicycle Facilities.** Improvements and provisions which accommodate or encourage bicycling, including parking facilities, maps, signs, bike lanes, multi-use paths, and shared roadways designated for bicycle use.

[ORD 4061, 10/15/1999]

Effective on: 6/1/2012

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### Commentary: Dwelling Types.

A new definition is added in response to the addition of language regarding Climate-Friendly and Equitable Communities (CFEC) Parking Maximums in Section 60.30.10.2 that references studio dwelling units. "Studio" is added under "Dwelling Types" to clarify the use refers to residential studios, not commercial studios.

### Dwelling Types.

- **Accessory Dwelling Unit.** [ORD 4782; April 2020] An additional dwelling unit on the same lot as a single-detached dwelling. The unit can be within or attached to the single-detached dwelling, a detached building or a manufactured home. If attached, the unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside. An accessory dwelling unit contains the minimum living facilities required by the current Oregon Structural Code or applicable ordinance to be classified as a dwelling unit. When adding a second unit to a property, if the second unit meets both the accessory dwelling unit definition and the duplex definition, the applicant can decide whether to apply for an accessory dwelling unit or a duplex. When adding a third unit to a property, the housing development would be classified as a triplex.
- **Cottage Cluster.** A grouping of detached dwelling units (cottages) with a density of at least four dwelling units per acre, a footprint of less than 900 square feet each, and that includes a common courtyard. Dwelling units may be located on a single lot, or on individual lots following a middle housing land division. No more than three dwellings



on the same lot in a cottage cluster development shall be manufactured homes. Cottage clusters are considered a type of middle housing and are not considered single-detached dwellings for the purposes of this code.

- **Duplex.** Two dwelling units total on a single lot in any configuration. If detached, each unit could be a site-built home or a manufactured home. The units may also be located on two child lots created through a middle housing land division. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.
- **Live / Work.** [ORD 4058; September 1999] [ORD 4542; June 2010] A dwelling unit combining Residential use types with Commercial or Limited Industrial use types. This Use Classification includes, but is not limited to: HOffice, Live/Work Facilities or other similar uses, but is not a Home Occupation.
- **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction. Manufactured homes do not include prefabricated structures as defined in ORS 455.010 (Building Code). [ORD 3846; May 1993]
- **Manufactured Home.** For floodplain regulation purposes the term "manufactured home" also includes recreational vehicles, park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days if permitted to be placed on a permanent foundation, permanently connected to utilities, or anchored to the land. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. [ORD 3563; May 1987] [ORD 4392; July 2006] [ORD 4782; April 2020]
- **Mobile Home.** A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction. [ORD 3846; May 1993]
- **Multi-Dwelling.** In MR, Commercial Land Use Districts and Multiple Use Land Districts, attached dwellings in any number or configuration, unless that number or configuration is prohibited in that zoning district (for example, if duplexes are prohibited in the zoning district, two-unit multi-dwellings are also prohibited). For the purposes of Mixed Use Development or Multiple Use Development, the units may be attached to another use that is also allowed in that zoning district. In RMA, RMB, and RMC, a structure that contains five or more dwelling units that share at least one common wall, floor or ceiling with one or more units. In all zones, the land underneath the multi-dwelling is not divided into separate lots.
- **Quadplex.** Four dwelling units total on a single lot in any configuration. If detached, each unit could be a site-built home, but only three units can be a manufactured home. The units may also be located on four child lots created through a middle housing land division.
- **Single-detached dwelling.** A dwelling unit that is not attached to any other dwelling, excluding accessory dwellings, and that is located on its own lot. Dwelling units on individual lots that are part of a duplex, triplex, quadplex or cottage cluster are not single-detached dwellings for the purposes of this code.
  - **Cluster Housing.** [ORD 4430; April 2007] Single-detached dwelling units located within a Planned Unit Development where dwellings are located in close proximity to each other and share common open space including recreation areas and parking.
  - **Compact Detached Housing.** [ORD 4652; February 2015] Single-detached dwelling units that front onto a shared court, common green, or public street.
- **Studio.** A Multi-Dwelling unit containing only one combined living, sleeping, and kitchen area, although it may have a separate bathroom containing sanitary facilities.
- **Townhouse.** A dwelling unit, located on an individual lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall between units must be shared for at least 25 percent of the length of the side of the building, as measured along the longer adjoining wall. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. A townhouse does not share common



floor/ceilings with other townhouse units. A townhouse is also commonly called a rowhouse or a common-wall house.

- **Triplex.** Three dwelling units total on a single lot in any configuration. If detached, each unit could be a site-built home or manufactured home. The units may also be located on three child lots created through a middle housing land division.

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**Fee Ownership.** As the term relates to land divisions, a Fee Ownership Partition or Fee Ownership Subdivision is a land division application which proposes to reduce the site development requirements for lot area, lot dimension, building setbacks, building coverage, landscaping, parking and street frontage for the lot to allow fee ownership of the land on which the building rests in the Commercial, Industrial, and Multiple Use zoning districts.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

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**Commentary: Parking, Excess.**

Minimum parking requirements are proposed to be removed citywide, and the Excess Parking application is proposed to be removed. Therefore, this definition is no longer needed.

~~**Parking, Excess.** Required off-street parking which has been demonstrated as being unused by an existing land use.~~

~~[ORD 4224, 09/19/2002]~~

~~Effective on: 6/1/2012~~

**Parking, Long-Term.** Vehicle spaces designated for residents, employees, or customers for a parking duration of at least four (4) hours at a time, except in a floodplain where Clean Water Services parking definitions and standards apply.

[ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4302, 06/10/2004]

Effective on: 6/1/2012

**Parking, Public.** A structure or an open area other than a street, alley or other right-of-way used for the temporary parking of automobiles and available for public use whether free, for compensation or an accommodation for clients or customers.

Effective on: 3/20/1998

**Parking, Short-Term.** Vehicle spaces designated for use of less than four (4) hours of time, except in a floodplain where Clean Water Services parking definition and standards apply.

[ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4302, 06/10/2004]

Effective on: 6/1/2012

**Parking Structure.** A covered structure or portion of a covered structure that provides two or more levels of parking for motor vehicles.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012





**Commentary: Surplus Parking and Parking, Surplus.**

All references to surplus parking are proposed to be removed. Therefore, these definitions are no longer needed.

~~**Parking, Surplus.** [ORD 4397; July 2006] Off-street parking that is greater in number than the maximum required off-street parking.~~

~~[ORD 4697, 12/02/2016]~~

~~Effective on: 12/2/2016~~

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~~**Surplus Parking.** Off-street parking that is greater in number than the maximum required off-street parking.~~

~~[ORD 4397, 08/10/2006]~~

~~Effective on: 6/1/2012~~

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**EXHIBIT B**

Community Development Department / Planning Division  
12725 SW Millikan Way / PO Box 4755  
Beaverton, OR 97076  
General Information: 503-526-2222 V/TDD  
[www.BeavertonOregon.gov](http://www.BeavertonOregon.gov)

**MEMORANDUM**

TO: City Council

FROM: Jena Hughes, Associate Planner  
Brian Martin, Long Range Planning Manager

DATE: June 20, 2023

SUBJECT: Parking Policy and Code Project (TA2023-0001): Staff-Recommended Changes to Planning Commission Recommendation

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This memo describes staff-recommended alterations for the City Council to consider when making a motion regarding TA2023-0001: Parking Policy and Code Project text amendment. Staff has prepared recommended revisions to the Planning Commission-recommended amendments in response to temporary rule amendments to the State's [Climate-Friendly and Equitable Communities \(CFEC\)](#) rules. These recommended revisions also address the Planning Commission's request for staff to consider certain changes, public input, and other questions from city staff.

**BACKGROUND**

On March 1, 2023, the Planning Commission voted to recommend the proposed Development Code amendments, but asked staff to consider changes to the code amendments for three topics described in this memo.

On April 20, 2023, the state Land Conservation and Development Commission (LCDC) voted to adopt [temporary rule amendments](#) affecting the CFEC rules. These rule amendments went into effect on May 12, 2023. The permanent rule amendments are scheduled to be considered in November but are not expected to differ greatly from the temporary rule amendments. The temporary rule amendments include changing the requirements for large parking lots, tree canopy coverage, parking maximums, and other changes that affect the code changes included in the Parking Policy and Code Project text amendment. The temporary rule amendments also allowed jurisdictions to request an alternative date to give cities more time to comply with the rules. The City of Beaverton requested an alternative date of December 31, 2023, which was approved.

## STATE TEMPORARY RULE AMENDMENTS

The amendments to OAR 660-012-0405 that went into effect May 12, 2023:

- Adjust requirements for large parking lots by changing the size threshold from one-quarter acre to one-half acre.
- Clarify the option to add solar panels pertains to new parking spaces only.
- Reduce the minimum tree canopy coverage percentage from 50% canopy coverage to 40% of the additional parking lot area.
- Clarify that tree planting along driveways must maintain continuous canopy except where interrupted by driveways, drive aisles, and other site considerations. The continuous canopy requirement only applies to trees along driveways, not all trees on the lot.
- Allow an option to provide 30% tree canopy coverage instead of providing trees and sidewalks along driveways if adding more than one-half acre of surface parking.

Staff is recommending changes to the Development Code amendments to incorporate these updated requirements, described at the end of this document.

## PLANNING COMMISSION REQUESTS

On March 1, 2023, the Planning Commission voted to recommend the proposed Development Code amendments, but asked staff to:

- 1. Consider whether to lower the state-required threshold for when a parking lot addition triggers requirements regarding tree canopy (Section 60.05.20.5.E and Section 60.05.40) and parking lot design elements (Section 60.30.15.10).**

Staff recommendation: Given the limited time before the City Council hearing and the complexity of the analysis required, which staff does not have the resources to perform with its current workload, staff does not recommend lowering the quarter-acre threshold and instead recommends raising the threshold to one-half acre to match the newly amended state rules.

The state's requirements for tree canopy and parking lot design are potentially onerous, impractical, and expensive, as identified by public testimony and Planning Commission discussion during the March 1 public hearing. The State Land Conservation and Development Commission recently adopted amendments to the administrative rules to raise the threshold from one-quarter acre to one-half acre to allow more flexibility for meeting the rule. This is demonstrated through staff-recommended changes to Section 60.30.15.10, shown towards the end of the document. The staff-recommended change to Section 60.05.40.5 also adds a discretionary option that will allow more flexibility.

- 2. Consider issues raised by the Beaverton School District's testimony by revising the tree canopy requirements section to better accommodate school buses and public safety vehicles in parking lots and share recommendations with the City Council. (Section 60.30.15.10).**

Staff recommendation: Parking lot designs can be adjusted when new parking areas are built to accommodate larger vehicles consistent with the Development Code and state

administrative rules. For example, there is some ability for applicants to move tree planting locations, design wider drive aisles, or seek turning radii that would help buses and larger vehicles maneuver through parking lots. The state's tree canopy coverage requirements were revised in the adopted temporary rule amendments to only require 40 percent tree canopy coverage instead of 50 percent. The threshold was also revised so the tree canopy requirement doesn't kick in unless more than one half-acre of surface parking is added to the site, instead of one-quarter acre. City staff are recommending changes in response to these amendments that would allow more parking lot design flexibility that could better accommodate school buses and public safety vehicles. Staff recommends Council amend the Planning Commission recommendation to incorporate the staff-recommended changes, shown at the end of this document.

**3. Consider revisions to the required tree canopy calculations that would mean more parking lot area is counted as covered by tree canopy to meet the 50 percent standard and share recommendations with the City Council.**

Staff recommendation: The State's temporary rule amendments reduced the minimum tree canopy percentage from 50 percent to 40 percent, making the standard easier to meet. In addition, city staff took another look at the Department of Land Conservation and Development guidance for implementing the tree canopy coverage standards and suggest revisions, incorporated in the next section of this memo, to align the calculation of the parking area and the area covered by tree canopy with the DLCDC guidance. These changes also make the standard easier to reach because in most cases the area defined as the "parking lot area" will shrink while the area considered covered by tree canopy area will increase, making it easier to reach 40 percent. Specifically, staff determined that the state is not requiring interior parking lot landscaping to be counted in the "parking lot area" calculation, so that wording is proposed for removal. Staff also determined that perimeter parking lot landscaping can be counted when determining tree canopy coverage, so that language is proposed to be added.

The final significant proposed change in this section involves when trees in "landscape islands" can count toward canopy coverage. The State's temporary rule amendments removed the requirement for continuous tree canopy for this standard, so language requiring that "Individual trees planted within interior landscape islands between parking spaces with fewer than three trees in the landscape island shall not count toward the tree canopy coverage percentage" is proposed for removal. These staff-recommended changes to Section 60.30.15.10 are reflected in the next section of the memo.

## **STAFF-RECOMMENDED REVISIONS**

The revisions proposed below are based on the Planning Commission's requests and the Temporary Rule Amendments that are intended to make the requirements clearer and easier to implement.

- Commentary is for information only.
- Proposed new language is underlined.
- Proposed deleted language is ~~stricken~~.

## Staff Recommendation 1: 60.05.20. Circulation and Parking Design Standards.

### Planning Commission-recommended amendments to 60.05.20.5.E, as shown in Exhibit A:

A new development that adds more than one-quarter acre of surface parking to a lot or parcel shall provide trees and sidewalks along driveways. Surface parking shall include the perimeter of all parking spaces including maneuvering areas and interior landscaping. For the purposes of this standard, a driveway shall mean a vehicular maneuvering area that connects the street to a parking lot or parking lots on the site but that does not provide direct access to parking spaces or Instead, a driveway provides access to drive aisles, and those drive aisles provide direct access to parking spaces. For the length of the driveway or driveways, excluding segments that provide access to other vehicular maneuvering areas, the following shall be provided:

1. One tree from the city's adopted street tree list with an expected tree crown at 15 years of at least 15 feet for every 25 feet of driveway. For driveway segments of sufficient length to require more than one tree, the trees shall be planted in a continuous shared trench unless site conditions involving drive aisles, required pedestrian walkways, or utilities shown in the application interrupt the landscape planter trench. The trees' expected canopies at 15 years shall be contiguous (with gaps of less than 3 feet between expected canopies). Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.
2. Pedestrian walkways along at least one side of the driveway designed consistent with Section 60.05.20.3.D through F.

### Commentary on Section 60.05.20.5.E:

Staff recommends changes to align with the amendment to OAR 660-012-0405, which:

- Adjusts requirements for large parking lots by changing the size threshold from one-quarter acre to one-half acre.
- Clarifies that tree spacing and species planted must be designed to maintain continuous canopy except where interrupted by driveways, drive aisles, and other site considerations. This requirement applies to trees planted along driveways, not all trees on a lot.
- Allows an option for an applicant to provide a minimum of 30 percent tree canopy over parking areas instead of providing trees and sidewalks along driveways.

In addition, staff recommends:

- Removing an extra "or" to fix a typographical error.
- Revising the sentence starting with "For the length of the driveway or driveways..." to provide clarity when describing areas where trees and sidewalks cannot be provided because the planting area is interrupted by drive aisles or other access points to parking or loading areas on the site.
- Deleting the word "required" before pedestrian walkways because all pedestrian walkways would interrupt the continuous trench where trees are planted.
- Clarifying that the half-acre threshold involves one-half acre of new surface parking, which includes both newly constructed parking and paved parking area that has been removed and replaced.
- Adding language to preface that this definition of surface parking is specific to this standard to prevent conflicts with other code sections where surface parking may appear.

- Specifying the interior landscaping is interior parking lot landscaping.
- Replacing the word “trench” with “planter strip” to use clearer language that is consistent with other sections of the code. The ANSI standards referenced in this section are sufficient for ensuring tree planting standards are met.
- Clarifying that expected tree crown should be measured at maturity but no more than 15 years after planting.

### Staff-recommended amendments to PC recommendation for 60.05.20.5.E

If the City Council were to make a motion to accept the staff-recommended changes, the redlined revisions to the Planning Commission’s recommendation for 60.05.20.5.E would look like this:

A new development that adds more than one ~~quarter-half~~ acre of new surface parking (newly constructed parking and/or paved parking area that was removed and replaced) to a lot ~~or parcel~~ shall provide trees and sidewalks along driveways or a minimum of 30 percent tree canopy coverage over the additional parking lot area. Lots meeting Section 60.30.15.10.c are exempt from this requirement. Tree canopy coverage shall be calculated according to Section 60.30.15.10.c. For the purposes of this standard, sSurface parking shall include the perimeter of all parking spaces including maneuvering areas and interior parking lot landscaping. For the purposes of this standard, a driveway shall mean a vehicular maneuvering area that connects the street to a parking lot or parking lots on the site but that does not provide direct access to parking spaces ~~or~~. Instead, a driveway provides access to drive aisles, and those drive aisles provide direct access to parking spaces. For the length of the driveway or driveways, excluding segments where access to drive aisles, loading area access, loading berths, or other vehicle maneuvering areas intersect with or otherwise interrupt the driveway’s planting/pedestrian area that provide access to other vehicular maneuvering areas, the following shall be provided:

1. One tree from the city’s adopted street tree list with an expected tree crown ~~at 15 years~~ of at least 15 feet for every 25 feet of driveway. The expected tree crown measurement shall use the anticipated crown area of the proposed tree at maturity but no more than 15 years after planting. For driveway segments of sufficient length to require more than one tree, the trees shall be planted in a continuous shared ~~trench-planter strip~~ unless site conditions involving drive aisles, ~~required~~ pedestrian walkways, or utilities shown in the application interrupt the landscape planter ~~trench-strip~~. The trees’ expected canopies at maturity but no more than 15 years after planting shall be contiguous (with gaps of less than 3 feet between expected canopies). Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.
2. Pedestrian walkways along at least one side of the driveway designed consistent with Section 60.05.20.3.D through F.

### Staff Recommendation 2: 60.05.40. Circulation and Parking Design Guidelines

#### Planning Commission-recommended amendments to 60.05.40.5, as shown in Exhibit A:

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 – Standard 60.05.20.5.E shall be met)

**Commentary on 60.05.40.5:**

The staff-recommended change to Section 60.05.40.5 adds a discretionary option that will allow more flexibility for meeting the guideline.

**Staff-recommended amendments to PC recommendation for 60.05.40.5:**5. **Parking area landscaping.**

- A. 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—~~Standard 60.05.20.5.E shall be met~~)
- B. New developments that add more than one-half acre of new surface parking (newly constructed parking and/or paved parking area that was removed and replaced) to a lot shall provide trees and sidewalks along driveways that connect the street to the parking lot but do not provide direct access to vehicle parking spaces. Trees planted shall be in continuous planting areas in a manner that meets 2021 ANSI A300 standards and with a continuous canopy where possible. (Standard 60.05.20.5.E)

**Staff Recommendation 3:** 60.30.10. Number of Required Parking Spaces.**Planning Commission-recommended amendments to 60.30.10.2.D, as shown in Exhibit A:**

D. For uses where vehicle parking maximums apply, the maximum cannot exceed 150 percent of the minimum off-street vehicle parking requirement in the Beaverton Development Code on January 1, 2020.

**Commentary on 60.30.10.2.D:**

Staff recommends deleting this proposed text because the State's amendment to OAR 660-012-0415 has deleted this as a requirement.

**Staff-recommended amendments to PC recommendation for 60.30.10.2.D:**

If the City Council were to make a motion to accept the staff-recommended changes, the redlined revisions to the Planning Commission's recommendation for 60.30.10.2.D would look like this:

~~D. For uses where vehicle parking maximums apply, the maximum cannot exceed 150 percent of the minimum off-street vehicle parking requirement in the Beaverton Development Code on January 1, 2020.~~

**Staff Recommendation 4:** 60.30.15. Off-Street Parking Lot Design.**Planning Commission-recommended amendments to 60.30.15.10, as shown in Exhibit A:**

- 10) A new development that adds more than one-quarter acre of surface parking to a lot or parcel shall provide one of the features in a through c below. Surface parking area to determine the one-quarter acre threshold shall be measured around the perimeter of all parking spaces, maneuvering areas, and interior landscaping. The parking area calculation shall be a cumulative calculation for all parking areas on the lot or parcel:
  - a. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space on the property. Existing solar panels present on the site that will be retained on the site after development may count toward this requirement if they meet this standard. Panels may be located anywhere on the property. In lieu of installing solar panels on site, the developers may pay \$1,500 per parking space in the development into a previously established city or

- county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose if such a fund exists;
- b. Actions to comply with OAR 330-135-0010; or
  - c. Tree canopy covering at least 50 percent of the parking lot at maturity but no more than 15 years after planting. For the purposes of this tree canopy standard, the parking lot area shall include the area of parking stalls, interior parking lot landscaping, and vehicle maneuvering areas and shall not include loading areas, areas designated for outdoor storage (except outdoor storage of vehicles related to Vehicle Sales, Lease or Rental uses), and parking lot area covered with solar panels). The following standards apply:
    - i. Tree canopy coverage shall be calculated based on the total actual crown area of existing mature trees to remain on the site after development plus the anticipated crown area within the parking area at 15 years maturity of proposed trees to be planted. For the purposes of the calculation, tree canopy that covers fully enclosed buildings shall not count toward the canopy coverage but tree canopy over carports shall count toward canopy coverage. For the purposes of the calculation, when expected canopies overlap they can be counted twice when the overlap is 5 feet or less but areas that overlap more than 5 feet cannot be counted twice. Individual trees planted within interior landscape islands between parking spaces shall not count toward the tree canopy coverage percentage.
    - ii. Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.
    - iii. Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.

### **Commentary on 60.30.15.10:**

Staff recommends changes to align with the amendments to OAR 660-012-0405, which:

- Adjusts requirements for large parking lots by changing the size threshold from one-quarter acre to one-half acre.
- Clarifies solar panel requirement pertains to new parking spaces only.
- Reduces tree canopy coverage percentage from 50% canopy coverage to 40% of the additional parking lot area.
- Clarifies that continuous tree canopy is required for street trees along driveways, not all the trees on a lot.

In addition, staff recommends:

- Clarifying that the half-acre threshold involves one-half acre of new surface parking, which includes both newly constructed parking and existing parking that has been removed and replaced.
- Clarifying the language regarding tree canopy coverage calculation.
- Specifying the interior landscaping is interior parking lot landscaping.
- Revisions to align the calculation of the parking area and the area covered by tree canopy with the DLCD guidance. These changes also make the standard easier to reach because in most cases the area defined as the “parking lot area” will shrink while the area considered covered by tree canopy area will increase, making it easier to reach 40 percent. Specifically, staff determined that the state is not requiring interior parking lot landscaping to be counted in the “parking lot area” calculation, so that wording is



proposed for removal. Staff also determined that perimeter parking lot landscaping can be counted when determining tree canopy coverage, so that language is proposed to be added.

- Other wording also is proposed to be revised for clarity.

### Staff-recommended amendments to PC recommendation for 60.30.15.10:

If the City Council were to make a motion to accept the staff-recommended changes, the redlined revisions to the Planning Commission's recommendation for 60.30.15.10 would look like this:

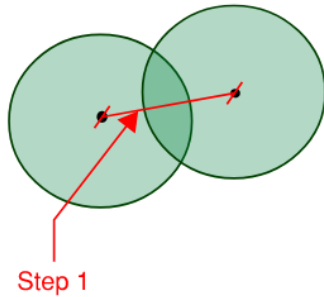
- 10) A new development that adds more than one-~~quarter-half~~ acre of new surface parking (newly constructed parking and/or paved parking area that was removed and replaced) to a lot or parcel shall provide one of the features in a through c below. Surface parking area to determine the one-~~quarter-half~~ acre threshold shall be measured around the perimeter of all parking spaces, vehicle maneuvering areas, and interior parking lot landscaping. The parking area calculation shall be a cumulative calculation for all parking areas on the lot or parcel:
- Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new parking space ~~on the property~~. Existing solar panels present on the site that will be retained on the site after development may count toward this requirement if they meet this standard. Panels may be located anywhere on the property site. In lieu of installing solar panels on site, the developers may pay \$1,500 per new parking space in the development into a previously established city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose if such a fund exists;
  - Actions to comply with OAR 330-135-0010; or
  - Tree canopy covering at least 5040 percent of the additional parking lot area at maturity but no more than 15 years after planting. For the purposes of this tree canopy standard, the parking lot area shall include the area of parking stalls, ~~interior parking lot landscaping,~~ and vehicle maneuvering areas (including but not limited to all drive aisles and drive-through lanes) and shall not include loading areas, areas designated for outdoor storage (except outdoor storage of vehicles related to Vehicle Sales, Lease or Rental uses), and parking lot area covered with solar panels. The following standards apply:
    - Tree canopy coverage shall be calculated based on the total ~~actual~~ crown area of existing ~~mature~~ trees to remain on the site after development plus proposed trees to be planted within the parking area. plus the anticipated crown area within the parking area at 15 years maturity of proposed trees to be planted. For existing trees that will remain on the site after development, the calculation may use the actual crown area of any existing trees or the anticipated crown area of any existing trees at maturity but no more than 15 years after planting. For proposed trees, the calculation shall use the anticipated crown area of proposed trees at maturity but no more than 15 years after planting. For the purposes of the calculation, tree canopy that covers fully enclosed buildings shall not count toward the canopy coverage but tree canopy over carports shall count toward canopy coverage. Tree canopy over the parking lot area defined above, interior parking lot landscaping, perimeter parking lot landscaping, and ~~but tree canopy over~~ carports shall count toward canopy coverage. For the purposes of the calculation, when expected and/or existing canopies overlap they can be counted twice when the overlap is 5 feet or less. The measurement is the length of the line segment within the overlap area between tree canopy centers. ~~but~~ For areas that overlap more than 5 feet, applicants may count toward the tree canopy total the overlap that would exist if the two tree crown areas for those two trees had an overlap length of exactly 5 feet.

In no case, including if more than two trees are overlapping, can any part of overlapping tree canopy be counted three times when calculating the total tree canopy coverage area cannot be counted twice, see Figure 60.30.15.10, Tree Canopy Overlap Measurement. Individual trees planted within interior landscape islands between parking spaces with fewer than three trees in the landscape island shall not count toward the tree canopy coverage percentage.

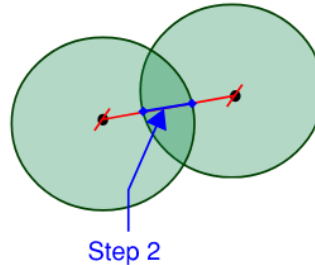
- ii. Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.
- iii. Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.

**Figure 60.30.15.10 Tree Canopy Overlap Measurement**

**Step 1:**  
Establish a straight line between the two center points of trees of overlapping tree canopies.

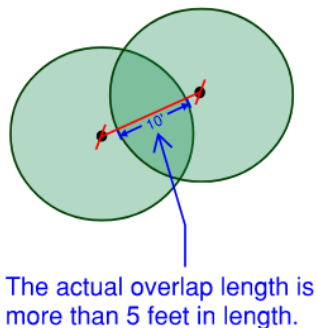


**Step 2:**  
Measure the distance of the overlapped canopies along the previously established straight line to find the overlap length.

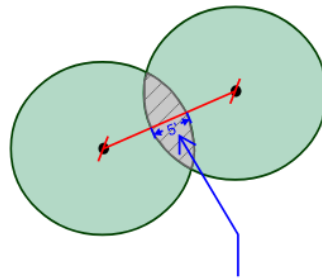


**Step 3:**  
If the overlap length established in Step 2 is 5 feet or less, the crown area counted toward the canopy coverage requirement shall be the sum of the entire crown area of each individual tree. If the overlap length is longer than 5 feet, continue to Step 4.

**Step 4:**  
If the overlap length is greater than 5 feet for any two trees, applicants may count toward the tree canopy total the overlap that would exist if the two tree crown areas for those two trees had an overlap length of exactly 5 feet. In no case, including if more than two trees are overlapping, can any part of overlapping tree canopy be counted three times when calculating the total tree canopy coverage area.



The actual overlap length is more than 5 feet in length.



Applicants may calculate the overlap area that would exist if the tree crown areas had a 5-foot overlap, as shown in the hatched area. This calculation may be counted toward the tree canopy coverage total.

## **NEXT STEPS**

Council options for deliberation and decision on July 18, 2023, include:

1. Approve the Planning Commission recommendation for the text amendment with no changes.
2. Approve the text amendment but move to modify the Planning Commission recommendation based on the staff-recommended changes described in this memo.
3. Deny the text amendment. This leaves the current Development Code in place with no changes. State administrative rules mandate that Beaverton change its Development Code to comply with the rules. The City of Beaverton's deadline for compliance is December 31, 2023, which is when Beaverton's Development Code amendments must be effective.



CITY OF BEAVERTON  
Planning Division  
Community Development Department  
Tel: 503-526-2420  
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## STAFF REPORT

**Report date:** February 22, 2023

**Application/project name:** Parking Policy and Code Project

**Application Numbers:** TA2023-0001

**Proposal:** The City of Beaverton proposes to amend the Beaverton Development Code to comply with new state rules on Climate-Friendly and Equitable Communities. Proposed code amendments include updating parking tables to remove minimum vehicle parking requirements citywide and adding language to comply with state requirements regarding the maximum number of parking spaces allowed on a site, electric vehicle charging infrastructure, and parking lot design.

**Proposal location:** Citywide

**Applicant:** City of Beaverton

**Approval Criteria:** Development Code Section 40.85.15.

**Recommendation:** Staff recommend the Planning Commission review the proposal, take public testimony, deliberate on the proposal, and make a recommendation to City Council.

**Hearing information:** 6:30 p.m. March 1, 2023, at City Hall, 12725 SW Millikan Way

**Notice: Public hearings are held remotely** and can be viewed at the following link: <https://www.beavertonoregon.gov/291/Agendas-Minutes>

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## Background

In response to an executive order by former Gov. Kate Brown, the Oregon Department of Land Conservation and Development adopted the Climate-Friendly and Equitable Communities Rules in 2022 that amend existing Oregon Administrative Rules (OAR), affecting local jurisdictions' compliance with the statewide planning goals. In particular, the OAR known as the Transportation Planning Rule, which requires local jurisdictions to balance land use and transportation planning, was significantly amended. The amended rules require that Beaverton and other cities update development rules regarding parking. Because these are state requirements, the City of Beaverton must change its Development Code to address the state rules by June 30, 2023.

## Proposed Development Code Amendments

The proposed Development Code amendments are attached in **Exhibit 1**. A summary of the major changes is below.

- Citywide, the proposed amendments includes rules that:
  - Remove all minimum off-street parking requirements for private property in the city (Section 60.30.10 and other locations throughout the code).
  - Require developers who build new apartments buildings with five or more apartments to provide electric vehicle charging capacity to 40 percent of parking spaces on the property. This is so electric vehicle charging stations can be provided in the future (Section 60.30.15).
  - Require developments that add more than one-quarter acre of surface parking to provide street trees and sidewalks along driveways (Section 60.05.20).
  - Direct developments that add more than one-quarter acre of surface parking to have or add one of the following on the site: solar panels, a “green” public building, or a tree canopy that shades at least half of the parking lot (Section 60.30.15).
  - Allow for shared bicycle parking (Section 40.55.15.2.C.5).
- Near MAX and WES passenger rail stations and along frequent bus corridors (examples include Tualatin Valley Highway west of Downtown and Hall Boulevard south of Downtown), the proposed amendments adjust rules that limit the maximum number of parking spaces allowed on properties to further limit the maximum number of parking spaces on properties). The city already has maximum limits on the number of parking spaces allowed on properties depending on the land uses on the property, but the state rules require some of those to be lowered. Parking tucked under buildings, underground parking, and spaces in parking structures would not count toward the maximum limit. (See Section 60.30.10). New state limits include:
  - A maximum of 1.2 off-street automobile parking spaces per studio unit (a home, usually an apartment, that has the kitchen, living room, and bedroom in one space).

- A maximum of 2 off-street automobile parking spaces per home that is not a studio.
- A maximum of 5 spaces per 1,000 square feet of floor space for the following commercial and retail uses listed in Sections 20.05.20, 20.10.20, 20.15.20, 20.20.20, and 70.15.20, regardless of the use categories listed in Table 60.30.10.5.A:
  - Animal Care;
  - Care uses, except for Residential Care Facilities;
  - Financial Institutions;
  - Marijuana uses, except Marijuana Processing;
  - Meeting Facilities; Office;
  - Retail, except for Eating and Drinking Establishments;
  - Rental Business;
  - Personal Service Business;
  - Service Business/Professional Services;
  - Vehicles, except Major Automotive Service, Minor Automotive Service, Heavy Equipment Sales, Sales or Lease, Trailer, Recreational Vehicle or Boat Storage, Trailer Sales or Repair, and Vehicle Storage Yard.
- On lots with more than 65,000 square feet of floor area, the maximum surface parking area cannot exceed the floor area in the building. (Floor area is the total square footage of space under the roof and inside the walls in a building. It usually does not include indoor parking and loading areas except in the Residential Mixed A, Residential Mixed B, and Residential Mixed C zones where it does include garages.)
- Parking maximums cannot exceed 150 percent of the minimum off-street automobile parking rules as of January 1, 2020 (Section 60.30.10).

### **Differences Between the Draft Code and the Proposed Code**

While there were no major changes made between the Draft Code presented to Planning Commission on January 11, 2023, and the Proposed Code (Exhibit 1), some minor changes include:

- In Sections 40.20.15 and 40.23.15, language was removed that said that parking maximums shall not be exceeded. Including this language Design Review 1 and Downtown Design Review 1 but not in the Design Review 2 or Downtown Design Review 2 applications may cause confusion by implying that an applicant can exceed maximum parking in Design Review 2 or Downtown Design Review 2.
- The Parking Determination application that was renamed to “Bicycle Parking Determination” was changed back to its original name to account for determining both minimum bicycle parking requirements as well as maximum vehicle parking

requirements (Section 40.55). This is necessary when minimum bicycle parking requirements or maximum vehicle parking requirements are not listed for a certain use.

- In a couple places, the word “must” was replaced with “shall” to use clearer and more consistent language (Section 40.80.15.5 and 60.30.15).
- Some missed references to required vehicle parking were removed (Sections 40.80.10.2.C, 40.80.10.3.C, and 60.30.10).
- Some references to applications and updated application names were corrected (Section 50.55.15.2.C.H and Section 60.30.10.3).
- Language in Section 60.05.20 Circulation and Parking Design Standards and Section 60.30.15 Off-Street Parking Lot Design is updated to use more clear and objective language.
- In 60.30.05, previous proposed deletions have been removed regarding how many off-street parking spaces can be used for the Open Air Beaverton Program. This is a policy change and is not subject to the Climate-Friendly and Equitable Communities rules.
- Some added language was reorganized within Section 60.30.10 relating to the Climate-Friendly and Equitable Communities parking maximums. Some of this language was moved from being a footnote in Table 60.30.10.5.A to 60.30.10.2. Instead of just referencing the Oregon Administrative Rules (OARs), there is now more information as to what is included in the OARs.
- In Table 60.30.10.A, a mistake was corrected that changed parking maximums for “Triplex or Quadplex in RMA, RMB, or RMC Zone” to 2. It has been changed back to “N/A.”
- The proposed Studio definition is updated to clarify it applies only to multi-dwellings, not to middle housing. This is consistent with the OAR requirements regarding parking requirements for multi-units with five or more (Chapter 90).

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**Exhibits**

Exhibit 1. Proposed Development Code Amendments

Exhibit 2. Public Comment

- 2.1 Email from Peter Linsky
- 2.2 Email from Adam Crowell
- 2.3 Email from Tim Q
- 2.4 Email from Matt Wyckoff
- 2.5 Email from Matthew Cooper
- 2.6 Email from Christopher Korenthal
- 2.7 Email from Robert Frisbie
- 2.8 Email from Michael and Joanne Love
- 2.9 Email from Soren Knudsen
- 2.10 Email from Manetta Andrew

**Tables**

Table 1. Projected Future Need for New Housing Units (2035)

# TA2023-0001

## ANALYSIS AND FINDINGS FOR TEXT AMENDMENT

**Recommendation:** Based on the facts and findings presented below, staff recommends the Planning Commission review the proposal, take public testimony, deliberate on the proposal, and make a recommendation to City Council.

### Section 40.85.05 Purpose

The purpose of a text amendment application is to provide a mechanism for legislative amendments to the Development Code. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires, to fulfill regional obligations, and to address changes in the law. This Section is carried out by the approval criteria listed herein.

### Section 40.85.15.1.C Approval Criteria

Section 40.85.15.1.C of the Development Code specifies that in order to approve a text amendment application, the decision-making authority shall make findings of fact, based on evidence provided by the applicant, that all the criteria specified in Section 40.85.15.1.C.1-7 are satisfied.

#### Section 40.85.15.1.C.1

**Approval Criterion:** The proposal satisfies the threshold requirements for a Text Amendment application.

**FINDING:**

Section 40.85.15.1.A specifies that an application for a text amendment shall be required when there is any change to the Development Code, excluding changes to the zoning map. TA2023-0001 proposes to make changes to the Development Code, as shown in Exhibit 1.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval.

#### Section 40.85.15.1.C.2

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

**FINDING:**

Policy Number 470.001 of the City's Administrative Policies and Procedures manual states that fees for a city-initiated application are not required where the application fee

would be paid from the City's General Fund. The Planning Division, which is a General Fund program, initiated the application. Therefore, the payment of an application fee is not required.

**Conclusion:** Staff find that criterion 40.85.15.1.C.2 is not applicable.

### **Section 40.85.15.1.C.3**

**Approval Criterion:** The proposed text amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.

#### **FINDING:**

##### **Title 1: Housing Capacity.**

Title 1 requires a city or county maintain or increase its housing capacity (except as provided in section 3.07.120) per the Regional Framework Plan which calls for a compact urban form and a "fair share" approach to meeting housing needs.

The proposed amendment does not include changes to minimum or maximum density requirements. The proposed changes include removing parking minimums citywide and applying new limits on parking maximums in areas near frequent transit. The elimination of parking minimums and restrictions on maximums will increase housing capacity on sites that may otherwise be confined by parking requirements.

##### **Title 6: Centers, Corridors, Station Communities and Main Streets.**

Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

No changes are proposed to the established boundaries of Centers, Corridors, or Station Communities. The proposal includes removing all vehicular parking minimums and limiting the maximum number of parking spaces on properties near MAX and WES passenger rail stations as well as along frequent bus corridors, which have some overlap with the mapped Centers, Corridors and Station Communities. The elimination of parking minimums, coupled with parking maximums around frequent transit and mixed-use zones will encourage more pedestrian-friendly and transit-supportive development by freeing up land that may have otherwise been used for vehicular parking.

##### **Title 8: Compliance Procedures.**

Title 8 ensures all cities and counties are fairly and equitably held to the same standards and that the Metro 2040 Growth Concept is implemented and sets out compliance procedures and establishes a process for time extensions and exemptions to Metro Code requirements. Section 3.07.820 Review by the Chief Operating Officer, the

Functional Plan states that: “(a) A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to the COO at least 35 days prior to the first evidentiary hearing on the amendment. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the functional plan. If the COO submits comments on the proposed amendment to the city or county, the comment shall include analysis and conclusions on compliance and a recommendation with specific revisions to the proposed amendment, if any, that would bring it into compliance with the functional plan. The COO shall send a copy of comment to those persons who have requested a copy.”

The city provided notice to Metro on January 24, 2023, meeting the requirement to provide notice at least 35 days prior to the first evidentiary hearing on the amendment. The city received no comments from Metro.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval regarding Section 40.85.15.1.C.3.

## **Section 40.85.15.1.C.4**

**Approval Criterion:** The proposed text amendment is consistent with the City's Comprehensive Plan.

### **FINDING:**

#### **Chapter 3: Land Use Element.**

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

**Policy d)** Apply land use designations and development regulations that support high-density development near transit and services, in order to provide greater opportunities to live, work, and meet daily needs near transit.

The proposed amendments would remove all minimum off-street parking requirements for all uses on all lots. Removing those requirements would mean more flexibility for property owners to decide how much parking to provide on their property. Because parking often takes up significant space on a site and can be expensive to build, the removal of the minimum requirements means development regulations throughout the city will support more development and support high-density development where that is allowed. The additional building space allowed by this change will provide more opportunities to live, work, and meet people's daily needs near transit. The proposed amendments also reduce maximum parking limits in some cases, which will ensure land is available for buildings rather than occupied by excessive surface parking.

The combination preventing excess surface parking and allowing additional development also will mean more destinations and more destinations close together (rather than

separated by large parking lots), which will support the goal of encouraging non-auto transportation options, such as walking and biking.

**Policy e)** Encourage increased intensity of development within Mixed Use, Commercial, and Employment areas that are located within a half-mile of high capacity transit stops or stations, such as MAX and WES.

The proposed amendments would remove all minimum off-street parking requirements for all uses on all lots, which will mean more flexibility for property owners to decide how much parking to provide on their property. This encourages additional development intensity in Mixed Use, Commercial, and Employment areas near transit because it leaves more room for buildings on a site. Parking often takes up significant space on a site and can be expensive to build. With the proposed amendments, property owners can choose to provide less parking, which will make new buildings more physically and financially feasible. This would support more development and support high-density development where that is allowed. The additional building space allowed by this change will provide more opportunities to live, work, and meet people's daily needs near transit.

**Policy j)** Encourage use of structured, underground, and/or tuckunder parking for commercial, office, and multifamily development.

The proposed amendments exempt structured, underground, and tuck-under parking from maximum parking requirements, which will allow and encourage developments to incorporate those parking types in development while still leaving room on the site for other uses, such as commercial and office space and apartments.

### **Goal 3.2.1 Provide for thoughtful and strategic infill and redevelopment**

**Policy f)** On underutilized property and excess parking areas, provide opportunities for interim uses, such as community gardens and food carts, that are appropriate for each plan designation.

Removing minimum off-street parking requirements on all lots in the city, which the proposed amendments would accomplish, means areas that are not used as parking spaces can be used for other uses that are allowed in the city, including food carts and community gardens. Removing minimum off-street parking requirements also will remove obstacles to other development, including new or expanded buildings that can hold housing, jobs or other uses.

### **Goal 3.3.1 Promote sustainable development, resilience, and resource protection**

**Policy a)** Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

The proposed amendments would remove all minimum off-street parking requirements throughout the city, which will make developments more physically and financially

feasible because building parking can be expensive and take up room on lots. If more buildings can be built in the urban areas inside the urban growth boundary, that reduces pressure to expand the urban growth boundary into areas with existing farms, forests, and natural resources.

### **Goal 3.6.1 Support pedestrian-oriented mixed use areas**

**Policy a)** Provide for a mix of commercial, residential, employment, and civic uses at relatively high densities to create vibrant, walkable areas where many activities can be accomplished on foot or by bike or transit.

The proposed amendments remove all minimum off-street parking requirements and reduce some maximum off-street parking limits, which will ensure more flexibility and more room on sites to develop higher-density development. By allowing more buildings to accommodate housing, commercial space, civic uses, and jobs, the proposed amendments will support more vibrant areas.

The proposed amendments also could result in fewer and smaller surface parking lots, which will mean buildings and destinations can be closer together, making walking trips more doable, attractive, and pleasant.

In addition, the proposed amendments require features that support pedestrians and make the environment more pleasant for pedestrians, including requiring developments with large surface parking lots to install trees along the driveways to provide shade and sidewalks along driveways to facilitate pedestrian movement and requiring significant tree canopy as one option to comply with the code for sites with large parking lots.

### **Goal 3.6.2 Downtown Regional Center: Create and strengthen a vibrant downtown and central area for Beaverton**

**Policy d)** Encourage higher intensity development near MAX and WES stations, creating mixed-use station communities that locate housing, jobs, and services near transit.

The proposed amendments remove all minimum off-street parking requirements and reduce some maximum off-street parking limits, which will ensure more flexibility and more room on the site to develop higher-density development. By allowing more buildings to accommodate housing, commercial space, civic uses, and jobs, the proposed amendments will support more vibrant areas.

The proposed amendments also could result in fewer and smaller surface parking lots, which will mean buildings and destinations can be closer together, making walking trips more doable, attractive, and pleasant.

**Policy e)** Ensure that redevelopment intensifies land use, with less land dedicated to surface parking and more land occupied by multistory buildings along walkable streets.

The proposed amendments remove all minimum off-street parking requirements and reduce some maximum off-street parking limits, which will ensure more flexibility and more room on the site to develop higher density and multi-story development. By allowing more buildings to accommodate housing, commercial space, civic uses, and jobs, the proposed amendments will support more vibrant areas.

The proposed amendments also could result in fewer and smaller surface parking lots, which will mean buildings and destinations can be closer together, making walking trips more doable, attractive, and pleasant.

**Goal 3.6.4 Station Communities: Encourage development and redevelopment around light rail stations that leverages proximity to light rail as an amenity for urban living/working and supports a variety of transportation modes**

**Policy a)** Encourage vertical mixed use development that provides for street-level retail while accommodating housing or office uses above, to support businesses that rely on foot traffic.

**Policy b)** Incorporate high-density residential development, particularly within a half-mile walking distance of the light rail station, to provide the highest accessibility to light rail to the greatest number of households.

**Policy d)** Limit surface parking to encourage compact development and reduce the space between buildings to support walking between destinations.

For a), b), and d): The proposed amendments remove all minimum off-street parking requirements and reduce some maximum off-street parking limits, which will ensure more flexibility and more room on the site to develop higher-density development. By allowing more buildings to accommodate housing, commercial space, civic uses, and jobs, the proposed amendments will support more vibrant areas. Reducing minimum off-street parking requirements also makes street-level retail with uses above easier because:

- Removing minimum parking requirements would allow property owner to choose to provide zero parking or less parking than now required, which could reduce the need for driveways and parking lots that are located at the back of the sidewalk.
- Mixed-use buildings with upper-floor uses can sometimes be difficult to physically work on the site if minimum off-street parking requirements result in significant off-street parking because that parking takes up surface space and the site might not contain enough surface space to meet the minimum off-street parking requirement. Alternatively, the minimum parking requirement might necessitate expensive underground parking or structured parking that makes a project financially infeasible. Removing minimum off-street parking requirements would

make these buildings more feasible because property owners could choose to provide no on-site parking or less parking than the code now requires.

The proposed amendments also could result in fewer and smaller surface parking lots, which will mean buildings and destinations can be closer together, making walking trips more doable, attractive, and pleasant.

In addition, the proposed amendments require features that support pedestrians and make the environment more pleasant for pedestrians, including requiring developments with large surface parking lots to install trees along the driveways to provide shade and sidewalks along driveways to facilitate pedestrian movement and requiring significant tree canopy as one option to comply with the code for sites with large parking lots.

**Goal 3.6.5 Mixed Use Corridor: Promote a mix of residential and commercial uses that complement and serve adjacent neighborhoods in a pedestrian friendly environment**

**Policy d)** Maintain or increase residential densities in order to provide more households within walking distance of Mixed Use Corridor businesses by allowing zone changes, infill and redevelopment that maintains or increases residential density.

**Policy f)** Encourage tuck-under and structured parking and reliance on on-street parking wherever available and appropriate to reduce the amount of land dedicated to parking and make the distances between destinations shorter and more walkable.

The proposed amendments exempt structured, underground and tuck-under parking from maximum parking requirements, which will allow and encourage developments to incorporate those parking types in development while still leaving room on the site for other uses, such as commercial and office space and apartments.

The proposed amendments also would remove all minimum off-street parking requirements and reduce some maximum off-street parking limits, which would reduce the amount of land dedicated to parking and allow more room on the site for development, including needed housing and commercial uses. Reducing the amount of land dedicated to parking also means buildings and destinations can be closer together, making walking a more attractive, interesting, and pleasant option.

**Goal 3.7.1 Enhanced Commercial Centers and Corridors**

**Policy a.iv)** Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including ... Providing a more visually engaging and appealing street frontage through the addition of buildings adjacent to the street, enhanced landscaping, more pedestrian scale signage, etc.

The proposed amendments remove all minimum off-street vehicle parking requirements and reduce some maximum off-street parking limits, which would reduce the amount of



land dedicated to parking and allow more room on the site for development, including needed housing and commercial uses. Reducing the amount of land dedicated to parking also means buildings and destinations can be closer together and more space can be dedicated towards landscaping, which will provide a more visually engaging and appealing street frontage, improve accessibility, and make non-auto modes, such as walking, more accessible, comfortable, and interesting. The proposed amendments also in some cases require additional trees on sites, such as trees along driveways or to create tree canopy that covers parking lots.

## **Chapter 4: Housing**

### **Goal 4.1.1 Provide an adequate supply of housing to meet future needs**

**Policy a)** Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate.

The proposed amendments remove all minimum off-street parking requirements. Off-street parking requirements are frequently an obstacle to achieving maximum density on sites because parking spaces, drive aisles, and associated landscaping take up a lot of room on the site. This is often in the 350 square feet to 400 square feet per parking space range (considering landscaping and maneuvering areas as well as parking stalls). Removing minimum off-street parking requirements would allow a property owner to choose to provide less or no off-street parking, leaving more room for buildings and housing so development on the site would be able to reach the maximum density allowed in the Development Code.

### **Goal 4.5.1: Ensure that Beaverton continues to be one of the most livable communities in the region**

**Policy j)** Review and reconsider minimum parking standards for new multi-dwelling development.

The proposed amendments remove all minimum off-street parking requirements, which will make more housing developments physically and financially feasible. Given the region, Washington County, and Beaverton are short on housing, making housing more feasible will increase livability by increasing housing supply to address the demand.

## **Chapter 6: Transportation.**

**6.2.4. Goal: An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.**

**Policy b)** Support and implement trip reduction strategies developed regionally, including employment, tourist, and recreational trip reduction programs.

**Policy c)** Limit the provision of parking to meet regional and State standards.

For policy b) and c): According to the State of Oregon Department of Land Conservation and Development, a 2021 study determined that a household's decision about the number of cars owned and the share of trips made by car are affected by the availability of parking, which means that too much parking could actually generate more automobile trips. The study citation is: "Millard-Ball, Adam & West, Jeremy & Rezaei, Nazanin & Desai, Garima. (2021). What do residential lotteries show us about transportation choices?. Urban Studies." Basically, households adapt car ownership and whether they choose to drive, walk, bike, or use transit based on the availability of parking and access to other modes of travel. The proposed amendments eliminate minimum off-street parking requirements and reduce some maximum off-street parking limits, which in at least some situations could help reduce automobile trips and would definitely limit the provision of parking to meet regional and state standards. Specifically regarding state standards, the proposed amendments are Beaverton's way to comply with Climate Friendly and Equitable Communities administrative rules from the State of Oregon.

## **Chapter 7: Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources**

### **7.5.2 Goal: Increased use of solar energy and other renewable energy resources in new development in the City.**

**Policy a)** Assist in the conservation of energy by promoting more efficient transportation modes and land use patterns.

The proposed amendments would increase the use of solar energy by requiring developments that add more than one-quarter acre of surface parking to a lot to include one of the following on the site: solar panels, a sustainable public building, or a tree canopy that shades at least half of the parking lot (Section 60.30.15).

In addition, the proposed amendments would remove minimum off-street parking requirements, which will make more intense development more physically and financially feasible overall but especially in areas zoned for high-density development. These areas are most often found near transit, which means the people who live and work in those developments will have the option to use transit for many trips, which is more space-efficient and often more energy efficient than private automobile travel.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval regarding Section 40.85.15.1.C.4.

## **Section 40.85.15.1.C.5**

**Approval Criterion:** The proposed text amendment is consistent with other provisions within the City's Development Code.

## FINDING

The proposed text amendment removes minimum off-street parking requirements for all zoning districts citywide. New development or modification of an existing site would require design review and requirements of the Beaverton Development Code would be required to be met.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval regarding Section 40.85.15.1.C.5.

## Section 40.85.15.1.C.6

**Approval Criterion:** The proposed amendment is consistent with all applicable City ordinances.

## FINDING

The proposed text amendment will require an amendment to the Beaverton Code regarding operation of Open Air Beaverton. The required change is in Section 7.06.065 Parking Lot Permit Standards, which references Figure 60.30.10 (the Regional Center Parking Districts Map) in the Development Code, which is proposed to be deleted. The amendment would require changing the reference to refer instead to the zoning districts included in the map. It is not a policy change because the deleted map and the zoning districts cover the same geography. A future amendment process to update the Beaverton Code will be done separately from this text amendment to ensure consistency between the Beaverton Development Code and the Beaverton Code.

The proposed text amendment will not affect any other applicable city ordinance requirements and regulations.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval regarding Section 40.85.15.1.C.6.

## Section 40.85.15.1.C.7

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

## FINDING

There are no other applications or documents related to the request that would require further City approval.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval regarding Section 40.85.15.1.C.7.

# Metro Regional Transportation Functional Plan

## Title 4: Regional Parking Management

Title 4 requires cities and county parking regulations to establish parking ratios, provided the minimum ratios are not higher than those shown in Table 3.08-3 and the maximum ratios are not higher than those shown in Table 3.08-3 and illustrated in the Parking Maximum Map.

### FINDING

The proposed amendment includes removing all parking minimums; therefore, the minimum ratios will not exceed those shown in Table 3.08-3 of Metro's Regional Transportation Functional Plan. Proposed parking maximums are not higher than the parking maximums illustrated in Table 3.08-3, and in some cases are more restrictive (permitting even fewer parking spaces) than allowed in Table 3.08-3, such as with the Hotel/Motel (Rooming, Boarding, or Lodging Houses), which has no parking maximum in Table 3.08-3 but is proposed to have a parking maximum of 1.25 in Zone A and 1.5 in Zone B. Title 4 also requires that parking lots more than 3 acres in size provide street-like features, including curbs, sidewalks, and street trees or planting strips. The existing code standards already include requirements for curbs and walkways through parking lots as well as landscape islands. Furthermore, the proposed text requires that trees and sidewalks be located along driveways for surface parking lots greater than one-quarter acre in size.

**Conclusion:** Therefore, staff finds the proposed amendment is consistent with Title 4 of the Regional Transportation Functional Plan.

## Statewide Planning Goals

### Goal 1: Citizen Involvement

**Goal text:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

### FINDING

Consistent with Statewide Planning Goal 1 and Development Code Section 50.50, public notice was provided on January 24, 2023, at least 35 days before the first evidentiary hearing, to Neighborhood Association Committee chairs, the chairs of relevant Washington County Community Participation Organizations, the Chair of the Beaverton Committee for Community Involvement, the Department of Land Conservation and Development, Metro and the Washington County Department of Land Use and Transportation. The notice provided the required information in Development Code Section 50.50.4. A Measure 56 notice was provided to affected property owners on February 8, 2023, between 20 and 40 days before the hearing. In addition, a notice was

published in the Beaverton Valley Times newspaper at least 10 days before the Planning Commission's initial hearing and the staff report was published at least seven days before the initial Planning Commission hearing. At the public hearing, the Planning Commission will consider written comments and oral testimony before making a recommendation to City Council.

Staff also conducted public engagement and provided opportunities for community members to be involved throughout the entire planning process. Engagement activities included:

- Creation of a project website with information about the project and engagement opportunities
- Creation of a project listserv so people can subscribe to project updates
- Meetings with the Beaverton Committee for Community Involvement (BCCI), Traffic Commission, and Climate Action Task Force.
- Article in the Your City newsletter that goes to every household in Beaverton (expected to be sent in March)
- Email to the project notification list and various stakeholder groups with updates about the project and information on how to provide feedback
- Added functionality to project website to allow public comments to be submitted online
- Work sessions with the Planning Commission on October 12, 2022, and January 1, 2023
- Work sessions with the City Council on September 20, 2022, and November 1, 2022

**Conclusion:** Therefore, staff finds that the city has provided adequate notice and opportunity for public involvement consistent with Goal 1.

## Goal 2: Land Use Planning

**Goal text:** To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

### FINDING

Consistent with Statewide Planning Goal 2, the City of Beaverton maintains an adopted Comprehensive Plan with a Land Use Element. Chapter 3 of the Beaverton Comprehensive Plan outlines goals and policies for land management within the City. Additionally, the City of Beaverton maintains an adopted Development Code which implements the goals and policies of the Comprehensive Plan. The above narrative demonstrates how the proposed amendment is consistent with the applicable goals and policies of the Land Use Element in Beaverton's Comprehensive Plan. The Text

Amendment application will be processed in accordance with the requirements of the Beaverton Development Code.

**Conclusion:** Therefore, staff finds the proposed amendment is consistent with Statewide Planning Goal 2.

## Goal 10: Housing

**Goal text:** Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

### FINDING

Beaverton's Housing Needs Analysis (HNA) was published in October 2015. It demonstrated a need for all housing types in the 20-year period ending in 2035. This was true both for the current Beaverton city limits as well as the city limits plus the assumed urban service area, which is an area where it is assumed Beaverton will provide governance in the future. The state Department of Land Conservation and Development (DLCD) found it to be consistent with the requirements of Statewide Planning Goal 10. See Table 1 for the number of housing units projected to be needed.

**Table 1: Projected Future Need for New Housing Units (2035)**

	SF detached	SF attached	Duplex	3 or 4 units	5+ units
Current city limits (2015)	5,767	1,542	295	718	3,866
City limits plus assumed urban service boundary	14,001	2,626	958	2,107	7,999

Source: Beaverton Housing Needs Analysis (part of the city's Housing Strategies Report) Figure 5.3 and Figure 10.3. <https://content.civicplus.com/api/assets/369e03ca-f639-4ac5-bbf8-79c987e554e1>. Accessed February 6, 2023.

Based on the findings in Beaverton's Housing Strategies Report in Volume II of the Comprehensive Plan, which includes the city's Buildable Lands Inventory and Housing Needs Analysis, Beaverton updated its Comprehensive Plan's Housing Element and Land Use Element to address the identified housing needs. DLCD also found these Comprehensive Plan changes consistent with the Statewide Planning Goals.

The proposed text amendment removes minimum off-street vehicle parking requirements in all zoning districts citywide, which will make more housing developments physically and financially feasible. Removing minimum off-street parking requirements would allow a property owner to choose to provide less or no off-street parking, allowing

for more flexibility of housing location, type, and density. The proposed amendment will not reduce the city's housing capacity or the Buildable Lands Inventory.

**Conclusion:** Therefore, staff finds the proposed amendment is consistent with Statewide Planning Goal 10.

## Goal 12: Transportation

**Goal text:** To provide and encourage a safe, convenient and economic transportation system.

### FINDING

OAR 660-012-000 through 660-012-0920, referred to as the Transportation Planning Rule (TPR), provide guidance on compliance with Statewide Planning Goal 12. A Transportation System Plan (TSP) adopted pursuant to OAR Division 12 fulfills the requirements for public facilities planning required under Oregon Revised Statutes 197.712(2)(e), Goal 11, and OAR Chapter 660, Division 12 as they relate to transportation facilities. Volume IV of the Beaverton's Comprehensive Plan contains the City's adopted TSP.

The Transportation Planning Rule states that amendments to a local jurisdiction's adopted Comprehensive Plans, zoning maps, and zoning ordinances that "significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and performance standards (e.g., level of service, volume to capacity ration, etc.) of the facility."

A "significant effect" can result from:

- A change to functional classification or the standards implementing a functional classification system; or
- Changes to planned land uses that would result in types or levels of travel or access that are inconsistent with adopted functional classifications; or
- Changes that would degrade performance so that it doesn't meet performance standards or further degrade performance for a facility that is already projected not to meet performance standards.

The TPR requires a two-step analysis for proposed amendments to the City's Comprehensive Plan and/or land use regulations. (1) The first step is to determine whether the proposed amendment significantly affects an existing or planned transportation facility. If the proposed amendment does not significantly affect the transportation network, then no further analysis is needed and compliance with Goal 12 is satisfied. If a proposed amendment does significantly affect the surrounding transportation network, then the City must (2) determine what mitigation is required to off-set the impacts to the transportation network brought on by the proposed amendments or demonstrate that the expected impact resulting from the proposed

amendment meets the approval criteria for one of several exceptions allowed under OAR 660-012-0060.

The proposed text amendment will remove minimum off-street parking requirements citywide. The proposed amendment also includes new limits on the maximum number of parking spaces for applicable land uses in select areas of the city, as well as new site development standards for surface parking lots.

The proposed amendment does not propose changes to the functional classification of an existing or planned transportation facility. The proposed amendment does not propose changes to the standards implementing a functional classification system. The City's adopted TSP ensures there is sufficient capacity for the anticipated growth and land uses based on the existing zoning code and Comprehensive Plan.

The proposed amendment will not result in types or levels of travel or access that are inconsistent with adopted functional classifications. The proposed amendment will also not amend any of the allowed land uses in the City's adopted zoning ordinance that would alter the amount of traffic projected to be generated by the planned land uses, and thus would not degrade performance so that it doesn't meet performance standards or further degrade performance for a facility that is already projected not to meet performance standards.

Staff find that the proposed amendment to the Beaverton Development Code does not significantly affect the existing and planned transportation facilities as defined in subsection (1) of OAR 660-012-0060.

**Conclusion:** Therefore, staff find that the proposed text amendment does not create a significant impact on the City's existing and future transportation network, and thus the proposed text amendment is consistent with Statewide Planning Goal 12.

## Oregon Administrative Rules: Climate-Friendly and Equitable Communities Rules

### **OAR 660-012-0400: Parking Management**

OAR 660-012-0400 says: "Cities and counties shall adopt comprehensive plans and land use regulations that implement provisions of OAR 660-012-0405 through OAR 660-012-0415." Cities shall also "remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450."



## FINDING

The proposed amendments remove all “parking mandates,” which means the proposed amendments satisfy OAR 660-012-0400(3). The state defines “parking mandates” as “requirements to include a minimum number of off-street parking spaces with development or redevelopment, or a fee-in-lieu of providing parking for residential development.” The proposed amendments remove all requirements for a minimum number of off-street parking spaces. The city’s Development Code also does not require a fee in lieu of providing parking for residential development. Consistent with 660-012-0420(1), that means the City of Beaverton also is exempt from OAR 660-012-0425 through OAR 660-012-450.

Findings for OAR 660-012-0400(2), which requires the city to comply with OAR 660-012-0405 through OAR 660-012-0415 are found below.

**Conclusion:** Therefore, staff find that the proposed text amendment complies with OAR 660-012-0400.

## OAR 660-012-0405: Parking Regulation Improvements

Under OAR 660-012-0405(1), cities shall adopt land use regulations that:

- (a) Designate employee parking areas in new development shall provide preferential parking for carpools and vanpools.
- (b) Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities; and
- (c) In applying subsections (a) and (b), land use regulations must allow property owners to go below existing mandated minimum parking supply, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.

## FINDING

Beaverton’s existing code provisions require designation of carpool and vanpool parking in Section 60.30.10.13. The standards require the spaces be the closest employee motor vehicle parking spaces to the building entrance normally used by employees, except for spaces designated for people with disabilities.

Beaverton’s existing development rules also allow property owners to use parking areas that are not required by the Development Code for any other allowed use, which would include all the uses listed in (1)(b) above.

Regarding (c), the proposed amendments would remove all minimum off-street parking requirements, so it is not possible for property owners to go below existing mandated minimum parking supply because there will no longer be any minimum parking supply. Even so, some Development Code, Fire Code, and Building Code provisions where

parking exists will require emergency access to be maintained. Beaverton's existing Development Code also has existing loading requirements that are not being modified.

Under OAR 660-012-0405(2), the state administrative rules call on cities to adopt policies and land use regulations that allow and encourage the conversion of existing underused parking areas to other uses.

## FINDING

The proposed amendment will remove all minimum off-street parking requirements for all uses on all lots in the city. The existing Development Code allows a wide range of land uses on sites, so property owners will be able to choose to convert existing parking areas to other uses. In some cases, the existing Development Code has minimum floor-area ratio requirements that require new development to reach a certain expected development intensity, which also will encourage the conversion of existing parking areas to other uses.

Under OAR 660-012-0405(3), cities and counties shall adopt policies and land use regulations that allow and facilitate shared parking.

## FINDING

The proposed amendments would allow shared bicycle parking. Shared motor vehicle parking would no longer be necessary because the proposed amendments will remove all minimum off-street parking requirements for all uses in the city. Property owners may still share their non-required parking, but they will not need permission from the city.

Under OAR 660-012-0405(4), cities and counties shall adopt land use regulations for any new development that includes more than one-quarter acre of surface parking on a lot or parcel as provided below:

- (a) Developments must provide one of the following:
  - A. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per parking space on the property. Panels may be located anywhere on the property. In lieu of installing solar panels on site, cities may allow developers to pay \$1,500 per parking space in the development into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;
  - B. Actions to comply with OAR 330-135-0010; or
  - C. Tree canopy covering at least 50 percent of the parking lot at maturity but no more than 15 years after planting.
- (b) Developments must provide street trees along driveways but are not required to provide them along drive aisles; and
- (c) Developments must provide street-like design and features along driveways including curbs, pedestrian facilities, and buildings built up to pedestrian facilities.

- (d) Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.
- (e) In providing trees under subsections (a), (b) and (c), the following standards shall be met. The tree spacing and species planted must be designed to maintain a continuous canopy. Local codes must provide clear and objective standards to achieve such a canopy. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for planting and tree care no lower than 2021 American National Standards Institute A300 standards, and a process to ensure ongoing compliance with tree planting and maintenance provisions.

## FINDING

The proposed amendments in Section 60.30.15, with new parking areas greater than one-quarter acre, require solar panels, public buildings with green technology, or tree canopy that covers 50 percent of the parking lot at maturity consistent with the administrative rules.

The proposed amendments in Section 60.05.20.5.E requires trees and sidewalks along driveways when new development occurs.

Section 60.05.20.8 in the existing Beaverton Development Code requires driveways that connect public street and private streets with parking areas to be designed consistent with streets standards, including having raised curbs and sidewalks on at least one side. The proposed amendments in Section 60.05.20.5.E also require sidewalks along driveways. The Development Code also requires buildings to be oriented toward major pedestrian routes and have direct pedestrian connection to front doors.

The city's existing Development Code already requires landscape plans for projects where applicants have to meet landscape standards, and the proposed amendments in Section 60.30.15.10 require applicants to develop plans in coordination with the local electric utility.

The proposed amendments in 60.30.15 also require tree spacing to maintain a continuous canopy and meet ANSI 2021 American National Standards Institute A300 standards.

Under OAR 660-012-0405(5), Cities shall also establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments.

## FINDING

Beaverton's existing Development Code, consistent with the Metro Urban Growth Management Functional Plan, has for years contained off-street parking maximums in the areas identified in 660-012-0405(5). The proposed amendments refine those maximums and adjust them down in some situations consistent with 660-012-0415.

**Conclusion:** Therefore, staff find that the proposed text amendment complies with OAR 660-012-0405.

## OAR 660-012-0410: Electric Vehicle Charging

Under OAR 660-012-0410, cities within metropolitan areas shall ensure new development supports electric vehicle charging pursuant to amendments to the state building code. Cities shall require the provision of electrical service capacity for new multifamily residential buildings with five or more residential dwelling units and new mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units to accommodate 40 percent of all vehicle parking spaces.

## FINDING

The proposed amendments in Section 60.30.15.9 require electric vehicle charging infrastructure with new all-residential or mixed-use buildings with five or more units to provide sufficient electrical service capacity as defined in ORS 455.417 to accommodate no less than 40 percent of vehicle parking spaces serving residential uses on site.

**Conclusion:** Therefore, staff find that the proposed text amendment complies with OAR 660-012-0410.

## OAR 660-012-0415: Parking Maximums and Evaluation in More Populous Communities

Under OAR 660-012-0415(1), cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas and in regional centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440. This includes:

- (a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;

- (b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;
- (c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building;
- (d) In setting parking maximums, cities and counties shall consider setting maximums equal to or less than 150 percent of parking mandates in their adopted land use regulations in effect as of January 1, 2020. A city or county that sets a higher parking maximum must adopt findings for doing so. In no case shall the city or county exceed the limits in subsections (a) through (c) in climate-friendly areas and for developments on parcels or lots within one-half mile of transit corridors and three-quarters mile of rail transit stops listed in OAR 660-012-0440; and
- (e) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.

Under OAR 660-012-0415(2) Cities with populations over 200,000 shall meet additional requirements.

## FINDING

The proposed amendments in Section 60.30.10 address parking maximums for:

- Studio residential units (60.30.10.2.A)
- Commercial and retail uses other than the exemptions specifically mentioned in state administrative rules. (Section 60.30.10.2.B). Specifically:
  - Animal Care;
  - Care, except for Residential Care Facilities;
  - Financial Institutions;
  - Marijuana uses, except Marijuana Processing;
  - Meeting Facilities;
  - Office;
  - Retail, except for Eating and Drinking Establishments;
  - Rental Business;
  - Personal Service Business;
  - Service Business/Professional Services;
  - Vehicles, except Major Automotive Service, Minor Automotive Service, Heavy Equipment Sales, Sales or Lease, Trailer, Recreational Vehicle or Boat Storage, Trailer Sales or Repair, and Vehicle Storage Yard.
- Lots with total building floor area exceeding 65,000 square feet. (Section 60.30.10.2.C)

- Other situations where the parking maximums might have exceeded 150 percent of what the minimum off-street parking requirement was on January 1, 2020. (Section 60.30.10.2.D).

In addition, the proposed amendments exempt underground parking, parking structures, and tuck-under parking from parking maximums. (Section 60.30.10.1.).

OAR 660-012-0415(2) applies to jurisdictions over 200,000. Beaverton's population is just less than 100,000, so these rules do not apply to Beaverton.

**Conclusion:** Therefore, staff find that the proposed text amendment complies with OAR 660-012-0415.

## **OAR 660-012-0420: Exemption for Communities without Parking Mandates**

OAR 660-012-0420 states that, "Cities and counties that adopt land use regulations that do not include parking mandates are exempt from OAR 660-012-0425 through OAR 660-012-0450."

### **FINDING**

The proposed text amendment proposes to remove parking mandates in all zoning districts in the Development Code. Therefore, OAR 660-012-0425 through OAR 660-012-0450 do not apply.

**Conclusion:** Therefore, staff find that the proposed text amendment complies with OAR 660-012-0420.

## **CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff offers the following recommendation for the conduct of the public hearing for TA2023-0001 Parking Policy and Code Project:

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Consider the public testimony and the facts and findings presented in the February 22, 2023, staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend **APPROVAL** of text amendment application TA2023-0001 Parking Policy and Code Project Text Amendment to City Council with proposed language as written in Exhibit 1.