



CITY OF BEAVERTON
Planning Division
Community Development Department
Tel: 503-526-2420
www.beavertonoregon.gov

STAFF REPORT

Report date: Oct. 2, 2024

Project name: Cooper Mountain Community Plan

Applications: Comprehensive Plan Amendment, Zoning Map Amendment and Development Code Text Amendment

Case File Numbers: LU42024-00682, CPMA42024-00679, ZMA42024-00681, TA42024-00680

Proposal: The City of Beaverton proposes to amend the Comprehensive Plan (including the Land Use Map), Development Code, and Zoning Map to implement the Cooper Mountain Community Plan and related Oregon Administrative Rules. While most of the proposed changes apply only to the land within the Cooper Mountain Community Plan area, some changes will apply citywide, as described below.

Proposed amendments will affect Comprehensive Plan Volume I (Chapter 1 – Procedures; Chapter 3 – Land Use; Chapter 5 – Public Facilities and Services; Chapter 6 – Transportation; Chapter 7 – Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources; and Chapter 8 – Environmental Quality and Safety), Volume III (Statewide Planning Goal Five Resource Inventory), Volume IV (Transportation System Plan), and Volume V (Community Plans).

Proposed amendments will affect Development Code Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90- Definitions.

Proposal location: Cooper Mountain Community Plan area; Citywide.

Applicant: City of Beaverton

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: Zoom Webinar beginning at 6:30 p.m. Oct. 16, 2024. Public hearings are held remotely and can be viewed at the following link:

<https://www.beavertonoregon.gov/291/Agendas-Minutes>

Contact information:

City staff representative: Rob Zoeller, Senior Planner
503-526-3730
rzoeller@BeavertonOregon.gov

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EXHIBITS

- **Exhibit 1** Cooper Mountain Community Plan (Vol. V of Comprehensive Plan)
 - Natural Resources Report (Appendix B in Exhibit 1)
 - Funding Plan (Appendix C in Exhibit 1)
- **Exhibit 2** Comprehensive Plan Updates (Vol. I, Chapters 1, 3, 5, 6, 7 and 8)
- **Exhibit 3** Cooper Mountain Land Use Map
- **Exhibit 4** Comprehensive Plan Updates (Vol. III), Cooper Mountain Local Wetland Inventory Map
- **Exhibit 5** Comprehensive Plan Updates (Vol. III), Cooper Mountain Natural Resources Inventory Map
- **Exhibit 6** Comprehensive Plan Updates (Vol. IV), Chapter 2
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- **Exhibit 10.1** Development Code Updates (Ch 10 General Provisions)
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- **Exhibit 11** Cooper Mountain Zoning Map
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- **Exhibit 19** ESEE Analysis

- **Exhibit 20** Local Wetland Inventory Report
- **Exhibit 21** Cooper Mountain Transportation Impact Analysis
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- **Exhibit 28** Washington County Letter Regarding Cooper Mountain Transportation Funding Strategies
- **Exhibit 29.1** Testimony (Anderson)
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Background and Summary

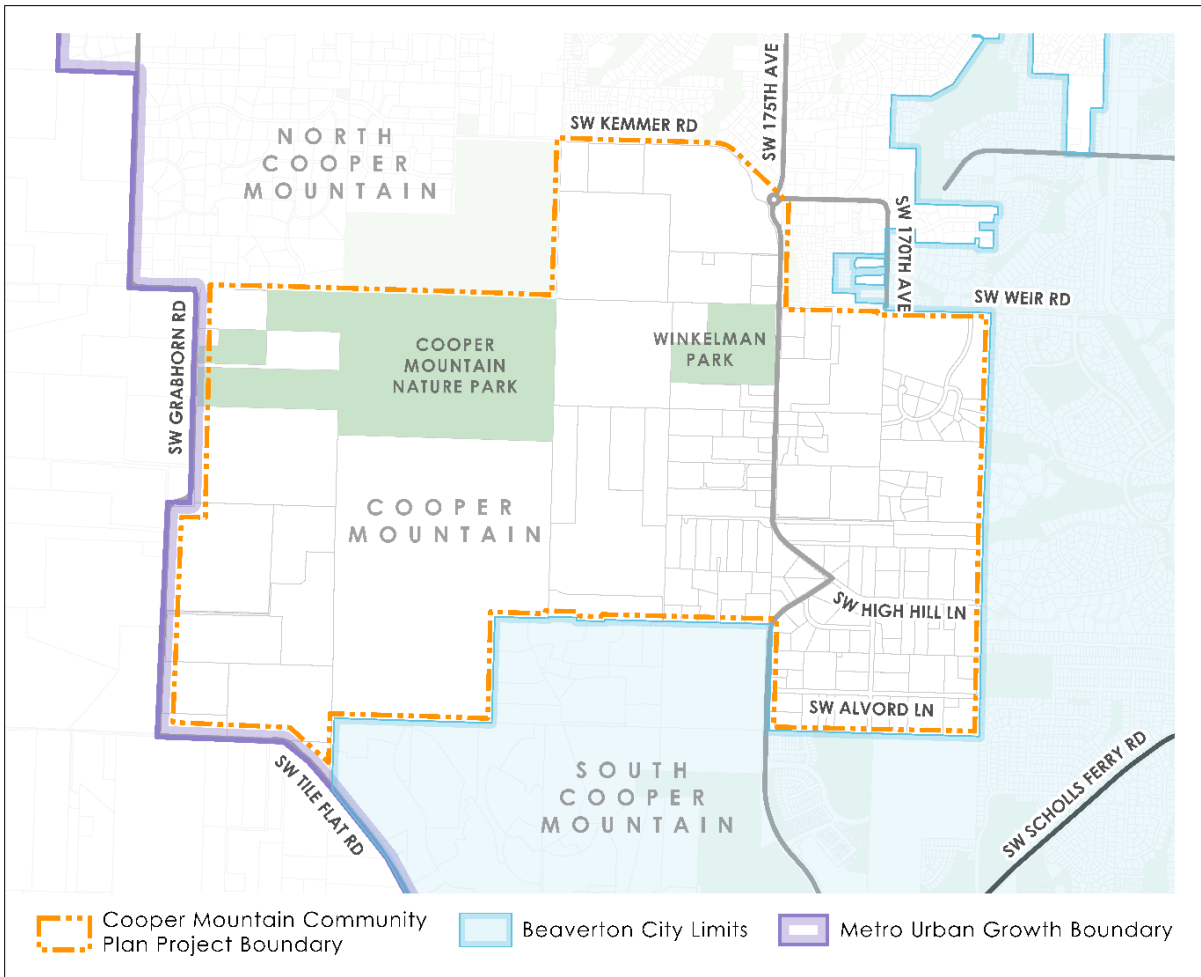
PROJECT OVERVIEW

Introduction

Cooper Mountain is a 1,232-acre expansion area bordering Beaverton that will eventually be home to about 5,000 homes, more than 10,000 residents, parks, commercial areas, trees, and natural resources (Figure 1).

The Cooper Mountain Community Plan project establishes a long-term vision for the area’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection.

Figure 1. Cooper Mountain Community Plan Project Boundary



2018 URBAN GROWTH BOUNDARY EXPANSION

The Cooper Mountain Community Plan meets regional and state requirements for planning new urban areas added to the urban growth boundary.

The Community Plan builds on the South Cooper Mountain Concept Plan, which includes South Cooper Mountain, Cooper Mountain, and North Cooper Mountain.

At Metro's request, Beaverton led the concept planning for all three areas to consider holistically transportation, infrastructure, natural resources, and new development. Beaverton City Council approved the Concept Plan in 2014, which established a vision for future growth; natural resource preservation and enhancement; and development across a 2,300-acre planning area. The Concept Plan is available online here:

<https://beavertonoregon.gov/694/South-Cooper-Mountain>

The city in 2015 completed a Housing Needs Analysis that identified the need for additional housing in the city. Cooper Mountain was identified as a way to help provide housing supply.

Beaverton in 2018 applied for an expansion of Metro's Urban Growth Boundary (UGB) to meet significant housing needs for the city and region. The Metro regional government approved the expansion in 2018, and the Cooper Mountain Community Plan was developed to establish how new housing could be allowed in the plan area, while protecting natural resources in Cooper Mountain neighborhoods. The Cooper Mountain planning area is in southwest Beaverton generally east of Grabhorn Road and south of Kemmer Road.

The city's 2023 Housing Needs Analysis also assumed Cooper Mountain would provide needed housing for Beaverton.

COMMUNITY PLAN'S ROLE

The Cooper Mountain Community Plan includes policies and regulatory approaches that are tailored to the unique qualities and opportunities for Cooper Mountain. It reflects community preferences identified during the planning process, as well as direction from the City Council. As with other goals and policies in the Comprehensive Plan, the goals and policies in this plan report are regulatory. The City's Land Use Map is the official land use designation map for zoning and development review. Beaverton's Transportation System Plan will serve as the legal guidance for transportation facilities and improvements.

EXISTING CONDITIONS

The Cooper Mountain Community Plan's goals and policies were informed by research and analysis completed during the project. The project team reviewed existing plans and gathered data to better understand the built and natural systems.

Existing conditions documents:

- Examined the developability of land within the project boundary considering existing development patterns, land value, ownership, and physical constraints;
- Explored the ecological context of the project area; and
- Described slope and potential hazard conditions in the plan area, including landslide and earthquake susceptibility.

RACIAL EQUITY

As established in Beaverton’s Diversity, Equity and Inclusion Plan (2019), the city uses race as a primary lens for diversity, equity and inclusion work, which includes guiding policy decisions.

To understand what this means for Cooper Mountain, it helps to have a shared understanding of what these key terms, as defined in the plan:

- Diversity includes all the ways that people differ, which encompasses the variation of social and cultural identities among people existing together.
- Equity is when structural barriers that have historically disadvantaged certain groups are removed and everyone has access to the opportunities and tools they need to thrive. Equity is measured in outcomes and is achieved when one’s identity can no longer predict their success.
- Inclusion means that everyone feels welcomed, valued, and encouraged to fully participate and belong.

Why was race used as a primary lens in the Community Plan? In Beaverton, most communities of color still experience disparities in housing, income, health, education, and more. Using race as a primary lens to develop the Community Plan, especially the goals and policies, was a way the city could help improve outcomes for communities of color in Beaverton and Washington County.

What was the equity and inclusion process? To provide a roadmap for this work, the project team worked through the following steps:

1. **Establishing desired results and outcomes.** The Cooper Mountain Community Plan provided the direction for Comprehensive Plan updates and Development Code updates as well as a Funding Plan. These documents established the framework for new neighborhoods in Cooper Mountain. The Community Plan goals include “creating equitable outcomes for residents, including underserved and underrepresented communities,” and “providing new housing in a variety of housing types and for all income levels.” For the outcomes to be truly inclusive, new neighborhoods should feel welcoming for all types of people, especially people who have not traditionally had access to newer, tree-lined neighborhoods near parks and schools.

- 2. Collecting and reviewing data to examine existing racial inequities.** At the beginning of the project, staff analysis of population-level data in Beaverton showed that exclusive single-family neighborhoods are significantly whiter and less racially diverse than multifamily neighborhoods. Historically, the people that have lived in single-family neighborhoods have been more likely to own their homes, which provided long-term financial security through the ability to build equity in their homes and share this wealth with future generations.

For the past several decades in the United States, areas with mostly single-family zoning have had higher percentages of residents who were white, higher income and higher wealth. Census-based research has demonstrated that there is a correlation between growing up in single-family neighborhoods and improved outcomes in adulthood, compared to other neighborhood types (this has been confirmed for Beaverton neighborhoods, which mirrors a national pattern of generally improved outcomes in adulthood for children that grew up in mostly single-family areas).

While researchers know that there is a relationship between these two factors, they do not know the nature of the relationship between them since there could be many explanations for the correlation. Nevertheless, the pattern encourages the city to think of local solutions to help improve outcomes for children that grow up in different types of neighborhoods.

Staff research also confirmed that renters and communities of color are the groups that are most likely to benefit from more diverse housing options for many reasons, including but not limited to a history of racial segregation and racist housing practices; the fact that they are more likely to be cost-burdened; and the need to accommodate larger families and/or multigenerational living.

- 3. Conducting multicultural engagement.** Understanding the documented racial inequities and the desire to improve outcomes for a wider variety of families, the project team prioritized multicultural engagement for the Cooper Mountain Community Plan (Exhibit 13 and Exhibit 14).

Over four years, multicultural engagement took many forms, including listening sessions with community organizations; coordination with Beaverton's Inclusive Housing Cohort (a partnership with Unite Oregon); discussions with city advisory committees; a diverse Community Advisory Committee (CAC) with Spanish interpretation provided at every meeting; and Spanish translation provided throughout engagement.

Community engagement helped define the goals of the Community Plan and establish desired outcomes. In addition, the CAC provided input on alternatives and policies to help shape the community plan. As a result, the Community Plan goals are centered on creating equitable outcomes through implementing safe, accessible

communities that are fully connected to natural resources, public facilities, and commercial areas.

4. **Evaluating strategies that advance racial equity.** Leading up to the Community Plan, the project team created three alternatives that represented different strategies for growth and development across Cooper Mountain.

Each alternative addressed the amount, type, and location of housing; the amount, scale, and location of commercial uses; facilities for bicycles and pedestrians; trail and road networks; parks and viewpoints; and natural resource protection and habitat connectivity.

Three alternative strategies were developed to provide community members with choices and inform community dialogue about the future of the area. Staff provided the City Council and the community, including multicultural engagement partners, with the affordability and equity considerations for each alternative. Exhibit 14 provides additional considerations for each strategy and a summary of outreach materials, meetings and events. Staff then received direction to create a draft preferred approach based on strategies that would result in at least 1,000 additional homes beyond what was originally planned.

Furthermore, another goal of the Community Plan is to support more mixed-income, mixed-race neighborhoods. The Community Plan is expected to result in about 5,000 new homes. Proposed policies require that all new neighborhoods include a variety of single-detached dwellings; middle housing, such as duplexes, triplexes, quadplexes, townhouses and cottage clusters; and multi-dwellings to provide increased opportunities for different types and sizes of families to live in Cooper Mountain.

5. **Implementing the plan.** To make these new neighborhoods a reality, the Community Plan has an associated Funding Plan that provides options for how to fund infrastructure and share the cost of new roads, parks, and utilities. In addition, the Beaverton Equity Procurement Program would apply to city contracting opportunities in Cooper Mountain. That procurement program advances equity by encouraging minority-owned, women-owned, and emerging small businesses (MWESB) to do business with the city and establishing minimum participation of MWESB firms in the city's overall dollar amount of contracting and purchasing activities, which helps achieves greater racial and gender equity in city contracting.

PUBLIC ENGAGEMENT

The Cooper Mountain Community Plan Public Engagement Plan (May 19, 2020) includes detailed information on the public engagement plan purpose and objectives, target audience and key stakeholders, demographic data and racial equity considerations, the decision-making structure for the project, and a list of preliminary engagement tools and activities (Exhibit 13). A Public Engagement Plan Update (June 2021) communicates what

project staff had learned from engagement as of June 2021 and described additional public engagement activities for subsequent phases.

The Cooper Mountain Community Plan Public Engagement Summary (September 2024) describes all public engagement activities completed for the project by phase (Exhibit 14). The Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments. The Public Engagement Summary provides an overview that demonstrates how community feedback meaningfully influenced the process and project outcomes for each phase of the project.

COOPER MOUNTAIN COMMUNITY PLAN AMENDMENTS

Overview of Proposed Amendments

The proposed amendments implement the Cooper Mountain Community Plan through changes to the:

- Comprehensive Plan, including adding the Community Plan to Volume V;
- Zoning Map; and
- Development Code .

The Comprehensive Plan includes goals and policies that provide the future vision and development direction for the city. The Comprehensive Plan includes five volumes. Volumes I through IV generally apply citywide. Volume V is reserved for Community Plans, which provide a unique set of goals and policies for a specific area.

For example, Chapter 3 (Land Use) of Volume I includes the Beaverton Comprehensive Plan Land Use Map that determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations. Land use designations in the Comprehensive Plan correspond with implementing zoning districts that provide rules for neighborhood development.

Zoning is the practice of establishing the appropriate mix of uses in different areas and setting site and building design expectations. On Beaverton’s Zoning Map, each zone may have different allowed land uses and rules for neighborhood development such as minimum or maximum building height, setbacks, and density requirements. The rules for neighborhood development are described in Beaverton’s Development Code.

Proposed amendments to implement the Cooper Mountain Community Plan include:

- **CPMA42024-00679.** The addition of:

- Volume V: The Cooper Mountain Community Plan, which describes the vision and intended outcomes for the next 20 or more years of growth in Cooper Mountain.
- Volumes I through IV: New or updated goals and policies that implement the Cooper Mountain Community Plan. In some cases, updated goals and policies apply citywide.
- **ZMA42024-00681.** The addition of four new Cooper Mountain zoning districts (one mixed-use zone, one commercial zone, and two residential zones) to the Zoning Map.
- **TA42024-00680.** New rules for neighborhood development in Cooper Mountain. In some cases, other Development Code sections were updated to facilitate this work, and these changes have implications for code that applies to other parts of the city.

Comprehensive Plan Changes (CPMA42024-00679)

COOPER MOUNTAIN COMMUNITY PLAN (VOL. V)

The Community Plan is intended to create an equitable and inclusive community. It was prepared with the involvement of a wide variety of community members, including those from traditionally underserved and underrepresented groups. The outcomes described in the Community Plan reflect the ideas and feedback of those participants.

As a part of the city’s Comprehensive Plan, the Community Plan is a guiding blueprint for:

- Where and how housing, commercial, parks and other land uses will be developed
- A connected transportation network for walking, biking, driving and future transit
- Natural resource protection and integration into the neighborhoods
- Proactive planning and funding for utilities

The Cooper Mountain Community Plan includes eight goals. The Community Plan policies are the strategies to implement and achieve the goals in each area.

The Community Plan goals include:

1. Create equitable outcomes for residents, including underserved and underrepresented communities.
2. Provide new housing in a variety of housing types and for all income levels.
3. Preserve, incorporate, connect, and enhance natural resources.
4. Improve community resilience to climate change and hazards.
5. Provide public facilities and infrastructure needed for safe, healthy communities.

6. Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.
7. Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.
8. Identify feasible, responsible funding strategies to turn the vision into a reality.

In addition, the Community Plan includes a Preferred Approach Concept Map, which was informed by the project goals, community member engagement, equity considerations, and City Council direction. Cooper Mountain desired outcomes are shown on the Concept Map, which informed the development of proposed amendments to the Land Use Map, Zoning Map and Development Code updates.

OTHER COMPREHENSIVE PLAN AMENDMENTS (VOL. I-IV)

CPMA42024-00679 also proposes the following amendments:

- **Volume I** – Update the Beaverton Comprehensive Plan Land Use Map (Figure 2) in Chapter 3 to include three new Cooper Mountain land use designations and update the Comprehensive Plan and Zoning District Matrix (Table 1) to determine which zoning districts can be applied within those Comprehensive Plan designations.
 - **Cooper Mountain Commercial** – Provides for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities.
 - **Cooper Mountain Mixed Use Corridor** – Promotes a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritizes safe and convenient ways to walk, bike, and roll.
 - **Cooper Mountain Residential** – Promotes equitable, inclusive neighborhoods that emphasize housing variety and integration and includes parks and commercial opportunities within walkable neighborhoods.

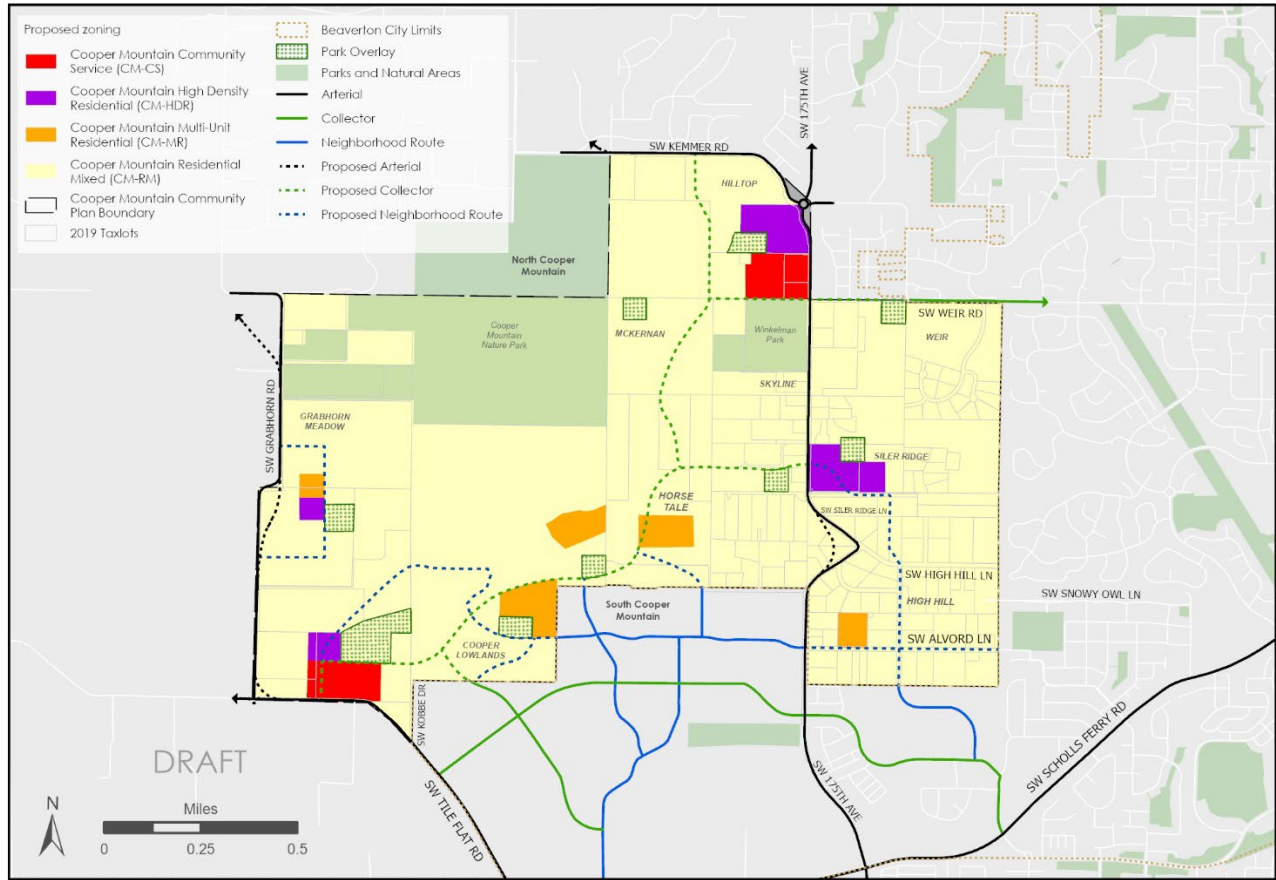
Table 1. Comprehensive Plan Designations and Implementing Zones

Land Use Designation	Implementing Zoning Districts
Cooper Mountain Commercial	CM-CS, Cooper Mountain - Community Service
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential CM-MR – Cooper Mountain - Multi-dwelling Residential CM-RM – Cooper Mountain - Residential Mixed
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed

Zoning Map Changes (ZMA42024-00681)

ZMA42024-00681 proposes the Zoning Map for Cooper Mountain shown in Figure 3. The Zoning Map identifies geographic locations where different development rules apply. Development rules are described later in TA42024-00680.

Figure 3. Cooper Mountain Community Plan Proposed Zoning



The proposed zoning districts are:

- **Cooper Mountain – Community Service (CM-CS).** Requires a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing residential development, generally multi-dwellings and middle housing.
- **Cooper Mountain – High Density Residential (CM-HDR).** Primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses are also among the uses allowed.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** Intended to result in mostly residential developments with a focus on multi-dwellings and middle housing.

- **Cooper Mountain – Residential Mixed (CM-RM).** Allows a mix of detached and attached housing types at the lowest number of units per acre of Cooper Mountain's residential zones. Allows small-scale commercial uses in some locations.

Overlay zones indicate areas where special rules apply. The proposed overlays applied are:

- **Resource Overlay.** The Resource Overlay shows where additional environmental rules apply, in part to meet state and regional requirements.
- **Cooper Mountain Parks Overlay.** The Cooper Mountain Parks Overlay identifies locations for parks and open space within Cooper Mountain.

Development Code Changes – Cooper Mountain (TA42024-00680)

TA42024-00680 proposes the following Development Code amendments applicable to properties in Cooper Mountain:

CHAPTER 10 – GENERAL PROVISIONS

- **10.25 Classification of Zoning Districts.** Add Cooper Mountain zoning districts to the list of citywide zoning classifications.
- **10.32 Overlays.** Add two new overlays – Cooper Mountain Parks Overlay and Resource Overlay – to the overlay section.
 - The Resource Overlay protects streams and riparian areas, floodplains, wetlands and upland habitat (generally areas near streams or areas with trees). It also promotes water quality, erosion control, and reduced sedimentation in streams; conserves scenic, recreational, and educational values of natural resources; and balances conservation and economic use by allowing reasonable economic use of property when resource impacts can be mitigated.
 - The Cooper Mountain Parks Overlay indicates locations where Community Parks or Neighborhood Parks are required.
- **10.40 Annexation.** Add Section 10.40.5 to clarify that zoning can be applied prior to annexation in anticipation of zoning being effective upon annexation.

CHAPTER 20 – LAND USES

- **20.22 Cooper Mountain Zoning Districts**
 - **20.22.15.** Add a new section that includes site development standards for the CM-CS, CM-HDR, CM-MR, and CM-RM zones (Table 2).

- In all zones, maximum building heights are proposed to be 45 feet in CM-RM and 65 feet in the other three zoning districts. This are slightly higher than in other comparable Beaverton districts to allow additional flexibility given steep slopes and sites with significant natural resource areas.
- In all zones, maximum floor area ratio (FAR) limits the amount of interior building square footage allowed based on the size of the site.
- **20.22.20.** Add a new section that which land uses are Permitted (P) Conditional Uses (C) or Prohibited (N) uses in the CM-CS, CM-HDR, CM-MR, and CM-RM zones (Table 2).
 - In the CM-RM zone, five-plexes and six-plexes are allowed in addition to other middle housing types.
 - In all zones, public parks and dog runs are proposed to be permitted uses in all Cooper Mountain zones. They are often conditional uses in the rest of the city. This would provide an easier approval process for parks.
- **20.22.25.** Add a section that describes where additional environmental regulations apply within the Resource Overlay (Section 60.37).
- **20.22.30.** Add a section that requires a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site's size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional. The zone also would allow residential uses and other uses.
- **20.22.35.** Add a section that allows small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are near areas zoned for higher density multi-dwellings; near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and along Neighborhood Routes.
- **20.22.40.** Add a section that includes additional housing requirements for the CM-RM zoning district to implement the Cooper Mountain Community Plan's desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. Housing variety and integration requirements are clear and objective. Minimum requirements for housing variety and integration apply when the net acreage of a parent parcel is three acres or larger. At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units. Minimum requirements for housing variety integration are based on "Housing Variety Groupings" described in TA42024-00680.

This section also includes requirements that allow a property owner to divide their land in a way that doesn't meet minimum density yet, such as allowing a property to be divided and sold for future development, while ensuring that the future development will need to meet minimum density and these housing variety and integration requirements.

- **20.22.45.** Add a section that describes requirements for the Cooper Mountain Parks Overlay, which identifies locations for parks/open space within Cooper Mountain and includes a discretionary options for alternative locations.
- **20.25.05 Residential Density.** For sites within the CM-RM zoning district, clarify how minimum and maximum residential density is calculated and how minimum and maximum residential density averaging is allowed.
- **20.25.10 Floor Area Ratio.** For sites in CM-CS, CM-HDR, and CM-MR with constrained lands, the code allows a higher FAR on the buildable portion of a lot. For multi-phase developments, the code provides a process that allows applicants to demonstrate how the project can meet minimum FAR at ultimate build out.

CHAPTER 40 – APPLICATIONS

- **40.15 Conditional Use.**
 - Update the existing Planned Unit Development (PUD) application to include new Section 60.36 requirements that will apply within the Cooper Mountain Community Plan area.
 - Properties in Cooper Mountain will not be required to apply for a PUD but may choose to apply in order to seek approval of the flexibility or alternatives offered for certain development by Section 60.36.
- **40.20 Design Review.**
 - Update applicability rules to indicate when design review is required for various uses and building types in all four Cooper Mountain zoning districts and how projects can meet minimum floor area ratio and/or minimum required commercial standards in a phased manner inside the Cooper Mountain Community Plan area.
 - Provide a mechanism that allows property owners to divide and sell lots while requiring that future developments provide the housing variety and integration requirements that would have been required by the original Parent Parcel.
- **40.21. Single-Detached and Middle Housing Design Review.**
 - Update applications to include the development of small-scale commercial uses described in Section 20.22.35 in the CM-RM zoning district and to include

development of multi-dwelling structures with five or six units on one lot in the CM-RM zoning district.

- Update applications to ensure compliance, if applicable, with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
- **40.40 Home Occupations.** Update applications to address limitations on home occupations in buildings or units with both residential and small-scale commercial uses in the CM-RM zoning district.
- **40.45. Land Division and Reconfiguration.** See Development Code Changes – Citywide section below for information about flexibility provided by Land Division Housing Plans. Information is also provided for how risks will be mitigated during land divisions in areas of high landslide susceptibility.
- **40.58. Sidewalk Design Modification.** Update approval criteria to include references to the Resource Overlay.
- **40.70 Resource Overlay.** Add new application that provides for the review of allowed uses in the Resource Overlay and a path to correct the Resource Overlay boundary.
- **40.91 Tree Applications – Cooper Mountain.** Add new application that:
 - Provides a permitting mechanism within the Cooper Mountain Community Plan area for regulating the removal and replacement of trees that are not associated with Initial Development activity and are, therefore, not subject to the tree preservation or tree canopy requirements of Sections 60.61.15 through 60.61.30
 - Establishes Cooper Mountain Tree Plan applications for tree removal, preservation, and planting associated with Initial Development and for modifications of a previously approved Cooper Mountain Tree Plans prior to completion of Development.
- **40.96 Wireless Facility.** Update approval criteria to include references to Section 20.22. Cooper Mountain Zoning Districts.

CHAPTER 50 – PROCEDURES

- **50.90 Expiration of a Decision.** Add decision expiration time periods for new Cooper Mountain applications.
- **50.93 Extension of a Decision.** Clarify that Resource Overlay Boundary Correction applications do not expire.

CHAPTER 60 – SPECIAL REQUIREMENTS

- **60.05.15 Building Design and Orientation Standards.** Add requirements for building location and orientation along streets in Commercial and Multiple Use zones. Add requirements for ground-floor elevations on commercial and multiple-use buildings. Guidelines in Section 60.05.35 advance similar desired outcomes.
- **60.05.20 Circulation and Parking Design Standards.** Add requirements for connections to the public street system; pedestrian circulation; off-street parking frontages; and sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. Guidelines in Section 60.05.40 advance similar desired outcomes.
- **60.05.25 Landscape, Open Space, and Natural Areas Design Standards.** Add minimum landscaping requirements for various uses and building types. Add open space and landscape buffer requirements for developments subject to Design Review. Guidelines in Section 60.05.45 advance similar desired outcomes.
- **Table 60.05-1 Technical Lighting Standards.** Add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** Updates requirements to include rules for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.
- **60.05.65 Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District.** Add a new section for development of five-plexes and six-plexes based on the existing design standards and guidelines for single-detached homes and middle housing.
- **60.15.08 Cooper Mountain Landslide Hazard Risk.** Add a new section with standards applicable to land division proposals in Cooper Mountain that include land identified as a Landslide Hazard.
- **60.30 Off-Street Parking.** Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone.
- **60.36 Planned Unit Development (PUD) – Cooper Mountain.** Add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. The Cooper PUD provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area.

The Cooper PUD provisions include opportunities for reduced site development standards, such as lot size reductions if active open space is provided; a discretionary approach to housing variety and integration requirements; open space options; and additional incentives and flexibility for needed types of housing, called Needed Development Outcomes.

- **60.37 Resource Overlay.** Add a new section intended to be substantially compliant with the Metro Title 13 Model Code, which provides the framework for regulating natural resources inside the urban growth boundary.

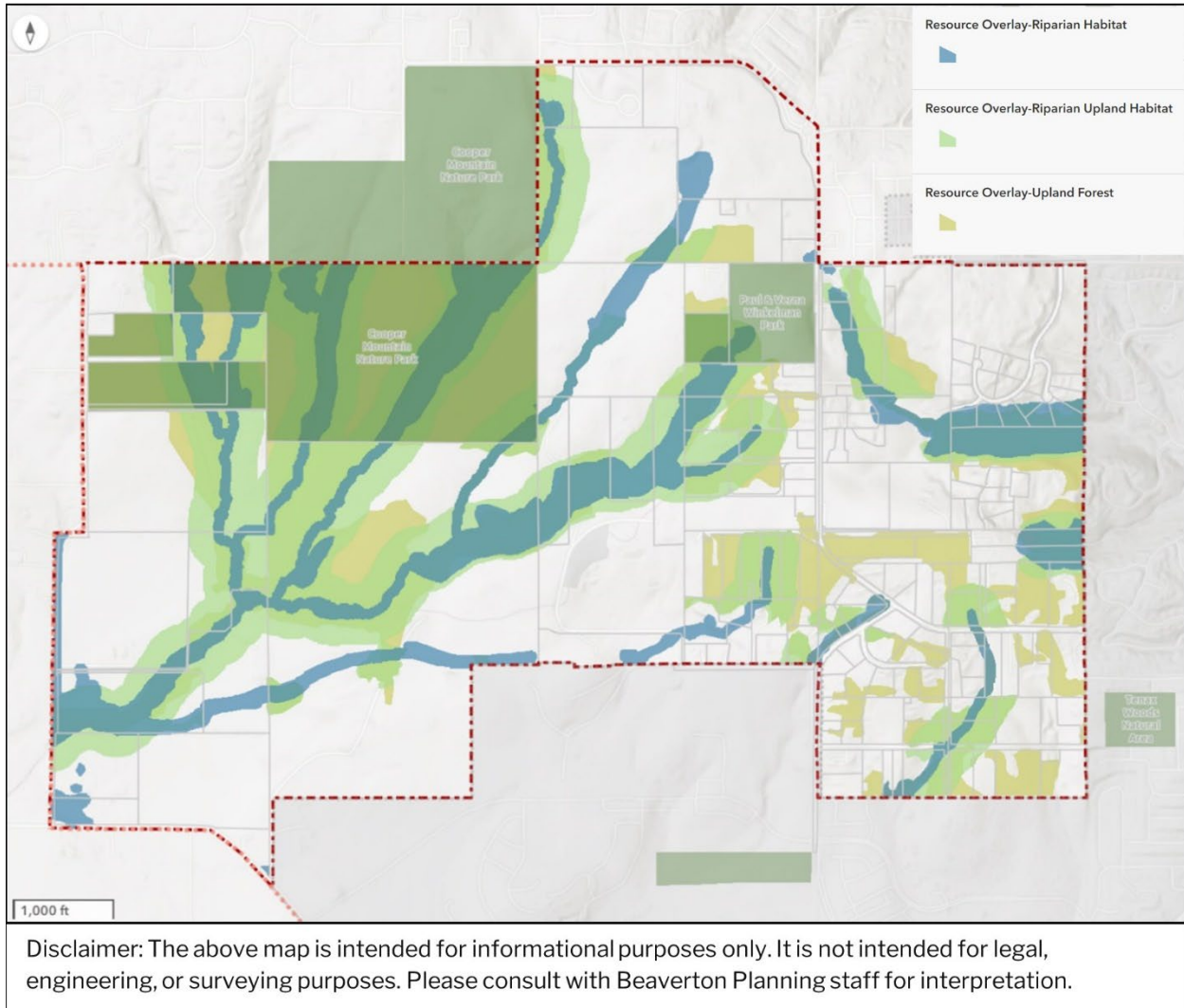
The Development Code applies the Resource Overlay to wetlands, water bodies (such as streams), areas near water bodies, and upland habitat (areas that provide wildlife habitat), as shown in Figure 4. These areas include Clean Water Services vegetated corridors, Class I and II riparian areas, and Class A and B upland habitat. More detail can be found in the Cooper Mountain Community Plan Natural Resources Report which is included as an appendix to the Cooper Mountain Community Plan and the Cooper Mountain Local Wetland Inventory, which has been approved by the Oregon Department of State Lands (DSL) and is available on the DSL website.

The upland area classifications are based on the conditions at the time that Cooper Mountain was added to the urban growth boundary, which was Dec. 13, 2018. Areas of significant trees as of December 13, 2018, are included in the Resource Overlay.

The development rules related to the resource overlay allow property owners/developers to conduct on-site investigations of creek and wetland locations and apply for a boundary correction (see details in proposed Development Code Section 60.37.15). Applicants who believe the natural resources reports contain errors other than creek and wetland locations also can apply for changes through a discretionary process that requires Planning Commission approval.

For most development, the development rules will require the majority of the Resource Overlay to be placed in a protected tract or easement (see details in proposed Development Code Section 60.37.30). Portions of the Resource Overlay may be disturbed for development activities (proposed Development Code Section 60.37.40) and mitigation is often required through replanting to enhance the habitat in the protected portion of the Resource Overlay (proposed Development Code Section 60.37.45).

Figure 4. Cooper Mountain Resource Overlay



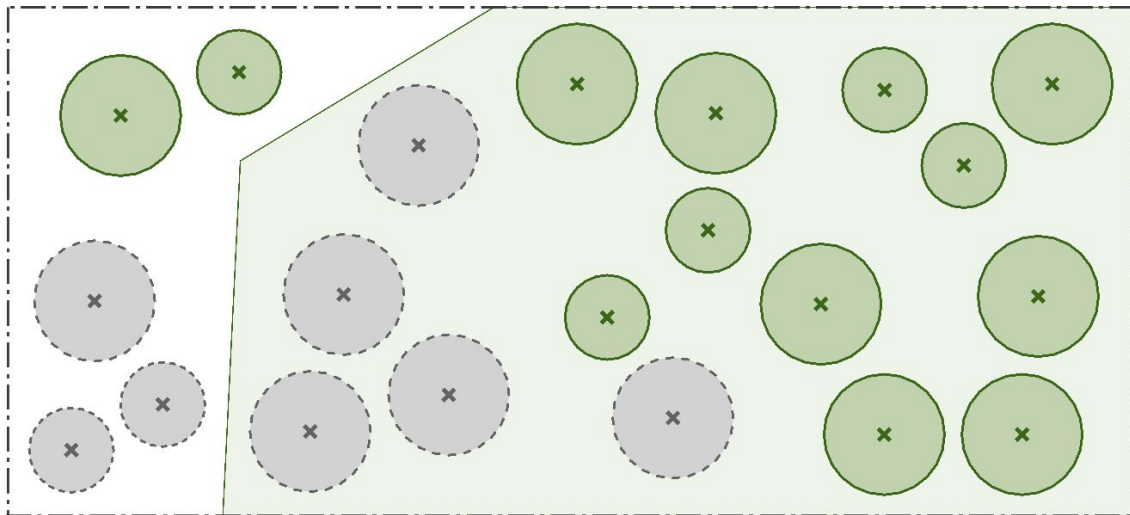
60.50.25 Uses Requiring Special Regulation. Add a new section that establishes requirements for Neighborhood Parks, Community Parks, and open space tracts within the Parks Overlay and requirements for Visitable Dwellings.

- **60.55.35 Access Standards.** Add private alley standards and vehicular access standards for Neighborhood Routes west of SW 175th Avenue.
- **60.61 Trees and Vegetation – Cooper Mountain.** Add regulations for trees within the Cooper Mountain Community Plan Area during and after the initial site development. Tree regulations address tree preservation, protection, removal, mitigation, and planting, with the goal of ensuring preservation of trees and creating an adequate tree canopy.

Minimum tree preservation rules focus on retaining existing trees. Proposed rules establish higher preservation standards inside the Resource Overlay and moderate preservation standards outside of the overlay for all zones in Cooper Mountain (Figure 5). Tree preservation is retaining trees and tree canopy that already exist on the site. Minimum preservation percentages are:

- 65 percent of existing tree canopy within the Resource Overlay; and
- 40 percent of existing tree canopy outside the Resource Overlay

Figure 5. Example Site that Meets Minimum Preservation Standards

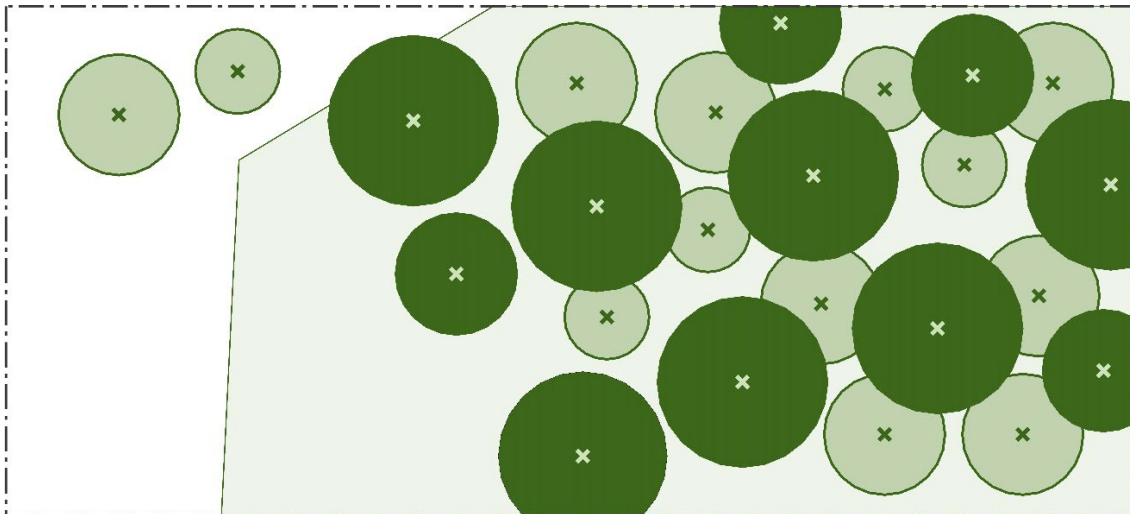


On this 1-acre lot, 75 percent of the lot is covered by the Resource Overlay (the light green area), The gray circles represent the amount of tree canopy that could be removed. The green circles represent tree canopy preserved on the site that meets minimum tree preservation requirements inside and outside the Resource Overlay.

Minimum tree canopy rules focus on ensuring the site has sufficient tree canopy, either now or in the future. The proposed rules require 65 percent tree canopy inside the Resource Overlay (Figure 6). That can be achieved using tree preservation, tree planting, or a combination of preservation and planting.

Discretionary processes are available to address alternative approaches to minimum tree preservation and minimum tree canopy.

Figure 6. Example Site that Meets Minimum Tree Canopy Requirements



On this 1-acre lot, 75 percent of the lot is covered by the Resource Overlay (the light green area), and 25 percent is outside the Resource Overlay (the white area). Existing canopy is represented by light green circles. The existing canopy covers 25 percent of the Resource Overlay area on the site. To meet the standard, a property owner could plant new, native trees (the dark green circles) within the overlay to attain 65 percent canopy coverage.

The proposed Development Code also includes rules for tree removal and tree maintenance that apply to when property owners would like to remove trees separate from a land development activity. The tree removal rules allow property owners to remove a limited number of trees on a site to provide flexibility and allow easier removal of dead or hazardous trees, while encouraging retention of some trees. For more expansive tree removal, the rules require a higher level of review. Depending upon the scenario, the proposed Development Code requires tree replanting or fee in lieu of replanting.

The tree removal rules include standards for when a tree can be removed from a site based on clear and objective criteria, as well as discretionary processes that provide more flexibility. For example, the proposed standard allows one tree 6-inch DBH (trunk diameter at breast height) or greater to be removed each year per 5,000 square feet of lot area (See Section 40.91). Some trees, such as nuisance trees or agricultural trees, can be removed without a land use application.

Other tree-related Development Code rules includes incentives that encourage the retention of native trees, such as white oak, drought-tolerant trees, mature trees, and tree groves; tree protection standards to protect on-site trees during construction; soil volume standards for new plantings; and landscaping requirements when development occurs for single-detached homes, middle housing, apartments, commercial uses, and multiple-use developments.

CHAPTER 90 – DEFINITIONS

- Add new definitions that support code changes related to natural resources, trees and land divisions, among others. Refine some definitions for clarity.

TA42024-00680 also includes minor modifications in Chapters 10, 20, 40, 50 and 60 that add references to new Cooper Mountain zoning districts, building types, and small-scale commercial uses and also reflect changes in wording for clarity or consistency.

Other Citywide Amendments

Development Code Changes – Citywide (TA42024-00680)

TA42024-00680 proposes to make changes to the following code sections that apply to citywide properties:

CHAPTER 10 – GENERAL PROVISIONS

- **10.32 Overlays.** Create a new section that moves overlays from the zoning districts table to a separate overlay table. An overlay zone establishes additional regulations beyond the base zone to address specific community objectives.

CHAPTER 40 – APPLICATIONS

- **40.45 Land Division and Reconfiguration.**
 - Add code language in Sections 40.45.4 (Preliminary Partition), 40.45.5 (Preliminary Subdivision) and 40.45.11 (Land Division Housing Plan Amendment) that creates a requirement for Land Division applications that would create lots for development of single-detached dwellings or middle housing to submit a Land Division Housing Plan when the project does not include a concurrent Design Review application (Sections 40.20, 40.21, and 40.23).

The Land Division Housing Plan will demonstrate that the proposed Land Division will be developed with housing in a way that complies with all applicable Chapter 20 or Chapter 70 requirements. If a developer wishes to change the housing plan for the subdivision prior to or concurrent with the submittal of the required Design Review application, a new Type 1 application process, called the Land Division Housing Plan Amendment, has been created for that purpose.

- Additional changes to 40.20 Design Review, 40.21 Single-Detached and Middle Housing Design Review, and 40.23 Downtown Design Review ensure compliance with changes to Section 40.45.
- **40.93 Tualatin Hills Park and Recreation District (THPRD) Annexation Waiver.** Delete the section that allows waivers for required annexations to THPRD to ensure the park district can provide park and recreation services for annexed properties.

CHAPTER 50 – PROCEDURES

- **50.90 Expiration of a Decision.** Add Design Review Three to the 5-year expiration list for phased developments. Update expiration of PUDs to 5 years regardless of phasing. Add Land Division Housing Plan Amendment to 2-year expiration list. Remove the THPRD Annexation Waiver because it is proposed for deletion.

CHAPTER 60 – SPECIAL REQUIREMENTS

- **60.05.15 Building Design and Orientation Standards.** Add additional detail and options to meet standards for roof forms, primary building entrances, and window coverage.
- **60.05.20 Circulation and Parking Design Standards.** Add screening standards for ground-floor parking. Update off-street parking frontage requirements for development in commercial and multiple use districts for consistency with Oregon Administrative Rule 660-012-0330(4)(a). Guidelines in Section 60.05.40 advance similar desired outcomes.
- **60.05.25 Landscape, Open Space, and Natural Areas Design Standards.** Update minimum open space landscape requirements for developments. Add general landscaping requirements that require plant diversity and irrigation. Rename Table 60.05-2 for landscape buffer requirements and relocate it to Section 60.05.25.14.H.1. Guidelines in Section 60.05.45 advance similar desired outcomes.
- **60.05.30 Lighting Design Standards.** Update standards to reduce light and glare within and adjacent to Natural Areas. Guidelines in Section 60.05.50 advance similar desired outcomes.
- **Table 60.05-1. Technical Lighting Standards.** Relocate this table to Section 60.05.30. Add exemption from lighting requirements for public parks based on hours of operation and proposed park uses. Add special design standards for development within and adjacent to Natural Areas. Add lighting rules for private alleys.
- **60.15 Land Divisions.** Add standards for land divisions in areas that are susceptible to landslide in order to mitigate additional risks of development.

- **60.30 Off-Street Parking.** Add parking ratio for minimum required bicycle parking spaces in public parks.
- **60.55.35 Access Standards.** Add private alley standards that apply citywide.
- **60.65 Utility Undergrounding.** Add references to two other design review applications where development must comply with utility undergrounding.

CHAPTER 70 – DOWNTOWN DESIGN DISTRICT

- Update references and/or replace tree-related terms to ensure consistency with other tree-related terms in the Beaverton Development Code.

CHAPTER 90 – DEFINITIONS

- Add new definitions that support code changes to land divisions, natural resources and trails. Refine definitions that refer to entrances, public parks or dog runs.

TA42024-00680 also includes minor modifications in Chapters 10, 20, 40, 50, 60, 70, and 90 that reflect changes in wording in the Development Code, update references, delete old references, and add language that some code updates may be done online.

CPMA42024-00679 COMPREHENSIVE PLAN AMENDMENTS

ANALYSIS AND FINDINGS FOR COMPREHENSIVE PLAN TEXT AMENDMENT

CPMA42024-00679 Recommendation

Based on the facts and findings presented below, staff offers the following recommendation for the conduct of the October 16, 2024, public hearing for CPMA42024-00679, Cooper Mountain Community Plan Comprehensive Plan Amendment.

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend APPROVAL of CPMA42024-00679 Cooper Mountain Community Plan Comprehensive Plan Amendment to the City Council as presented in the staff report.

Section 1.1.1 establishes procedures for city-initiated amendments of the Comprehensive Plan, stating that amendment requests shall be submitted to the Community Development Director for preparation and analysis for a Planning Commission public hearing or City Council consideration. The Planning Commission and City Council have the right to accept, reject or modify any specific request for amendments in accordance with the city's policies and procedures.

Section 1.3 Amendment Procedural Categories

...

Legislative Amendments are amendments to the Comprehensive Plan text or map of a generalized nature initiated by the city that applies to an entire land use map category or a large number of individuals or properties or that establishes or modifies policy or procedure. Legislative amendments include additions or deletions of text or land use map categories.

...

Statewide Planning Goal 5 Inventory Resource Document Amendments are amendments to Volume III of the Comprehensive Plan. Amendments may be legislative, such as periodic review, or annual updates to maps, or quasi-judicial.

...

Findings:

Staff finds these criteria are met. CPMA42024-00679 proposes to amend the Comprehensive Plan text and Land Use Map to implement the Cooper Mountain Community Plan and related Oregon Administrative Rules. While most of the proposed changes apply only to the land within the Cooper Mountain Community Plan area, some changes will apply citywide.

Proposed legislative amendments affect the following Comprehensive Plan sections:

- **Volume I** – Update the Beaverton Comprehensive Plan Land Use Map (Figure 2) in Chapter 3 to include three new Cooper Mountain land use designations and update the Comprehensive Plan and Zoning District Matrix (Table 1) to determine which zoning districts can be applied within those Comprehensive Plan designations. New land use designations include Cooper Mountain Commercial, Cooper Mountain Mixed Use Corridor, and Cooper Mountain Residential. Other changes to Volume I include:
 - **Chapter 1** – Update noticing requirements.
 - **Chapter 3** – Add new policies for proposed Cooper Mountain land use designations and zoning districts.
 - **Chapter 5** – Add new or updated utility plans.
 - **Chapter 6** – Add new transportation policies and a new functional classification map for Cooper Mountain.
 - **Chapter 7** – Add new policies that protect natural resources and wildlife habitat.
 - **Chapter 8** – Add a Cooper Mountain Landslide Hazard Risk Map and update landslide policies.
- **Volume III (Statewide Planning Goal Five Resource Inventory)** – Add the Local Wetland Inventory map and Statewide Planning Goal Five Resource Inventory map for Cooper Mountain. The proposed amendments to Volume III qualify as a legislative amendment to the Comprehensive Plan because they are based on new policies and procedures that apply to a large number of properties in the Cooper Mountain Community Plan area.

- **Volume IV (Transportation System Plan)** – Update Chapters 2 and 4 to match Volume I Chapter 6 updates. Add Appendix O to include a list of future Cooper Mountain projects that would be added to the city’s Transportation System Plan.
- **Volume V (Community Plans)** – Add the Cooper Mountain Community Plan, which describes the vision and intended outcomes for the next 20 or more years of growth in Cooper Mountain, and the Infrastructure Funding Plan.

Section 1.4 Notice Requirements

Section 1.4.1.A (Legislative Amendments) says that notice of the initial hearing shall be provided as follows:

1. **By providing the required inter-agency Department of Land Conservation and Development (DLCD) notice to DLCD, Metro, and Washington County at least thirty-five (35) calendar days prior to the initial hearing. When the legislative amendment is required through Periodic Review, DLCD notice is not required, therefore, it is not provided;**
2. **By mailing the required inter-agency DLCD notice to all Neighborhood Association Committee (NAC) chairs and Community Participation Organizations (CPO) in whose area there is property that in the Director’s opinion could be affected by the proposed ordinance if adopted, and the Chair of the Beaverton Committee for Community Involvement, at least thirty-five (35) calendar days prior to the initial hearing;**
3. **Mail notice to owners of property within the City for which the proposed ordinance, if adopted, may in the Director’s opinion affect the permissible uses of land**
 - a. **The most recent property tax assessment roll of the Washington County Department of Assessment and Taxation shall be used for determining the property owner of record. The failure of a property owner to receive notice does not invalidate the decision.**
 - b. **If a person owns more than one property that could be affected by the proposed ordinance if adopted, the Director may mail that person only one notice of the hearing;**
4. **By publication of a notice with the information specified in subsection 1.4.1 B.1, 2, and 3 in a newspaper of general circulation within the City;**
5. **By posting a notice with the applicable information specified in subsection 1.4.1 B at Beaverton City Hall and the Beaverton City Library; and**
6. **By placing a notice with the applicable information specified in subsection 1.4.1 B on the City’s website.**

Section 1.4.1.B states that mailed notice required in subsection 1.4.1.A.3., posted notice required in subsection 1.4.1.A.5., and web notice required in subsection 1.4.1.A.6. shall:

1. **State the date, time and location of the hearing, and the hearings body;**
2. **Explain the nature and purpose of the hearing;**
3. **Include the case file number, title or both of the proposed ordinance to be considered at the time of hearing;**
4. **List the applicable approval criteria by Comprehensive Plan by section numbers that apply to the application at issue;**
5. **State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost and include the days, times and location where available for inspection;**
6. **State that a copy of the staff report will be available for inspection at no cost at least seven (7) calendar days prior to the hearing and will be provided at reasonable cost and include the days, times and location where available for inspection;**
7. **Include the name and phone number of the City staff person assigned to the application from whom additional information may be obtained;**
8. **State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the Planning Commission an opportunity to respond to the issue precludes appeal to the City Council and the Land Use Board of Appeals based on that issue; and**
9. **Include a general explanation of the requirements for submission of testimony and procedure for conduct of the hearing.**

Findings:

Consistent with procedures outlined in the Beaverton Comprehensive Plan, notice of the proposed amendment was submitted online, mailed or posted by the required dates below.

- **1.4.1.A.1.** Staff submitted a post-acknowledgement plan amendment (PAPA) online to DLCD on September 6, 2024. Staff mailed a public hearing notice to Metro and Washington County on August 30, 2024, which is more than 45 calendar days prior to the initial hearing. For updates to the Transportation System Plan, Metro code requires a public notice to be sent to Metro at least 45 calendar days prior to the initial hearing. For Washington County, Beaverton's Comprehensive Plan and Development Code indicate that the public notice shall be sent no less than 35 days prior to the initial hearing.

- **1.4.1.A.2.** Staff mailed a public hearing notice, which the Beaverton Comprehensive Plan requires to be sent no less than 35 days before the hearing, to all NAC chairs; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6, 7 and 10; and the Chair of the Beaverton Committee for Community Involvement; on September 5, 2024, 41 calendar days prior to the initial hearing;
- **1.4.1.A.3.** Staff mailed a public hearing notice, which the Beaverton Comprehensive Plan requires to be sent not less than 20 and not more than 40 calendar days prior to the date of the initial hearing, and a Measure 56 notice, which the Beaverton Comprehensive Plan and ORS 227.186 require to be sent 20-40 days before hearing, to property owners on September 12, 2024, which is 34 calendar days prior to the initial hearing. The property owner mailing list was based on the property tax assessment roll of the Washington County Department of Assessment and Taxation as of August 2, 2024. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.
- **1.4.1.A.4.** The Beaverton Valley Times published a public hearing notice on September 19, 2024, which is 27 days prior to the initial hearing.
- **1.4.1.A.5.** Staff posted a public hearing notice at Beaverton City Hall, the Beaverton City Library and the Beaverton Police Department on September 10, 2024, which is 36 days before the public hearing.
- **1.4.1.A.6.** Staff posted a public hearing notice on a city website on September 10, 2024, which is 36 days before the public hearing. The website: <https://apps2.beavertonoregon.gov/DevelopmentProjects/>

While not required by the Beaverton Comprehensive Plan or Beaverton Development Code, OAR 660-012-0105 (through a reference to 0120, which then refers 0130) requires “2) Cities and counties shall identify federally recognized sovereign tribes whose ancestral lands include the planning area. The city or county shall engage with affected tribes to notify them of coordinated land use and transportation planning activities and projects under this division.” As such, city staff mailed and emailed a notice of the proposed amendment on August 21, 2024, to three tribes – Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians of Oregon, and Confederated Tribes of Warm Springs Reservation of Oregon – to provide information related to the Community Plan and proposed adoption of the Comprehensive Plan, Zoning Map and Development Code changes. As of September 30, 2024, staff has not received comments from any of the three tribes.

Conclusion: Staff finds the noticing criteria in Section 1.4.1.A and 1.4.1.B are met.

Section 1.4.4 (Statewide Planning Goal 5 Inventory Resource Document (Volume III) Amendments) says that notice of the initial hearing shall be provided as follows:

- A. If the proposal is legislative in nature, as in an update to one of the Statewide Planning Goal 5 Inventory Resource Documents or an addition of a new category of Statewide Planning Goal 5 Inventory Resource Documents, then notice shall follow the legislative notice procedure identified under subsection 1.4.1.**
- B. If the proposal is quasi-judicial in nature, as in a change on one property or a limited group of properties, the notice shall follow the quasi-judicial notice procedure under subsection 1.4.2.**
- C. If the proposal is to update the Local Wetland Inventory map of the Significant Natural Resource maps based on approvals of wetland delineations or fill or removal permits issued by the Oregon Department of State Lands, the amendment shall be deemed non-discretionary and shall be updated administratively by City Council ordinance adoption, following the Non-Discretionary Map Amendment procedure under 1.4.3.**

Findings:

Staff finds the criteria are met. CPMA42024-00679 proposes to add the Local Wetland Inventory map and Statewide Planning Goal 5 Inventory map for the Cooper Mountain Community Plan Area to Volume III of the Comprehensive Plan. The proposed amendment is a legislative amendment to the Comprehensive Plan because it is based on new policies and procedures that apply to a large number of properties in the Cooper Mountain Community Plan Area.

Conclusion: Therefore, Section 1.4.4.A applies and Sections 1.4.4.B and C are not relevant. As described in the findings for Section 1.4.1.A, staff submitted online, mailed, or posted public hearing notices by the required dates and in a format consistent with procedures outlined in the Beaverton Comprehensive Plan. Staff finds these criteria are met.

Section 1.5 Criteria for Amending the Comprehensive Plan

1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments

A. The following criteria apply to all legislative Comprehensive Plan amendments and non-annexation-related quasi-judicial Comprehensive Plan Amendments:

1. The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules
2. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan
3. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans.

Findings:

- The proposed amendments are consistent with relevant Statewide Planning goals and related OARs, as described below.
- The proposed amendments are consistent and compatible with Metro UGMFP and RTP, as described below.
- Proposed amendments are consistent with Comprehensive Plan and applicable local goals, as described below.

STATEWIDE PLANNING GOAL 1 – CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process. The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues. Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Response: The Beaverton Citizen Involvement Program adopted by Resolution 2229 in 1980 established a formalized public participation program that provides a method by which the

Beaverton Committee for Community Involvement (as renamed in Ordinance 4624 signed in 2013) and other community members can communicate their opinions and inquiries about city matters, including the planning process. The proposed amendment is subject to the public notice requirements of the Comprehensive Plan. At the public hearing, the Planning Commission will consider written or oral testimony before making a recommendation to City Council. A record of staff presentations on the Cooper Mountain Community Plan to the Beaverton Committee for Community Involvement is in Exhibit 14, which also includes a record of all other public engagement activities for the project.

Consistent with procedures outlined in the Beaverton Comprehensive Plan, notice of the proposed amendment was sent to all NAC chairs; the Chair of the BCCI; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6, 7 and 10; Washington County's Department of Land Use and Transportation; Metro; and DLCD. Copies of the hearing notice were posted at Beaverton City Hall, the Beaverton City Library, the Beaverton Police Department and published in the newspaper, consistent with noticing requirements. A notice was also posted on the city's website. Mailed notice also was sent to more than 24,000 property owner addresses to notify property owners where the proposed amendments affect allowed land uses. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.

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

STATEWIDE PLANNING GOAL 2 – LAND USE PLANNING

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

Response: Changes to the Beaverton Comprehensive Plan require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, the ultimate decision-making authority. Prior to adoption of the Comprehensive Plan amendments, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal. The planning process also considered the needs of all levels of government, agencies, and community members and accommodated them as much as possible as detailed in the findings throughout this staff report and described in the public engagement/Goal 1 findings.

The Cooper Mountain Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas,

creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

The proposed Comprehensive Plan amendment fits within the established process and framework. The findings contained within this report establish an adequate factual basis for the proposal.

Conclusion: Therefore, staff finds the Comprehensive Plan amendment is consistent with Goal 2.

STATEWIDE PLANNING GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Goal 5 requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. The city’s comprehensive plan has previously been found to be consistent with Goal 5. Local governments are required to inventory natural resource areas (including mineral and aggregate resources energy sources and cultural areas and encouraged to inventory historic resources, open space, and scenic views and sites.

Goal 5 guidelines include:

A. PLANNING

1. **The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.**
2. **Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.**
3. **Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.**
4. **Plans providing for open space, scenic and historic areas and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.**

5. **The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.**
6. **In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.**
7. **As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans should not provide for the reclassification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710(23).**

The proposed amendments include goals, policies, and land use regulations to protect natural resources and conserve open space resources in the planning area. The Cooper Mountain Community Plan Natural Resource Report, August 2024 (Exhibit 1) identifies and includes a determination of significance for natural resources within the planning area. A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city's methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

Statewide Planning Goal 5 is implemented through OAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5) and OAR 660-023 (Procedures and Requirements for Complying with Goal 5). Responses to the criteria from both OAR 660-016 and OAR 660-023 are included later in these findings and incorporated here by reference.

The Community Plan goals for natural resources include a policy to provide public open spaces and viewpoints in each neighborhood. The proposed approach was developed in coordination with Tualatin Hills Park & Recreation District. The approach includes a Parks Overlay that identifies locations for future parks/open space. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.

The planning area does not include sites for the generation of energy, significant scenic sites, cultural, or historic areas, or mineral and aggregate resources, as described in the

findings for OAR 660-023. Additional information about Cooper Mountain’s cultural history and oldest buildings can be found in Exhibit 26, which is incorporated here by reference.

The proposed amendments do not include changes to the city’s policies related to outdoor advertising signs. The proposed amendments allow for signs related to small scale commercial uses in residential zones, but those signs do not meet the definition of outdoor advertising signs in ORS 377.710.

Conclusion: The proposed amendments are consistent with Statewide Planning Goal 5. This criterion is met.

STATEWIDE PLANNING GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Response: There are no implementation OARs for Goal 7.

Risk is where natural hazards and people/assets collide. City regulations can more easily impact the people/assets. The existing Comprehensive Plan addresses hazards in 8.7 (Flood Hazards), 8.6 (Geologic/Landslide Hazards), and 8.5 (Seismic Hazards). Compliance with Comprehensive Plan goals 8.5.1, 8.6.1, and 8.7.1 is addressed later in this report. The city’s natural hazard protections are implemented through the existing Development Code Chapter 60.10 Floodplain Regulations.

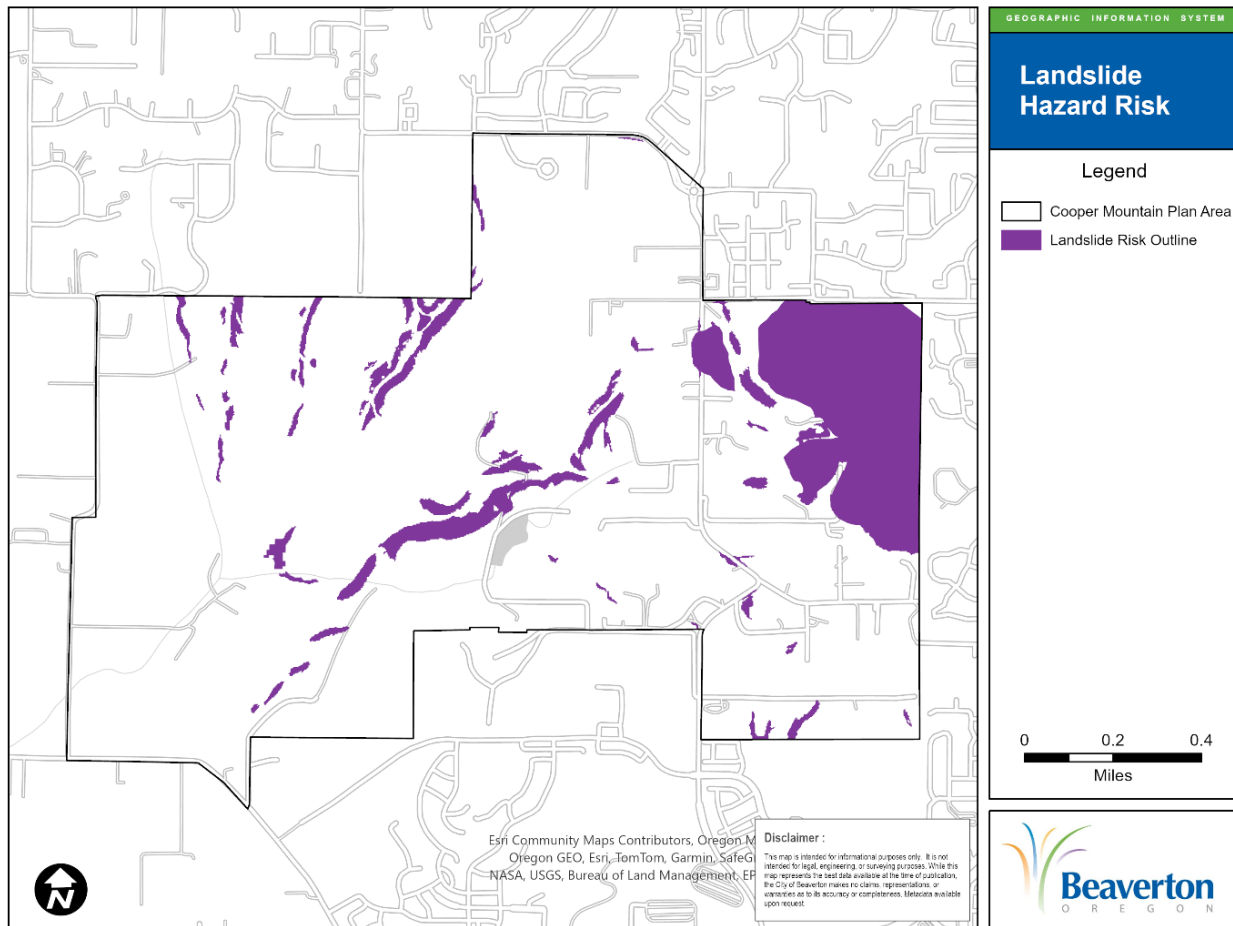
Riverine Flood Hazards

The Cooper Mountain area is part of three Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps: 41067C0525E, 41067C0528E, and 41067C0536E (all effective 11/4/2016). No special flood hazards are identified on any of those maps. All areas are designated Zone X areas determined to be outside the 0.2% annual chance floodplain.

Landslides

The Department of Geology and Mineral Industries (DOGAMI) has models and inventories that can identify landslide susceptibility. Those data show landslide susceptibility in parts of the Cooper Mountain areas. A proposed risk map (Figure 7) derived from a number of separate DOGAMI data sources has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide. The risk map is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan.

Figure 7. Landslide Risk Derived from DOGAMI Datasets



The map is designed to be easily applied and understood by planners, the public, and other city staff. Details regarding how the map was created can be found in Exhibit 25 Landslide Map Methodology.

Proposed Development Code 60.15.08. Cooper Mountain Landslide Hazard Risk. will require geotechnical review for land divisions in mapped area to identify risks and appropriate mitigation measures.

Earthquakes

Most of the earthquake hazard data can be visualized on Oregon HazVu (the statewide geohazards viewer)¹. Beaverton is vulnerable to both local and regional earthquakes and other seismic events. A 2018 a regional impact analysis regarding earthquake hazards for

¹ <https://www.oregon.gov/dogami/hazvu/Pages/index.aspx>

Clackamas Multnomah and Washington counties² includes two different scenarios an earthquake of magnitude 6.8 on the Richter scale along the Portland Hills fault and a magnitude 9.0 Cascadia subduction zone earthquake.

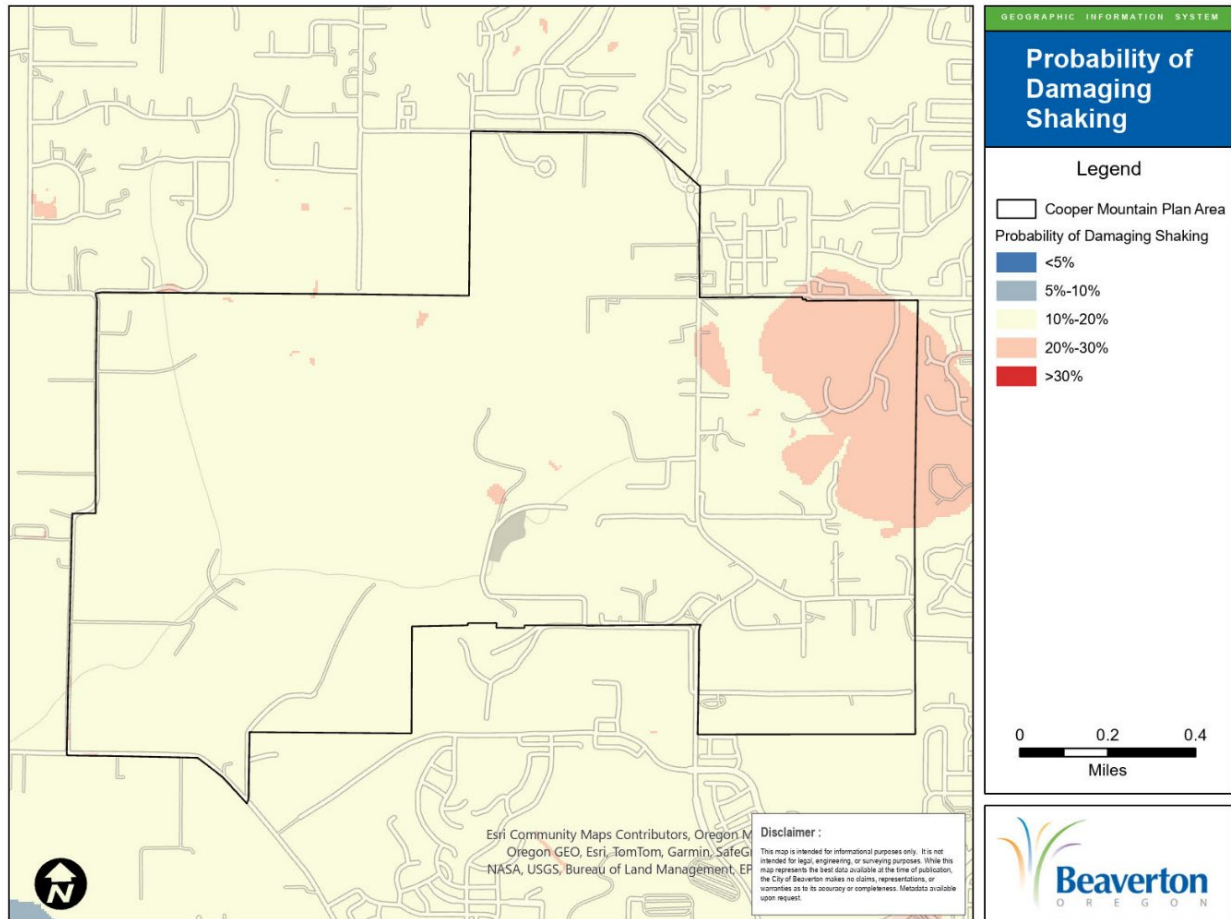
As shown on Figure 8 and Figure 9, there are areas within the Cooper Mountain Community Plan area with somewhat higher vulnerability to seismic hazards. Two datasets from the 2018 analysis show the risks off damaging shaking and ground liquefaction.

Probability of Damaging Shaking: In this analysis and follow this mapping damaging shaking is described ask Mercalli intensity VII which is the level at which weak buildings begin experiencing considerable damage an ordinary well-built structures have slight to moderate damage. Figure 8 below shows the probability of such damaging shaking in the next 50 years. Outside the previous landslide deposit Cooper Mountain has very little probability of damaging shaking.

² Open-File Report O-18-02 <https://pubs.oregon.gov/dogami/ofr/p-O-18-02.htm>

Figure 8. Probability of Damaging Shaking

(Projected magnitude 8.6 Portland Fault earthquake, based on DOGAMI data)

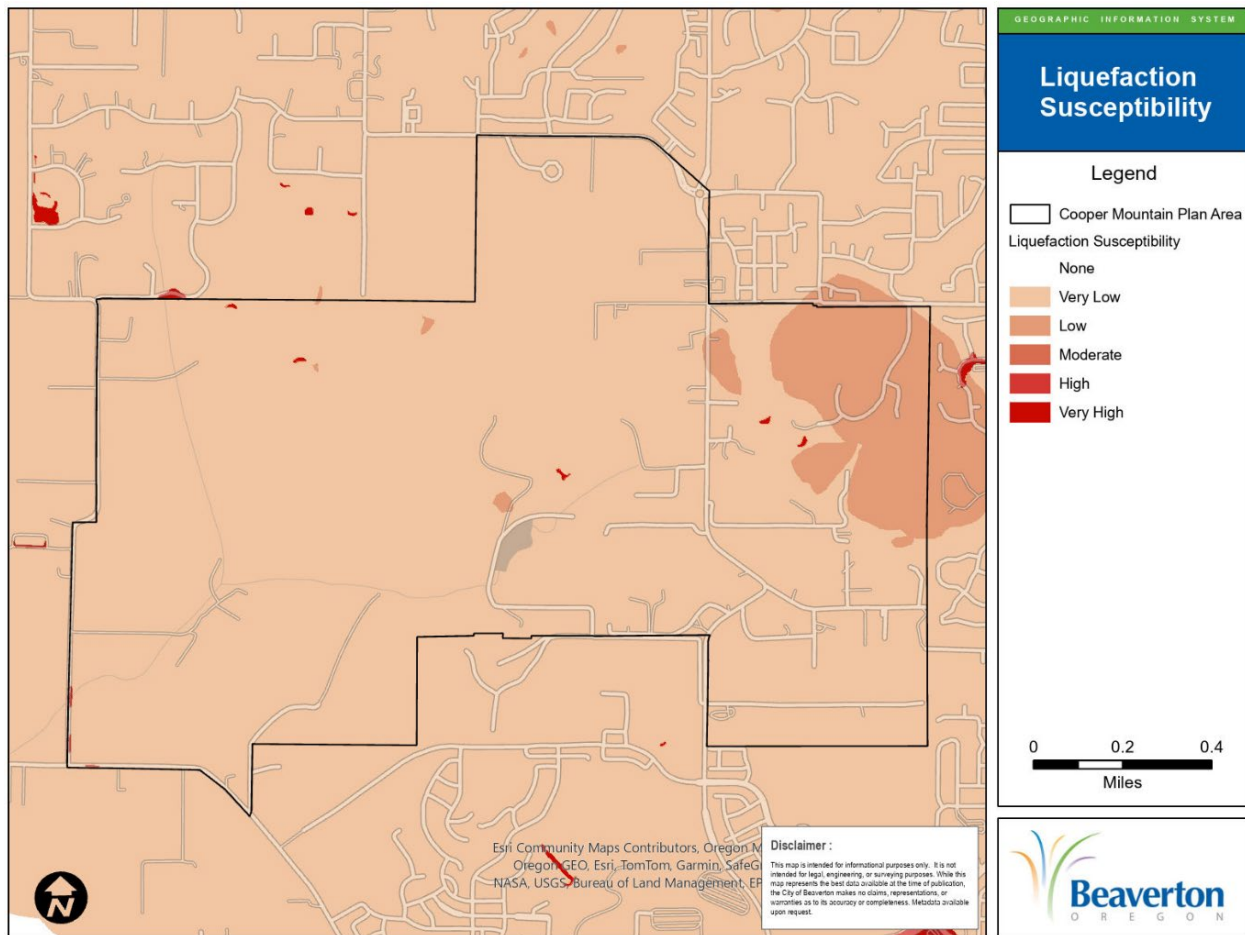


Liquefaction Susceptibility: Liquefaction is when loose sand or silt that is saturated with water begins to act like a liquid due to shaking. Liquefaction can be the cause of the most severe damage in large earthquakes. Not all soils are susceptible to liquefaction, and bedrock it's not at all susceptible. Figure 9 below shows most of the Cooper Mountain area (other than the area of previous landslide deposit) is not particularly susceptible to liquefaction.

Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally inside the boundary of the Resource Overlay (Figure 4), where development will be limited.

Figure 9. Susceptibility to Liquefaction

(Projected magnitude 9.0 Cascadia Subduction Zone earthquake, based on DOGAMI data)



Wildfires

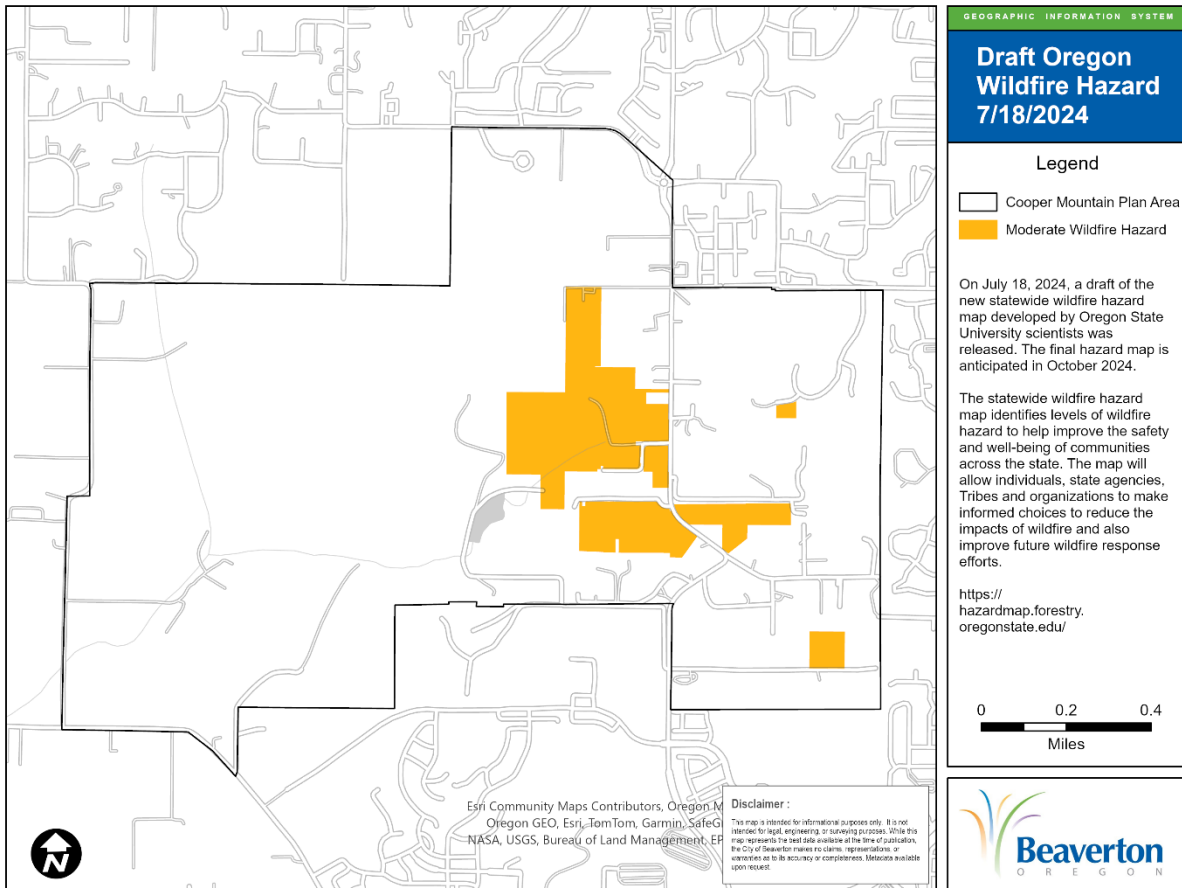
The July 18, 2024 draft Wildfire Hazard Maps³ show most of the Cooper Mountain area as “Low Hazard”. They’re all portions of the area which have moderate wildlife hazard mapped as shown on Figure 10. These are areas of tree canopy that are mostly within boundary of the Resource Overlay. State legislation does not require additional building hardening or defensible space for properties identified with moderate hazard. The hazard maps are to help agencies throughout the state, including remote rural communities, make informed choices regarding development and fire service. These properties and those surrounding

³ <https://hazardmap.forestry.oregonstate.edu/>

them will have urban levels of fire Protection from Tualatin Valley Fire and Rescue who have not indicated concern for their ability to provide service in this location.

Figure 10. Wildfire Hazard Locations

(based on July 18, 2024 draft statewide hazard map for Oregon State University)

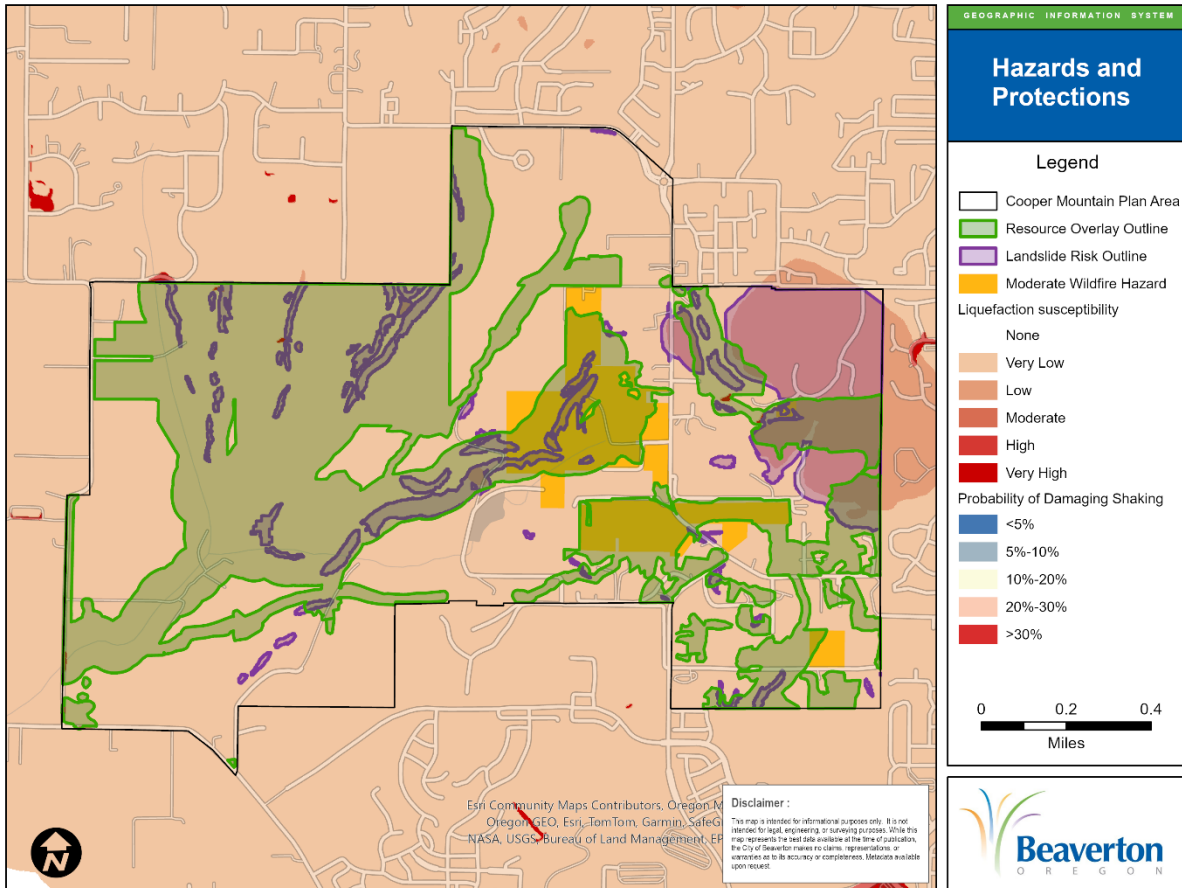


Other hazards:

Due to its location, there is no risk of coastal flooding, tsunami, or coastal erosion.

The Cooper Mountain Plan and development code protect people on property from hazards through the use of development limitation in certain areas and risk mitigation in others. Landslide, and indirectly seismic, risks are mitigated through the addition of Development Code Section 40.45.15 and 60.15.08 which will require geotechnical review and, if necessary, mitigation at the time of land division. Wildfire hazard is not high enough to require additional protections and development is limited in these areas through the proposed Development Code for the Resource Overlay, thus mitigating risk. Figure 11 below shows the overlapping overlays and areas of protection which cover areas at increased risk of natural hazards.

Figure 11. Locations of Increased Hazard and Protections



STATEWIDE PLANNING GOAL 8 – RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

Goal 8 guidelines include:

A. PLANNING

- 1. An inventory of recreation needs in the planning area should be made based upon adequate research and analysis of public wants and desires.**
- 2. An inventory of recreation opportunities should be made based upon adequate research and analysis of the resources in the planning area that are available to meet recreation needs.**
- 3. Recreation land use to meet recreational needs and development standards, roles and responsibilities should be developed by all agencies in coordination with each other and with the private interests. Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.**
- 4. The planning for lands and resources capable of accommodating multiple uses should include provision for appropriate recreation opportunities.**
- 5. The State Comprehensive Outdoor Recreation Plan could be used as a guide when planning, acquiring and developing recreation resources, areas and facilities.**
- 6. When developing recreation plans, energy consequences should be considered, and to the greatest extent possible non-motorized types of recreational activities should be preferred over motorized activities.**
- 7. Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that (a) Meet recreational needs requirements for high density population centers, (b) Meet recreational needs of persons of limited mobility and finances, (c) Meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area and in the recreational use itself, (d) Minimize environmental deterioration, (e) Are available to the public at nominal cost, and (f) Meet needs of visitors to the state.**
- 8. Unique areas or resources capable of meeting one or more specific recreational needs requirements should be inventoried and protected or acquired.**
- 9. All state and federal agencies developing recreation plans should allow for review of recreation plans by affected local agencies.**
- 10. Comprehensive plans should be designed to give a high priority to enhancing recreation opportunities on the public waters and shorelands of the state especially on existing and potential state and federal wild and scenic waterways, and Oregon Recreation Trails.**
- 11. Plans that provide for satisfying the recreation needs of persons in the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.**

Statewide Planning Goal 8 also includes sections about Destination Resort Siting, which are not applicable to his application.

Response: The plan area includes two existing recreational facilities. Cooper Mountain Nature Park covers 140 acres within the plan area and an additional 90 acres adjacent to the plan area. The park is owned by Metro, with programming offered by Tualatin Hills Park & Recreation District (THPRD). Cooper Mountain Nature Park includes a nature center, 3.5 miles of existing trails, viewpoints, benches, and recreational programming. Winkelman Park is a 19-acre park, owned by THPRD, that includes a multi-purpose youth athletic field, a paved walking trail, and an off-leash dog park. Additional recreational opportunities within one half mile of the plan area include:

- Two neighborhood parks, five pocket parks, and an urban plaza that are under development or planned in South Cooper Mountain
- Ballfields, courts, and gymnasiums at Mountainside High School and Scholls Heights Elementary School, and Nancy Ryles Elementary School
- Undeveloped open space at Northridge Woods Natural Area, Morrison Woods Park and Tennax Woods Natural Area
- Portions of the Westside Regional Trail and related local connections

The Cooper Mountain Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan. The process included an evaluation of potential park and trail locations to provide recreational opportunities across the plan area. The proposed approach protects existing parks and recreational facilities, with collector roads and neighborhoods routes located outside existing park properties.

Comprehensive Plan Goal 5.8.1 is “Cooperate with THPRD in implementation of its 20- Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.” Findings related to Comprehensive Plan Goal 5.8.1 are included below and are incorporated here by reference.

The proposed comprehensive plan amendments add Goal 6.2.9: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” This goal is implemented through the proposed active transportation policies.

A key concept of the preferred approach is to create a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. The Cooper Mountain Community Plan Goal 5 is to “Provide public facilities and infrastructure needed for safe, healthy communities.” The public facilities goal includes three strategies related to recreational needs:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Establish McKernan Creek Regional Trail

The Community Plan includes six Parks Policies (Community Plan Goal 5, policies a through f) and six McKernan Creek Regional Trail Policies (Community Plan Goal 5, policies n through s) to implement these strategies.

In addition to the existing recreational facilities, the Cooper Mountain Community Plan identifies a range of park types and uses that will be incorporated across the Community Plan area. Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

The Community Plan identifies one new community park site, located in the southwest corner of the plan area. The location is adjacent to McKernan Creek and the neighborhood center along Tile Flat Road. This location provides a larger park amenity near the intersection of important green spaces, higher density residential development, and good transportation access for a variety of travel modes. As a larger park, the new community park could serve the entire Cooper Mountain area and beyond and provide sports fields and active recreation, activities which typically require more space.

The Community Plan identifies eight new neighborhood park sites across the plan area. The neighborhood parks range in size, typically 2-3 acres. Some sites could serve nearby high-density housing, and others could provide public access to high quality viewpoints and/or views of natural resource areas. The Community Plan also provides guidance regarding urban plazas and trailhead parks, and specific locations for those facilities will be identified through the land use and development processes.

The Community Plan identifies the preferred location of a new regional trail along McKernan Creek, with connections to the existing THPRD trail network. Additional trail alignments are identified that connect neighborhoods to existing and future parks, schools, and neighborhood centers.

The plan area is fully within the boundary of the Tualatin Hills Park & Recreation District service planning area. THPRD's Comprehensive Plan (2023) includes planning for parks and recreation facilities and services across the plan area. THPRD's planning documents include the Comprehensive Plan (2023), Parks Functional Plan (2019), Trails Functional Plan (2016), Natural Resources Functional Plan (2014), Athletic Facilities Functional Plan (2016), and Programs Functional Plan (2023). Each plan identifies existing conditions, future conditions, and standards for developing new parks, trails, facilities, and services.

The THPRD Parks Functional Plan identifies the size, typical amenities, and levels of service that should be included in each future park to meet the needs of surrounding neighborhoods. The THPRD Trails Functional Plan includes plans for a regional trail (McKernan Creek Trail) and several community trails across the plan area. These trails are consistent with the proposed amendments that add trail segments transportation system plan in Volume IV of the city's Comprehensive Plan.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Conclusion: Staff finds that the Comprehensive Plan amendment provides for recreational needs, consistent with Goal 8.

STATEWIDE PLANNING GOAL 9 – ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016, and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis). The Economic Opportunities Analysis (EOA) was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. In addition, as part of the Cooper Mountain Community Plan project, the city also completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). CPMA42024-00679 proposes new commercial policies in the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), as well as new policies in Volume I Chapter 3 (Land Use) of the

Comprehensive Plan, which are based off the citywide EOA and Cooper Market Analyses. Findings for OAR 660-009 provide additional information on the proposed policies in CPMA42024-00679, and how they relate to the proposed amendments in ZMA42024-00681 and TA42024-00679.

Conclusion: Staff finds that the Comprehensive Plan amendment provides for economic development, consistent with Goal 9.

STATEWIDE PLANNING GOAL 10 - HOUSING

To provide for the housing needs of citizens of the state. 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.

Response: Beaverton’s Housing Needs Analysis (HNA) was adopted by City Council in September 2023, along with a Housing Production Strategy Report. The HNA includes a Buildable Lands Inventory (BLI) that was completed in October 2022. The BLI study area included the Cooper Mountain Community Plan area. Citywide, the HNA determined that there is a projected total need for 9,887 new housing units by 2042 (Table 2), and that the remaining land capacity could provide 14,987 units of different types within the study area (a surplus capacity of 5,100 units). Of the available capacity, Cooper Mountain accounted for approximately 5,000 units of the 14,987 units. In sum, the analysis found sufficient land capacity for housing at all densities to accommodate the 20-year growth forecast. The state Department of Land Conservation and Development (DLCD) found the HNA to be consistent with the requirements of Statewide Planning Goal 10.

Table 2: Estimate of 20-year Housing by Tenure and Housing Type (2042)

Unit Type	Total units	Percentage
Single-detached homes	2,692	27.2
Middle housing - Townhome	1,609	16.3
Middle housing - Duplex	727	7.3
Middle housing - Triplex or Quadplex	1,214	12.3
Multi-dwellings (5+ units)	3,215	32.5
Manufactured home	429	4.3
Total	9,887	100 ¹

¹ Percentages might not add up to 100 percent because of rounding.

At the same time that Beaverton’s citywide HNA was being updated, the Cooper Mountain Community Plan was already underway. As part of the Cooper Mountain Community Plan project, city staff completed a BLI for the plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. The updated methodology is described in Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate (Exhibit 22).

In short, the Cooper Mountain BLI (2024) determined that there are 328.7 developable acres in the plan area. Within this acreage, the Cooper Mountain housing estimate is 4,469 housing units across four Cooper Mountain zoning districts (42.9 single-detached homes, 32.8 percent middle housing and 24.2 multi-dwellings). The 2024 revised housing estimate of 4,469 housing units is similar to the 2022 citywide housing estimate of 5,000 housing units, with a key difference being that the 2024 revised housing estimate was, again, based on a refined methodology and updated plan information. A more detailed analysis is summarized in the findings for OAR 660-007-0045 and Exhibit 22.

To sum it up, the 2023 HNA estimates a 20-year housing need of 9,887 units and land capacity of 14,987 units, including 5,000 units in Cooper Mountain. The updated Cooper BLI now estimates 4,469 units, which is reasonably close to the original estimate. Even though 4,469 units (2024 Cooper BLI) is slightly less than 5,000 units (2023 HNA), the 2023 HNA indicates that there is still more than enough land capacity elsewhere in the city to meet the overall housing need, with a new citywide capacity estimate of 14,456 units, which is still much higher than 9,887 units.

CPMA42024-00679 proposes amendments to the Comprehensive Plan that would help meet the housing needs established in the Cooper Mountain BLI (2024).

- **Volume V.** Proposed amendments include the addition of the Cooper Mountain Community Plan, which establishes a long-term vision for Cooper Mountain’s growth and development to support welcoming, walkable neighborhoods. The Community Plan anticipates at least 4,500 homes, with about 5,000 likely because of flexible rules that allow middle housing throughout the plan area. The Community Plan’s housing goal is to provide new housing in a variety of housing types and for all income levels. Community Plan housing policies that implement this goal include:
 - **Policy a)** The city will promote housing consistent with the Housing Element, which is Volume I Chapter 4 of the Comprehensive Plan.
 - **Policy b)** The city will increase housing supply by establishing minimum densities as a tool to ensure the planned number of homes in the Community Plan is implemented.
 - **Policy c)** The city will promote affordable rental and home ownership housing choices in every neighborhood in a variety of housing types consistent with

the city’s identified housing needs. The city should consider a target of at least 450 regulated affordable homes in Cooper Mountain.

- **Policy d)** Include housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.
- **Policy e)** Integrate housing types in neighborhoods and developments so many housing needs can be met throughout Cooper Mountain.
- **Volume I.** Proposed amendments to implement the Cooper Mountain Community Plan include a new land use map in Chapter 3 (Land Use) to include three new Cooper Mountain land use designations (Table 3). The Land Use Map determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations.

Table 3. Comprehensive Plan and Zoning District Matrix

Land Use Designation	Implementing Zoning Districts
Cooper Mountain Commercial	CM-CS – Cooper Mountain - Community Service
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential CM-MR – Cooper Mountain - Multi-dwelling Residential CM-RM – Cooper Mountain - Residential Mixed
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed

Below is more information about each proposed land use designation:

- **Cooper Mountain Commercial.** Provides for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities. Allows residential uses. This land use designation only has one implementing zoning district: CM-CS. As described in the proposed amendments covered by TA42024-00680, CM-CS allows significant residential development with a focus on multi-dwellings and middle housing.
- **Cooper Mountain Mixed Use Corridor.** Promotes a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan. This land use designation allows three very different zoning districts to be applied: CM-HDR, CM-MR and CM-RM. This was done to allow property owners flexibility about how those three zones could be applied on their property.
 - The CM-HDR district is intended to be primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses also are allowed.

- The CM-MR district is intended to result in predominantly residential developments with a focus on multi-dwellings and middle housing.
- The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
- **Cooper Mountain Lower Density Neighborhoods.** Promotes equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods. This land use designation only has one implementing zoning district: CM-RM.

In addition, proposed amendments to Chapter 3 include new or updated policies that, for example, require residential zones with higher minimum densities to be distributed throughout all developable subareas in the plan area and promote applying mixed-use land use designations in locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Other existing policies in Chapter 3 (Land Use) and Chapter 4 (Housing) already allow and encourage a variety of housing types in all residential neighborhoods, such as duplexes, triplexes, quadplexes, townhomes, cottage clusters and multi-dwellings with at least five units to provide increased opportunities for different types and sizes of families to live in Beaverton.

Beaverton's HNA (2023) indicated that there is currently a need for more ownership housing at lower price points; and for rental housing, the greatest unmet need is found at the lowest end of the income scale. The HNA also concluded that more middle housing and a smaller share of single-detached homes are anticipated to be needed. The proposed amendments in CPMA42024-00679 create a plan, along with goals and policies, that address these housing needs.

To implement the Cooper Mountain Community Plan and other Comprehensive Plan updates, ZMA42024-00681 proposes Zoning Map changes and TA42024-00680 proposes Development Code changes. The proposed Zoning Map for Cooper Mountain identifies geographic locations where different development rules apply for the four new Cooper Mountain zoning districts. Generally, the Development Code changes implement Comprehensive Plan policies by establishing site development standards for the four new zoning districts (such as minimum density); providing more flexibility with site development standards to make it easier to build a variety of housing types throughout the plan area, which includes many challenging sites with steep terrain and extensive natural resources; establishing standards for housing variety and integration in new developments; and providing incentives for visitable housing, among many other rules.

Compliance with Statewide Planning Goal 10 is also described in findings for Statewide Planning Goal 10 in the TA42024-0080 section, which describe how housing variety and

integration requirements in Beaverton Development Code Section 20.22 will help the city meet its housing needs, as well as how the Planned Unit Development option in Beaverton Development Code Section 60.36 incentivizes the production of needed housing; and are incorporated here by reference.

Conclusion: Therefore, staff finds the Comprehensive Plan amendment is consistent with Goal 10.

STATEWIDE PLANNING GOAL 11 – PUBLIC FACILITIES & SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Response: The city's Comprehensive Plan states that the City's Public Facilities Plan consists of Volume I, Chapter 5 of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation. The proposed amendments include planning to extend public facilities across the Community Plan area.

The city previously completed public facility planning for the Cooper Mountain Community Plan area as part of the South Cooper Mountain Community Plan, December 2014. The adopted plan includes transportation and infrastructure provisions that extend across the plan area.

The Cooper Mountain Community Plan project followed a phased approach that involved identifying issues and opportunities, developing "plan concepts" to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan. The process included an evaluation of existing public facilities and alternatives to provide public facilities to potential development areas.

The Cooper Mountain Community Plan includes goals and policies related to public facilities and infrastructure. Community Plan Goal 5 is to "Provide public facilities and infrastructure needed for safe, healthy communities." The public facilities goal will be implemented through the following strategies:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Coordinate and implement utility plans
- Establish McKernan Creek Regional Trail

The city has prepared a Cooper Mountain Utility Plan (Exhibit 24) that identifies a plan for the extension of public utilities (water, sanitary sewer, and stormwater) to provide service to the urbanizable area of the plan area. The proposed amendments add The Cooper Mountain Utility Plan to the list of documents that compose the City’s Public Facilities Plan in Volume I, Chapter 5 of the Comprehensive Plan. Rural areas will continue to be served by existing private or public utilities until the time that those properties annex into the city and develop at a higher intensity use.

Community Plan Goal 6 is to “Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.” The transportation goal will be implemented through the following strategies:

- Create complete streets
- Provide many active transportation choices and connections
- Plan and design for transit readiness
- Create a connected network

The proposed amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city’s Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network of trails/paths to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan.

The proposed amendments do not change the proposed solid waste disposal planning. Solid waste disposal sites, including sites for inert waste, are the responsibility of Metro.

Counties shall develop and adopt community public facility plans regulating facilities and services for certain unincorporated communities outside urban growth boundaries as specified by Commission rules.

Response: This requirement does not apply to the city.

Local Governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries, except where the new or

extended system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land.

Response: The Cooper Mountain Utility Plan identifies a plan for providing sewer systems within the urban growth boundary and does not propose extension of sewer systems outside the urban growth boundary or unincorporated community boundaries.

Local governments may allow residential uses located on certain rural residential lots or parcels inside existing sewer district or sanitary authority boundaries to connect to an existing sewer line under the terms and conditions specified by Commission rules. Local governments shall not rely upon the presence, establishment, or extension of a water or sewer system to allow residential development of land outside urban growth boundaries or unincorporated community boundaries at a density higher than authorized without service from such a system.

Response: The proposed amendments would change the allowable uses throughout the planning area to allow residential uses. The proposed amendments only apply within the urban growth boundary and do not plan for the extension of water or sewer service outside the urban growth boundary.

In accordance with ORS 197.180 and Goal 2, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties.

Response: This requirement does not apply to the city.

Goal 11 guidelines include:

A. PLANNING

- 1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.**
- 2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.**
- 3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.**
- 4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.**

5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.

6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.

7. Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

Response: The comprehensive plan states that the City's Public Facilities Plan consists of Volume I, Chapter 5 of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation.

The development of the Cooper Mountain Community Plan included planning to extend public facilities to and through the plan area. The proposed amendments include modifications to the Transportation System Plan (Comprehensive Plan, Volume IV) to provide transportation planning for the Cooper Mountain Community Plan area.

Goal 11 defines urban facilities and services to include police protection, sanitary facilities, storm drainage facilities, planning, zoning, and subdivision control, health services, recreation facilities and services, energy and communication services, and community government services. The planning for each service is described below:

Police Protection – The plan area is currently served by Washington County. Upon annexation, properties within the plan area will receive police protection from the City of Beaverton.

Sanitary and Storm Drainage Facilities – The Cooper Mountain Utility plan includes evaluation of the existing public utilities for water, sewer, and stormwater, and includes plans to extend each of those services into the plan area. Upon annexation, sanitary sewer services would be provided by the City of Beaverton and Clean Water Services. The City and Clean Water Services operate under an intergovernmental agreement to provide public facilities for sanitary sewer and storm drainage.

Planning, Zoning, and Subdivision Control – The proposed amendments include development rules that will guide the land use process, establish zoning, and manage land divisions at the time the properties are annexed into the city.

Health Services – The proposed amendments do not impact planning for health-related services. The area continues to be served by Tualatin Valley Fire & Rescue and Washington County Public Health. Many organizations and businesses provide private health care

services to in the community. The proposed zoning would allow additional services to be located within the plan area.

Recreation Facilities and Services – The plan area includes two existing recreational facilities. Cooper Mountain Nature Park covers 140 acres within the plan area and an additional 90 acres adjacent to the plan area. The park is owned by Metro, with programming offered by Tualatin Hills Park & Recreation District. Winkelman Park is a 19-acre park, owned by THPRD, that includes a multi-purpose youth athletic field, a paved walking trail, and an off-leash dog park.

In addition to the existing recreational facilities, the Cooper Mountain Community Plan identifies a range of park types and uses that will be incorporated across the Community Plan area. Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

Energy and Communication Services – The plan area is served by franchise utilities for energy and communication services. Those services are typically located along transportation corridors in public rights of way. Energy and communication services can be expanded as public rights of way are dedicated during the development of neighborhoods in the plan area.

Community Governmental Services – The plan area was added to the Metro urban growth boundary in 2018. Community governmental services are currently provided by Washington County. Upon annexation, properties within the plan area would be served by the City of Beaverton.

In addition, Statewide Planning Goal 11 is implemented through OAR 660-011. Responses to the criteria for OAR 660-011 are included later in these findings and incorporated here by reference.

Conclusion: Staff finds the Comprehensive Plan amendment includes plans to provide a timely, orderly, and efficient arrangement of public facilities and services, consistent with Goal 11. This criterion is met.

STATEWIDE PLANNING GOAL 12 - TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Response: The City of Beaverton has an existing adopted Transportation System Plan that was found to be consistent with Goal 12. The proposed amendments would amend the city's existing Transportation System Plan related to the Cooper Mountain Urban Growth Boundary expansion area, with updates found in the following locations:

- Exhibit 1: Funding Plan (appendix to the Cooper Mountain Community Plan

- Exhibit 2: Comprehensive Plan Volume I, specifically Chapter 6
- Exhibit 6: Comprehensive Plan Volume IV, Chapter 2
- Exhibit 7: Comprehensive Plan Volume IV, Chapter 4
- Exhibit 8: Comprehensive Plan Volume IV, Appendix O
- Exhibit 9: Comprehensive Plan Volume IV, Appendix P

Findings related to Statewide Planning Goal 12 are found in the CPMA, ZMA, and TA application findings related to OAR 660-012, Metro Regional Transportation Plan, Metro Regional Transportation Functional Plan, and Beaverton Comprehensive Plan Chapter 6 goals and policies, which are incorporated here by reference.

Conclusion: This criterion is met.

STATEWIDE PLANNING GOAL 13 – ENERGY CONSERVATION

To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: As described in the findings for Goal 5, Goal 10, and Goal 12, which are incorporated here by reference, the Cooper Mountain Comprehensive Plan policies promote housing variety, efficient use of land, sufficient open space, and reduced automobile travel/greenhouse gas emissions consistent with development being energy efficient. In addition, existing city Comprehensive Plan goals and policies (specifically Goal 7.5 and its policies) already promote development that results in reduced energy consumption and enables renewable energy.

Conclusion: This criterion is met.

STATEWIDE PLANNING GOAL 14 - URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: Goal 14 requires urban growth boundaries to be established and expanded based on need consistent with state law. The Metro regional government approved the Cooper Mountain urban growth boundary expansion in 2018 and made Goal 14 findings at the time.

Goal 14 guidelines include:

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area;(2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Metro’s findings addressed Goal 14 topics including the guidelines above at the time of urban growth boundary expansion. The proposed amendments also include goals, policies, and land use regulations that promote housing, natural resource protection, parks/open space, streets, and public facilities. The amendments also include changes to the city’s public facilities plan. The Cooper Mountain Utility Plan describes how public facilities will be provided along with development. The Cooper Mountain Infrastructure Funding Plan that is included as an appendix to the Cooper Mountain Community Plan (Exhibit 1, Appendix C) identifies funding sources and strategies for each category of infrastructure and whether resources are expected to be available to cover the estimated costs. Services are provided by the city as well as service providers, including Clean Water Services (stormwater and sewer), Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, Tualatin Hills Water District, Metro, Washington County, and Beaverton School District. Each of those agencies have capital improvement plans, capital budgets, and funding sources for ongoing service provision as well as financing public facility capital investments. Beaverton Comprehensive Plan Section 5.2 Public Facilities Plan states that the city’s Public Facilities Plan “consists of ... the most recent version of master plans adopted by providers of the following facilities and services in the City” and includes storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation on that list.

Conclusion: The proposed amendments are consistent with Statewide Planning Goal 14. This criterion is met.

OAR 660-007 – METROPOLITAN HOUSING

660-007-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.
- (3) Subject to section (1), this rule does not infringe on a local government’s prerogative to:
 - (a) Set approval standards under which a particular housing type is permitted outright;
 - (b) Impose special conditions upon approval of a specific development proposal; or
 - (c) Establish approval procedures.

Response: Beaverton’s Comprehensive Plan includes policies that call for effective planning and development review services, such as Policy 3.4.1 a) Ensure that development regulations are consistent with and implement the Comprehensive Plan, and Policy 4.1.1.h) Provide an efficient, consistent, and reliable development review process. Development review processes are efficient when approval criteria for land use applications is based on clear and objective standards, which are easier and faster for staff to review and approve.

TA42024-00680 includes amendments that describe clear and objective standards applicable to housing developments in Cooper Mountain and citywide, which implements Comprehensive Plan Policy 3.4.1.a) and Policy 4.1.1.h). Compliance with OAR 660-007-0015 for CPMA42024-00679 is described in more detail in the findings for OAR 660-007-0015 for TA42024-00680 and are incorporated here by reference.

660-007-0018 Specific Plan Designations Required

- (1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be considered to be "residential plan designations" for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in OAR 660-007-0030 through 660-007-0037.**

...

Response: All land use designations and zoning districts in Cooper Mountain either require or allow residential uses. Comprehensive Plan Chapter 3 amendments provide land use designations and corresponding implementing zoning districts (found in the proposed Comprehensive Plan and Zoning District Matrix under Goal 3.4.1) for the Cooper Mountain Community Plan area.

Compliance with OAR 660-007-0018 was described above in findings for Statewide Planning Goal 10, which describes each proposed Comprehensive Plan land use designation and implementing zoning district and are incorporated here by reference.

Furthermore, findings for OAR 660-007-0030, 660-007-0035 and 660-007-0045 also demonstrate that the existing Comprehensive Plan (Volumes I, II and V); proposed amendments to the Comprehensive Plan covered by CPMA42024-00679; and proposed amendments in ZMA42024-00681 and TA42024-00680, which implement the Comprehensive Plan; collectively result in plan designations assigned to buildable land that accommodates the varying housing types and densities required by OAR 006-007.

660-007-0022 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing on or after its first periodic review shall either justify such restriction by an analysis of housing need according to tenure or otherwise demonstrate that such restrictions comply with ORS 197.303(1)(a) and 197.307(3).

Response: The proposed amendments do not restrict the construction of either rental or owner occupied housing; therefore, this criterion is not applicable.

660-007-0030 New Construction Mix

- (1) Jurisdictions other than small developed cities must either designate sufficient buildable land to provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing or justify an alternative percentage based on changing circumstances. Factors to be considered in justifying an alternate percentage shall include, but need not be limited to:**

- (a) Metro forecasts of dwelling units by type;**

- (b) Changes in household structure, size, or composition by age;
- (c) Changes in economic factors impacting demand for single family versus multiple family units; and
- (d) Changes in price ranges and rent levels relative to income levels.

(2) The considerations listed in section (1) of this rule refer to county-level data within the UGB and data on the specific jurisdiction.

Response: In September 2023, the Beaverton City Council adopted an updated Housing Needs Analysis (May 2023) which includes an updated BLI and assumptions for new construction mix in the HNA study area, which covered the City of Beaverton and the Cooper Mountain Community Plan area. Appendix C of the HNA, Projected Future Housing Need, states that there will be a projected growth of 9,887 households in the 20-year period. Appendix F, the Buildable Lands Inventory, reports that there is residential capacity in Beaverton for 14,987 more units, which is sufficient for meeting future housing needs. Of the 14,987 units, the Buildable Lands Inventory shows capacity for 5,122 units in the Medium-Density zoning category, which typically includes attached single family housing, manufactured homes, and plexes with 2-4 units. The Buildable Lands Inventory also shows capacity for 4,082 units in the High-Density zoning category, which typically includes multi-dwelling housing. Together, this accounts for 9,204 units, or 61.4 percent of new residential units. The Low-Density zoning category can also accommodate townhomes and plexes, so this percentage could be even higher. This far exceeds the 50 percent required.

In addition, city staff completed a BLI for the Cooper Mountain Community Plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. Based on these updated calculations, all four Cooper Mountain zoning districts can support 42.9 percent single-detached home and 57 percent middle housing and multi-dwelling units combined. Again, this exceeds the 50 percent required. A more detailed explanation of this analysis is described in the findings for 660-007-0045 and is incorporated here by reference.

660-007-0033 Consideration of Other Housing Types

Each local government shall consider the needs for manufactured housing and government assisted housing within the Portland Metropolitan UGB in arriving at an allocation of housing types.

Response: Beaverton's HNA, approved by City Council in September 2023, considered the needs for all housing types, including manufactured housing and government assisted housing within the Portland Metropolitan UGB. In the HNA, Appendix C, Projected Future Housing Needs, forecasts future housing needs over the 20-year planning period (2022-2042). Figure 2.5 in Appendix C shows an estimated need for 429 more manufactured homes, which account for 4.3 percent of total units needed by 2042. In addition to

manufactured housing, Appendix C also describes government-subsidized housing as important for fulfilling housing needs at the very lowest income levels. Figure 2.4 in Appendix C estimates that 33 percent of new units should serve residents who earn less than 80 Area Median Income.

To meet the housing needs established by the updated HNA, the proposed amendments in TA42024-00680 indicate that manufactured and mobile homes are permitted in all four proposed Cooper Mountain zoning districts, and manufactured home parks are permitted in the CM-RM zoning district.

660-007-0035 Minimum Residential Density Allocation for New Construction

The following standards shall apply to those jurisdictions which provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing:

...

- (3) Multnomah County and the cities of Portland, Gresham, Beaverton, Hillsboro, Lake Oswego and Tigard must provide for an overall density of ten or more dwelling units per net buildable acre. These are larger urbanized jurisdictions with regionally coordinated population projections of 50,000 or more for their active planning areas, which encompass or are near major employment centers, and which are situated along regional transportation corridors.**

...

Response: Beaverton’s HNA, approved by City Council in September 2023, added an updated BLI (Appendix F) to the Comprehensive Plan. In Appendix F, Table 2 shows 498.9 acres of residential land that are developable within the study area, which consists of the area within city limits plus the Cooper Mountain Community Plan area. Table 13 in Appendix F shows capacity for 14,987 units within the study area. Dividing the units by the acres available results in 30 units per net buildable acre. This far exceeds the 10 units per net buildable acre minimum.

Within the Cooper Mountain Community Plan area, the minimum density for the CM-CS, CM-HDR and CM-MR zoning districts is 34 units per acre and the minimum density for the CM-RM district is 10 units per acre. Inside the plan area, developable acreage is 373.7 acres and the housing estimate is 4,469 units, which results in approximately 12 units per buildable acre for the overall plan area. A more detailed analysis is described in the findings for OAR 660-007-0045.

660-007-0045 Computation of Buildable Lands

- (1) The local buildable lands inventory must document the amount of buildable land in each residential plan designation.**

(2) The Buildable Land Inventory (BLI): The mix and density standards of OAR 660-007-0030, 660-007-0035 and 660-007-0037 apply to land in a buildable land inventory required by OAR 660-007-0010, as modified herein. Except as provided below, the buildable land inventory at each jurisdiction's choice shall either be based on land in a residential plan/zone designation within the jurisdiction at the time of periodic review or based on the jurisdiction BLI at the time of acknowledgment as updated. Each jurisdiction must include in its computations all plan and/or zone changes involving residential land which that jurisdiction made since acknowledgment. A jurisdiction need not include plan and/or zone changes made by another jurisdiction before annexation to a city. The adjustment of the BLI at the time of acknowledgment shall:

- (a) Include changes in zoning ordinances or zoning designations on residential planned land if allowed densities are changed;**
- (b) Include changes in planning or zoning designations either to or from residential use. A city shall include changes to annexed or incorporated land if the city changed type or density or the plan/zone designation after annexation or incorporation;**
- (c) The county and one or more cities affected by annexations or incorporations may consolidate buildable land inventories. A single calculation of mix and density may be prepared. Jurisdictions which consolidate their buildable lands inventories shall conduct their periodic review simultaneously;**
- (d) A new density standard shall be calculated when annexation, incorporation or consolidation results in mixing two or more density standards (OAR 660-007-0035). The calculation shall be made as follows:**

(A)

- (i) BLI Acres x 6 Units/Acre = Num. of Units;**
- (ii) BLI Acres x 8 Units/Acre = Num. of Units;**
- (iii) BLI Acres x 10 Units/Acre = Num. of Units;**
- (iv) Total Acres (TA) — Total Units (TU).**

(B) Total units divided by Total Acres = New Density Standard;

(C) Example:

(i) Cities A and B have 100 acres and a 6-unit-per-acre standard: (100 x 6 = 600 units); City B has 300 acres and a 10-unit-per-acre standard: (300 x 10 = 3000 units); County has 200 acres and an 8-unit-per-acre standard: (200 x 08 = 1600 units); Total acres = 600 — Total Units = 5200.

(ii) 5200 units divided by 600 acres = 8.66 units per acre standard.

(3) Mix and Density Calculation: The housing units allowed by the plan/zone designations at periodic review, except as modified by section (2) of this rule, shall be used to calculate the mix and density. The number of units allowed by the plan/zone designations at the time of development shall be used for developed residential land.

Response: City staff completed a Buildable Lands Inventory (BLI) for the Cooper Mountain Community Plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. The adopted citywide HNA (2023) included a BLI documenting the amount of buildable land for each residential plan designation.

In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. The updated methodology is described in Exhibit 22 (Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate).

Currently, all land inside the Cooper Mountain Community Plan area is in unincorporated Washington County and zoned as Future Development, 20-acre District (FD-20). The FD-20 District applies to the unincorporated urban lands added to the UGB by Metro through a Major or Legislative Amendment process after 1998. The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. Essentially, the minimum lot area shall be 20 acres until the land is annexed by the City of Beaverton. Unlike other County zones, the County doesn't list a density standard for the FD-20 District, only dimensional standards.

Upon annexation, all properties that were zoned as FD-20 (county land use zoning) will be assigned one of four Cooper Mountain zoning districts (Table 4). All four Cooper Mountain zoning districts allow residential uses. The amount of buildable land in each zoning district described below is based on the Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate.

Table 4. Developable Acres in Cooper Mountain Zoning Districts

Cooper Mountain Zoning District	Developable Acres
Cooper Mountain – Community Service (CM-CS)	11 acres
Cooper Mountain – High Density Residential (CM-HDR)	13.5 acres
Cooper Mountain – Multi-Unit Residential (CM-MR)	20.6 acres
Cooper Mountain – Residential Mixed (CM-RM)	328.7 acres

The minimum density for each of the four Cooper Mountain Zoning Districts is described in Table 5, along with developable acreage and housing estimates per zoning district. The

minimum density standards for each zoning district complies with (OAR 660-007-0030 and 660-007-0035).

Table 5. Cooper Mountain Housing Estimate

Cooper Mountain Zoning District	Developable Acres¹	Minimum Density: Units Per Net Acre	Housing Estimate Units
Cooper Mountain – Community Service (CM-CS)	11	34	258
Cooper Mountain – High Density Residential (CM-HDR)	13.5	34	317
Cooper Mountain – Multi-Unit Residential (CM-MR)	20.6	34	696
Cooper Mountain – Residential Mixed (CM-RM)	328.7	10	3,198
Total	373.7²		4,469

¹ Developable acres is defined in Exhibit 22, which describes how unconstrained partially vacant acres and unconstrained totally vacant acres factor into the calculation.

² Developable acres for each district might not add up to total because of rounding.

The housing type estimates for each Cooper Mountain Zoning district is listed in Table 6. The required housing mix for each zoning district complies with (OAR 660-007-0030 and 660-007-0035).

Table 6. Cooper Mountain Housing Types Estimate

Cooper Mountain Zoning District	Total units	Single-detached homes	Middle Housing	Multi-dwellings
Cooper Mountain – Community Service (CM-CS):	258	0	38	220
Cooper Mountain – High Density Residential (CM-HDR)	317	0	47	270
Cooper Mountain – Multi-Unit Residential (CM-MR)	696	0	104	592

Cooper Mountain Zoning District	Total units	Single-detached homes	Middle Housing	Multi-dwellings
Cooper Mountain – Residential Mixed (CM-RM)	3,198	1,919	1,279	0
Total	4,469	1,919	1,468	1082
Percentage ¹		42.9	32.8	24.2

¹ Percentages might not add up to 100 percent because of rounding.

The calculations in the Cooper-specific 2024 BLI addendum (Exhibit 22) are substantially similar to the calculations in the 2023 citywide HNA (Volume II: Background & Supporting Material of the Beaverton Comprehensive Plan). The citywide HNA includes a BLI that was completed in October 2022. The study area for the citywide BLI included the Cooper Mountain Community Plan area. Citywide, the analysis found sufficient land capacity for housing at all densities to accommodate the 20-year growth forecast. Specifically, the citywide BLI determined that there is a projected total need for 9,887 new housing units by 2042, the remaining land capacity could provide 14,987 units of different types within the study area, which reflects a surplus capacity of 5,100 units. Of the available capacity, Cooper Mountain accounted for approximately 5,000 units of the 14,987 units in the October 2022 BLI.

OAR 660-007-0045(2)(c) and (d) are not applicable to this project.

660-007-0060 Applicability

- (1) The new construction mix and minimum residential density standards of OAR 660-007-0030 through 660-007-0037 shall be applicable at each periodic review. During each periodic review local government shall prepare findings regarding the cumulative effects of all plan and zone changes affecting residential use. The jurisdiction's buildable lands inventory (updated pursuant to 660-007-0045) shall be a supporting document to the local jurisdiction's periodic review order.**
- (2) For plan and land use regulation amendments which are subject to OAR 660, Division 18, the local jurisdiction shall either:**
 - (a) Demonstrate through findings that the mix and density standards in this Division are met by the amendment; or**
 - (b) Make a commitment through the findings associated with the amendment that the jurisdiction will comply with provisions of this Division for mix or density through subsequent plan amendments.**

Response: The proposed amendments are subject to OAR 660-018, so (2) applies. The mix and density standards required by this division are described in the findings for 660-007-0030, 660-007-0035 and 660-007-0045, and are incorporated here by reference. The City of Beaverton commits to complying with provisions of this Division for mix and density standards through subsequent plan amendments.

Conclusion: The proposed amendments are consistent with OAR 660-007. This criterion is met.

OAR 660-008 – INTERPRETATION OF GOAL 10 HOUSING

660-008-0010 Allocation of Buildable Land

- (1) The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.
- (2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the following provisions apply to local governments that are subject to OAR 660-012-0310(2):
 - (a) Following the initial designation of climate-friendly areas as required in OAR 660-012-0315, local governments shall maintain climate-friendly area zones with sufficient zoned residential building capacity to contain at least 30 percent of current and projected housing needs. However, the local government shall determine housing capacity within the climate-friendly area for the purpose of meeting identified housing needs as required by Goal 10 and this division in a manner consistent with ORS 197.296(5).
 - (b) The local government shall calculate the zoned residential building capacity within climate-friendly areas consistent with the provisions of OAR 660-012-0315(2), or utilizing an alternative methodology as provided in OAR 660-012-0320(10). The local government shall include demonstration of compliance with this requirement in each subsequent Housing Capacity Analysis.
 - (c) The local government shall establish land use requirements in climate-friendly areas as provided in OAR 660-012-0320 for any newly designated climate-friendly area concurrent with or prior to the adoption of a Housing Capacity Analysis.

Response: Compliance with OAR 660-008-0010(1) was described above in findings for OAR 660-007-0030, which describes how the city's 2023 HNA examines sufficient buildable lands to satisfy housing needs by type; and OAR 660-007-0035, which describes minimum densities in residential areas, are incorporated here by reference. Findings are not

provided for OAR 660-008-0010(2) since that does not apply to cities/counties within the Portland Metropolitan Area; therefore, it is not applicable.

660-008-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.**
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:**
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);**
 - (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and**
 - (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.**
- (3) Subject to section (1), this rule does not infringe on a local government's prerogative to:(a) Set approval standards under which a particular housing type is permitted outright;(b) Impose special conditions upon approval of a specific development proposal; or (c) Establish approval procedures.**

Response: Compliance with OAR 660-008-0015 is described above in findings for OAR 660-007-0015, which describes clear and objective standards for the development of needed housing on buildable land; and are incorporated here by reference.

660-008-0020 Specific Plan Designations Required

- (1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be considered to be "residential plan designations" for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in the local housing needs projection.**

(2) A local government may defer the assignment of specific residential plan designations only when the following conditions have been met:

- (a) Uncertainties concerning the funding, location and timing of public facilities have been identified in the local comprehensive plan;
- (b) The decision not to assign specific residential plan designations is specifically related to identified public facilities constraints and is so justified in the plan; and
- (c) The plan includes a time-specific strategy for resolution of identified public facilities uncertainties and a policy commitment to assign specific residential plan designations when identified public facilities uncertainties are resolved.

Response: Compliance with OAR 660-008-0020 is described above in findings for OAR 660-007-0018, which describes plan designations that allow or require residential uses on all buildable land; and are incorporated here by reference.

660-008-0040 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing shall include a determination of housing need according to tenure as part of the local housing needs projection.

Response: Compliance with OAR 660-008-0040 is described above in findings for OAR 660-007-0022, which confirms that the city does not restrict the construction of either rental or owner occupied housing; and are incorporated here by reference.

660-008-0045 Housing Capacity Analysis Deadline

Cities described in ORS 197.296(2)(a)(B) and (10)(c)(B) shall demonstrate sufficient Buildable Lands as scheduled by the Commission.

- (1) The Department shall publish the calendar of Housing Capacity Analyses deadlines for cities identified under ORS 197.296(2)(a)(B) or (10)(c)(B) in Exhibit A.
- (2) The deadline for adoption of a Housing Capacity Analysis in a given year is December 31st.
- (3) A city will be considered to have met its obligation to adopt a Housing Capacity Analysis upon adoption of the Housing Capacity Analysis by ordinance. A subsequent appeal of the Housing Capacity Analysis will not be considered a failure to comply with the deadline provided in Exhibit A provided in section (1).
- (4) Upon adoption of a Housing Capacity Analysis, the deadline for a subsequent Housing Capacity Analysis is as follows:
 - (a) Eight years subsequent for cities that are not within a metropolitan service district; or

- (b) Six years subsequent for cities that are within a metropolitan service district.
- (5) If a population estimate developed under ORS 195.033 and OAR 660-032-0020 and OAR 660-032-0030 results in a city qualifying under ORS 197.296(2)(a)(B) or (10)(c)(B), the city must adopt a Housing Capacity Analysis within two years of its qualification or the interval provided in section (4), whichever is the longer period.

Response: City staff completed a BLI for the Cooper Mountain Community Plan area in July 2020 (Exhibit 22), which informed the citywide HNA adopted by City Council in September 2023. The city's Housing Needs Analysis approved in 2023 and acknowledged by DLCD satisfied the city's obligation to adopt a Housing Capacity Analysis. In August 2024, city staff updated the BLI for Cooper Mountain Community Plan area, refining the methodology and recalculating housing estimates. The updated methodology is described in Exhibit 22 (Cooper Mountain Buildable Lands Inventory 2024 BLI addendum and housing estimate).

Compliance with OAR 660-008-0045 is described above in findings for OAR 660-007-0045, which describes sufficient buildable lands analyzed in citywide and project-specific buildable land inventories; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with OAR 660-008. This criterion is met.

OAR 660-009 – ECONOMIC DEVELOPMENT

660-009-0010 Application

- (1) This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.
- (2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.
- (3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
- (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030...

- (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.
- (6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis, EOA). The Economic Opportunities Analysis was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The analysis explored the community's economic patterns, potential, strengths, and deficiencies; resulted in policies concerning the economic development opportunities in the community; evaluated the supply of employment sites of suitable sizes and types; and addressed locations and service levels for a variety of industrial and commercial uses. DLCD acknowledged these updates in 2016.

660-009-0015 Economic Opportunities Analysis

Cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land.

- (1) Review of National, State, Regional, County and Local Trends. The economic opportunities analysis must identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends. This review of trends is the principal basis for estimating future industrial and other employment uses as described in section (4) of this rule. A use or category of use could reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors for the use or category of use. Cities and counties are strongly encouraged to analyze trends and establish employment projections in a geographic area larger than the planning area and to determine the percentage of employment growth reasonably expected to be captured for the planning area based on the assessment of community economic development potential pursuant to section (4) of this rule.

- (2) Identification of Required Site Types.** The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses. Cities and counties are encouraged to examine existing firms in the planning area to identify the types of sites that may be needed for expansion. Industrial or other employment uses with compatible site characteristics may be grouped together into common site categories.
- (3) Inventory of Industrial and Other Employment Lands.** Comprehensive plans for all areas within urban growth boundaries must include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use.
- (a) For sites inventoried under this section, plans must provide the following information:**
- (A) The description, including site characteristics, of vacant or developed sites within each plan or zoning district;**
 - (B) A description of any development constraints or infrastructure needs that affect the buildable area of sites in the inventory; and**
 - (C) For cities and counties within a Metropolitan Planning Organization, the inventory must also include the approximate total acreage and percentage of sites within each plan or zoning district that comprise the short-term supply of land.**
- (b) When comparing current land supply to the projected demand, cities and counties may inventory contiguous lots or parcels together that are within a discrete plan or zoning district...**
- (4) Assessment of Community Economic Development Potential.** The economic opportunities analysis must estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. The estimate must be based on information generated in response to sections (1) to (3) of this rule and must consider the planning area's economic advantages and disadvantages. Relevant economic advantages and disadvantages to be considered may include but are not limited to:
- (a) Location, size and buying power of markets;**
 - (b) Availability of transportation facilities for access and freight mobility;**
 - (c) Public facilities and public services;**
 - (d) Labor market factors;**
 - (e) Access to suppliers and utilities;**
 - (f) Necessary support services;**

(g) Limits on development due to federal and state environmental protection laws;
and

(h) Educational and technical training programs.

(5) Cities and counties are strongly encouraged to assess community economic development potential through a visioning or some other public input based process in conjunction with state agencies. Cities and counties are strongly encouraged to use the assessment of community economic development potential to form the community economic development objectives pursuant to OAR 660-009-0020(1)(a).

Response: The citywide Economic Opportunities Analysis (2016) was based on the Beaverton Urban Service Boundary (USB), which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The citywide EOA indicated that there is a resulting forecasted employment land need for over 900 acres over a twenty year horizon, of which 561 is for commercial uses (239 acres of retail, 229.8 acres of office and 92.5 acres of institutional) and 342 is for industrial uses (Cooper Mountain amendments described later will focus on commercial uses only).

In addition, the citywide EOA indicates that the city's capacity for additional employment growth is affected by a limited supply of vacant property. Under the assumed employment growth scenario in the citywide EOA, the capacity within the USB is insufficient to accommodate the projected aggregate twenty year needs for commercial uses. The reconciliation of projected employment needs and available capacity results in a projected shortage of 100 acres of commercial property by 2034. Proposed Cooper Mountain Community Plan amendments would add some land to inside city limits that could modestly meet some of the 20-year retail and office needs identified in the citywide EOA.

As part of the Cooper Mountain Community Plan project, the city completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). This analysis revealed that a small, neighborhood-serving commercial node is likely to be viable in Cooper Mountain, based on an assessment of the expected concentration of households in the likely catchment area. Based on evaluation of comparable developments and the scale of demand, the commercial node could be between 0.5 and 2 acres in size with 15,000 to 30,000 sq. ft. of commercial space. The tenant mix would include personal and experiential services (such as salons and fitness centers), restaurants and cafes, and small medical/dental offices. Because it would be small and neighborhood-serving, it would not draw the kind of crowds that a larger shopping area would; however, to succeed it would need a suitable site with the highest possible visibility and access (such as 175th Avenue at a key intersection). Therefore, the Market Analysis also recommends co-locating the commercial node with a public use that serves as an attraction will also help it succeed.

Several years after the Market Analyses was completed, the Cooper Mountain Community Plan was drafted in April 2023 and updated in August 2024 (Exhibit 1). Since then, several factors have changed:

- **Projected households.** The Market Analyses assumes that the plan area will accommodate 3,760 housing units when fully built out. According to the 2023 Housing Needs Analysis Report, the average household in Beaverton is 2.4 persons per household; therefore, 3,760 housing units translates to about 9,000 new residents. However, the Cooper Mountain Community Plan amendments and Development Code amendments plan for 4,460 housing units and estimate that the total likely will be larger because property owners can choose to exceed the minimum density, including on lots where middle housing is allowed. The city anticipates about 5,000 homes will eventually be built in the area. This translates to between 10,700 and 12,000 new residents (compared to 9,000 new residents in the 2020 calculations).
- **South Cooper Mountain.** Some commercial use is planned in South Cooper Mountain (SCM), but nothing has been built or proposed. There is one Neighborhood Service (NS) zoning district adjacent to Mountainside High School where commercial uses are required, but no commercial development has been proposed yet. There is also a Corridor Commercial (CC) zoning district adjacent to the NS site where commercial development is optional. But again, no commercial development has been proposed. According to the 2020 Market Analyses, SCM was anticipated to accommodate future Main Street commercial development, up to 30,000 sq. ft. of commercial/non-residential use. Both NS and CC zoning districts are within a half-mile of the Cooper Mountain Community Plan area, so they are in within the catchment area that would be frequented by people living in Cooper Mountain.
- **Public engagement.** Through four years of public engagement, community members, including people currently living in South Cooper Mountain and Cooper Mountain, have expressed a strong desire for more commercial uses in the Cooper Mountain plan area so that they do not have to drive as far to access goods and services. Many community members specifically mentioned that if the city is going to plan for even more housing than required in the plan area, then it is even more important to provide places to buy food nearby. In addition, City Council members and Planning Commissioners have also expressed a desire for more commercial uses in the Cooper Mountain plan area so that new residents can live in complete neighborhoods, which would prevent the area from turning into a food desert.

Based on updated information and community feedback, the amendments propose two commercial areas (one in the northeast corner and one in the southwest corner). This provides access to goods and services within one mile of new homes for more residential areas in the Cooper Mountain plan area (one neighborhood center could only serve half of

the plan area according to the “primary trade area” analyses in the Market Analysis, which assumes a one-mile radius around the neighborhood center).

To provide more creativity with when and how developments provide commercial uses on sites where commercial square footage will be required, TA42024-00680 proposes a few ways that developments can benefit from some added flexibility.

660-009-0020 Industrial and Other Employment Development Policies

(1) Comprehensive plans subject to this division must include policies stating the economic development objectives for the planning area. These policies must be based on the community economic opportunities analysis prepared pursuant to OAR 660-009-0015 and must provide the following:

- (a) Community Economic Development Objectives. The plan must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other employment uses desired by the community...**
- (c) Commitment to Provide Adequate Sites and Facilities. The plan must include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations. The plan must also include policies, through public facilities planning and transportation system planning, to provide necessary public facilities and transportation facilities for the planning area...**

Response: As stated above in the findings for OAR 660-009-0010, the Beaverton City Council added the citywide Economic Opportunities Analysis to Volume II of the Comprehensive Plan in 2016, as required by OAR 660-009-0015. The current Comprehensive Plan already has policies that advance the economic development objectives for the city in Chapter 3 (Land Use), Chapter 4 (Housing), Chapter 5 (Public Facilities and Services), Chapter 6 (Transportation), Chapter 8 (Environmental Quality and Safety), Chapter 9 (Economy) and Chapter 10 (Community Health) in Volume I of the Comprehensive Plan.

To provide place-specific policies for the Cooper Mountain plan area, CPMA42024-00679 adds the Cooper Mountain Community Plan to Volume V of the Comprehensive Plan. The Community Plan includes eight goals. The commercial goal reads, “Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.” The Community Plan’s key outcomes for commercial areas are:

- Promote commercial and entrepreneurial opportunities by creating two commercial centers
- Expand opportunities for commercial uses by incorporating mixed-use areas in Cooper Mountain

- Provide for small-scale commercial opportunities near where people live, such as in limited locations in Residential Mixed areas to provide better access to goods and services and more entrepreneurial opportunities

The Community Plan’s commercial goal and desired outcomes are informed by the analysis and conclusions in the Market Analysis for the Cooper Mountain Community Plan (October 2020, which includes potential uses most viable in the plan area (such as a small grocery store, café, florist or bookstore in the retail sector; and medical and health offices, salons, business centers, and childcare facilities in the non-retail sector).

The Community Plan commercial policies are the strategies to implement and achieve the commercial goal for the plan area. They include:

- Policy a) Ensure Cooper Mountain’s commercial areas are pedestrian-oriented, mixed use areas that are focal points for the community. The centers will:
 - i. Implement pedestrian-oriented design, consistent with, Goal 3.6.1, Policy d, of the Land Use Element:
 1. Commercial and mixed-use buildings placed next to the sidewalk with windows, interesting facades, and pedestrian scale design features (e.g., lighting, awnings, and signage) along with the majority of parking behind, above, or beneath development.
 2. Residential buildings with windows and doors facing the street and privacy provided through landscaping, grade changes, and modest setbacks.
 3. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from traffic (by using physical barriers or buffers such as curbside parking, landscaping, trees, and street furniture).
 - ii. Include areas for community gathering, including urban plazas consistent with THPRD standards.
 - iii. Provide direct, convenient access to nearby housing and parks and trail connections to the McKernan Creek Regional Trail, a Metro-designated regional trail, and other nearby trails and bicycle facilities.
- Policy b) Allow small-scale commercial activity within the Cooper Mountain Residential land use designation to provide opportunities for residents to have access to goods and services, provide entrepreneurship opportunities, support at home work options that reduce automobile usage, and create potential places for people to see and meet with fellow neighbors.
- Policy c) Regulate small-scale commercial uses in residential zones through zoning provisions that:

- i. Define allowed and conditional uses as well as prohibited uses
- ii. Limit the scale and configuration of commercial structures to be compatible with the scale of their residential context.

To implement the policies in the Cooper Mountain Community Plan, CPMA42024-00679 also proposes a new Land Use Map and new polices to Volume I Chapter 3 (Land Use) of the Comprehensive Plan. The new Land Use Map includes three new land use designations, all of which allow commercial uses in different ways. The Land Use Map determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations.

Below is more information about each proposed land use designation:

- **Cooper Mountain Commercial (CM-C).** Provides for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities. Allows residential uses. This land use designation only has one implementing zoning district: Cooper Mountain-Community Service (CM-CS). As described in the proposed amendments covered by TA42024-00680, CM-CS allows significant residential development with a focus on multi-dwellings and middle housing.
- **Cooper Mountain Mixed Use Corridor (CM-MUC).** Promotes a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan. This land use designation allows three very different zoning districts to be applied: Cooper Mountain-High Density Residential (CM-HDR), Cooper Mountain-Multi-unit Residential (CM-MR) and Cooper Mountain-Residential Mixed (CM-RM). This was done to allow property owners flexibility about how those three zones could be applied on their property.
 - **CM-HDR** is intended to be primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses also are allowed.
 - **CM-MR** is intended to result in predominantly residential developments with a focus on multi-dwellings and middle housing.
 - **CM-RM** is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
- **Cooper Mountain Residential (CM-R).** Promotes equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods. This land use designation only has one implementing zoning district: CM-RM, which also allows small-scale commercial uses if they meet other requirements in the code.

In addition, new or updated policies in Chapter 3 include locational criteria that describe where the CM-C, CM-MUC and CM-R land use designations shall be applied; where zones that allow commercial uses or a mix of commercial and residential uses in areas shall be applied; how residential zones with higher minimum densities shall be distributed throughout all developable subareas in the plan area; and that mixed-use land use designations shall be applied in locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation, among other policy requirements.

Compliance with OAR 006-009-0020(1)(c) is described in findings for Statewide Planning Goal 11 – Public Facilities & Services, OAR 660-011 – Public Facilities Planning, Metro UGMFP Title 11 – Planning For New Urban Areas, and Comprehensive Plan Goals – Chapter 5 Public Facilities And Services, which describes public facilities planning; and are incorporated here by reference.

Compliance with OAR 006-009-0020(1)(c) is also described in findings for Statewide Planning Goal 12 – Transportation, OAR 660-012 – Transportation Planning, Metro Regional Transportation Functional Plan, Comprehensive Plan Goals – Chapter 6 Transportation, which describes transportation planning; and are incorporated here by reference.

(3) Plans may include policies to maintain existing categories or levels of industrial and other employment uses including maintaining downtowns or central business districts...

Response: The Cooper Mountain Community Plan area is an urban growth boundary expansion area with largely rural development. The intent of the proposed amendments is to facilitate a smooth transition from rural uses to urban uses; therefore, maintaining existing categories of rural uses associated with agricultural land is not desirable or consistent with other OAR requirements, Metro Code, or Comprehensive Plan policies that require urbanization. Therefore, OAR 006-009-0020(3) is not applicable.

(7) Cities and counties are strongly encouraged to adopt plan policies that include additional approaches to implement this division including, but not limited to:

- (a) Tax incentives and disincentives;**
- (b) Land use controls and ordinances . .**

Response: As described above in the findings for OAR 660-009-0020, the Beaverton Development Code allows commercial uses in the CM-CS, CM-HDR and CM-RM districts in different ways. In addition, CM-CS requires a minimum amount of commercial square footage with development to ensure commercial uses are provided in the area, so that residents and visitors have access to goods and services in Cooper Mountain.

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include

amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

- (1) Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.
- (2) Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period...
- (4) If cities and counties are required to prepare a public facility plan or transportation system plan by OAR chapter 660, division 011 or division 012, the city or county must complete subsections (a) to (c) of this section at the time of periodic review. Requirements of this rule apply only to city and county decisions made at the time of periodic review. Subsequent implementation of or amendments to the comprehensive plan or the public facility plan that change the supply of serviceable land are not subject to the requirements of this section. Cities and counties must**

 - (a) Identify serviceable industrial and other employment sites.** The affected city or county in consultation with the local service provider, if applicable, must make decisions about whether a site is serviceable. Cities and counties are encouraged to develop specific criteria for deciding whether or not a site is serviceable. Cities and counties are strongly encouraged to also consider whether or not extension of facilities is reasonably likely to occur considering the size and type of uses likely to occur and the cost or distance of facility extension;
 - (b) Estimate the amount of serviceable industrial and other employment land likely to be needed during the planning period for the public facilities plan. Appropriate techniques for estimating land needs include but are not limited to the following:**

 - (A) Projections or forecasts based on development trends in the area over previous years; and**
 - (B) Deriving a proportionate share of the anticipated 20-year need specified in the comprehensive plan...**

(d) If a city or county is unable to meet the requirements of this section, it must identify the specific steps needed to provide expanded public facilities at the earliest possible time...

(8) Uses with Special Siting Characteristics. Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:

- (a) Identify sites suitable for the proposed use;
- (b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and
- (c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

Response: To implement policies described in findings for OAR 006-009-0020, the proposed amendments also update the Zoning Map, Development Code, Public Facility Plan and Transportation System Plan.

As described above, CPMA42024-00679 proposes a new Land Use Map, which includes three new land use designations, all allow commercial uses in different ways. Each land use designation has implementing zoning district(s), which are listed in the Comprehensive Plan and Zoning District Matrix in Volume I Chapter 3 (Land Use). ZMA42024-00681 proposes amendments that add four new zoning districts to the Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.

- CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

The Market Analyses indicates that the Cooper Mountain plan area could support 30,000 square feet of commercial space (this value was calculated in 2020 before additional analysis was completed, as described in the findings above for OAR 006-009-0015). The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed, significantly more than indicated in the Market Analyses. That includes 25 acres of CM-CS where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of CM-HDR where both commercial and residential are allowed but there is no minimum commercial requirement. CM-CS and CM-HDR zoning districts are applied where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other. Furthermore, these locations meet the locational requirements for commercial nodes as recommended in the Market Analyses, namely an easily visible and accessible location from larger roads.

According to existing Beaverton Development Code Section 40.97, when the city or a property owner applies to change zoning on a site, which is called a Zoning Map

Amendment (ZMA), the proposal must be consistent with the applicable Comprehensive Plan policies to be approved. Proposed amendments in CPMA42024-00679 also include updates to the policies in Volume I Chapter 3 (Land Use) that provide guidance for future ZMAs, which gives property owners even more flexibility with how they choose to develop their site and, if applicable, meet any commercial use requirements.. For example, a property owner with a property zoned for CM-MR in the Mixed Use Corridor could seek a zone change to CM-HDR after annexation since CM-HDR is also an implementing zoning district for Mixed Use Corridor.

In addition, TA42024-00680 includes amendments that would allow small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as SW 175th Ave, Tile Flat-Grabhorn, and east-west collector corridors. Most commercial uses within that district are limited to 1,500 square feet within buildings that would be similar in scale to the housing within that zoning district.

Compliance with OAR 006-009-0025(4) is described in findings for Statewide Planning Goal 11 – Public Facilities & Services, OAR 660-011 – Public Facilities Planning, Metro UGMFP Title 11 – Planning For New Urban Areas, and Comprehensive Plan Goals – Chapter 5 Public Facilities And Services, which describes public facilities planning; and are incorporated here by reference.

Compliance with OAR 006-009-0025(4) is also described in findings for Statewide Planning Goal 12 – Transportation, OAR 660-012 – Transportation Planning, Metro Regional Transportation Functional Plan, Comprehensive Plan Goals – Chapter 6 Transportation, which describes transportation planning; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with OAR 660-009. This criterion is met.

OAR 660-011 – PUBLIC FACILITIES PLANNING

OAR 660-011-0000 Purpose

The purpose of this division is to aid in achieving the requirements of Goal 11, Public Facilities and Services, OAR 660-015-0000(11), interpret Goal 11 requirements regarding public facilities and services on rural lands, and implement ORS 197.712(2)(e), which requires that a city or county shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons.

OAR 660-011-0010(1) lists the items that must be included in the public facilities plan: inventory and condition assessment, list of significant public facility projects, rough cost estimates, a map or written description of each project’s location or service area policy

statements or agreements identifying the provider of each public facility, an estimate of the timing of facility project needs, and a discussion of funding mechanisms.

Subsection (2) states that the plan must include the public facilities listed in OAR 660-011-0005(5), which are water, sewer, and transportation facilities, and may include other facilities or services. Subsection (3) clarifies the relationship between the public facilities plan and other referenced or adopted plans or related documents.

The public facility planning process must address the details from the following sections:

- OAR 660-011-0020: Public facility inventory and determination of future facility projects
- OAR 660-011-0025: Timing of Required Public Facilities
- OAR 660-011-0030: Location of Public Facility Projects
- OAR 660-011-0035: Rough Cost Estimates for Public Facility Projects and Local Review of Funding Mechanisms for Public Facility Systems

OAR 660-011-0045 requires that the adopted public facility plan include a list of facility project titles, a map or written description of the project location or service area, and the policy statements or agreements identifying the provider of each public facility.

Response: The city's comprehensive plan states that the City's Public Facilities Plan consists of Volume I, Chapter 5 of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation. The proposed amendments include planning to extend public facilities across the Community Plan area.

The Cooper Mountain Community Plan includes goals and policies related to public facilities and infrastructure. Community Plan Goal 5 is to "Provide public facilities and infrastructure needed for safe, healthy communities." The city has prepared a Cooper Mountain Utility Plan (Exhibit 24) that identifies a plan for the extension of public utilities (water, sanitary sewer, and stormwater) to provide service to plan area. The Cooper Mountain Utility Plan includes maps and descriptions of the existing inventory of water, sewer, and stormwater utilities in the plan area. It includes maps and descriptions of needed utility projects to provide water, sewer, and stormwater service to each future neighborhood and identifies whether those future utility assets would be owned and managed by the City of Beaverton or a partner agency, such as Clean Water Services for sewer pump stations. The Utility Plan includes project phasing and timing considerations and planning level cost estimates. The proposed amendments add The Cooper Mountain Utility Plan to the list of documents that compose the City's Public Facilities Plan in Volume I, Chapter 5 of the Comprehensive Plan.

Community Plan Goal 6 is to “Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.” The proposed amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city’s Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network trails to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan. A new appendix (Volume IV, Appendix O) is a list of the Cooper Mountain area transportation projects that have been identified to extend the transportation network across the plan area. Appendix O includes the location, description, and planning level cost estimate for each project.

Conclusion: The proposed amendments extend the city’s Public Facilities Plan to the Cooper Mountain Community Plan area, consistent with the requirements of OAR 660-011. This criterion is met.

OAR 660-012 – TRANSPORTATION PLANNING

OAR 660-012 “implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient, and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development.”

660-012-0020 Elements of Transportation System Plans

This OAR subsection requires Transportation System Plans to determine transportation needs as provided in OAR 660-012-0030, which requires identification of transit needs on the local level for local governments.

Response: Transportation needs for the Cooper Mountain Community Plan are identified in the proposed amendment in Appendix P (Exhibit 9) to Beaverton’s Transportation System Plan in addition to other needs identification contained within the city’s Transportation System Plan. Additional information about transportation needs can be found in the Cooper Mountain Transportation Analysis (Exhibit 21).

Conclusion: This criterion is met.

660-012-0060 Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures

as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule.

Response: The proposed amendments would significantly affect an existing or planned transportation facility, specifically related to OAR660-012-0060(c)(B) and (C) below. Each section of (1) is addressed below.

A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

Response: The Cooper Mountain Transportation Analysis evaluates the functional classification of collectors and neighborhood routes proposed as part of the Cooper Mountain Community Plan (as of October 2022). On the periphery of the study area, SW Kemmer Road from SW 190th to SW 175th was identified as an arterial road in the 2014 South Cooper Mountain Concept Plan and is shown as a future arterial in the Cooper Mountain Community Plan Comprehensive Plan amendments. Currently this segment is shown as a collector on Washington County’s functional classification map. The County’s map also includes a “refinement area” for a potential future road that would connect Kemmer Road and Gassner Road to provide a better link between those two streets so people can more easily travel to and from 185th to the north. This refinement area comprises projects No. 5 and No. 16 from the Cooper Mountain Transportation Analysis. Despite this discrepancy in how the transportation network in this area is depicted, it is not the intent of the Cooper Mountain Community Plan to alter the functional classification.

The proposed amendments also propose new roads of Collector and Neighborhood Route classifications within the Cooper Mountain Community Plan area. Those amendments are creating new classifications on future facilities rather than revising the classification of a planned facility.

(b) Change standards implementing a functional classification system; or

Response: The proposed amendments do not change standards implementing the functional classification of roadways. The proposed amendments apply current roadway classifications to a new growth area for anticipated collector roads and neighborhood routes.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the

amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Response: Most existing roads in the study area are rural. DKS Associates prepared the Cooper Mountain Transportation Analysis dated February 16, 2023, (see Exhibit 21) that assumed urban upgrades consistent with adopted Transportation System Plans. To evaluate the effects of the Cooper Mountain Community Plan’s proposed land uses on existing or planned transportation facilities pursuant to subsection (c), the analysis evaluated 27 existing intersections and 7 proposed future intersections. Using performance standards (called “Mobility Targets”) described in the analysis, it found the results in Table 7 through Table 10 below.

Table 7. Intersection Operations (2040 p.m. peak)

No.	Intersection	Mobility target	2040 baseline	2040 with Cooper Mountain updates
Study Intersections				
1	Bany Road/ 170th Avenue (signalized)	0.99 v/c	0.91	0.93
2	Bany Road/ 185th Avenue (unsignalized)	0.99 v/c	0.83	0.83
3	Farmington Road/ 185th Avenue (signalized)	0.99 v/c	0.94	0.96
4	Farmington Road/ Grabhorn Road-209th Avenue (signalized)	0.99 v/c	1.07	1.09
5	Farmington Road/ Miller Hill Road (unsignalized)	0.99 v/c	0.99	1.09
6	Farmington Road/ Clark Hill Road (unsignalized)	0.90 v/c	0.88	1.06

No.	Intersection	Mobility target	2040 baseline	2040 with Cooper Mountain updates
7	Gassner Road/ 190th Avenue (all-way stop)	0.99 v/c	0.83	0.91
8	Gassner Road/ Grabhorn Road (unsignalized)	0.99 v/c	2.02	2.55
9	Kemmer Road/ 175th Avenue (roundabout)	0.99 v/c	1.40	1.54
10	Murray Boulevard/ Beard Road-Brockman Road (signalized)	0.99 v/c	1.33	1.37
11	Murray Boulevard/ Weir Road (signalized)	0.99 v/c	0.88	0.92
12	Rigert Road/ 170th Avenue (all-way stop)	0.99 v/c	1.67	1.75
13	Scholls Ferry Road/ Mountainside Way (signalized)	0.99 v/c	0.69	0.74
14	Roy Rogers Road/ Beef Bend Road (signalized)	0.90 v/c	0.85	0.85
15	Roy Rogers Road/ Bull Mountain Road (signalized)	0.99 v/c	0.85	0.84
16	Roy Rogers Road/ Scholls-Sherwood Road (signalized)	0.90 v/c	0.77	0.77
17	Scholls Ferry Road/ Barrows Road (signalized)	0.99 v/c	0.89	0.94
18	Scholls Ferry Road/ Clark Hill Road (unsignalized)	0.90 v/c	0.61	0.79
19	Scholls Ferry Road/ Horizon-Teal Boulevard (signalized)	0.99 v/c	0.96	1.01
20	Scholls Ferry Road/ Murray Boulevard (signalized)	0.99 v/c	1.01	1.06
21	Scholls Ferry Road/ River Road (roundabout)	0.90 v/c	0.50	0.53
22	Scholls Ferry Road/ Roy Rogers Road-175th Avenue (signalized)	0.99 v/c	1.03	1.04

No.	Intersection	Mobility target	2040 baseline	2040 with Cooper Mountain updates
23	Scholls Ferry Road/ Tile Flat Road (signalized)	0.99 v/c	0.66	0.65
24	Scholls Ferry Road/Strobel Road (signalized)	0.99 v/c	0.47	0.47
25	Tile Flat Road/ Grabhorn Road (unsignalized)	0.90 v/c	2.06	2.23
26	Tile Flat Road/ Clark Hill Road (all-way stop)	0.90 v/c	0.71	0.82
27	Weir Road/ 155th Avenue (all-way stop)	45 second delay	17 second delay	22 second delay

New On-site Intersections under Preferred Transportation Framework (unsignalized)

A	Kemmer Road/ Future Collector (Project #6)	0.99 v/c	*	0.56
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	*	>2.75
C	175th Avenue/ SW Siler Ridge Lane extension (Project #8)	0.99 v/c	*	2.08
D	Tile Flat Road/ SW Siler Ridge Lane extension (Project #8)	0.99 v/c	*	0.34
E	Future Collector (Project #6)/ SW Weir Road extension (Project #7)	45 second delay	*	11 second delay
F	SW Siler Ridge Lane extension (Project #8)/ Future Collector (Project #6)	45 second delay	*	10 second delay
G	SW Siler Ridge Lane extension (Project #8)/ SW Mountainside Way extension (Project #10)	45 second delay	*	9 second delay

Notes: **Red shading** indicates an intersection that exceeds the mobility target

* Intersection does not exist in the baseline scenario

Table 8. Intersection Operations with Recommendations (2040 p.m. peak)

No.	Intersection	Mobility target	Recommended improvement	V/C with recommended improvement
Study Intersections				
4	Farmington Road/ Grabhorn Road-209th Avenue	0.99 v/c	Extend 5-lane widening of 209th Avenue to just south of Farmington Road	0.89
5	Farmington Road/ Miller Hill Road	0.90 v/c	None*	N/A
6	Farmington Road/ Clark Hill Road	0.90 v/c	Westbound left-turn lane	0.81
8	Gassner Road/ Grabhorn Road	0.99 v/c	Southbound and westbound left-turn lanes	0.91
9	Kemmer Road/ 175th Avenue	0.99 v/c	Widen SW 175th to 5- lanes through the intersection**	0.85
10	Murray Boulevard/ Beard Road-Brockman St	0.99 v/c	None*	N/A
12	Rigert Road/ 170th Avenue	0.99 v/c	Roundabout	0.95
19	Scholls Ferry Road/ Horizon-Teal Boulevard	0.99 v/c	None*	N/A
20	Scholls Ferry Road/ Murray Boulevard	0.99 v/c	None*	N/A
22	Scholls Ferry Road/ Roy Rogers Road-175th Avenue	0.99 v/c	None*	N/A
25	Tile Flat Road/ Grabhorn Road	0.90 v/c	Realign the east leg of Tile Flat Road to become the free through movement with the north leg of Grabhorn Road; the west leg of Tile Flat Road becomes a stop- controlled approach	0.57
			Roundabout	0.39

No.	Intersection	Mobility target	Recommended improvement	V/C with recommended improvement
New On-site Intersections under Preferred Transportation Network				
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	Traffic signal (SW 175th Avenue with a 3-lane cross-section)**	1.10
			Roundabout (SW 175th Avenue with a 3-lane cross-section)**	1.58
C	175th Avenue/ SW Siler Ridge Lane extension (Project #8)	0.99 v/c	Traffic signal (SW 175th Avenue with a 3-lane cross-section)**	0.96
			Roundabout (SW 175th Avenue with a 3-lane cross-section)**	1.28

Notes: * See “Recommended Intersection Improvements” discussion preceding Table 4 in the Cooper Mountain Transportation Analysis.

** See “Regional Corridor Improvements” discussion preceding Table 4 in the Cooper Mountain Transportation Analysis.

OR 660-012-0060(1)(c) states that, “If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP.” Beaverton’s adopted Transportation System Plan includes a planning period that ends in 2035.

The Cooper Mountain Transportation Analysis used the end year of 2040 to provide a look farther into the future (20 years from when the Cooper Mountain Community Plan started in earnest in 2020) and generate a more conservative approach to anticipating traffic impacts (because the assumption is that trips increase each year into the future). The Oregon Administrative Rules require the city to look at “projected conditions measured at the end of the planning period identified in the adopted TSP,” which is 2035. Therefore, an analysis of a few intersections that did not meet performance standards at end year 2040 was completed with an end year of 2035. The results are in Exhibit 21, titled “Cooper Mountain Transportation Impact Analysis (plus Addendum).” They also are reproduced below. Table 9 provides the 2035 analysis for the three intersections. Table 10 provides the 2035 analysis for the 175th Avenue/SW Weir Road extension assuming Project 7, a traffic signal at that intersection.

Table 9. Intersection operations (2035 p.m. peak)

No.	Intersection	Mobility target	2035 baseline	2035 with Cooper Mountain updates
5	Farmington Road/ Miller Hill Road	0.90 v/c	0.70	0.75
19	Scholls Ferry Road/ Horizon-Teal Boulevard	0.99 v/c	0.91	0.93
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	*	2.69

Notes: **Red shading** indicates an intersection that exceeds the mobility target
 * Intersection does not exist in the baseline scenario

Table 10. Intersection operations with recommendations (2035 p.m. peak)

No.	Intersection	Mobility target	Recommended improvement	2035 with Cooper Mountain updates
B	175th Avenue/ SW Weir Road extension (Project #7)	0.99 v/c	Traffic signal (SW 175th Avenue with a 3-lane cross- section)	0.93

Notes: **Red shading** indicates an intersection that exceeds the mobility target
 * Intersection does not exist in the baseline scenario

The 2035 analysis shows that all three intersections meet performance standards in 2035. In that case of B, the intersection meets performance standards assuming the recommended project is completed.

These results constitute a “significant effect” per the Transportation Planning Rule. They are the basis for recommended intersection improvements described on pages 8-10 of the Cooper Mountain Transportation Analysis and provided in section (2) of the Transportation Planning Rule, described below. The proposed amendments also include Cooper projects as Volume IV, Appendix O of the Transportation System Plan.

Table 11 shows which intersections were found in the analysis to be consistent with performance standards. It also shows in intersections (rows shaded in gray) that are consistent given the measures identified in Section (2) or (3).

Table 11. How Significant Effect is Addressed in Section 2 and 3

No.	Intersection	Finding
1	Bany Road/ 170th Avenue (signalized)	Consistent with standards
2	Bany Road/ 185th Avenue (unsignalized)	Consistent with standards
3	Farmington Road/ 185th Avenue (signalized)	Consistent with standards
4	Farmington Road/ Grabhorn Road-209th Avenue (signalized)	Addressed in (2)(a) and (b)
5	Farmington Road/ Miller Hill Road (unsignalized)	Consistent with standards (end year 2035)
6	Farmington Road/ Clark Hill Road (unsignalized)	Addressed in (2)(a) and (b)
7	Gassner Road/ 190th Avenue (all-way stop)	Consistent with standards
8	Gassner Road/ Grabhorn Road (unsignalized)	Addressed in (2)(a) and (b)
9	Kemmer Road/ 175th Avenue (roundabout)	Addressed in (2)(a) and (b)
10	Murray Boulevard/ Beard Road-Brockman Road (signalized)	Addressed in (3)
11	Murray Boulevard/ Weir Road (signalized)	Consistent with standards
12	Rigert Road/ 170th Avenue (all-way stop)	Addressed in (2)(a) and (b)
13	Scholls Ferry Road/ Mountainside Way (signalized)	Consistent with standards
14	Roy Rogers Road/ Beef Bend Road (signalized)	Consistent with standards
15	Roy Rogers Road/ Bull Mountain Road (signalized)	Consistent with standards
16	Roy Rogers Road/ Scholls-Sherwood Road (signalized)	Consistent with standards
17	Scholls Ferry Road/ Barrows Road (signalized)	Consistent with standards
18	Scholls Ferry Road/ Clark Hill Road (unsignalized)	Consistent with standards
19	Scholls Ferry Road/ Horizon-Teal Boulevard (signalized)	Consistent with standards (end year 2035)
20	Scholls Ferry Road/ Murray Boulevard (signalized)	Addressed in (3)
21	Scholls Ferry Road/ River Road (roundabout)	Consistent with standards

No.	Intersection	Finding
22	Scholls Ferry Road/ Roy Rogers Road-175th Avenue (signalized)	Addressed in (3)
23	Scholls Ferry Road/ Tile Flat Road (signalized)	Consistent with standards
24	Scholls Ferry Road/Strobel Road (signalized)	Consistent with standards
25	Tile Flat Road/ Grabhorn Road (unsignalized)	Addressed in (2)(a) and (b)
26	Tile Flat Road/ Clark Hill Road (all-way stop)	Consistent with standards
27	Weir Road/ 155th Avenue (all-way stop)	Consistent with standards

New On-site Intersections under Preferred Transportation Framework (unsignalized)

A	Kemmer Road/ Future Collector (Project #6)	Addressed in (2)(a) and (b)
B	175th Avenue/ SW Weir Road extension (Project #7)	Consistent with standards (end year 2035)
C	175th Avenue/ SW Siler Ridge Lane extension (Project #8)	Addressed in (2)(a) and (b)
D	Tile Flat Road/ SW Siler Ridge Lane extension (Project #8)	Consistent with standards
E	Future Collector (Project #6)/ SW Weir Road extension (Project #7)	Consistent with standards
F	SW Siler Ridge Lane extension (Project #8)/ Future Collector (Project #6)	Consistent with standards
G	SW Siler Ridge Lane extension (Project #8)/ SW Mountainside Way extension (Project #10)	Consistent with standards

(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the performance standards of the facility measured or projected at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in subsections (a) through (e) below, unless the amendment meets the balancing test in subsection (e) or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

(a) Adopting measures that demonstrate allowed land uses are consistent with the performance standards of the transportation facility.

Response: The proposed amendments adopt measures that demonstrate land uses are consistent with the performance standards for most intersections. The measures include transportation projects proposed to be added to the city's Transportation System Plan as Appendix O as well as amendments to the city's Comprehensive Plan Volume 1, Chapter 6 and Volume IV, Chapters 2 and 4.

Table 7 through Table 11 show how the intersections meet mobility targets. The following intersections were addressed through projects that were incorporated into the Cooper Mountain Transportation Analysis, either because they were assumed as part of the baseline or because they are proposed projects being added to the Transportation System Plan through these amendments:

- No. 4: Farmington Road/ Grabhorn Road-209th Avenue (signalized)
- No. 6: Farmington Road/ Clark Hill Road (unsignalized)
- No. 8: Gassner Road/ Grabhorn Road (unsignalized)
- No. 9: Kemmer Road/ 175th Avenue (roundabout)
- No. 12: Rigert Road/ 170th Avenue (all-way stop)
- No. 25: Tile Flat Road/ Grabhorn Road (unsignalized)
- No. A: Kemmer Road/ Future Collector (Project #6)
- No. C: 175th Avenue/ SW Siler Ridge Lane extension (Project #8)

The following intersections do not meet mobility targets in the base year or in the 2040 end year and are addressed in Section (3) below:

- No. 10: Murray Boulevard/Beard Road-Brockman St (no project proposed)
- No. 20: Scholls Ferry Road/Murray Boulevard
- No. 22: Scholls Ferry Road/Roy Rogers Road-175th

In addition to the transportation projects proposed for Transportation System Plan Appendix O, the proposed amendment include Comprehensive Plan policies that describe the land use outcomes for Cooper Mountain and a map showing the land use designations for Cooper Mountain (Figure 12). Table 12 lists the zoning districts that may be applied in each of the Comprehensive Plan designations.

Figure 12. Cooper Mountain Proposed Land Use Map

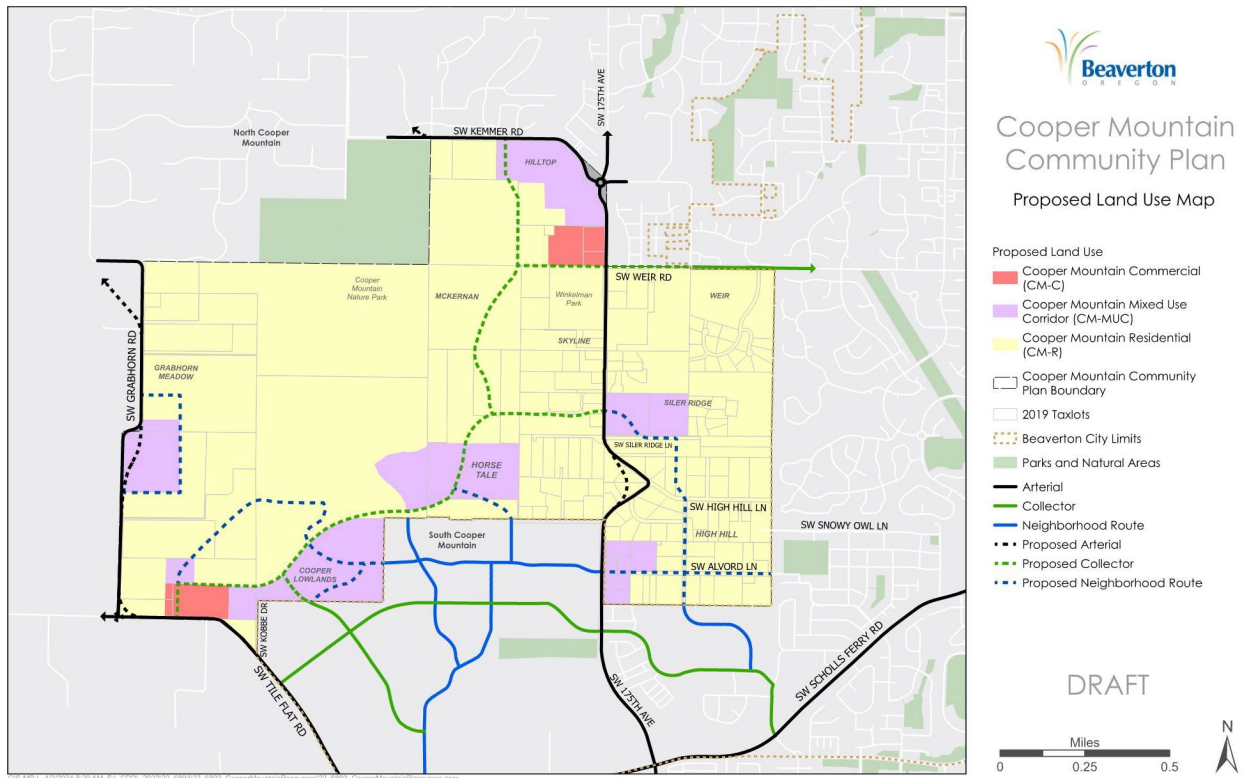


Table 12. Comprehensive Plan and Zoning District Matrix

Comprehensive Plan Designation	Implementing Zoning Districts
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential* CM-MR – Cooper Mountain - Multi-unit Residential* CM-RM – Cooper Mountain - Residential Mixed*
Cooper Mountain Commercial	CM-CS, Cooper Mountain - Community Service*
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed*

* Area-specific zones subject to Policy 3.4.1.d, part iii and iv

The proposed Zoning Map Amendment provides specific zoning for Cooper Mountain consistent with the policies and Land Use Map that are part of the amendments. The zoning map, Exhibit 11, determines which Development Code rules in the proposed text amendment apply in which locations in Cooper Mountain. The proposed Zoning Map includes:

Table 13. Developable Acres for Cooper Mountain Zoning Districts

Zoning District	Acres	Developable acres from Buildable Land Inventory
CM-CS, Cooper Mountain - Community Service	25	11
CM-HDR – Cooper Mountain - High Density Residential Mountain	28	13.5
CM-MR – Cooper Mountain - Multi-unit Residential	41	20.6
CM-RM – Cooper Mountain - Residential Mixed	596	328.7

This land use plan meets Metro’s Urban Growth Boundary expansion conditions of approval to plan for at least 3,760 homes in the Cooper Mountain area. The estimated minimum number of housing units projected to be built in the Cooper Mountain Community Plan area is 4,469, although that number could be higher if developments exceed minimum density or property owners choose to build more middle housing than expected. The city’s Cooper Mountain Transportation Analysis assumed 5,200.

The proposed land use and transportation policies also will reduce transportation demand by including strong multi-modal policies, including:

- Policy a) Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton’s Active Transportation Plan. ...
- Policy b) The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. ...
- Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.
- Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

Other Transportation System Plan policies in the proposed amendments call for “Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the ‘interested but concerned ’ user category” on all arterials, collectors, and neighborhood routes.

The proposed amendments in Comprehensive Plan Volume 1, Chapter 6, include a complete multi-use path system in Cooper Mountain that will provide an alternative system of travel largely separated from automobiles. This includes a multi-use path

connecting Grabhorn Road and the future neighborhoods adjacent to Grabhorn Road to the rest of the Cooper Mountain Community Plan area (and vice versa) with a path through the Resource Overlay over McKernan Creek to ensure a comfortable, direct, and easy active transportation (walking, biking, rolling) connection.

Through a separate effort, the city is working to create new street design cross-sections for Cooper Mountain that are intended to be adopted into the City's Engineering Design Manual. These will implement the transportation goals and policies in the proposed amendments and set expectations for street construction of public streets.

The proposed amendments in Development Code Section 60.55.35 also limit vehicle access to private property to facilitate relatively uninterrupted, physically protected (with vertical physical barriers) bicycle facilities on Neighborhood Routes to ensure those routes complement the planned protected bicycle facilities on collectors and arterials as well as the comfortable bicycle environments on local streets.

The City of Beaverton does not require off-street parking for any uses in the city. Not requiring off-street parking, including excess parking beyond the demand for parking, will reduce vehicle miles traveled in Cooper Mountain and the city at large, according to information provided by the state of Oregon⁴ in its Climate Friendly and Equitable Communities work. The proposed land use policies also allow for a mix of uses. In CM-CS, commercial uses are allowed and a minimum amount of commercial uses are required. Commercial also is allowed in CM-HDR. Small-scale commercial uses (1,500 square feet maximum floor area) are allowed within CM-RM in locations near Neighborhood Routes, CM-MR zones, and public parks. Allowing commercial throughout Cooper Mountain will make it possible for people to acquire goods and services near their homes or businesses and make it possible for people to get what they need without an automobile trip. Residential uses are allowed in all Cooper Mountain zones.

As identified in the findings for OAR 660-0120-060(6) below, the Cooper Mountain – Community Service and Cooper Mountain – High Density Residential districts have a variety of standards and characteristics that will reduce automobile trips in those areas, and the administrative rules require the city to assume a 10 percent reduction of trips within those areas. The mix of uses, restrictions on auto-oriented uses, urban design standards, and other rules described in the findings to OAR 660-0120-060(6) are significant measures that contribute to ensuring the land uses will be consistent with the performance measures.

⁴ <https://www.oregon.gov/lcd/CL/Documents/ParkingCarsDriving.pdf>

Overall response to (2)(a): The proposed amendments adopt a variety of measures that contribute to the allowed land uses being consistent with the performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses consistent with the requirements of this division. Such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

Response: The proposed Comprehensive Plan amendments Volume 1, Chapter 6 (Transportation Element); Comprehensive Plan Volume 4, Chapters 2 and 4 (Transportation System Plan), and Comprehensive Plan Volume 4, Appendix O, identify planned transportation improvements for all modes as described in sub-section (a) above.

Among the proposed amendments are a network of Collector streets and Neighborhood Routes (as well as arterial improvements) identified in Figure 13 and bicycle/pedestrian facilities and connections identified in Figure 14.

The proposed amendments in Section 6.2.9 of Volume 1, Chapter 6 of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit, as shown in Figure 15.

Figure 13. Cooper Mountain Functional Classifications
 (Figure 6.4.b in Comprehensive Plan, Volume 1, Chapter 6)

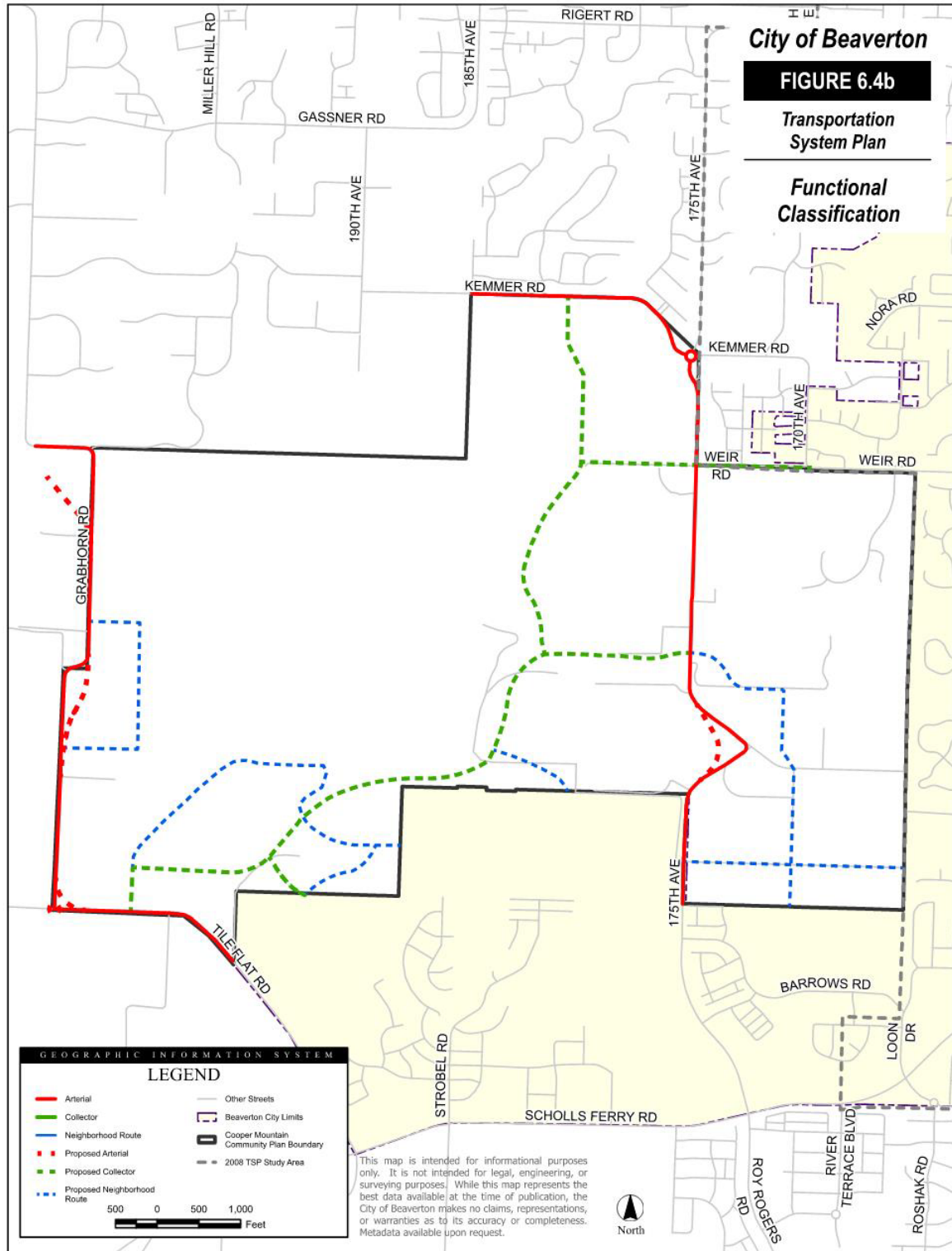


Figure 14. Planned Bicycle and Pedestrian Network
 (Figure 6.2.b in Comprehensive Plan Volume 1, Chapter 6)

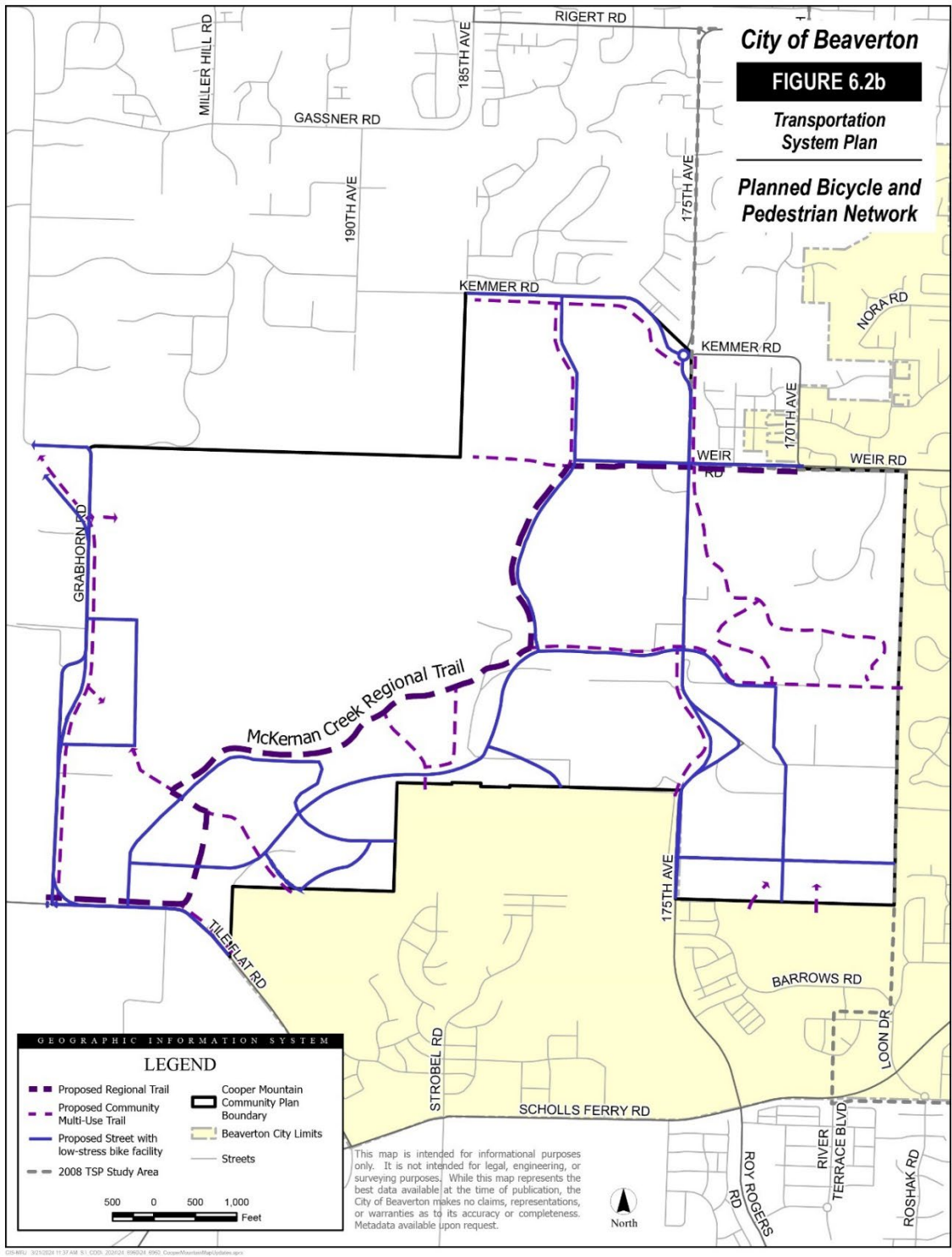
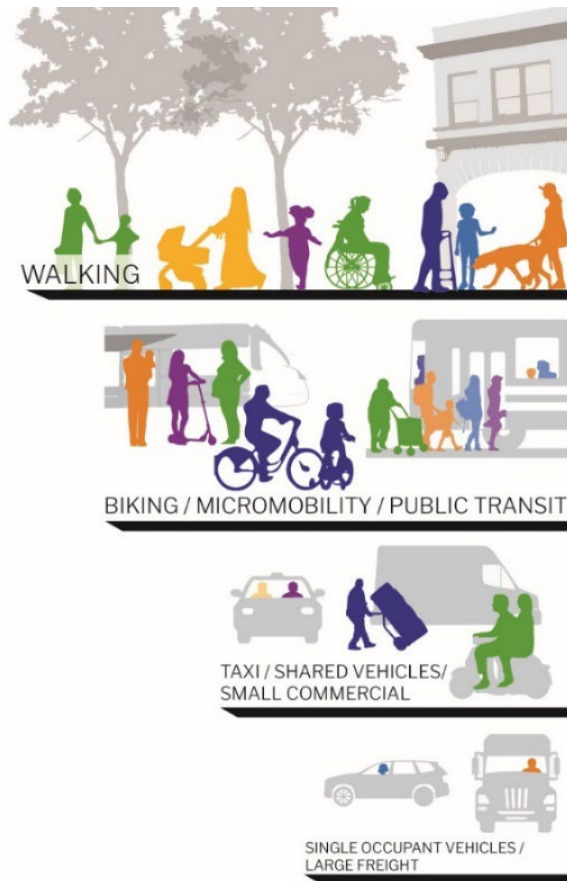


Figure 15. Modal Hierarchy



The functions and intended outcomes for each street type in the Community Plan are described below. All roads and streets will be designed as complete streets.

Arterial Streets

The arterials that serve Cooper Mountain — SW 175th, SW Tile Flat, and SW Grabhorn Road — will be complete streets consistent with Washington County street standards and Beaverton’s Development Code rules. Arterials will be regional routes for trips going through the Cooper Mountain area to other destinations. Washington County has jurisdiction over the arterial roads and is expected to retain that jurisdiction.

Collector Streets

The collector streets are the connecting routes between Cooper Mountain’s future neighborhoods and include:

- SW Weir Road is a future east-west collector in Cooper Mountain that is essentially a continuation of the portion of Weir Road that already exists within the City of Beaverton. It will connect the rest of Beaverton to Cooper Mountain, provide access to the northern neighborhood center and areas

west of SW 175th, and include a portion of the McKernan Creek Regional Trail.

- The future north-south collector will connect Kemmer Road and the future east-west collector (that runs from 175th in the east to Tile Flat Road in the southwest). This north-south collector will provide a parallel alternative to SW 175th between SW Kemmer Road that also will be a safe and comfortable route for local trips. It will include a portion of the McKernan Creek Regional Trail and will feature a wildlife-friendly crossing of McKernan Creek.
- The east-west collector will connect SW 175th and adjacent neighborhoods to central and western Cooper Mountain and SW Tile Flat Road; the Tile Flat commercial center; several multi-dwelling sites, and a proposed Community Park.

Neighborhood Routes

The Community Plan's neighborhood routes provide connectivity within neighborhoods, including:

- West: The neighborhood route provides two access points to SW Grabhorn Road.
- South between Cooper Mountain Nature Park and South Cooper Mountain: A neighborhood route is planned as the access to lands north of the Community Park. This neighborhood route would include the McKernan Creek Regional Trail and directly abut the natural resource area for the northern portion of its route so community members have at least visual access to natural spaces along the road and trail. Two shorter neighborhood route segments connect South Cooper Mountain and the future east-west collector.
- East of 175th: A future neighborhood route will be needed through the neighborhoods east of 175th to connect Siler Ridge Road and South Cooper Mountain. This will provide an option besides 175th for short, local trips east of 175th.

Local Streets

The local street network will be determined when development occurs in compliance with the Development Code and Engineering Design Manual. The plan's goals for local streets are to:

- Create walkable blocks and neighborhoods;
- Extend the street pattern from South Cooper Mountain; and
- Provide direct and convenient routes to parks, trails, and other community destinations.

Multi-use Paths

Figure 14 shows the planned pedestrian and bicycle network, which will also include sidewalks on local streets. The streets will have safe, comfortable bicycle facilities for all ages and abilities. In addition, many locations will have separate multi-use paths that provide a way to move around away from automobile traffic. This includes a pedestrian and bicycle link between the Grabhorn neighborhood and the Cooper Lowlands neighborhood (following the route of Project 24 on the Figure 16).

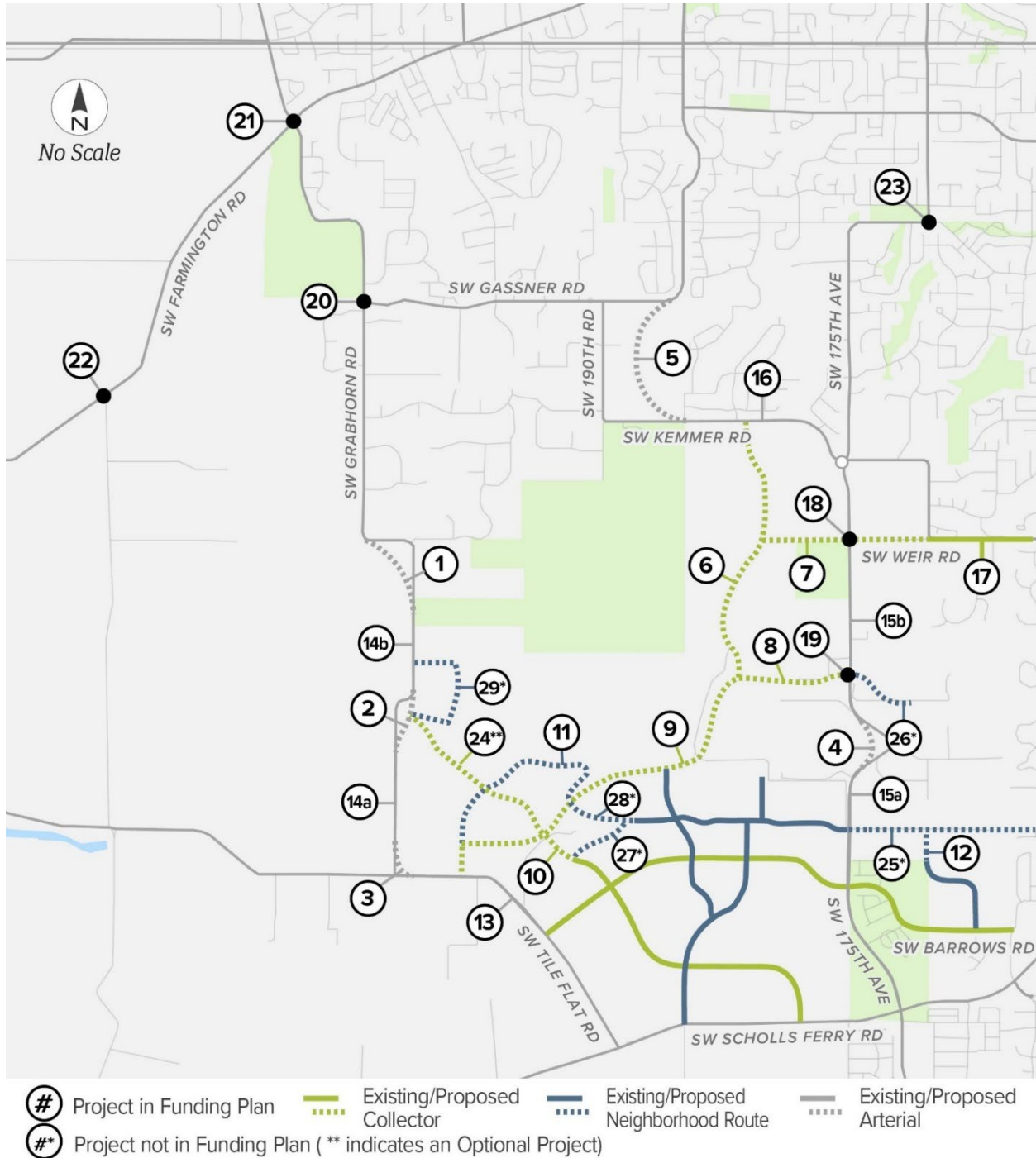
The proposed improvements also link up with adjacent development. The 2015 South Cooper Mountain Community Plan included roadway extensions to complete the network and fill connectivity gaps. Some of these roadways have been constructed with new development and many others are conditioned to be constructed with development in the near future.

The Cooper Mountain Community Plan provides for further extensions of these roadways into and through the area. This network will allow local trips to occur without traveling on the major regional roadway network but will be designed to fit seamlessly into the neighborhood and not become a barrier for pedestrian or bicycle travel.

Funding Plan

The City will also adopt the Cooper Mountain Funding Plan (Exhibit 1, Appendix C) that outlines strategies to provide many transportation infrastructure improvements at the time of development and identifies funding for future improvements within the planning period. When transportation facilities require a public investment (in dollars or project delivery), the funding plan describes a strategy to collect funding through the development process, so that the needed projects can be delivered by the city or county when funding is secured. Figure 16 is a map of future improvements that are included in the funding plan. Some of the improvements will be built by public agencies and some will be built by development. In addition, the network of local streets is not shown on Figure 16. Those improvements will be designed, funded, and constructed by development consistent with city standards.

Figure 16. Transportation Analysis: Transportation System Improvements



Overall response to (2)(b) The proposed amendments amend the Comprehensive Plan, including the Transportation System Plan, to provide facilities, improvements, or services that, combined with other efforts in (a) through (d) of this sub-section, are adequate to support the proposed land uses and include a funding plan so the

facilities, improvements and services will be provided by the end of the planning period.

(c) Amending the TSP to modify the performance standards of the transportation facility.

Response: No performance standards modifications are proposed.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

Response: During development, development agreements, city standards, or conditions of approval will require the construction of local streets and the elements of the transportation network (shown on Figure 13, Figure 14, and Figure 16) that are on or adjacent to the developing property. The conditions of approval may also require development to construct off-site improvements. The extent of the required improvements will be determined through transportation impact studies prepared as part of the land use application. Development will also contribute to regional and subregional transportation projects through Transportation Development Tax (TDT) fees established by Washington County and any supplemental transportation system development charge that the city may implement in the future.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:

(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;

(B) The providers of facilities being improved at other locations provide written statements of approval; and

(C) The local jurisdictions where facilities are being improved provide written statements of approval.

Response: This criterion is not applicable.

Overall Response to Section (2): The analysis found that the proposed land use changes would have an effect on studied transportation facilities. To address this finding, the City is proposing a combination of remedies, including those outlined in subsections (a), (b), and (d). These include amendments to the Comprehensive Plan and Transportation System Plan under subsection (a) and (b) and providing other measures through developer-led projects under subsection (d).

The combination of the remedies in subsections (a) through (e) below will ensure the allowed land uses are consistent with the performance standards of the facility measured or projected at the end of the planning period identified in the adopted Transportation System Plan, except for three intersections identified above that are addressed in Section (3).

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without ensuring that the allowed land uses are consistent with the performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements, and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the performance standard for that facility by the end of the planning period identified in the adopted TSP;

Response: The City of Beaverton is proposing to approve amendments that would affect an existing transportation facility.

The following intersections meet (3)(a) because the intersections would not meet performance standards considering the base improvements even without the proposed amendments:

- No. 10: Murray Boulevard/Beard Road-Brockman St (no project proposed)
- No. 20: Scholls Ferry Road/Murray Boulevard
- No. 22: Scholls Ferry Road/Roy Rogers Road-175th

Therefore, criterion (a) is met for all three intersections.

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

Response: As shown in Section (2) above and described extensively in the Cooper Mountain Transportation Analysis and the Cooper Mountain Funding Plan, Exhibit 1, Appendix C, incorporated here by reference, development and transportation improvements will improve the functioning of study intersections over baseline conditions where feasible improvements are available. The three intersections do show minor changes between the 2040 baseline and the 2040 with Cooper Mountain updates scenarios. Given the uncertainty of projections into the future, the facility performance is nearly the same. In addition, the three intersections are so close to being consistent with performance standards that all three would certainly be consistent with performance standards in the 2035 end year required by rule. The policy and project improvements and how those improvements mitigate the impacts of this amendment

are also described above, including the findings addressing OAR 660-012-0060(2) that are incorporated here by reference.

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

Response: The proposed amendments do not involve property located in an Interchange Area.

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

Response: The proposed amendments do not have a significant effect on state highways.

(4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

Response: In a 2013 intergovernmental agreement between Washington County and Beaverton, Beaverton was assigned responsibility for creating a concept plan for the entirety of Urban Reserve Area 6b, including the area referred to in these proposed amendments as Cooper Mountain. It says the County and City will coordinate review of incremental UGB expansions within the Cooper Mountain urban reserve area in the future.

Metro Ordinance 18-1427 (Exhibit 15) approved the urban grown boundary expansion for Cooper Mountain and assigned Beaverton to conduct Comprehensive Planning, including in the Conditions of Approval on Land Added to UGB, which was attachment A to that ordinance.

Washington County and Beaverton in 2018 entered into an intergovernmental agreement (Exhibit 27) related to transportation planning in the proposed urban growth boundary expansion area. The County acknowledged the IGA through Minute Order No. 18-147, and the city authorized the agreement through Resolution 4501. The agreement says:

1. Prior to adopting a comprehensive plan amendment for the UGB expansion area, the CITY will coordinate with the COUNTY to develop a traffic study for the area and a cumulative traffic study that reflects the impacts to existing transportation facilities from other proposed UGB expansions.
2. The CITY and COUNTY will agree on a financing strategy for COUNTY road improvements necessitated by development in the UGB expansion area, that is

consistent with the amended comprehensive plan. The CITY and COUNTY will agree on a future multi-modal transportation network to support the UGB expansion area and adopt road alignments, functional class, and lane numbers into CITY and COUNTY Transportation System Plans consistent with this network.

3. The CITY and COUNTY will agree on access management standards for COUNTY roads, and, during development, attempt to close existing access points where they are out of compliance with agreed-upon standards.
4. The CITY and COUNTY will identify roads that will remain under COUNTY jurisdiction, and those for which the CITY will assume responsibility upon annexation of part or all of the UGB expansion area. Road Jurisdiction transfer will be determined through a separate agreement between the CITY and COUNTY.

The Washington County – Beaverton Urban Planning Area Agreement says the city “shall provide the County with a reasonable opportunity to participate, review and comment on proposed amendments to the city comprehensive plan or adoption of implementing regulation. This includes notice when the planning efforts are initiated (in no case later than 35 days before the hearing). It also says the city must “provide the responding agency (the County) with reasonable opportunity to participate in the originating agency’s (the city’s) planning process prior to the notification period, through means such as service on the originating agency’s advisory committee, if any.” It also says the city should transmit the draft amendments to the County for review and comment before finalizing, with at least 10 days for the County to provide comment.

Regarding the 2018 IGA with Washington County:

1. The city prepared the cumulative traffic study that reflects impacts to the existing transportation facility from other UGB expansions. That study is the Cooper Mountain Transportation Analysis and was prepared in coordination with Washington County. A Washington County representative served on the Cooper Mountain Technical Advisory Committee, and Washington County staff were provided opportunities to comment on the plan.
2. Washington County agreed upon the financing strategy for County road improvements necessitated by development in the UGB expansion area consistent with the proposed amendments. The County’s agreement with County road improvements is described in a letter from Jessica Pelz, Washington County Policy Analyst, dated February 16, 2024 (Exhibit 28). It states general support of Beaverton’s proposed funding scenarios, with the exception of a comment on a non-County road that is not shown in the plan and a statement that describes how the County has not yet identified funding for future County intersection improvements outside the Cooper Mountain Community Plan area

and that the County “can commit to being good partners and we look forward to continuing conversations around collaborative funding strategies and methods so this area can grow and develop according to the community’s vision.” The second part of No. 2 from the County-city IGA related to County roads addresses agreement on a multi-modal network. The proposed amendments include road alignments, functional class, and lane numbers, and Washington County has had an opportunity to review the proposed policies, alignments, and lane numbers for County facilities.

3. The third element of the County-city IGA addresses access management standards for County roads. Beaverton is not proposing new access standards for road classifications on County roads within Cooper Mountain. Washington County has existing access standards that will apply to the relevant County roads, including Tile Flat, Grabhorn, 175th and Kemmer. The existing access standards for the city and County address closing existing access points when they are out of compliance.
4. Washington County will retain Tile Flat, Grabhorn, 175th, and Kemmer in its jurisdiction. Jurisdiction of different roads and projects are indicated within the Cooper Mountain Infrastructure Funding Plan (Exhibit 1, Appendix C), which was created in coordination with Washington County. The County has expressed general support for the funding plan and has expressed no objection to the assumptions about future jurisdiction.

Regarding coordination and notice more broadly and consistent with the Urban Planning Area Agreement, notice, opportunity to comment, and/or direct coordination of the Cooper Mountain Transportation Analysis and proposed Community Plan occurred during the planning process. The Technical Advisory Committee included Washington County, Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation. On August 22, 2024, Beaverton also provided Washington County draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments (see Exhibit 14).

Overall Response to (4): This criterion is met through intergovernmental agreements, significant involvement of area local governments and partner agencies and multiple opportunities to review the proposed amendments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

Response: The analysis relies on existing and planned transportation facilities. Most existing roads in the study area are currently rural. DKS prepared a Cooper Mountain Transportation Analysis dated February 16, 2023 (see Exhibit 21), which assumed urban upgrades consistent with adopted Transportation System Plans.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements, and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements, or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements, or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement, or service is reasonably likely to be provided by the end of the planning period.

Response: The Cooper Mountain Transportation Analysis assumed facilities consistent with (b)(A-C), which are shown in Tables 2, 3, and 4 of the Cooper Mountain Transportation Analysis. The proposed amendments include adding the arterials, collectors and neighborhood routes within the Cooper Mountain Community Plan area to the city's Transportation System Plan.

(c) Within interstate interchange areas, the improvements included in paragraphs (b)(A)–(C) are considered planned facilities, improvements, and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

Response: There are no interstate interchange areas in the project area. This criterion is not applicable.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205, and 405; and

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

Response: There are no interstate interchange areas in the project area. This criterion is not applicable.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement, or service is a planned transportation facility, improvement, or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements, and services identified in paragraphs (b)(A)–(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Response: The Cooper Mountain Transportation Analysis uses planned transportation facilities, improvements, and services to determine whether there is a significant effect. The city is not submitting a written statement pursuant to paragraphs (b)(D), (b)(E), or (c)(A).

5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional, or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

Response: The proposed plan does not include an exception to allow development on rural lands.

(6) If a local government is determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2) using a performance standard based on projected levels of motor vehicle traffic, then the local government shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)–(d);

(a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10 percent fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10 percent reduction allowed for by this subsection shall be available only if uses that rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;

(b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10 percent reduction required in subsection (a);

(c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b), it shall ensure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with OAR 660-012-0045(3) and (4) or through conditions of approval or findings adopted with the plan amendment that ensure compliance with these rule requirements at the time of development approval; and

(d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by

lowering the regulatory barriers to plan amendments that accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a). The commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances that provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.

Response: The area in Cooper Mountain that qualifies as “mixed-use, pedestrian-friendly centers, and neighborhoods” is described in OAR 660-012-0060(8) below. No reductions in motor vehicle trips were assumed in the Cooper Mountain Transportation Analysis. In certain areas, the full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods.

Regarding (a), many uses that rely solely on automobile trips are prohibited within the Cooper Mountain – Community Service (CM-CS) and Cooper Mountain – High Density Residential (CM-HDR) zoning districts. Although many commercial uses are allowed in these districts, the following are not:

- Drive Up Window Facilities, which are defined as “A facility, whether it be a primary or accessory use, other than automobile service station, which is designed to allow patrons to make purchases or receive services at a window or service area while remaining in their motor vehicles.”
- Self-Storage Facilities
- Cold Storage Plants
- Storage Yards
- Storage Yards for Building Materials
- Auto, Truck and Trailer Rental
- Automotive Service, Major, which is defined as: “Service or repair to motorized vehicles, which affect the body or frame. This term includes: painting, bodywork, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical car washes that are used by and open to the general public.”
- Automotive Service, Minor. This is not allowed in CM-HDR but is allowed in CM-CS. It is defined as: “Service or repair to motorized vehicles, which do not

affect the body or frame. This term includes: retail and wholesale fuel sales; tire sales or installation, glass installation, oil changes and lubrications, general engine maintenance and repair, radiator repair, detail shops, mechanical car washes solely used by on-site employees as part of retail vehicle sales, or other similar service or repair.” These uses are allowed in CM-CS because parts of the Cooper Mountain Community Plan are a significant distance from other commercial areas and allowing these uses nearby will be important for residents, workers and visitors in Cooper Mountain.

- Bulk Fuel Dealerships
- Vehicle Sales or Lease
- Trailer, Recreational Vehicle or Boat Storage
- Trailer Sales or Repair
- Vehicle Storage Yard.

Motels are allowed because they are in the Temporary Living Quarters category, which has the following definition: “Temporary living accommodations that can be rented out for an increment of less than 30 days, such as: Hotels, Motels, Extended-Stay Hotels, Single-Residency Occupancy Hotels, Bed and Breakfasts, or Boarding, Rooming or Lodging House. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.” The city chooses not to treat motels differently from hotels because they often provide a lower cost option for people in need of lodging and the city does not want to eliminate that option for lower income, underserved, or underrepresented communities.

Given that (a) says “uses that rely solely on auto trips, **such as** (emphasis added) gas stations, car washes, storage facilities, and motels are prohibited,” it is clear that those four uses are not all required and is not an exhaustive list of “uses that rely solely on auto trips.” Given the long list of uses that rely solely on auto trips provided above that are prohibited in CM-CS and CM-HDR, criterion (a) is met.

Regarding (b), the city does not have detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development and will not seek a reduction greater than the 10 percent reduction. This criterion is not applicable.

Regarding (c), the existing Beaverton Development Code and the proposed amendments address:

- Bicycle parking requirements for multi-unit residential buildings, new retail, office, institutional developments, and transit centers. (Beaverton Development Code Table 60.30.10.5.B)

- On-site and off-site circulation requirements for safe and convenient pedestrian and bicycle access from within new subdivision, multi-unit developments, planned developments, shopping centers, and commercial districts to adjacent residential areas, transit stops, and neighborhood activity centers. This includes development rules for private property Beaverton Development Code Section 60.05.20 related to connections to the public street system; pedestrian circulation; parking area landscaping and circulation; sidewalks along streets; and connections between buildings on sites. Section 60.30.15 also includes parking lot design standards. It also includes street standards in Beaverton's Engineering Design Manual that include sidewalks and bicycle facilities. The facilities on public streets are free from hazards as maintained by Washington County or the city; provide accessible and reasonably direct routes because they are part of the County's and city's connected road systems; and meet the travel needs of cyclists and pedestrians because they are part of the connected road system. The facilities on private property are free from hazards as maintained by the property owners. They are required to be direct by the Beaverton Development Code, which also requires adequate widths and design features to meet the travel needs of cyclists and pedestrians.
- Bikeways are required on all arterials and collectors in Beaverton's Engineering Design Manual. Sidewalks are required on arterials, collectors, and local streets.
- Cul de sacs and dead-end streets are allowed in some circumstances, but Beaverton's Development Code includes street connectivity and maximum block length standards to promote a connected and walkable city.
- Beaverton's Engineering Design Manual establishes maximum intersection spacing to ensure blocks are small enough to ensure walkability and prevent overly long routes to destinations. They are shown in Table 14. For example, the distance between intersections along local streets cannot be greater than 530 feet. The minimum is 100 feet. In the highest density mixed use development areas, local streets shall be no more than 330 feet. In addition, Beaverton Development Code Section 60.55.25.9 requires pedestrian accessways in between if street intersections are too far apart because a street is not feasible.

Table 14. Beaverton Engineering Design Manual Intersection Spacing Standards

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

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

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

1. Distance between streets is measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street.
 2. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density mixed-use development.
- Any off-site improvements required as a condition of development approval would be required to accommodate convenient pedestrian and bicycle travel by providing bike lanes and sidewalks on arterials and major collectors consistent with Beaverton’s Engineering Design Manual.
 - Internal pedestrian circulation within new office parks and commercial developments are provided because accessways are required between structures on the site by the Beaverton Development Code.
 - Beaverton Development Code and engineering standards allow transit routes to include options like bus stops, pullouts, shelters, optimum road geometrics, on-road parking restrictions and similar facilities. The City of Beaverton already contains these transit features on other transit routes within the city. Transit facilities are specifically allowed in Development Code Section 60.55.40 and include passenger landing pads, accessways to the transit stop location, shelters, and shelter pads.
 - Development Code Section 60.55.40 requires major industrial, retail, and office developments to provide either a transit stop or a pedestrian connection to a transit stop adjacent to the site. Accessible walkways connecting from the right of way to building entrances on the site are required by Development Code Section 60.05.20, which includes circulation standards and parking lot standards and requires connections to the public street system. Section 60.05.20.3.B requires: “A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.”

- Accessible pedestrian facilities are required to connect to neighboring properties through Beaverton Development Code:
 - Section 60.05.20 Circulation and Parking Design Standards
 - Section 60.55.25.4, which says: “Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development’s streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.”
 - Section 60.55.25.7, which says: “Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.”
- Related to OAR 660-012-0045(4)
 - The proposed amendments require commercial and mixed-use buildings in CM-HDR to occupy 50 percent of the abutting primary public street frontage. In both the CM-CS and CM-HDR zones, parking lots are not allowed between the longest public street-facing building elevation and the street. In addition, upcoming Development Code changes to comply with Climate Friendly and Equitable Communities administrative rules that are not part of these proposed amendment will strengthen these urban form rules sometime in 2026. That means building are more likely to be within 20 feet of a transit stop. The proposed amendments also require open space with commercial development and allow pedestrian pads near transit stop to provide people with places to wait for the next transit vehicle.
 - As mentioned earlier in these findings, connections are required between building entrances and transit stops.
 - All sidewalks, accessways, and pedestrian pads are required to be accessible to people with disabilities.
 - The city can choose to provide an easement or dedication for a passenger shelter if the city has control of the land where the transit shelter will be established.

- Lighting is required at transit stops in the right of way because lighting is required in the right of way.
- Beaverton’s Development Code (Section 60.30.10.12) requires industrial, institutional, office, and government developments with more than 50 employee parking spaces to provide carpool/vanpool spaces and requires them to be close to the building entrance normally used by employees.
- All properties in Beaverton may redevelop existing parking areas for transit-oriented uses because Beaverton has no minimum parking requirements.
- Road systems for new development can adequately be served by transit and pedestrian connections are required to transit stops, as described above in the findings.
- The proposed amendments provide the types and densities of uses to support transit. Although the future transit routes are not known, one of the most likely transit routes is along 175th Avenue. Other possible routes are along the Tile Flat/Grabhorn route and along the east-west collector that runs from Tile Flat in the southwest corner of the Cooper Mountain Community Plan area to the east to reach 175th at about Siler Ridge. These routes all include a mix of allowed or required uses, including residential (single-detached, plexes that include two to six units, cottage clusters, townhomes, and apartments), mixed use (retail, office, service, professional serve, etc.), and recreation (parks and trails). That provides many different kinds of destinations for transit riders. Table 15 provides information about zoning districts established in the proposed amendments. The types and densities of uses and the projected 5,000 residents expected in Cooper Mountain are supportive of transit.

Table 15. Uses and Densities in Cooper Mountain Zones

Zones	Uses	Minimum density	Maximum density
CM-CS	Residential Commercial (some required) Limited industrial Other, including parks, recreation, social organizations	34 units per net acre	Maximum floor area of 2.0

Zones	Uses	Minimum density	Maximum density
CM-HDR	Residential Commercial (not required) Limited industrial Other, including parks, recreation, social organizations	34 units per net acre	Maximum floor area of 2.0
CM-MR	Apartments Townhomes Denser middle housing	34 units per net acre	Maximum floor area of 1.5
CM-RM	Single-detached homes Plexes (two to six units) Townhomes Cottage clusters Small-scale commercial uses near parks, CM-MR zones, and along neighborhood routes	10 units per net acre	No maximum

(7) Amendments to acknowledged comprehensive plans and land use regulations that meet all of the criteria listed in subsections (a)–(c) shall include an amendment to the comprehensive plan, transportation system plan, the adoption of a local street plan, access management plan, future street plan, or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):

(a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;

Response: Commercial development is a project goal. The proposed zoning map for Cooper Mountain shows commercial development allowed on approximately 50 acres.

(b) The local government has not adopted a TSP or local street plan that complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro’s requirement for street connectivity as contained in Title 1, Section 3.08.110 of the Regional Transportation Functional Plan; and

Response: The City of Beaverton has adopted a Transportation System Plan and has complied with Metro’s requirement for street connectivity in the Regional Transportation Functional Plan. The proposal does not meet the “has not adopted” part of this criterion. Current City regulations comply with Title 1, Section 3.08.110 of

the Regional Transportation Functional Plan, as evidenced in the adoption findings for the Beaverton's 2010 Transportation System Plan and partially in the findings to 660-012-0060 (6) above. The findings regarding the Regional Transportation Functional Plan in this staff report are incorporated here by reference.

(c) The proposed amendment would significantly affect a transportation facility as provided in section (1).

Response: The proposed amendment would significantly affect a transportation facility. See section 660-012-0060(1) findings.

Overall response to (7): This section is not applicable because not all the referenced subsections are met, as noted in subsection (b). The proposed amendments also provide extensive guidance to future street connectivity for Cooper Mountain. This criterion is not applicable.

(8) A “mixed-use, pedestrian-friendly center or neighborhood” for the purposes of this rule, means:

(a) Any one of the following:

(A) An existing central business district or downtown;

(B) An area designated as a central city, regional center, town center, or main street in the Portland Metro 2040 Regional Growth Concept;

(C) An area designated in an acknowledged comprehensive plan as a transit-oriented development or a pedestrian district; or

(D) An area designated as a special transportation area as provided for in the Oregon Highway Plan.

Response: The Cooper Mountain Community Plan (Exhibit 1) identifies two areas as Neighborhood Centers in the Preferred Approach Concept Map (Community Plan, Figure 2). These two areas constitute transit-oriented (or transit-ready until transit is added to this area) and pedestrian areas. The “Neighborhood Center” designation is not a Metro 2040 designation but rather the plain language term used to describe the desired outcomes to community members. The proposed Comprehensive Plan Land Use Map designates these areas with Cooper Mountain Commercial and Cooper Mountain Mixed Use land use designations. The proposed amendments in the Cooper Mountain Comprehensive Plan Volume 1, Chapter 3 Land Use Element, contain Goal 3.6.6: Cooper Mountain Mixed Use Corridor and Goal 3.7.4. They both include policies that say the city should “Ensure commercial uses and residential development intensity are established in areas where ‘Neighborhood Center’ is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map.” They also say the city should “Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high

densities to create vibrant, walkable areas.” The city considers these transit-oriented and/or pedestrian areas.

Functionally, the areas proposed to be zoned Cooper Mountain Community Service and Cooper Mountain High Density Residential on the Zoning Map within 1,000 feet of Tile Flat Road and along 175th between the Kemmer Road roundabout and Weir Road are the transit-oriented and/or pedestrian districts.

OAR 660-012-0000(33) provides the following definition of Pedestrian district:

“Pedestrian District” means a comprehensive plan designation or implementing land use regulations, such as an overlay zone, that establish requirements to provide a safe and convenient pedestrian environment in an area planned for a mix of uses likely to support a relatively high level of pedestrian activity. Such areas include but are not limited to:

- (a) Lands planned for a mix of commercial or institutional uses near lands planned for medium to high-density housing; or
- (b) Areas with a concentration of employment and retail activity; and
- (c) That have, or could develop, or have planned a network of streets and accessways that provide convenient pedestrian circulation.

The findings here meet the definition of pedestrian district because a combination of the Comprehensive Plan Designation and implementing zoning regulations establish requirements for a mix of uses; a safe and convenient pedestrian environment; and set the table for an area to support a high level of pedestrian activity. This includes land use regulations that provide nearby open space that provide recreational opportunities as well as multi-use paths or other bike/pedestrian facilities separated from cars that will connect nearby residents to these areas and vice versa. In addition, both these areas have a requirement for commercial development that will provide employment and retail activity. As stated in other sections of the findings related to OAR 660-012, the city’s current development regulations and the proposed amendments also will require a network of streets and accessways that provide multi-modal movement throughout these areas and will provide convenient pedestrian circulation. The same characteristics and the allowed densities within these areas also will meet the definition of transit-oriented Development when transit is provided in the future.

Overall response to (8): The proposed Comprehensive Plan, Zoning Map, and Development Code amendments designate the geographics described above as a mixed-use center and include regulations that meet the definition of “Pedestrian District” and will meet the definition of “Transit-Oriented Development” once transit is provided in the future. This proposed amendments meet the definition in Criterion (8)(a)(C).

(b) An area other than those listed in subsection (a) which includes or is planned to include the following characteristics:

(A) A concentration of a variety of land uses in a well-defined area, including the following:

(i) Medium to high density residential development (12 or more units per acre);

(ii) Offices or office buildings;

(iii) Retail stores and services;

(iv) Restaurants; and

(v) Public open space or private open space that is available for public use, such as a park or plaza.

(B) Generally include civic or cultural uses;

(C) A core commercial area where multi-story buildings are permitted;

(D) Buildings and building entrances oriented to streets;

(E) Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;

(F) A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;

(G) One or more transit stops (in urban areas with fixed route transit service); and

(H) Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.

Response: The proposed amendments for CM-CS and CM-HDR zoning districts allow offices, office buildings, retail stores, services, restaurants. High-density residential development is required, with a minimum density of 34 units per net acres. The Parks Overlay requires open space to be provided adjacent to the CM-CS and CM-HDR zones, and the proposed amendments include open space requirements in both multiple-use and commercial projects.

Civic and cultural uses are allowed in CM-CS and CM-HDR.

Multi-story buildings up to 65-feet tall are permitted in CM-CS and CM-HDR, which both could serve as core commercial areas. CM-CS in particular will have

the commercial focus because some commercial square footage is required in that zone.

The proposed amendments require building frontage be at or near the sidewalk, and building entrances are required to be oriented to the street. The city's existing street connectivity standards and Engineering Design Manual provisions require safe and convenient street connections and crossing. The proposed amendments also have active transportation corridors (trails/paths) that connect the commercial/mixed-use areas to the rest of the Cooper Mountain Community Plan area and the city. City rules also contain provisions consistent with Climate Friendly and Equitable Communities rules that require well-designed sites and parking lots. The city's existing and proposed rules also that street trees, pedestrian-scale lighting, and on-street parking.

Future transit stops will be determined by TriMet, Beaverton's transit provider. The Cooper Mountain Community Plan area was planned with future transit in mind. The proposed amendments include denser development along potential future transit corridors, including 175th, the internal planned collector streets, and the Tile Flat/Grabhorn corridor. The CM-CS zones also are proposed to be at major intersections along 175th and Tile Flat/Grabhorn, which are ideal locations for transit stops.

The proposed amendments do not allow most industrial uses, automobile sales and services, and drive-through services. Industrial uses allowed are limited to complement and fit into commercial and mixed-use areas.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments also include networks of collector roads and neighborhood routes along with intersection spacing and connectivity standards for local streets that include roads, bicycles connections, and pedestrian ways that are focused on the mixed-use areas in a manner that will support transit use once transit is provided to this new urban growth boundary expansion area. The Cooper Mountain Community Plan area in general and the CM-CS and CM-HDR zones in particular include two larger mixed-use centers along 175th Avenue and Tile Flat Road as well as smaller mixed-use areas along or near 175th and Grabhorn Road. The proposed Comprehensive Plan amendments show trails/paths that will lead into these areas and connect them to the rest of Cooper Mountain and other city neighborhoods. Existing and proposed street standards will provide strong active transportation connections between future transit stops and future development.

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and
- (c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Response: As explained in the findings, above, the city has found that the proposed amendments will significantly affect existing and planned transportation facilities and has proposed measures to address the significant affects. This criterion is not applicable.

(10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan, or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay, or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.

(a) A proposed amendment qualifies for this section if it:

(A) Is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and

(B) Is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.

...

Response: The proposed plan is not within a multimodal mixed- use area (MMA) and the City is not proposing to designate the Community Plan Area as such. This criterion is not applicable.

(11) A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section...

(a) The amendment must meet paragraphs (A) and (B) of this subsection.

(A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

(B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

(C) For the purpose of this section:

...

Response: This rule addresses industrial employment centers and is not applicable to the Cooper Mountain area. This criterion is not applicable.

Conclusion: The proposed Comprehensive Plan, Zoning Map, and Development Code amendments comply with the applicable criteria within OAR 660-012-0060.

660-012-0105 Transportation System Plan Updates

(4) A city or county making a minor update to a transportation system plan shall, at a minimum:

- (a) Update core transportation system plan elements provided in OAR 660-012-0100(2) that are applicable to the scope of the minor update;**
- (b) Comply with the engagement requirements of OAR 660-012-0120; and**
- (c) Identify areas with concentrations of underserved populations as provided in OAR 660-012-0125 using best available data; and**
- (d) Conduct an engagement-focused equity analysis as provided in OAR 660-012-0135.**

Response: Regarding (4)(a), the core transportation system plan elements in OAR 660-012-0100(2) include:

- (2) A transportation system plan shall include the following core elements:**
 - (a) The base and planning horizon years as provided in section (3) of this rule;
 - (b) The land use assumptions as provided in OAR 660-012-0340;
 - (c) A list of all elements of the plan, and the date of adoption or amendment of each;
 - (d) The coordinated land use and transportation system planning policies in the comprehensive plan;
 - (e) The local transportation system plan goals and policies;
 - (f) Areas with concentrations of underserved populations as provided in OAR 660-012-0125, identified using best available data;

- (g) A record of the engagement, involvement, and decision-making processes used in development of the plan, as provided in OAR 660-012-0130;
- (h) A major equity analysis as provided in OAR 660-012-0135 or an engagement-focused equity analysis as provided in OAR 660-012-0135 for urban areas under 5,000 in population; and
- (i) The dates of each report made to the director as provided in OAR 660-012-0900, including all applicable city and county reports for the planning area.

The core elements relevant to this Beaverton minor amendment include:

- The base and horizon year. The base year is the year when the Cooper Mountain Transportation Analysis was conducted, which was 2022 (with revisions to the document in 2023). The horizon year is 2035 because that is the date of the city's current TSP, although the TIA looked at a horizon year of 2040 to incorporate a nearly 20-year look at traffic conditions but used 2035 for three intersections.
- The land use assumptions as provided in OAR 660-012-0340 were included in the Cooper Mountain Transportation Analysis.
- A list of all elements of the plan, and the date of adoption or amendment of each. All the elements of the TSP are not relevant to the proposed amendments, but the portions of the Transportation System Plan that are being amended are included in the proposed amendments. The city's current TSP was adopted in 2010.
- The local transportation system plan goals and policies. The entirety of the local transportation system plans goals and policies are not relevant to this minor update, but modifications to the goals and policies were included in the proposed amendments. In addition, any relevant policies are addressed in these findings.
- Areas with concentrations of underserved populations. These were identified and are included in the public engagement summary (Exhibit 14).
- A record of the engagement, involvement, and decision-making processes used in development of the plan, as provided in OAR 660-012-0130. The record of engagement was included in the public engagement summary (Exhibit 14).
- A major equity analysis as provided in OAR 660-012-0135 or an engagement-focused equity analysis as provided in OAR 660-012-0135 for urban areas under 5,000 in population (Exhibit 14). The Cooper Mountain Community Plan Project included the elements of an engagement-focused equity analysis, which is required when a city conducts a minor TSP update.

Conclusion: The proposed Comprehensive Plan, Zoning Map, and Development Code amendments comply with the applicable criteria within OAR 660-012-0105.

660-012-0115 Funding Projections

(1) Cities and counties must include funding projections in the transportation system plan. Funding projections must include the list of funding sources and amount of funding available, as provided in this rule.

Response: The proposed amendment includes an estimate of revenue through 2035 (Table 6-4 of the TSP). Revenue sources include city, county, state, and federal programs, funds, and fees including the State Highway Trust Fund, HB 2001, franchise fees, and Federal and Local MSTIP. Table 6-4 of the Transportation System Plan identifies \$185 million in funding available for capital projects during the planning period that ends in 2035.

660-012-0140: Transportation System Planning in the Portland Metropolitan Area

(2) Cities and counties shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with Metro’s regional transportation system plan. Consistent means city and county comprehensive plans and implementing ordinances conform with the policies and projects in the regional transportation system plan. If Metro finds a local transportation system plan is consistent with the Regional Transportation Functional Plan, the transportation system plan shall be deemed consistent with the regional transportation system plan.

Response: The findings for the Regional Transportation Functional Plan within this staff report are incorporated here by reference. This criterion is met.

660-012-0170 Unconstrained Project List

This section describes how to develop an unconstrained project list and what needs to be in it.

Response: The city’s unconstrained transportation project list is Table 6-1 of the Transportation System Plan. The proposed amendment will add a Cooper Mountain Transportation Project List as Volume IV Appendix O (Exhibit 8). The list adds 29 projects to the unconstrained project list. When the Transportation System Plan is updated in the next couple years, these projects will be evaluated and prioritized in conjunction with the projects on the city’s unconstrained project list. The proposed amendment includes the estimated cost for each identified project. The Cooper Mountain Infrastructure Funding Plan (Exhibit 1, Appendix C) identifies a total project cost of \$195.2 million and two potential scenarios for funding the project list as development progresses through the plan area.

Conclusion: The proposed amendments are consistent with OAR 660-012. This criterion is met.

OAR 660-016 – REQUIREMENTS AND APPLICATION PROCEDURES FOR COMPLYING WITH GOAL 5

660-016-0000 Inventory Goal 5 Resources

- (1) The inventory process for Statewide Planning Goal 5 begins with the collection of available data... . Based on the evidence and local government’s analysis of those data, the local government then determines which resource sites are of significance and includes those sites on the final plan inventory.
- (2) A “valid” inventory of a Goal 5 resource under subsection (5)(c) of this rule must include a determination of the location, quality, and quantity of each of the resource sites... .
- (3) The determination of quality requires some consideration of the resource site’s relative value, as compared to other examples of the same resource in at least the jurisdiction itself. A determination of quantity requires consideration of the relative abundance of the resource (of any given quality).
- (4) The inventory completed at the local level, including options in subsections (5)(a), (b), and (c) of this rule, will be adequate for Goal compliance unless it can be shown to be based on inaccurate data, or does not adequately address location, quality or quantity. The issue of adequacy may be raised by the Department or objectors, but final determination is made by the Commission or the Land Use Board of Appeals as provided by law.
- (5) Based on data collected, analyzed and refined by the local government, as outlined above, a jurisdiction has three basic options: (a) Do not Include on Plan Inventory: ... (b) Delay Goal 5 Process: ... (c) Include on Plan Inventory: When information is available on location, quality and quantity, and the local government has determined a site to be significant or important as a result of the data collection and analysis process, the local government must include the site on its plan inventory and indicate the location, quality and quantity of the resource site (see above). Items included on this inventory must proceed through the remainder of the Goal 5 process.

Response: In 2005, the Metro conducted a habitat inventory and adopted a Regionally Significant Fish and Wildlife Habitat Inventory Map and the underlying GIS data that the map represents. The map identifies the areas that have been determined to contain regionally significant fish and wildlife habitat. When adopting Title 13 (effective date of Dec. 28, 2005), the Metro Council designated as “Habitat Conservation Areas (HCA)” regionally significant riparian habitat (Class I and II) that was within the Metro boundary at that time. The Metro Council also determined that regionally significant upland wildlife habitat (Class A and B) that was outside of the Metro UGB at that time would be

designated as HCA when those areas were brought within the Metro UGB. This requirement is applicable to Cooper Mountain Community Plan area.

The Cooper Mountain Community Plan, Natural Resources Report, dated August 2024 (Exhibit 1, Appendix B) includes an updated inventory and determination of significance for Goal 5 resources as follows:

- **Wetlands:** The Cooper Mountain Community Plan area’s wetlands are documented in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Department of State Lands requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. Wetlands inventoried in the LWI are subject to regulation by Clean Water Services and the DSL (contingent upon further site-specific delineations by property owners) and are therefore determined to be significant for the purposes of City’s Goal 5 regulations and included in the plan inventory.
- **Riparian Habitat Area:** Riparian Habitat Areas (Class I and Class II in the Cooper Mountain area) are acknowledged Goal 5 resources and protected through the Tualatin Basin Plan, implemented by Clean Water Services. They provide valuable ecological services for the local flora and fauna and have environmentally beneficial impacts much further downstream. Therefore, Riparian Class I and Class II Habitat Areas are significant regional resources and included in the plan inventory.
- **Upland Habitat Area:** In the Cooper Mountain area, upland habitat Class A and Class B represent land with substantial ecological value today or potentially substantial ecological value in the future if protected through land use regulations. These areas were identified by Metro as regionally significant resources when occurring on lands added to the Urban Growth Boundary after December 28, 2005. Upland Class C in the Cooper Mountain area is significantly degraded through development or agricultural use and not along priority drainages. Therefore, Upland Habitat Class A and Class B resources in the Cooper Mountain Community Plan area are determined to be significant and included in the plan inventory, and Upland Habitat Class C is not included.
- **Wildlife Corridors:** As described in the “Wildlife Corridors” section of the Cooper Mountain Natural Resources report, the wildlife corridors in the Cooper Mountain area are generally coincident with riparian and upland habitat and will be subject to land use regulation and environmental protection through federal, state, and local law. The limited number of habitat connections that lie outside of protected Riparian/Upland Habitat areas are not specific to an individual location but represent focus areas for further study. For this reason, those wildlife corridors outside of

inventoried riparian/upland habitat areas are not determined to be significant resources for the purposes of establishing a Goal 5 Inventory.

- Cultural Areas: The City of Beaverton has not found any evidence of cultural or archeological resources in the Cooper Mountain Area. More information can be found in Exhibit 26 memorandum regarding Cooper Mountain’s cultural history and oldest buildings dated 9/4/2024.

660-016-0005 Identify Conflicting Uses

- (1) It is the responsibility of local government to identify conflicts with inventoried Goal 5 resource sites. This is done primarily by examining the uses allowed in broad zoning districts established by the jurisdiction (e.g., forest and agricultural zones). A conflicting use is one which, if allowed, could negatively impact a Goal 5 resource site. These impacts must be considered in analyzing the economic, social, environmental and energy (ESEE) consequences:**
- (2) Preserve the Resource Site: If there are no conflicting uses for an identified resource site, the jurisdiction must adopt policies and ordinance provisions, as appropriate, which ensure preservation of the resource site.**
- (3) Determine the Economic, Social, Environmental, and Energy Consequences: If conflicting uses are identified, the economic, social, environmental and energy consequences of the conflicting uses must be determined. Both the impacts on the resource site and on the conflicting use must be considered in analyzing the ESEE consequences. The applicability and requirements of other Statewide Planning Goals must also be considered, where appropriate, at this stage of the process. A determination of the ESEE consequences of identified conflicting uses is adequate if it enables a jurisdiction to provide reasons to explain why decisions are made for specific sites.**

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. This group, the Tualatin Basin Partners, conducted a Goal 5 ESEE analysis of the portion of Metro’s Inventory for Washington County located near and within the Urban Growth Boundary (UGB), including all waterways that feed the Tualatin River. In addition, the Cooper Mountain Nature Park was identified as a regionally significant resource. The Tualatin Basin ESEE addresses Riparian Habitat and Upland Habitat. The proposed amendments do not change the resource designations or ESEE analysis conducted by the Tualatin Basin Partners for regionally significant resources.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). Within the Cooper Mountain Community Plan area, the resources that are the subject of the ESEE analysis are the

wetlands identified through the Local Wetlands Inventory and the area surrounding Cooper Mountain Nature Park.

Based on an evaluation of three conflicting use scenarios (Prohibit, Limit, or Allow), the ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social, and energy benefits of private development on the remaining land.

660-016-0010 Develop Program to Achieve the Goal

Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must “develop a program to achieve the Goal.” Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to “resolve” conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan’s overall ability to protect and conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2), and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

- (1) Protect the Resource Site:** Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-016-0000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (2) Allow Conflicting Uses Fully:** Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (3) Limit Conflicting Uses:** Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some

desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. The Tualatin Basin Program outlines the program to protect and conserve riparian habitat and upland habitat resources, identifying whether resource areas should be protected. The proposed amendments do not propose changes to the Tualatin Basin Program.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP, Title 13 below, and are incorporated here by reference.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land.

Proposed Development Code Table 20.22.15 defines a 25-foot minimum setback for rear and side yards abutting the Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of the Section 60.05.25, 60.05.60, or 60.05.65, as applicable to the proposed development. The proposed lighting standards also include provisions to reduce light and glare within and adjacent to Natural Areas and add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park.

660-016-0020 Landowner Acknowledgement

- (4) The development of inventory data, identification of conflicting uses and adoption of implementing measures must, under Statewide Planning Goals 1 and 2, provide opportunities for citizen involvement and agency coordination. In addition, the adoption of regulations or plan provisions carries with it basic legal notice requirements.**
- (5) As the Goal 5 process progresses and more specificity about the nature of resources, identified conflicting uses, ESEE consequences and implementing measures is known, notice and involvement of affected parties will become more meaningful. Such notice and landowner involvement, although not identified as a Goal 5 requirement is in the opinion of the Commission, imperative.**

Response: The development of the natural resources inventory included community involvement, agency coordination, and landowner notification, as outlined in the findings for Statewide Planning Goal 1 and Statewide Planning Goal 2 and incorporated here by reference. This included specific mail and email communication with property owners– as well as opportunities for interested parties to participate in open-house information sessions and Planning Commission work sessions – regarding the Cooper Mountain Community Plan (including the Natural Resources Report); Resource Overlay mapping and approach; and the proposed amendments to the Comprehensive Plan, Development Code, and Zoning Map.

Conclusion: The requirements of OAR 660-016 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of Goal 5 resource. This criterion is met.

OAR 660-018 – POST-ACKNOWLEDGEMENT AMENDMENTS

660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department’s Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.**

Response: Staff submitted a post-acknowledgement plan amendment (PAPA) online to DLCD on September 6, 2024, which is more than 35 days before the first evidentiary hearing on adoption of the proposed changes.

- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:
- (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;
 - (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;
 - (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

Response: The online PAPA submittal to DCLD on September 6, 2024, included:

- Comprehensive Plan updates
 - Volume I. Updates to Chapter 1: Procedures, Chapter 3: Land Use, Chapter 5: Public Facilities and Services, Chapter 6: Transportation, Chapter 7: Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources, and Chapter 8: Environmental Quality and Safety.
 - Volume I Chapter 3 updates also include the proposed Land Use Map. The existing land use map is also included for comparison.
 - Volume III Statewide Planning Goal Five Resource Inventory. Add a Local Wetland Inventory map and Goal Five Resource Inventory map for the Cooper Mountain Community Plan area.
 - Volume IV Transportation System Plan. Updates to Chapter 2 (TSP Goals and Policies) and Chapter 4 (TSP Future Needs/Improvements Plans), and the addition of Appendix O (Cooper Mountain Transportation Project List).
 - Volume V. Add the Cooper Mountain Community Plan and Cooper Mountain Infrastructure Funding Plan.
- Development Code updates

- Development Code updates to Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90- Definitions)
- Development Code updates also include the proposed Zoning Map with four new Cooper Mountain zoning districts. The existing zoning map is also included for comparison.
- A list of taxlots in the Cooper Mountain Community Plan area;
- A public hearing notice that includes a narrative summary of the proposed changes, the date of the first evidentiary hearing (October 16, 2024), a description of when the staff report will be available, and details for how a copy may be obtained;
- And exhibits that will be in the final staff report, including the Buildable Lands Inventory, Existing Conditions Report, Natural Resources Report, Market Analysis, Transportation Analysis and Transportation Needs Memo.

The notice required under ORS 197.763 (renumbered to ORS 197.797 in 2021) by OAR 660-018-0020(2)(e) is not required because the proposed amendments will be considered for approval at a legislative hearing.

(3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.

Response: In the online PAPA submittal to DCLD on September 6, 2024, the Comprehensive Plan updates and Development Code updates listed in findings for OAR 660-018-0020 above includes proposed wording to be added or deleted. The PAPA submittal also includes Land Use Maps that illustrate proposed and existing land use designations, as well as Zoning Maps that illustrate proposed and existing zoning designations for the Cooper Mountain Community Plan area.

Regarding the Land Use Map and Zoning Map, proposed amendments only apply to the Cooper Mountain Community Plan area that will be inside city limits after annexation. The online PAPA submittal does not include proposed zoning changes to any land outside the Cooper Mountain Community Plan area. Additional information about proposed land use designations and zoning districts is included the staff report, Comprehensive Plan Volume I Chapter 3 (Land Use), and Beaverton Development Code Chapters 10 (General Provisions) and 20 (Land Use).

A goal exception is not included in the proposed amendments.

- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:
- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.

Response: The proposed amendments are not responding to a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals.

- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been “submitted” on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Response: City staff submitted the post-acknowledgement plan amendment online on September 6, 2024, and received confirmation that DLCD received the submission.

660-018-0040 Submittal of Adopted Change

- (1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation it shall submit the decision to the department, with the appropriate notice forms provided by the department, within 20 days.

Response: The City Council hearing to consider adoption of the proposed amendment is on December 3, 2024. Staff will submit the adopted amendments to DLCD online by within 20 days of the Council’s decision.

- (2) For purposes of the 20-day requirement under section (1) of this rule, the proposed change is considered submitted to the department:
- (a) On the day the applicable notice forms and other required documents are received by the department in its Salem office, if hand-delivered or submitted by electronic mail or similar electronic method, or
 - (b) On the date of mailing if the local government mails the forms and documents.

Response: City staff will submit the adopted amendments to DLCD online within 20 days of the Council's decision.

(3) The submission to the department must be in a format acceptable to the department and include all of the following materials:

- (a) A copy of final decision;**
- (b) The findings and the text of the change to the comprehensive plan or land use regulation;**
- (c) If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - (A) A map showing the area changed and applicable designations; and**
 - (B) Electronic files containing geospatial data showing the area changed, as specified in section (5) of this rule, if applicable.****
- (d) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under OAR 660-018-0020 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and**
- (e) A statement by the individual transmitting the decision identifying the date of the decision and the date the submission was mailed to the department.**

Response: City staff will submit the adopted amendments to DLCD online in the format described above. The package will include a copy of the final decision; a staff report with findings; a map and description of any changes to the proposed land use or zoning map; a brief narrative summary of the decision, including a summary of substantive differences compared to the September 6, 2024, PAPA submittal; and a statement from city staff identifying the date of the decision and the date that the final amendments were submitted online to DLCD.

(4) Where amendments or new land use regulations, including supplementary materials, exceed 100 pages, a summary of the amendment briefly describing its purpose and requirements shall be included with the submittal to the director.

Response: The proposed amendments will exceed 100 pages; therefore, city staff will include a summary of the proposed amendments in the final submittal to DLCD.

(5) For local governments that produce geospatial data describing an urban growth boundary (UGB) or urban or rural reserve that is created or altered as part of an adopted change to a comprehensive plan or land use regulation, the submission must include electronic geospatial data depicting the boundary change. Local governments that create or alter other zoning or comprehensive plan maps as geospatial data are encouraged but not required to share this data with the department. Geospatial data

submitted to the department must comply with the following standards endorsed by the Oregon Geographic Information Council:

- (a) Be in an electronic format compatible with the State's Geographic Information System software standard described in OAR 125-600-7550; and
- (b) Be accompanied by metadata that meets at least the minimum requirements of the federal Content Standard for Digital Geospatial Metadata.

Response: The proposed amendments implement the Cooper Mountain Community Plan, which encapsulates the planning efforts for the urban expansion area formerly known as Urban Reserve 6B, and now known as the Cooper Mountain Community Plan area, which has already been acknowledged by DLCDC. If needed, staff will provide DLCDC with additional geospatial data upon request.

- (6) Local government must notify the department of withdrawals or denials of proposals previously sent to the department under requirements of OAR 660-018-0020.

Response: Staff will notify DLCDC of any withdrawals or denial of proposals submitted to DLCDC relating to the PAPA submittal transmitted on September 6, 2024..

660-018-0045 Alterations to a Proposed Change

- (1) If, after initially submitting the notice and accompanying materials under OAR 660-018-0020, a proposed change to an acknowledged comprehensive plan or land use regulation is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must, at least 10 days before the final evidentiary hearing on the proposal:

- (a) Notify the department of the alterations to the proposed change, and
- (b) Provide a summary of the alterations along with any alterations to the proposed text or map and other materials described in OAR 660-018-0020.

Response: If the proposed amendments change significantly after the notice is submitted, staff will notify DLCDC of the proposed changes and provide a summary of the proposed changes at least 10 days before the final evidentiary hearing.

660-018-0050 Notice to Other Parties of Adopted Changes

- (1) Notice of an adopted change to a comprehensive plan or land use regulation to persons other than the department is governed by ORS 197.615(4) and (5), which require that on the same day the local government submits the decision to the director the local government shall mail or otherwise deliver notice of the decision to persons that:

- (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and

(b) Requested in writing that the local government provide them with notice of the change to the acknowledged comprehensive plan or the land use regulation.

Response: In the Comprehensive Plan, Section 1.7.1.C of Volume I Chapter 1 (Amendment Procedures) indicates that within five working days from the date that the City Council adopts a final order, the Community Development Director shall cause the order to be signed, dated, and mailed to the applicant, the property owner, the Neighborhood Association Committee or County Participation Organization in which the subject property is located, and other persons who appeared orally or in writing before the public record closed. In this case, the final order relating to CPMA42024-00679 shall be accompanied by a written notice which shall include the following information:

1. A statement that the City Council decision is final but may be appealed to the Land Use Board of Appeals as provided in Oregon Revised Statutes (ORS 197.805 through 197.860) or to the Land Conservation and Development Commission as provided in Oregon Revised Statutes (ORS 197.633), in the case of Periodic Review Amendments.
2. A statement indicating the Amendment application number, date, and brief summary of the decision. The statement shall list when and where the case file is available and the name and telephone number of the City representative to contact for information about the proposal.
3. A statement of the name and address of the applicant.
4. If applicable, an easily understood geographic reference to the subject property and a map.

In the Beaverton Development Code, Section 50.50.15 indicates that not more than seven calendar days after the date of the adoption of an ordinance, the Director shall mail or otherwise submit notice to persons who testified orally or in writing to the Planning Commission or City Council while the public record was open regarding the proposed ordinance. In this case, the notice relating to TA42024-00680 and ZMA42024-00681 shall include at least the following information:

1. A brief summary of the ordinance.
2. The date of the decision on the ordinance.
3. The place where and the time when the ordinance and related findings may be reviewed.
4. A summary of the requirements for appealing the City decision on the ordinance under ORS 197.830 to 197.845.

City staff will follow the standardized process described above and share the final order and written notice with DLCDC and all required parties within five working days from the date that the City Council adopts a final order.

(2) The notice to persons who participated and requested notice as required by section (1) of this rule must clearly describe and state the date of the decision; indicate how and where the materials may be obtained; include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice; list the locations and times at which the public may review the decision and findings; and explain the requirements for appealing the land use decision under ORS 197.830 to 197.845.

Response: In the notice to persons who participated and requested notice as required by section (1), city staff will include all of the elements described in OAR 660-018-0050(2).

Conclusion: Staff finds the city has provided adequate notice and submitted all required materials consistent with OAR 660-018. This criterion is met.

OAR 660-023 – PROCEDURES AND REQUIREMENTS FOR COMPLYING WITH GOAL 5

Response: OAR 660, Division 23 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

OAR 660-023-0020 defines the standard Goal 5 process that should be followed for each of the resources listed in OAR 660-023-0090 through 660-023-0230 and also explains the optional “safe harbor” course of action available for some of the listed resources. The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, includes:

- conducting an inventory of significant Goal 5 resources,
- conducting an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use, and
- adopting programs to achieve Goal 5, including comprehensive plan provisions and land use regulations to implement the decisions made through the ESEE analysis.

OAR 660-023-0080, part (3) states the following:

(6) Metro may adopt one or more regional functional plans to address all applicable requirements of Goal 5 and this division for one or more resource categories and to provide time limits for local governments to implement the plan. Such functional plans shall be submitted for acknowledgment under the provisions of ORS 197.251 and 197.274. Upon acknowledgment of Metro’s regional resource functional plan, local governments within Metro’s jurisdiction shall apply the requirements of the functional plan for regional resources rather than the requirements of this division.

In 2005, the Metro Council voted to approve a regional Nature in Neighborhoods program (including Title 13 of the Urban Growth Management Functional Plan (UGMFP), effective

date of December 28, 2005) to meet the requirements of Goal 5 for Riparian Corridors and Wildlife Habitat. This means that for regionally significant Riparian Corridors (OAR 660-023-0090) and Wildlife Habitat (OAR 660-023-0110) within Metro's boundary, the City of Beaverton must comply with the Metro UGMFP rather than the standard provisions of the Goal 5 rule.

For natural resources which have not been identified in the UGMFP as regional resources or where the City is proposing regulations that would be more protective of a resource than is required by Title 13, the city has developed an ESEE consistent with the requirements of OAR 660-023-0030 through 660-023-0050. The ESEE decisions and resulting program for each resource in OAR 660-023-0090 through 660-023-0230 are outlined below.

- 0090 Riparian Corridors: Protections for Riparian Corridors are included in Metro's Urban Growth Management Functional Plan, Title 3 and Title 13. See the discussion of Title 3 and Title 13 compliance below.
- 0100 Wetlands: Cooper Mountain Community Plan area wetlands are identified in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Division of State Lands (DSL) requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant. In accordance with OAR 660-023-0100(4)(a), the city has completed the Goal 5 process for significant wetlands (all wetlands in the planning area). The city has prepared ESEE analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in wetlands and their impact areas. The city's program to achieve Goal 5 includes wetland protections through CWS standards for the Vegetated Corridor. CWS Design and Construction standards, Section 3.04 and 3.05 limits activities in Sensitive Areas (including all wetlands) and the Vegetated Corridor (including the impact areas around wetlands). When development activities are allowed in these areas, the activity must be minimized through choice of mode, sizing, and placement. Mitigation is required per the rules and regulations from the Department of State Lands and the US Army Corps of Engineers.
- 0110 Wildlife Habitat: Protections for Upland Wildlife habitat are included in Metro's Urban Growth Management Functional Plan, Title 13. See the discussion of Title 13 compliance below. In addition, the Cooper Mountain Natural Resources Report

(Exhibit 1, Appendix B) concluded that wildlife corridors in the Cooper Mountain area are generally coincident with riparian and upland habitat and will be subject to land use regulation and environmental protection through federal, state, and local law. The limited number of habitat connections that lie outside of protected Riparian/Upland Habitat areas are not specific to an individual location but represent focus areas for further study. For this reason, those wildlife corridors outside of inventoried riparian/upland habitat areas are not determined to be significant resources for the purposes of Goal 5.

- 0115 Greater Sage-Grouse: This requirement is not applicable. Sage-Grouse habitat is only present in Baker, Crook, Deschutes, Harney, Lake, Malheur and Union Counties.
- 0120 Federal Wild and Scenic Rivers: This requirement is not applicable. There are not any federal Wild and Scenic Rivers or associated corridors identified in the planning area.
- 0130 Oregon Scenic Waterways: This requirement is not applicable. There are not any Oregon Scenic Waterways or associated corridors identified in the planning area.
- 0140 Groundwater Resources: This requirement is not applicable. There are not critical groundwater resources designated by the Oregon Water Resources Commission in the planning area. In addition, the planning area does not include significant wellhead protection areas designated by the city or other local agency. The city's existing Water System Master Plan (June 2019) has not designated wellhead protection areas that provide a primary or secondary source of drinking water for an area of over 10,000 people or more than 3,000 service connections.
- 0150 Approved Oregon Recreation Trails: This requirement is not applicable. There are not approved Oregon Recreation Trails designated by the Oregon Parks and Recreation Commission in the planning area.
- 0160 Natural Areas: This requirement is not applicable. The planning area does not include any areas listed on the Oregon State Register of Natural Heritage Resources.
- 0170 Wilderness Areas: This requirement is not applicable. There are not federally designated wilderness areas in the planning area.
- 0180 Mineral and Aggregate Resources: This requirement is not applicable. Washington County has developed an inventory of significant natural resource areas that includes significant mineral and aggregate resources. The planning area does not include significant mineral or aggregate resources.
- 0190 Energy Sources: This requirement is not applicable. The planning area does not include energy sources applied for or approved through the Oregon Energy Facility Siting Council or the Federal Energy Regulatory Commission.

- **0200 Historic Resources:** This requirement is not applicable. The planning area does not include locally designated significant historic resources or buildings, structures, objects, sites, or districts listed in the National Register of Historic Places (Exhibit 26).
- **0220 Open Space:** Cooper Mountain Nature Park has been identified as a regionally significant resource through Metro’s Title 13 Inventory. See the discussion of Title 13 compliance below. The proposed amendments add open space and landscaping requirements for the Cooper Mountain Community Plan area. The proposed Development Code requires open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres and larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.
- **0230 Scenic Views and Sites:** This requirement is not applicable. OAR 660-023-0230(2) states that local governments are not required to amend acknowledged comprehensive plans in order to identify scenic views and sites. The proposed amendments do not include an inventory of significant scenic views or sites in the planning area.

OAR 660-023-0060 requires that local governments shall provide timely notice to landowners and opportunities for citizen involvement during the inventory and ESEE process.

Response: The development of the natural resources inventory and ESEE process involved significant opportunity for landowner and community involvement as described below.

Natural Resources Inventory Process. Below is a sample of key dates where landowners received notifications regarding the inventory process.

- **June 2019.** City staff sent letters inviting landowners to an in-person open house where they could learn about the project goals, which included a discussion of upcoming natural resources work.
- **Early 2020.** Project team initiated the natural resources inventory.
- **March 2020.** City staff sent letters requesting property access to investigate natural resources on each property.
- **2021-2022.** City staff conducted public engagement on plan concepts, alternatives and the preferred approach. Materials for each phase included a proposed boundary of the resource protection area, which was updated as more detailed information became available to the project team.

- **March 2023.** City staff sent letters to landowners, which included the draft Cooper Mountain Community Plan Concept Map with a proposed boundary of the resource protection area.
- **December 2023.** City staff sent letters to property owners to share changes in where natural resource protections are proposed to apply in Cooper Mountain.
- **January 2024.** City staff held an in-person open house to answer questions about the Cooper Mountain draft development rules. One station provided large maps of the proposed resource areas and included information about the potential development rules related to the resource mapping.
- **March 2024.** City staff sent email to property owners to answer questions received about natural resources mapping in the Cooper Mountain Community Plan. Staff shared some steps for property owners who would like to clarify the locations of wetlands and waters on their properties.

In addition, the community also received notifications about opportunities to participate and provide comments during the inventory process. See Exhibit 14 for a full list of public engagement activities.

ESEE Analysis. At each project phase, staff requested feedback from the community on the ESEE consequences that could result from a decision to allow, limit, or prohibit a conflicting use in the plan area. Below is a list of project phases and Goal 5 resource issues and considerations that were discussed:

- **Identifying issues and opportunities.** Public engagement activities focused on issues and opportunities related to natural resource protection and enhancement, resilient hillside development, buildable lands analysis and stormwater management.
- **Developing “plan concepts” to study different ideas.** Public engagement activities focused on introducing concepts such as equitable access to nature for all neighborhoods and connecting significant habitats.
- **Creating and evaluating alternatives.** Public engagement activities focused on three alternatives that show different options for how the city could plan for housing, commercial uses, transportation, parks, and natural resource protection. Each alternative provided a different total number of housing units allowed and different levels of protections for habitat and wildlife corridors.
- **Selecting a preferred approach.** Public engagement activities focused on selecting a preferred approach, which is a hybrid of the alternative attributes discussed above. The outcome was to allow more housing than required by Metro, but also limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors.

- **Finalizing a community plan.** Public engagement activities focused on the goals and policies that express the vision and desired outcomes for the area’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection.

For each phase above, timely notice for opportunities to provide feedback was provided in the following ways:

- **Landowners.** City staff sent letters and emails to promote in-person open houses, listening sessions, surveys, and/or City Council work sessions. If requested, staff also met with landowners and their developers, engineers, and attorneys to discuss Goal 5 resources. City staff also requested feedback at Community Advisory Committee meetings, which included Cooper Mountain landowners. Notification regarding CAC meetings was typically sent at least one week in advance.
- **Community involvement.** City staff conducted stakeholder listening sessions for community advocate and government agencies; presented at city advisory boards, NACs and CPOS; released surveys; held in-person and online open houses; and facilitated Planning Commission work sessions (11 work sessions on natural resources) and City Council work sessions (11 work sessions on natural resources). With the exception of stakeholder listening sessions, which are typically by invitation, city staff promoted each event through project email notifications, project website updates, citywide newsletters (print and digital) or social media. If requested, staff also met with natural resources advocates, including volunteers from the Friends of Cooper Mountain Nature Park and Treekeepers of Washington County.

City staff continued to involve landowners and the community through the same methods described above while creating the program to achieve Goal 5. This included implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

See Exhibit 14 for a full list of public engagement activities from 2019-2024.

660-023-0070 is superseded by the requirements of ORS 197A.350 (formerly ORS 197.296).

Conclusion: The requirements of OAR 660-023 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro, DSL, and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of natural resource. The outcome was to allow more housing than required by Metro and limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors. The proposed Development Code rules implement the program to

protect, allow, or limit conflicting uses for each type of natural resource. This criterion is met.

OAR 660-034 – STATE AND LOCAL PARK PLANNING

660-034-0000 Purpose

(1) The purpose of this division is to establish policies and procedures for the planning and zoning of state and local parks in order to address the recreational needs of the citizens of the state. This division is intended to interpret and carry out requirements of Statewide Planning Goal 8 and ORS 195.120 to 195.125.

(2) In general, this division directs local government planning and zoning activities regarding state and local park master plans. OAR chapter 736, division 18, directs the Oregon Parks and Recreation Department (OPRD) with respect to state park master planning, and does not apply to local governments except where specified by this division.

Response: Compliance with Statewide Planning Goal 8 is addressed previously in these findings. The findings for State Planning Goal 8 are incorporated here by reference.

OAR 660-034-0035 address state parks planning, allowable uses, coordination, and dispute resolution. The plan area does not include any state parks or state park master plans. Therefore, OAR 660-034-0015 through OAR 660-034-0035 do not apply.

660-034-0040 Planning for Local Parks

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

(a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and

(b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.

Response: The plan area is fully within the boundary of the Tualatin Hills Park & Recreation District service planning area. THPRD’s Comprehensive Plan (2023) includes planning for parks and recreation facilities and services across the plan area. THPRD’s planning documents include the Comprehensive Plan (2023), Parks Functional Plan (2019), Trails

Functional Plan (2016), Natural Resources Functional Plan (2014), Athletic Facilities Functional Plan (2016), and Programs Functional Plan (2023). Each plan identifies existing conditions, future conditions, and standards for developing new parks, trails, facilities, and services. The proposed amendments do not propose changes to the existing local park master plans.

Comprehensive Plan Goal 5.8.1 is “Cooperate with THPRD in implementation of its 20-Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.” Findings related to Comprehensive Plan Goal 5.8.1 are included below and are incorporated here by reference.

The proposed amendments add a Parks Overlay to portions of the plan area that have been identified for future community parks and neighborhood parks. The proposed amendments also add open space and landscape requirements for the Cooper Mountain Community Plan area. In addition, the proposed Development Code Section 2.22.20 lists public parks, public dog parks or dog runs, and community gardens as a permitted uses in all proposed Cooper Mountain zoning districts. Public and private recreational facilities are permitted uses in the CM-CS, and CM-HDR zone and conditional uses in the CM-MR and CM-RM zone.

Conclusion: While this criterion does not require the city to consider develop or amend a parks master plan, the Cooper Mountain Community Plan project overall includes planning for local parks. Additional findings related to the recreational needs are addressed in the findings for State Planning Goal 8 and incorporated here by reference.

OAR 660-046 – MIDDLE HOUSING IN MEDIUM AND LARGE CITIES

660-046-0010 Applicability

- (1) A local government that is a Medium City or Large City must comply with this division.**
- (2) Notwithstanding section (1), a Medium or Large City need not comply with this division for:**
 - (a) Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;**
 - (b) Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and**
 - (c) Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land’s potential for planned urban development.**
- (3) A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged**

pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.

- (a) **Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.**
 - A. **Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through OAR 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5...**
 - B. **Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing...**
- (b) **Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.**
- (c) **Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7**

apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:

- A. Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and
 - B. Other hazard areas identified in an adopted comprehensive plan or development code, provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard
- (d) **Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.**
- (e) **Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.**

Response: Compliance with OAR 660-046-0010 is described below in findings for OAR 660-046-0010 in the T42024-00680 section, which addresses how the City of Beaverton (a Large City) will adopt regulations implementing the statewide planning goals above, if relevant, and how these regulations shall be implemented in relation to allowing middle housing. Those findings are incorporated here by reference.

660-046-0030 Implementation of Middle Housing Ordinances

- (1) **Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the local government must submit the proposed amendment to the Department for review and comment pursuant to OAR chapter 660, division 18.**

Response: The proposed Comprehensive Plan amendment (CPMA42024-00679) complies with OAR 660-046-0030, which requires the city to allow middle housing in

residential districts that allow single-detached homes. Consistent with procedures outlined in the Beaverton Development Code, staff submitted the Post-Acknowledgement Plan Amendment (PAPA) to DLCD on September 6, 2024, more than 35 days before the initial hearing. DLCD acknowledged receiving the PAPA via email on September 6, 2024.

(2) In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:

- (a) Waiving or deferring system development charges;**
- (b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and**
- (c) Assessing a construction tax under ORS 320.192 and ORS 320.195.**

Response: Compliance with OAR 660-046-0030(2) is described below in findings for OAR 660-046-0030(2) in the T42024-00680 section, which addresses methods to increase the affordability of middle housing through ordinances and policies, and are incorporated here by reference.

(3) When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

Response: While this criterion does not require the city to consider whether the amendments significantly affect an existing or planned transportation facility, the Cooper Mountain Community Plan project overall considers transportation needs and improvements to the transportation system. See findings for Statewide Planning Goal 12 Transportation, OAR 660-012, and Metro’s Regional Transportation Functional Plan.

METRO UGMFP TITLE 1 – HOUSING CAPACITY

- (a) A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection (d) or (e). A city or county may reduce its minimum zoned capacity in other locations under subsections (c), (d) or (e).**
- (b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.**

(g) A city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The authorization may be subject to reasonable regulation for siting and design purposes. [Ord. 97-715B, Sec. 1. Ord. 02-972A, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 07-1137A, Sec. 1. Ord. 10-1244B, Sec. 2. Ord. 15-1357.]

Response: The proposed amendments would not reduce density in a Regional Center, Town Center, Corridor, Station Community, or Main Streets. Sub-section (a) is not applicable. Sub-sections (c) through (f) are not applicable because the proposed amendments do not include reduction of density in any zone or transfer of density to other jurisdictions.

Regarding sub-section (b), the proposed amendments establish a minimum dwelling unit density for each zone where dwelling units are authorized that are not mixed-use zones. The minimum density for the Cooper Mountain – Multi-unit Residential zone is 34 units per net acre. The minimum density for the Cooper Mountain – Residential Mixed zone is 10 units per acre. It is not possible to zone the minimum density at least 80 percent of maximum density because the State of Oregon no longer allows maximum density in zones where single-detached dwellings are allowed. The minimum residential density for residential-only projects in the two mixed-use zones, Cooper Mountain – Community Service and Cooper Mountain – High Density Residential, is 34 units per acre. Mixed-use projects within those zones are subject to minimum floor-area ratio requirements.

Regarding sub-section (g), Beaverton’s existing Development Code and the proposed amendments allow one accessory dwelling unit for each detached single-family dwelling, referred to in the code as Single-detached Dwellings.

Conclusion: This criterion is met.

METRO UGMFP TITLE 3 – WATER QUALITY AND FLOOD MANAGEMENT

3.07.330 Implementation Alternatives for Cities and Counties

Section 3.07.330(a) provides multiple pathways for the city to comply with Title 3 through existing or amending comprehensive plans and ordinances to substantially comply with the performance standards in Section 3.07.340 and the intent of Title 3. The City of Beaverton already has a city-wide program of flood management and water quality standards that is substantially compliant with the performance standards in Section 3.07.340.

The findings for Section 3.07.340(e) describe the city’s approach to identifying Title 3 resources in the planning area, which will be subject to the existing protection programs.

Section 3.07.330(b) Cities and counties shall hold at least one public hearing prior to adopting comprehensive plan amendments, ordinances and maps implementing the performance standards in Section 3.07.340 of this title or demonstrating that existing city or county comprehensive plans and implementing ordinances substantially comply with Section 3.07.340, to add Protected Water Features, and wetlands which meet the criteria in Section 3.07.340(e)(3), to their Water Quality and Flood Management Area map. The proposed comprehensive plan amendments, implementing ordinances and maps shall be available for public review at least 45 days prior to the public hearing.

Information about the city's land use planning process and procedures to adopt comprehensive plan amendments, including public hearing processes, is described in Section 1.5 (Statewide Planning Goal 2) and incorporated here by reference. Staff mailed a public hearing notice to property owners on September 12, 2024. The notice included a summary of the proposed amendments, implementing ordinances, and maps. The proposed amendments were posted on the city's website for public review at that time. Additional opportunities for public review of the proposed amendments were offered throughout the planning process, as described in the public engagement summary in Exhibit 14.

Section 3.07.330(c) requires the city to conduct a review of the water quality and flood management areas during the local periodic review required under ORS 197.629. This section does not apply to the proposed amendments. **Section 3.07.330(d)** states that the city is not required to establish Protected Water Features, Water Quality Resource Areas and Flood Management Areas in areas that were previously examined by Metro and then not included on Water Quality and Flood Management Areas maps adopted by the Metro Council.

3.07.340 Performance Standards

Section 3.07.340(a) outlines the flood management performance standards. The proposed amendments do not change the city-wide approach to flood management that will also apply to the planning area after annexation.

Section 3.07.340(b) outlines the water quality performance standards. The proposed amendments do not change the city-wide approach to water quality standards. The city's program to protect water quality follows the Clean Water Services standards for the Vegetated Corridor. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." CWS Design and Construction Standards, Table 3-1 defines the extent of the Vegetated Corridor, which includes existing and created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies; natural lakes, ponds, and in-stream impoundments; intermittent and perennial springs; intermittent streams draining more than 10 acres; and perennial streams. CWS Design and Construction standards, Section 3.04 and 3.05 limits activities in Sensitive Areas (including all wetlands) and the Vegetated Corridor

(including the impact areas around wetlands). When development activities are allowed in these areas, the activity must be minimized through choice of mode, sizing, and placement. Mitigation is required per the rules and regulations from the Department of State Lands and the US Army Corps of Engineers.

Section 3.07.340(c) outlines erosion and sediment control performance standards. The proposed amendments do not change the city-wide approach to erosion and sediment control that will also apply to the planning area after annexation.

Section 3.07.340(d) outlines implementation tools to protect water quality and flood management areas. As stated above, the proposed amendments do not change the city's approach to implementing water quality and flood management protections.

Section 3.07.340(e) includes the requirements for map administration. Subsection (e)(3) requires the city to add Title 3 wetlands to the water quality and food management area maps when the city receives significant evidence that a wetland meets any one of a list of criteria.

Cooper Mountain Community Plan area wetlands are identified in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Division of State Lands (DSL) requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant and added to the city's inventory of natural resources.

Conclusion: The proposed amendments are consistent with Metro UGMFP Title 3. This criterion is met.

METRO UGMFP TITLE 7 – HOUSING CHOICE

3.07.730 Requirements for Comprehensive Plan and Implementing Ordinance Changes

Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

(a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing. [Ord. 97-715B, Sec. 1. Ord. 00-882, Sec. 2. Ord. 03-1005A, Sec. 1. Ord. 06-1129B, Sec. 2.]

Response: The Beaverton Comprehensive Plan includes a Housing Element that includes policies that the city should provide an adequate supply of housing to meet future needs; provide a variety of housing types that meet the needs and preferences of residential; and encourage the development and preservation of fair and affordable housing. The latest revisions to the Comprehensive Plan regarding housing were completed as Beaverton adopted its latest Housing Needs Analysis in the fall of 2023.

At the same time, the City of Beaverton approved its Housing Production Strategy in compliance with state administrative rules that lists and prioritizes implementation measures the city will take to promote housing, including affordable housing. Both the Housing Needs Analysis and Housing Production Strategy were acknowledged by the Department of Land Conservation and Development.

The proposed amendments include the adoption of the Cooper Mountain Community Plan (Exhibit 1) that includes housing policies, including a goal to provide 450 regulated affordable housing units within the plan area.

In addition, the proposed amendments would establish zoning for Cooper Mountain that provides at least 4,469 homes on 373 buildable acres, with 42.9 percent of those homes anticipated to be single-detached homes, 32.8 percent anticipated to be middle housing, and 24 percent of those anticipated to be multi-dwellings (apartments with five or more units).

The proposed amendments also require a variety of housing types for development sites that are at least 3 acres in size and a variety of housing types are allowed on all lots within Cooper Mountain.

Conclusion: This criterion is met.

METRO UGMFP TITLE 8 – COMPLIANCE PROCEDURES

3.07.820 Review by the Chief Operating Officer

- (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.

Response: The city submitted the proposed amendments to the COO on August 30, 2024, which is more than 35 days prior to the Oct. 16 Beaverton Planning Commission hearing, the first evidentiary hearing on the amendment.

On September 3, 2024, Metro submitted a letter confirming that they will update the inventory of regionally significant fish and wildlife habitat to incorporate proposed updates for the subject area inventoried through the Cooper Mountain Community Plan process. Findings for these updates are described in CPMA42024-00679 (Exhibit 17).

On September 11, 2024, Metro submitted a letter indicating that proposed Development Code updates for the Cooper Mountain Community Plan area would satisfy Metro Title 13 requirements. Findings for these updates are described in Metro UGMFP Title 13 – Nature in Neighborhoods in the TA42024-00680 section (Exhibit 18).

3.07.830 Extension of Compliance Deadline

Response: The city is not seeking an extension of compliance, so this criterion is not applicable.

3.07.840 Exception from Compliance

Response: The city is not seeking an exception from compliance, so this criterion is not applicable.

Conclusion: Therefore, all criteria in Metro UGMFP Title 8 are met or not applicable.

METRO UGMFP TITLE 11 – PLANNING FOR NEW URBAN AREAS, INCLUDING METRO UGB EXPANSION CONDITIONS OF APPROVAL

3.07.1120 Planning for Areas Added to the UGB

- (a) The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.

Response: The Metro ordinance that added the Cooper Mountain Community Plan area to the UGB (Ordinance No. 18-1427) identifies the City of Beaverton as the local jurisdiction to adopt comprehensive plan provisions and land use regulations for the area to authorize urbanization. The city is approving the Comprehensive Plan amendments after the date specified in the urban growth boundary expansion conditions of approval with the consent of Metro.

- (b) If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.**

Response: The City of Beaverton was the only local government assigned planning responsibility for the Cooper Mountain area. This is not applicable.

- (c) Comprehensive plan provisions for the area shall include:**

- (1) Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB;**

Response: Metro Ordinance 18-1427 conditions of approval designate Cooper Mountain as the “Neighborhoods” 2040 Growth Concept map design type. The Metro description of the Neighborhoods indicates they can have residential with a mix of housing types and mixed uses.⁵ The Comprehensive Plan amendments include proposed amendments to apply three land use designations to Cooper Mountain:

- Cooper Mountain Residential
- Cooper Mountain Mixed Use Corridor
- Cooper Mountain Commercial

All three of these land use designations allow zoning districts to be applied that would allow residential uses. The Cooper Mountain Residential land use designation would allow the Cooper Mountain – Residential Mixed zone, which allows single-detached homes, middle housing, and multi-dwellings (apartments) of up to six units.

The Cooper Mountain Mixed Use Corridor land use designation allows Cooper Mountain - Residential Mixed to be applied as well as Cooper Mountain – Multi-

⁵ The Nature of 2040: The region's 50-year plan for managing growth. Portland, 2000. PDF. <<https://www.oregonmetro.gov/sites/default/files/2014/05/09/natureof2040.pdf>>

dwelling Residential (CM-MR) and Cooper Mountain – High Density Residential (CM-HDR). CM-MR primarily allows multi-dwellings (apartments or condominiums), townhomes, and middle housing. CM-HDR allows residential uses similar to CM-MR and also allows commercial uses.

The Cooper Mountain Commercial land use designations allows the Cooper Mountain – Community Service (CM-CS) zone to be applied. CM-CS is nearly identical to the CM-HDR zone, with the exception that it allows commercial but also requires (rather than just allows) a small amount of commercial to be built.

CM-RM also allows small-scale commercial uses in limited locations. Most commercial uses within that district are limited to 1,500 square feet within buildings that would be similar in scale to the housing within that zoning district.

The Cooper Mountain Comprehensive Plan map and policies promote primarily residential uses in Cooper Mountain but allow a mix of uses to ensure that community members and visitors have access to goods, services, and employment opportunities within Cooper Mountain.

The boundary of Cooper Mountain also is consistent with the UGB expansion adopted in the Metro ordinance.

(2) Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Response: State law and city regulations, such as Development Code section 10.40, are already in place to facilitate annexations. The proposed amendments to Development Code Section 10.40 also clarify that city approval of zoning prior to annexation that is applied when annexation occurs is allowed. The city’s various service districts also have annexation procedures in place. Annexation to Tualatin Hills Park & Recreation District will be a condition of approval for property development in the city. Annexation likely will occur incrementally because of the limits on annexation procedures in state law as well as availability of infrastructure. The Beaverton City Council has decision-making authority regarding city annexations. And in all cases, annexation must occur before the city can regulate land, apply zoning, and enforce Development Code regulations.

(3) Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455(b)(2) of this chapter;

Response: Metro Ordinance 18-1427 conditions of approval require Beaverton to plan for at least 3,760 homes in the Cooper Mountain expansion area. Beaverton estimates the proposed Comprehensive Plan and Development Code amendments will facilitate at least 4,469 homes in Cooper Mountain in the future, as described in

Exhibit 22. That total likely will be larger because property owners can choose to exceed the minimum density, including on lots where middle housing is allowed. The city anticipates about 5,000 homes will eventually be built in the area.

(4) Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Response: Metro’s Title 7 includes Section 3.07.730: Requirements for Comprehensive Plan and Implementing Ordinance Changes. It says:

“Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

- (a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.
- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing...”

The Beaverton Comprehensive Plan includes a Housing Element that includes policies that the city should provide an adequate supply of housing to meet future needs; provide a variety of housing types that meet the needs and preferences of residential; and encourage the development and preservation of fair and affordable housing. The latest revisions to the Comprehensive Plan regarding housing were completed as Beaverton adopted its latest Housing Needs Analysis in the fall of 2023.

At the same time, the City of Beaverton approved its Housing Production Strategy in compliance with state administrative rules that lists and prioritizes implementation measures the city will take to promote housing, including affordable housing. Both the Housing Needs Analysis and Housing Production Strategy were acknowledged by the Department of Land Conservation and Development.

The proposed amendments include the adoption of a Community Plan (Exhibit 1) for Cooper Mountain that includes housing policies, including a goal to provide 450 regulated affordable housing units within the plan area.

In addition, the proposed amendments would establish zoning for Cooper Mountain that provides at least 4,469 homes on 373 buildable acres, with 42.9 percent of those homes anticipated to be single-detached homes, 32.8 percent anticipated to be middle housing, and 24 percent of those anticipated to be multi-dwellings (apartments with five or more units).

The proposed amendments also require a variety of housing types for development sites that are at least 3 acres in size and a variety of housing types are allowed on all lots within Cooper Mountain.

(5) Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

Response: Beaverton has adopted the Beaverton School District facilities plan. The eastern half of Cooper Mountain is within the Beaverton School District. Beaverton School District officials plan to serve Cooper Mountain students with existing facilities that already exist within the district, including Mountainside High School, which is nearby at 175th and Scholls Ferry Road. In addition, the school district owns land within South Cooper Mountain very close to its border with Cooper Mountain. That land can be used for future school buildings.

The western half of Cooper Mountain is within the Hillsboro School District. Hillsboro School District officials report that they plan to serve Cooper Mountain students with existing facilities or planned facilities consistent with the district’s facilities plan. Beaverton has not adopted the Hillsboro School District facilities plan because no part of the Hillsboro School District is currently within the city limits and adoption of the Hillsboro School District facilities plan is not currently required by state law.

(6) Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Response: Beaverton Comprehensive Plan Section 5.2 Public Facilities Plan states that the city’s Public Facilities Plan “consists of ... the most recent version of master plans adopted by providers of the following facilities and services in the City” and includes park and recreation in that list. Therefore, Tualatin Hills Park & Recreation District (THPRD) plans, including the Parks Functional Plan and Trails Functional Plan are included in the city’s Public Facilities Plan.

In addition, the proposed amendments address public park facilities in the following ways:

- Providing a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code text amendment, along with some of the Development Code standards regarding parks/open space.

- Requiring open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.
- Requiring park amenities for open space within the Parks Overlay. Outside the Parks Overlay, tree planting that would produce a 50 percent tree canopy at maturity is required.
- Including code incentives for open space to be dedicated to THPRD by:
 - Not requiring the park amenities to be built if the land is dedicated to THPRD.
 - Giving 150 percent credit toward open space requirements for open space land dedicated to THPRD.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

(7) A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Response: The proposed amendments provide a conceptual map of arterials, collectors, and neighborhood routes within the Cooper Mountain Plan Area in modifications to Comprehensive Plan Volume 1, Chapter 6. Beaverton's Engineering Design Manual also contains intersection spacing and other connectivity rules to ensure a logical, direct, and connected system of streets and limit closed-end streets and the length of closed-end streets. Local streets are not identified specifically in the conceptual map because the location and connections of those streets will be determined during development and shall be consistent with city Development Code and Engineering Design Manual standards. The conceptual map in the proposed amendments provides direct routes and preserves the region's arterial system by coming as close as is practical to meeting arterial and collector spacing standards in the Metro Regional Transportation Plan as described in the findings within Section 3.08.510A, which are incorporated here by reference.

Additional findings also can be found in the findings within this staff report related to the Metro Regional Transportation Functional Plan and Regional Transportation Plan, which are incorporated here by reference.

(8) Provision for the financing of local and state public facilities and services; and

Response: The Infrastructure Funding Plan that is included as an appendix to the Cooper Mountain Community Plan (Exhibit 1, Appendix C) identifies funding sources and strategies for each category of infrastructure and whether resources are expected to be available to cover the estimated costs. Services are provided by the city as well as service providers, including Clean Water Services (stormwater and sewer), Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, Tualatin Hills Water District, Metro, Washington County, and Beaverton School District. Each of those agencies have capital improvement plans, capital budgets, and funding sources for ongoing service provision as well as financing public facility capital investments. Beaverton Comprehensive Plan Section 5.2 Public Facilities Plan states that the city’s Public Facilities Plan “consists of ... the most recent version of master plans adopted by providers of the following facilities and services in the City” and includes storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation on that list.

(9) A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Response: There are no existing or planned state highway interchanges in the Cooper Mountain Community Plan area, and operations at the nearest highway interchange (SR 217 at Scholls Ferry Road) was not evaluated as part of the transportation analysis. The SR 217 at Scholls Ferry Road interchange was evaluated during the 2014 South Cooper Mountain Concept Plan, which included assumptions for the Cooper Mountain Community Plan area. The performance of the interchange was determined to be acceptable at that time.

(d) The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using a method consistent with a Goal 14 analysis, within 30 days after adoption of new land use regulations for the area

Response: The city as part of the Cooper Mountain Community Plan project conducted a draft Buildable Land Inventory in 2020, which was updated with new information in the spring of 2024. The Building Land Inventory and attached addendum (Exhibit 22) provide the determination of residential capacity of the zoned areas within Cooper Mountain. The proposed Comprehensive Plan, Zoning Map, and Development Code text amendments combined would establish zoning for Cooper Mountain that provides at least 4,469 homes on 373 buildable acres, with 42.9 percent of those homes

anticipated to be single-detached homes, 32.8 percent anticipated to be middle housing, and 24 percent of those anticipated to be multi-dwellings (apartments with five or more units). This determination is being provided as part of the findings for the document and was shared with Metro in advance of the first evidentiary hearing. The information also will be provided within 30 days of adoption of the proposed amendments. The proposed amendments require a minimum of 10 units per acre for CM-RM and 34 units per acre for CM-MR, CM-HDR, and CM-CS. The code does not limit maximum residential densities in these zones. The actual buildout likely will include more residential units because property owners will decide to exceed minimum density, including on lots zoned to allow middle housing.

Conclusion: The proposed amendments are consistent with Metro Urban Growth Management Functional Plan Section 3.07.1120 as described in the findings above. This criterion is met.

2018 Metro UGB Expansion Conditions of Approval

A. Comprehensive Planning in the four UGB Expansion Areas

- 1. Within four years after the date of this ordinance, the four cities shall complete comprehensive planning consistent with Metro code section 3.07.1120 (Planning for Areas Added to the UGB).**

Response: Ordinance 18-1427 was enacted on December 13, 2018. The City of Beaverton began the process of comprehensive planning for the Cooper Mountain Community Plan area in 2019 and expects adoption in December 2024. The city is approving the Comprehensive Plan amendments after the date specified in the urban growth boundary expansion conditions of approval with the consent of Metro.

- 2. The four cities shall allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit single family housing in the expansion areas.**

Response: Residential zoning designations for the Cooper Mountain Community Plan area include Cooper Mountain Residential Mixed (CM-RM), Cooper Mountain Multi-Unit Residential (CM-MR), and Cooper Mountain High-Density Residential (CM-HDR). New single-detached housing is allowed in the CM-RM zone, which also permits townhomes, duplexes, triplexes, and fourplexes, as shown in Beaverton Development Code 20.22.20 (included in Exhibit 10). The CM-RM zone also allows five-plexes and six-plexes. The proposed amendments exceed the minimum requirements of this condition.

- 3. The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.**

Response: Housing variety and allowing accessory dwelling units has been a priority for the Beaverton. The city’s current code already allows accessory dwelling units citywide where single-detached homes are allowed. The proposed amendments will also allow them in Cooper Mountain zoning districts where single-detached dwellings are allowed.

In addition, the current code allows an ADU to be as close as five feet from the rear lot line if it is a one-story building (maximum height of 15 feet). And the current code indicates that ADU can also be a manufactured home.

4. As the four cities conduct comprehensive planning for the expansion areas, they shall address how their plans implement relevant policies adopted by Metro in the 2014 regional Climate Smart Strategy regarding:

(a) concentrating mixed-use and higher density development in existing or planned centers;

Response: The Cooper Mountain Community Plan area does not contain an existing or planned center per the Metro 2040 Growth Concept. The Community Plan area includes "Neighborhood" and "Parks and natural areas" designations. However, as noted below, to facilitate a walkable community, “neighborhood centers” are proposed within the Metro 2040 “Neighborhood” designation. The “neighborhood center” designation is not a Metro 2040 designations but rather the plain language term the city used to describe the desired outcomes to community members. Elsewhere in the City of Beaverton, designations of Regional Center, Station Communities, and Corridors apply.

The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both commercial and residential are allowed but there is no minimum commercial requirement.

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

(b) increasing use of transit; and

Response: TriMet transit service does not currently serve the Cooper Mountain Community Plan area but has plans to extend Route 56 service to Mountainside High School in the near future.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments support transit use by ensuring Cooper Mountain is transit-ready. The proposed Comprehensive Plan, Zoning Map, and Development Code text amendments support transit by:

- Requiring a network of arterials, collectors, neighborhood routes, and local streets with intersection spacing and connectivity standards, many of which are in the existing Development Code or the city's Engineering Design Manual.
- Proposing zoning that provides many destinations and different types of destinations along major travel routes. The zoning map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The corridors mentioned above are the most likely to support transit because they provide connections through Cooper Mountain and because of the mix of uses, number of households, and variety of destinations along those corridors.

(c) increasing active transportation options.

Response: A robust active transportation system is a central component of the Cooper Mountain Community Plan. The proposed amendments in the

Comprehensive Plan Volume 1, Chapter 6 provide a well-connected hierarchy of streets: arterials, collectors, and neighborhood routes (Figure 13) as well as a network of pedestrian routes, bike paths, and trails (Figure 14).

The city's existing Engineering Design Manual standards require bicycle and pedestrian facilities on streets within the city. In addition, the proposed amendments to Beaverton Transportation System Plan include policies that call for facilities "designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the 'interested but concerned' user category" on all arterials, collectors, and neighborhood routes. The proposed amendments in Comprehensive Plan Volume 1, Chapter 6 also include a complete multi-use path system in Cooper Mountain that will provide an alternative system of travel largely separated from automobiles. This includes a multi-use path connecting Grabhorn Road and the future neighborhoods adjacent to Grabhorn Road to the rest of the Cooper Mountain Community Plan area (and vice versa) with a path through the Resource Overlay over McKernan Creek to ensure a comfortable, direct, and easy active transportation (walking, biking, rolling) connection. The proposed text amendments in Development Code Section 60.55.35 also would limit vehicle access to private property along Neighborhood Routes to facilitate relatively uninterrupted, physically protected (with vertical physical barriers) bicycle facilities and ensure those routes complement the planned protected bicycle facilities on collectors and arterials as well as the comfortable bicycle environments on local streets. Through a separate effort, the city is working to create new street design cross-sections for Cooper Mountain that are intended to be adopted into the City's Engineering Design Manual. These will implement the transportation goals and policies in the proposed amendments and set expectations for street construction of public streets. In addition, existing and proposed street standards will provide strong active transportation connections between future transit stops and future development.

The cities shall coordinate with the appropriate county and transit provider regarding identification and adoption of transportation strategies.

Response: The City of Beaverton has been in close coordination with Washington County and TriMet on the topic of transit and transportation strategies in the area. Regarding coordination and notice more broadly and consistent with the Urban Planning Area Agreement, notice, opportunity to comment, and/or direct coordination of the Cooper Mountain Transportation Analysis and proposed Community Plan occurred during the planning process. The Technical Advisory Committee (TAC) included Washington County, Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School

District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation. A detailed list of TAC meeting dates, and other examples of coordination with Washington County and TriMet is in Exhibit 14.

On August 22, 2024, Beaverton also provided Washington County draft amendments prior to finalizing and allowed at least 55 days before the initial public hearing to provide comments.

More complete findings regarding coordination are provided in this staff report in response to OAR 660-012-0060(4) and are incorporated here.

- 5. As the four cities conduct comprehensive planning for the expansion areas, they shall regularly consult with Metro Planning and Development staff regarding compliance with these conditions, compliance with the Urban Growth Management Functional Plan, compliance with the state Metropolitan Housing Rule, and use of best practices in planning and development, and community engagement. To those ends, cities shall include Metro staff in advisory groups as appropriate.**

Response: The Cooper Mountain Community Plan process included a Community Advisory Committee (CAC) and Technical Advisory Committee (TAC). The TAC included Tim O'Brien, Metro Principal Regional Planner, who provided detailed comments on work products and helped direct the effort. In addition, city staff consulted with Metro staff regarding Title 13 natural resources issues; transportation issues; parks and natural area planning; and other issues. A detailed list of TAC meeting dates, and other examples of coordination with Metro Planning and Development staff is in Exhibit 14.

- 6. At the beginning of comprehensive planning, the four cities shall develop – in consultation with Metro – a public engagement plan that encourages broad-based, early and continuing opportunity for public involvement. Throughout the planning process, focused efforts shall be made to engage historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth.**

Response: The public engagement plan is included in Exhibit 13. It describes the City of Beaverton's approach to engagement for this effort. This engagement plan was the subject of review and comment from the project's Technical Advisory Committee, which included Metro representation, as well as the Community Advisory Committee, and appointed and elected officials. The Public Engagement Plan describes the following objectives:

- Advance racial equity and ensure Cooper Mountain is inclusive and welcoming to all communities.

- Recruit diverse and historically marginalized community members to serve on the community advisory committee and ensure feedback from multicultural engagement is integrated into project. (Please note: all outreach activities will Comply with Civil Rights Act of 1964 Title VI, which states that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.)
- Communicate complete, accurate, understandable, and timely information to the public throughout the project.
- Help the public understand the benefits of creating a community plan for the Cooper Mountain area.
- Actively seek public input from a broad, diverse audience at key project milestones to understand the needs and desires of the community.
- Involve the community with identifying issues, developing solutions, and evaluating alternatives.
- Provide meaningful public involvement opportunities and demonstrate how input has influenced the process.
- Seek participation of potentially affected and/or interested individuals, neighborhoods, businesses, and organizations.
- Implement the City’s adopted Diversity, Equity, and Inclusion (DEI) Plan to:
 - Build proactive, long-term relationships with historically underrepresented communities to reduce barriers, increase trust, and promote civic engagement.
 - Expand partnerships with community-based organizations to support outreach.
 - Offer meaningful engagement opportunities to historically underrepresented youth and expose them to networks and opportunities to influence their community beginning at a young age.
 - Promote community service, civic engagement, and other learning opportunities for youth.
 - Ensure that the public involvement process is consistent with applicable state and federal laws, requirements, and local policies.

Throughout the planning process, city staff continued engaging historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth. These efforts are documented in the Public Engagement Plan

Update (Exhibit 13), which communicates what project staff had learned from engagement as of June 2021 and described how staff would conduct additional public engagement activities for subsequent phases.

A summary of all engagement activities for the entire project is in the Cooper Mountain Community Plan Public Engagement Summary (September 2024) (Exhibit 14). The Public Engagement Summary demonstrates how community feedback meaningfully influenced the process and project outcomes for each phase of the project and includes tables with all engagement activities between 2019-2024.

B. Citywide Requirements (for the four cities)

- 1. Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units. In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling units be owner occupied and shall not require off street parking when street parking is available.**

Response: Exhibit 16 includes the annual compliance letters required by this condition for the years 2019, 2020, 2021, 2022, and 2023. The letter dated December 21, 2020, notes that the City updated its Development Code to remove minimum parking and occupancy requirements for Accessory Dwelling Units, as required by this condition of approval.

- 2. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.**

Response: Exhibit 16 includes the annual compliance letters required by this condition for the years 2019, 2020, 2021, 2022, and 2023. The letters dated 2020, 2021, and 2022 note the City's efforts to adopt code changes ensuring future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting housing types or density. The city's existing Development Code Section 10.18.3 says: "Recorded instruments affecting real property shall comply with, and be enforceable only as provided by, Section 13, Chapter 639, Oregon Laws 2019." The city's existing Development Code Section 10.18.4 says: "All recorded instruments that create a homeowners association, or include covenants, conditions, or restrictions for real property zoned for residential use, shall include the following statement in all capital letters on the first page of the recorded instrument: THIS PROPERTY IS SUBJECT TO SECTION 13, CHAPTER 639, OREGON LAWS 2019, AND ANY RECORDED DOCUMENT FOR THIS PROPERTY

SHALL NOT REGULATE HOUSING TYPES ALLOWED BY STATE LAW OR REQUIRE ACCESSORY DWELLING UNITS TO BE OWNER OCCUPIED. ANY PROVISION IN THIS DOCUMENT THAT VIOLATES THIS PARAGRAPH IS UNENFORCEABLE. ALL RECORDED REVISIONS OF THIS DOCUMENT MUST INCLUDE THIS STATEMENT ON THE FIRST PAGE, UNLESS OTHERWISE APPROVED BY THE CITY OF BEAVERTON IN WRITING.” Section 13 of Chapter 639, Oregon Laws 2019 declared unenforceable any recorded instrument affecting real property that would prohibit middle housing or accessory dwelling units on a lot that would allow the development of a single-family dwelling.

The city’s existing Development Code requires recorded instruments affecting real property comply with the law and Chapter 639 and not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.

- 3. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.**

Response: The response to B.2., incorporated by reference here, also addresses this criterion because the Development Code states that accessory dwelling units shall not require owner occupancy.

- 4. The four cities shall continue making progress toward the actions described in Metro Code section 3.07.620 (Actions and Investments in Centers, Corridors, Station Communities, and Main Streets).**

Response: The City of Beaverton plans to establish a boundary for the Sunset Transit Town Center/Station Community as part of the Designing Walkable Places project, which is under way. The city expects to adopt Comprehensive Plan amendments regarding that effort in 2025. This will allow the city to continue to make progress toward the actions in Section 3.07.620. The City of Beaverton also working on a Transportation System Plan update that will identify policy updates, actions, and investments related to transportation in that area. The Transportation System Plan update also will incorporate the city’s Complete Streets Policy, which prioritizes active transportation options over single occupancy vehicles, enabling safe access for all people who use them. The Cooper Mountain Community Plan area does not include any centers, corridors, station communities, or main streets.

- 5. Cities shall engage with service providers to consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters.**

Response: The City of Beaverton evaluated strategies to reduce housing costs, including the adoption of variable system development charges, through the Housing Options Project, noted in the annual compliance letters in Exhibit 16. The Housing Options Project’s Public Engagement Summary for Alternatives (July 2021) notes discussion regarding variable system development charges.

Tualatin Hills Park & Recreation District already has variable system development charges based on the size of the home. Its lowest rate is for homes under 1,500 square feet. The largest non-city water district, Tualatin Valley Water District, also charges variable rates by the meter size, with the lowest fees for five-eighths-inch meters. Generally, larger meter sizes are needed for larger homes with more water use/larger number of fixtures.

Sewer SDCs are determined with Clean Water Services and based on the type of dwelling unit. The city contacted CWS to ask if the district is considering variable SDCs to reduce the costs of building smaller homes. CWS staff says the district plans to update its SDC methodology and rates in the next year or two. During that process, affordable housing and development types will be factors evaluated as the methodology and rates are updated.⁶

Stormwater SDCs are determined based on impervious surface area. This is likely to be less for smaller structures with a smaller footprint, but it also depends on whether the amount of impervious area those structures provide and how much additional impervious area, such as pavement, is present on the site.

Service providers either already have variable system development charges or were engaged by the city regarding that approach.

- 6. For at least six years after this UGB expansion, the four cities shall provide Metro with a written annual update on compliance with these conditions as well as planning and development progress in the expansion areas. These reports will be due to the Metro Chief Operating Officer by December 31 of each year, beginning December 31, 2019.**

Response: Exhibit 16 includes the five annual compliance letters required by this condition for the years 2019, 2020, 2021, 2022, and 2023. The sixth and final letter for the year 2024 is expected to be submitted following the adoption of the Cooper Mountain Community Plan.

⁶ Email communication from Kathleen Leader, Clean Water Services Chief Financial Officer, Aug. 15, 2024.

C. Beaverton:

- 7. Beaverton shall plan for at least 3,760 homes in the Cooper Mountain expansion area.**

Response: Beaverton estimates the proposed Comprehensive Plan and Development Code amendments will facilitate at least 4,469 homes in Cooper Mountain in the future, as described in Exhibits 1-11. That total likely will be larger because property owners can choose to exceed the minimum density, including on lots where middle housing is allowed. The city anticipates about 5,000 homes will eventually be built in the area.

- 8. The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.**

Response: The area has been designated as Neighborhood on the 2040 Growth Concept Map (Exhibit 12). This condition is met.

- 9. The city may propose the addition of Corridors for depiction on the 2040 Growth Concept map as an outcome of comprehensive planning for the area.**

Response: The City has not proposed the addition of Corridors through this planning effort. The Cooper Mountain Community Plan area has been designated as Neighborhood on the 2040 Growth Concept Map (Exhibit 12). This condition is met.

Conclusion: The proposed amendments are consistent with Metro conditions of approval as described in the findings above. This criterion is met.

METRO UGMFP TITLE 12 – PROTECTION OF RESIDENTIAL NEIGHBORHOODS

3.07.1210 Purpose and Intent

Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services. [Ord. 02-969B, Sec. 3.]

Response: The Cooper Mountain Community Plan area is an urban growth boundary expansion area with largely rural development. Section 3.07.1210 states that Title 12’s purpose is to protect “existing residential neighborhoods.” Although there are some homes within the plan area, the Cooper Mountain Community Plan area was not within the urban growth boundary when the Title 12 was adopted, and the proposed amendments were

drafted to allow urban development and allow new neighborhoods within this 1,200-plus acre urban growth boundary expansion area. Title 12 is not applicable to the proposed amendments. If it were, the proposed amendments are not proposing any Neighborhood Centers (3.07.1230), and access to parks and schools are addressed through the city's Public Facilities plans and executed by the Tualatin Hills Park & Recreation District, the Beaverton School District, and, in the case of the western part of the Cooper Mountain Community Plan area, the Hillsboro School District.

Conclusion: Metro Urban Growth Management Functional plan Title 12 is not applicable to the proposed amendments. If it were, Title 12 would be met through the provision of park, greenspace, and school access through the city's partners, the city's Public Facilities Plan, and intergovernmental agreements with Tualatin Hills Park & Recreation District.

METRO UGMFP TITLE 13 – NATURE IN NEIGHBORHOODS

3.07.1330 Implementation Alternatives for Cities and Counties

Section 3.07.1330(a) requires cities and counties wholly or partly within the Metro boundary to apply the requirements of Title 13 to regionally significant riparian and upland habitat areas. The City of Beaverton already has a program for compliance with Title 13 for riparian and upland areas across the city. These findings are specific to the sections of Title 13 that apply to areas that were added to the UGB after December 28, 2005. Those are the sections of Title 13 that apply to the Cooper Mountain Community Plan area, which was added to the UGB on December 13, 2018.

Section 3.07.1330(a) includes a series of exceptions to using Title 13 for compliance with OAR 660-023. **Subsection (a)(1)** says that the city must follow the Goal 5 process in OAR 660-023 to adopt regulations that will limit development in areas that are not identified as riparian habitat or upland wildlife habitat on the Metro Inventory Map. The city prepared an ESEE Analysis, dated August 2024 (Exhibit 19) that documents the Goal 5 process to apply development regulations for wetlands and probable wetlands identified in the planning area. The ESEE concluded that conflicting uses should be limited in areas around wetlands and probable wetlands.

Subsection (a)(3) says that the city must follow the Goal 5 Process in OAR 660-023 to apply greater limits on development than those that are substantially compliant with the requirements of Title 13. As such, the ESEE documents the Goal 5 process to consider development regulations for the impact area around Cooper Mountain Nature Park. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain

Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land.

Section 3.07.1330(b) outlines five alternative approaches for cities and counties to amend the comprehensive plan and implementing ordinances to protect regionally significant natural resources. As a member of the Tualatin Basin Natural Resources Coordinating Committee (TBNRCC), the City of Beaverton follows the fifth approach, listed in Section 3.07.1330(b), subsections (5)(a) through (5)(g).

- 5. For a city or county that is a member of the [TBNRCC], ... amend its comprehensive plan and implementing ordinances to comply with the maps and provisions of the TBNRCC Goal 5 Program . . . adopted by the TBNRCC on April 4, 2005 (the “Tualatin Basin Program”), subject to the intergovernmental agreement entered into between Metro and the TBNRCC. All other provisions of this Metro Code Section 3.07.1330, as well as Metro Code Section 3.07.1360, shall still apply to each city and county that is a member of the TBNRCC.**

Section 3.07.1330(b), Subsections 5(a) through 5(e) address implementation of the Tualatin Basin Program, protections for riparian habitat areas, and partnerships between members of the TBNRCC, including the City of Beaverton and Clean Water Services (CWS).

The proposed amendments do not include changes to the city’s program for protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by designating those areas as part of the regulated “Vegetated Corridor.” The Vegetated Corridor includes existing and created wetlands, rivers, streams, and springs, natural lakes, ponds, and in-stream impoundments and a protected buffer width on each side of those features. The Vegetated Corridor width depends on the type of water feature and presence of adjacent slopes greater than 25%. The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat. The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Specific to Cooper Mountain upland wildlife habitat areas, Section 3.07.1330(b)(5)(f) requires the following:

- f. The city or county complies with the provisions of Metro Code Section 3.07.1330(b)(1) to (b)(3) as those provisions apply to upland wildlife habitat in territory added to the Metro urban growth boundary after December 28, 2005. For example, (1) each city and county shall either adopt and apply Metro’s Title 13 Model Ordinance to upland wildlife habitat in new urban areas, (2) substantially comply with Metro Code Section 3.07.1340 as it applies to upland wildlife habitat in new urban areas, or (3) demonstrate that it has implemented an alternative program that will achieve protection and enhancement of upland wildlife habitat in new urban areas comparable with the protection and restoration that would result from one of the two previous approaches described in this sentence. . . .**

The city is following pathway (2) from Section 3.07.1330(b)(5)(f) to adopt Development Code updates for the Cooper Mountain Community Plan area that substantially comply with the performance standards in Metro Code Section 3.07.1340. Findings related to compliance with Metro Code Section 3.07.1340 are described below.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states:

“[T]he proposed Development Code updates for the Cooper Mountain area would satisfy Example (2) [of UGMFP Subsection 3.07.1330(b)(5)(f)], with the referenced proposed updates substantially complying with Subsection 3.07.1340, Performance Standards and Best Management Practices for Habitat Conservation Areas, as they apply to upland wildlife habitat in new urban areas (i.e., the Cooper Mountain area added to the UGB in 2018).”

Section 3.07.1330(c) requires comprehensive plan and implementing ordinances to rely on clear and objective standards, such as a fixed numerical standard, nondiscretionary requirement, or a performance standard with an outcome based on objective criteria.

Section 3.07.1330(d) allows the comprehensive plan and implementing ordinances for protection of riparian and upland resources to include an alternative, discretionary approval process.

The proposed Development Code updates include clear and objective standards and an alternative, discretionary approval process to apply the requirements of Title 13 to regionally significant riparian and upland habitat areas. Development code compliance with Title 13 is described in the findings for TA-42024-00680. Those findings are incorporated here by reference.

Section 3.07.1330(e) requires the city to allow habitat friendly development practices in regionally significant fish and wildlife habitat areas.

The proposed amendments do not change the city’s approach related to Habitat Friendly Development Practices. The city previously adopted code provisions (Beaverton Development Code 60.12 Habitat Friendly Development Practices) to allow and encourage Habitat Friendly Development Practices across the city. The use of habitat friendly development practices is voluntary. Beaverton Development Code 60.12.25 offers development credits when projects apply specific techniques, such as preserving Habitat Benefit Areas and utilizing Low Impact Development Techniques. Those credits will still be available outside the Cooper Mountain Community Plan area.

Section 3.07.1330(f) states:

Cities and counties shall hold at least one public hearing prior to adopting comprehensive plan amendments, implementing ordinances, and maps implementing this title or demonstrating that existing city or county comprehensive plans, implementing ordinances, and maps substantially comply

with this title. The proposed comprehensive plan amendments, implementing ordinances, and maps shall be available for public review at least 45 days prior to the public hearing.

Information about the city's land use planning process and procedures to adopt comprehensive plan amendments, including public hearing processes, is described in Section 1.5 (Statewide Planning Goal 2) and incorporated here by reference. Staff mailed a public hearing notice to property owners on September 12, 2024. The notice included a summary of the proposed amendments, implementing ordinances, and maps. The proposed amendments were posted on the city's website for public review at that time. Additional opportunities for public review of the proposed amendments were offered throughout the planning process, as described in the public engagement summary in Exhibit 14.

Section 3.07.1330(g) states:

The comprehensive plan provisions and implementing ordinances that each city or county amends, adopts, or relies on to comply with this title shall provide property owners with a reasonable, timely, and equitable process to verify the specific location of habitat areas subject to the provisions of the city's or county's comprehensive plan and implementing ordinances. It is the intent of this requirement that, in the majority of cases, the process be as simple and straightforward as possible and not result in a change that would require an amendment to the city's or county's comprehensive plan.

The proposed amendments include development code rules to define the boundary of the Resource Overlay, which includes riparian and upland habitat areas that a subject to development rules to implement the performance standards in Section 3.07.1340. The city has prepared a Natural Resources Report (Exhibit 1, Appendix B) that includes mapping of riparian and upland habitat areas. The significant resource inventory in the Natural Resources Report was used to develop the Resource Overlay (Figure 4). The city will maintain an online GIS map of the boundary of the Resource Overlay. The simple, default approach for is for property owners to use the city's Natural Resources Report and the city's online GIS map to verify the location of the Resource Overlay on their property. The proposed development code also includes a pathway for property owners to present detailed documentation to request a modification to the mapping of resources on their property. Adjustments to the mapping of the Resource Overlay can be made through a Type 1 application and do not require an amendment to the Comprehensive Plan.

Section 3.07.1330(h) applies to properties that were within the Metro UGB prior to January 1, 2002. This section does not apply.

3.07.1340 Performance Standards and Best Management Practices for Habitat Conservation Areas

Section 3.07.1340(a) describes the requirements for city and county comprehensive plans and implementing ordinances. The specific section that applies to the Comprehensive Plan amendments for the Cooper Mountain Community Plan area is Section 3.07.1340(a)(8), which states the following, in pertinent part:

- 8. [W]hen a city or county exercises its discretion to approve zoning changes to allow a developed property that contains a Habitat Conservation Area to . . . (2) increase the type or density and intensity of development in any area, then the city or county shall apply the provisions of Metro Code Section 3.07.1340, or provisions that will achieve substantially comparable habitat protections and restorations as the provisions of this section. This provision will help to insure that, when developed areas are redeveloped in new ways to further local and regional urban and economic development goals, property owners should restore regionally significant fish and wildlife habitat as part of such redevelopment.**

Response: The proposed amendments will modify the zoning for properties across the planning area. The proposed zoning would allow increased density and intensity of development on properties that include HCAs. Those HCAs are the regionally significant riparian and upland habitat areas as identified in the Cooper Mountain Natural Resources Inventory (Exhibit 1, Appendix B).

Section 3.07.1340(b) outlines the review standards that are applicable to development in Habitat Conservation Areas (HCAs). **Section 3.07.1340(c)** requires the city to consider claims of hardship variances for any property that is converted to an unbuildable lot through application of these regulations.

Response: The city is implementing performance standards and best management practices for development near and within natural resource areas through adoption of Development Code rules. Findings related to the Development Code compliance with 3.07.1340(b) and 3.07.1340(c) are included in the findings for TA-42024-00680, for Metro UGMFP Title 13, Section 3.07.1340 and are incorporated here by reference.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states:

“[T]he proposed Development Code updates for the Cooper Mountain area would satisfy Example (2) [of UGMFP Subsection 3.07.1330(b)(5)(f)], with the referenced proposed updates substantially complying with Subsection 3.07.1340, Performance Standards and Best Management Practices for Habitat Conservation Areas, as they apply to upland wildlife habitat in new urban areas (i.e., the Cooper Mountain area added to the UGB in 2018).

“The proposed Development Code updates . . . contain review standards applicable to development in all proposed Habitat Conservation Areas (HCAs) of the Cooper Mountain area that appropriately include:

- Clear and objective development approval standards consistent with UGMFP Subsection 3.07.1330(c) that protect HCAs but allow limited development within High HCAs, slightly more development in Moderate HCAs, and even more development in Low HCAs;
- Allowances for property owners to use habitat friendly development practices, as well as requirements that development in HCAs be mitigated to restore the ecological functions that are lost or damaged as a result of the development;
- Discretionary development approval standards consistent with UGMFP Subsection 3.07.1330(d) that comply with Subsections 3.07.1340(b)(2)(A)-(C);
- Provisions related to mitigation for development occurring within delineated wetlands that are consistent with state and federal law; and
- Procedures to consider claims of hardship and to grant hardship variances for any property demonstrated to be converted to an unbuildable lot by application of any provisions implemented by the City to comply with the requirements of Title 13.”

Section 3.07.1340(d) outlines the process to administer the map of HCAs and provide site-level verification of the locations of riparian areas and upland habitat.

Response: The city worked with Metro to update the inventory of Regionally Significant Fish and Wildlife Habitat. The mapping methodology and resulting inventory of natural resources have been documented in the Cooper Mountain Community Plan Natural Resources Report (Exhibit 1, Appendix B). A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. During development, applicants must locate the Resource Overlay on their properties, further confirming the location of significant resources. The city will maintain a GIS-based map of the Resource Overlay and make adjustments to reflect approved modifications based on site-specific map verification.

Additional findings related to the map compliance with Section 3.07.1340(d) are included in Section 3.07.1370 and in the findings for TA-42024-00680, for Metro UGMFP Title 13, Section 3.07.1340 and are incorporated here by reference

3.07.1370 Future Urban Growth Boundary Expansion Areas

The Metro Inventory Map identifies regionally significant fish and wildlife habitat within the entire Metro boundary, including areas outside of the Metro UGB at the time this title was adopted. As described in Metro Code Section 3.07.1320, the Metro Council has designated as Habitat Conservation Areas the regionally significant fish and wildlife habitat that has been identified as riparian Class I and II habitat within the Metro boundary. In addition, the Metro Council has also determined that the regionally significant fish and wildlife habitat identified as upland wildlife Class A and B habitat that is currently outside of the Metro UGB shall be designated as Habitat Conservation Areas at such time that those areas are brought within the Metro UGB. Territory where the Metro UGB may expand includes both areas within the current Metro boundary and areas outside of the current Metro boundary.

Section 3.07.1340(a) and (b) both state, “At the time such territory is brought within the Metro UGB, consistent with Title 11 of this functional plan, Metro Code Sections 3.07.1110 et seq., Metro shall update its inventory of regionally significant fish and wildlife habitat for such territory using the same methodology used by Metro to establish the Metro Inventory Map. Based on the updated Metro Inventory Map, Metro shall prepare a Habitat Conservation Areas Map for such new territory, as described in Metro Code Section 3.07.1320(c), using the 2040 Design Types that are assigned to such territory to determine the area’s urban development value.”

Response: The Cooper Mountain Community Plan area was added to the UGB on December 13, 2018. In 2020, the City of Beaverton received a grant from Metro to develop the Cooper Mountain Community Plan, including development of an updated inventory of natural resources. The city worked with MIG, Inc. and David Evans and Associates Inc. to develop the Cooper Mountain Community Plan, Natural Resources Report, August 2024 (Exhibit 1, Appendix B) and corresponding map of riparian and upland wildlife habitat areas.

Riparian Habitat – UGMFP Section 3.07.1340(d)(4)(A) outlines a 5-step process to determine the boundaries and functional class of riparian habitat. The process is consistent with the habitat boundary verification criteria outlined in Metro’s Title 13 model ordinance, Section 9.G.4.a, for mapping riparian habitat. UGMFP Section 3.07.1320 describes the data and maps that form the basis of Metro’s fish and wildlife habitat protection and restoration program, identifying that riparian Class I and Class II habitat areas should be designated as Habitat Conservation Areas.

The city worked with Oregon Department of State Lands (DSL) to develop a Local Wetlands Inventory (LWI) for wetlands and streams. Riparian resources were mapped following the Clean Water Services (CWS) standards for determining buffer widths for vegetated corridors. Riparian habitat class determination was based on Metro’s method to account for ecological functions. As a result, Riparian Habitat Class I and Class II are included in the inventory of significant natural resources.

Upland Habitat – UGMFP Section 3.07.1340(d)(4)(B) outlines the process to determine the boundaries and functional class of upland wildlife habitat. The process is consistent with the habitat boundary verification criteria outlined in Metro’s Title 13 model ordinance, Section 9.G.4.b, for mapping upland wildlife habitat. UGMFP Section 3.07.1320 identifies that Upland Wildlife Class A and Class B habitat areas should be designated as Habitat Conservation Areas.

For upland wildlife habitat, UGMFP Section 3.07.1340(d)(4)(b) requires an assessment of habitat conditions at the time the property was brought into the UGB. For the Cooper Mountain Community Plan area, that date is December 13, 2018.

Evaluating whether areas were forested prior to the area’s inclusion in the Metro UGB was determined by analyzing aerial photography captured in summer leaf-on conditions between June 29, 2019, and August 5, 2019. The Natural Resources Report outlines the methodology to determine upland habitat classifications. Upland Wildlife Habitat Class A and Class B are included in the inventory of significant natural resources.

Metro is updating the inventory of regionally significant fish and wildlife habitat and publishing a revised Metro Inventory Map that is consistent with the City’s Natural Resources Report.

A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

Conclusion: The proposed amendments are consistent with Metro UGMFP Title 13. This criterion is met.

METRO REGIONAL TRANSPORTATION PLAN

Regional Transportation Functional Plan Section 3.08.010(C) says: “The RTFP is intended to be consistent with federal law that applies to Metro in its role as a metropolitan planning organization, the Oregon Transportation Plan, and Statewide Planning Goal 12 (Transportation) and its Transportation Planning Rule (TPR). If a TSP is consistent with this RTFP, Metro shall deem it consistent with the RTP.”

Response: The proposed amendments are consistent with Metro Transportation Functional Plan. Pursuant to Section 3.08.010(C) above. Therefore, the proposed amendments are consistent with the Regional Transportation Plan.

Conclusion: This criterion is met.

METRO REGIONAL TRANSPORTATION FUNCTIONAL PLAN (RTFP)

On Aug. 12, 2024, Metro issued an “Administrative Interpretation of Regional Transportation Functional Plan 2024-1: Guidance for Transportation System Plans, Community Plans, Concept Plans and Corridor Plans on outdated Regional Transportation Plan references in the Regional Transportation Functional Plan”.

It provided a crosswalk for outdated references in the Regional Transportation Plan and Regional Transportation Functional Plan, which is shown in Table 16.

Table 16: Updated Metro References

2010 RTP Reference	2023 RTP Reference
2035 RTP	The most recent adopted RTP
Chapter 2	Chapter 3
Figure 2.15	Figure 3.24
Table 2.6	Table 3.6 and Table 3.8
Section 2.5.2	Section 3.3.3
Figure 2.12	Figure 3.21
Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002) and Trees for Green Streets: An Illustrated Guide (2002)	Designing Livable Streets and Trails Guide (2019)
Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002)	Designing Livable Streets and Trails Guide (2019)

Findings below will address the “2023 RTP Reference” information where applicable.

METRO RTFP TITLE 5 – AMENDMENT OF COMPREHENSIVE PLANS

3.08.510 Amendments of City and County Comprehensive and Transportation System Plans

A. When a city or county proposes to amend its comprehensive plan or its components, it shall consider the strategies in subsection 3.08.220A as part of the analysis required by OAR 660-012-0060.

Response:

Metro Regional Transportation Functional Plan 3.08.220A says:

- A. Each city and county shall consider the following strategies, in the order listed, to meet the transportation needs determined pursuant to section 3.08.210 and performance targets and standards pursuant to section 3.08.230. The city or county shall explain its choice of one or more of the strategies and why other strategies were not chosen:
1. TSMO strategies, including localized TDM, safety, operational and access management improvements;
 2. Transit, bicycle and pedestrian system improvements;
 3. Traffic-calming designs and devices;

Cooper Mountain Transportation Needs were identified in the Dec. 8, 2020, Transportation Needs & Improvements memo prepared by DKS Associates (Exhibit 9) as well as in the Cooper Mountain Transportation Analysis (Exhibit 21). The needs information in those documents is incorporated here by reference and addresses Section 3.08.210A(1) and (2).

Beaverton considered the following strategies to meet its needs and performance standards.

1. Transportation system management and operations (TSMO) strategies are programs and strategies that will allow the region to more effectively and efficiently manage existing and new multi-modal transportation facilities and services to preserve capacity and improve safety, security and reliability. TSMO has two components: (1) transportation system management, which focuses on making facilities better serve users by improving efficiency, safety and capacity; and (2) transportation demand management, which seeks to modify travel behavior in order to make more efficient use of facilities and services and enable users to take advantage of everything the transportation system offers.

The proposed amendments and Beaverton's existing Development Code and Engineering Design Manual include transportation system management and operations strategies, including plans for upgrades to existing/future Washington County arterials (175th, Tile Flat/Grabhorn, Kemmer); a network of new collectors, neighborhood routes, and local streets to serve new neighborhoods; and a multi-use path active transportation network. The proposed Comprehensive Plan amendments show the new road network and include complete streets policies related to these improvements. The Cooper Mountain Transportation Analysis (Exhibit 21) and Cooper Mountain Infrastructure Funding Plan (Exhibit 1, Appendix C) provide information about the networks and include both projects in Cooper Mountain and intersection improvements outside Cooper Mountain that will provide safety, efficiency, and capacity. Additional evidence for TSMO is in the Cooper Mountain Transportation Analysis and is incorporated here by reference. Regarding Transportation Demand Management strategies, the city's Transportation System

Plan calls for an “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.” Actions under that policy including the city implementing trip reduction strategies developed regionally, including employment, tourist, and recreation trip reduction programs; limiting the provision of parking to meet regional and state standards; managing parking in the Downtown Regional Center; supporting mixed-use development; and coordinating with TriMet to implement transit improvements current with roadway improvements, improve transit frequency, improve transit access, provide transit center parking as appropriate, and encourage development of high-capacity transit. The city’s existing Development Code has no minimum parking requirements for any use on any lot within the city and has maximum parking requirements consistent with the state’s Climate Friendly and Equitable Communities rules. The city also is a member and has a board representative on the Westside Transportation Alliance, a 501(c)(6) nonprofit that works with its member organizations to offer workplace services and programs that encourage their employees to commute to work by transit, carpool, vanpool, bicycling, teleworking, and walking.

2. Transit, bicycle and pedestrian system improvements.

Response: The city’s existing Engineering Design Manual standards require bicycle and pedestrian facilities on streets within the city. In addition, the proposed amendments to Beaverton Transportation System Plan include policies that call for “Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the ‘interested but concerned’ user category” on all arterials, collectors, and neighborhood routes. The proposed amendments in Comprehensive Plan Volume 1, Chapter 6 also include a complete multi-use path system in Cooper Mountain that will provide an alternative system of travel largely separated from automobiles. This includes a multi-use path connecting Grabhorn Road and the future neighborhoods adjacent to Grabhorn Road to the rest of the Cooper Mountain Community Plan area (and vice versa) with a path through the Resource Overlay over McKernan Creek to ensure a comfortable, direct, and easy active transportation (walking, biking, rolling) connection. The proposed text amendments in Development Code Section 60.55.35 also would limit vehicle access to private property to facilitate relatively uninterrupted, physically protected (with vertical physical barriers) bicycle facilities on Neighborhood Routes and ensure those routes complement the planned protected bicycle facilities on collectors and arterials as well as the comfortable bicycle environments on local streets. Through a separate effort, the city is working to create new street design cross-sections for Cooper Mountain that are intended to be adopted into the City’s Engineering Design Manual. These will implement the transportation goals and policies in the proposed amendments and set expectations for street construction of public streets. Regarding transit, overall the proposed

Comprehensive Plan amendments and Development Code text amendments also include networks of collector roads and neighborhood routes along with intersection spacing and connectivity standards for local streets that include roads, bicycle connections, and pedestrian ways that are focused on the mixed-use areas in a manner that will support transit use once transit is provided to this new urban growth boundary expansion area. The Cooper Mountain Community Plan area in general and the CM-CS and CM-HDR zones in particular include two larger mixed-use centers along 175th Avenue and Tile Flat Road as well as smaller mixed-use areas along or near 175th and Grabhorn Road. The proposed Comprehensive Plan amendments show trails/paths that will lead into these areas and connect them to the rest of Cooper Mountain and other city neighborhoods. Existing and proposed street standards will provide strong active transportation connections between future transit stops and future development.

3. Traffic-calming designs and devices.

Response: The city's existing Engineering Design Manual includes traffic-calming solutions that can be applied to Cooper Mountain. These include curb extensions, speed humps, speed tables, median islands, and traffic circles.

Specifically with regard to Section 3.08.210 and the performance standards in Section 3.08.210 as mentioned in 3.08.510A, the findings below address those sections.

Section 3.08

4. Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230;

Response: OAR 660-012-0035(2) does not include land use strategies. That OAR sub-section appears to have been revised in 2022. So there are no applicable land-use strategies the city could apply to comply with this section, so this requirement is not applicable. The 2017 edition of the Oregon Administrative rules lists increasing density near transit and regional employment and shopping centers; increasing allowed density in commercial office and retail development in community centers; designated land for neighborhood shopping centers within convenient walking and cycling distance of residential areas, and designating land uses to provide a better balance between jobs and housing. Although Cooper Mountain does not have any existing transit lines or major employment or shopping centers, the proposed amendments include two mixed-use zones and two residentially focused zones (including one where small-scale commercial uses are allowed) arranged to ensure Cooper Mountain residents and visitors have convenient walking and cycling access to shopping and employment locations. The background section of this staff report provides additional information about the proposed zoning for the area and that information is incorporated here by reference. In addition, the proposed

amendments to Comprehensive Plan Volume 1, Chapter 6, include the transportation network, including the active transportation network, that provide convenient multi-modal access throughout Cooper Mountain along with connections to the rest of the city. Beaverton also has adopted performance standards consistent with Table 3.08-2. The proposed amendments comply with those performance standards as described in this staff report's findings related to Oregon Administrative Rule 660-012-0060, which are incorporated here by reference.

5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classifications in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit; and

Response: The city's proposed amendments to Comprehensive Plan Volume 1, Chapter 6 (Transportation Element) show collectors that run from Kemmer Road in the north to Tile Flat Road in the south, providing a parallel system to the north-south arterial corridors already established by 175th and the Tile Flat-Grabhorn combination. The proposed amendments also show an east-west collector that runs east-west from 175th to Tile Flat Road. This provides a parallel system to the current east-west arterial of Scholls Ferry Road as well as Kemmer Road to the north and Barrows Road to the south. In addition, Neighborhood Routes provide parallel connections in various places, including parallel to Grabhorn, parallel to 175th east of 175th, and parallel to Scholls Ferry Road and Barrows Road (SW Alvord Road continued). All of these streets will, consistent with city Complete Streets policies, will include bike facilities that provide a safe and comfortable environment for pedestrians and bicycle users (as well as people using other mobility devices). Regional Transportation Functional Plan Table 3.6 only lists design components for arterials. The city's proposed Transportation Element amendments and existing Engineering Design Manual standards for arterials include designs that include the components in Table 3.6 and 3.8, including two to four lanes; medians/turn lanes; zones that can accommodate parking or transit stops; and other features.

Section 3.08.110(C) says Beaverton "shall incorporate into its TSP, to the extent practicable, a network of major arterial streets at one-mile spacing and minor arterial streets or collector streets at half-mile spacing" considering topography; rail lines; freeways; pre-existing development; leases, easements or covenants; the requirements of Title 3 and Title 13 of the Urban Growth Management Functional Plan, arterial design concept in Table 2.6 and Figure 2.11 of the RTP, and best practices and designs in several Metro transportation documents.

Existing arterial roads (including Kemmer which is planned to be an arterial in the future) have the following spacing:

- Scholls Ferry to Kemmer Road: North-south spacing of about 1.5 miles.
- 175th and Tile Flat-Grabhorn: East-west spacing of about 1.35 miles

The spacing exceeding 1 miles was present before the Cooper Mountain Urban Growth Boundary expansion was approved by Metro and work began on the Cooper Mountain Community Plan.

Existing east-west collectors in the area are both in South Cooper Mountain. Barrows Road, when completed, will run east-west through South Cooper Mountain, about 0.3 miles to 0.55 miles from the planned east-west collector proposed for Cooper Mountain that runs from 175th to the Tile Flat-Grabhorn arterial corridor. Mountainside Way runs east-west about .4 miles south of Barrows but turns north as it heads west and, when completed, will enter somewhat near Cooper Mountain near Kobbe Drive.

There is one north-south collector proposed for Cooper Mountain, which starts at Kemmer at about 180th Avenue and heads south and then southwest to eventually intersect with Tile Flat west of Kobbe Drive.

The Cooper Mountain proposed amendments meet the standards to the extent practical. However, numerous factors make it impractical to meet the stated 1 mile and one-half mile standards. Although the collector and neighborhood route system proposed in amendment to the Comprehensive Plan Volume 1, Chapter 6 provide high-quality feasible connections, connections not made include putting arterial, collector or neighborhood route connections through the Cooper Mountain Nature Park, across the Summer Creek canyon in the northeast corner of the plan area, and across McKernan Creek and its abutting significant natural resources in the southwest part of the plan area. A multi-use path is proposed for the McKernan Creek crossing. The future developments around the Summer Creek canyon have or will have easy access to Weir Road and 175th Avenue and have relatively less developable land and are in the Cooper Mountain Residential Mixed zone, which has the lowest minimum density.

- 3.08.110C(1) Existing topography. The lowest elevation in Cooper Mountain is about 230 feet above sea level near the Tile Flat-Grabhorn intersection. The highest elevation is 790 feet along Kemmer Road. In addition, there are several canyons, such as the one along Summer Creek, that make full street connectivity expensive, difficult, and impactful to significant natural resources.
- 3.08.110C(2) Rail lines. No rail lines are existing or planned for the Cooper Mountain Community Plan area.
- 3.08.110C(3) Freeways. No freeways exist or are planned for the Cooper Mountain Community Plan area.

- 3.08.110C(4) Pre-existing development. Cooper Mountain Nature Park is owned by Metro and operated by Tualatin Hills Park & Recreation District. It has been developed and is operated as a popular nature park. Paul and Verna Winkelman Park is owned and operated by THPRD. Beaverton owns the Cooper Mountain reservoir along Kemmer Road. These existing developments cover large areas between 175th and Grabhorn Road, leaving little room for new arterial or collector roads in between Grabhorn and 175th. The proposed amendments include a collector through one of the two gaps available to reach Kemmer between these features. In addition, South Cooper Mountain development and existing or already approved road layouts dictate where streets in Cooper Mountain can connect to the south. No north-south arterial connection is available for a new arterial through South Cooper Mountain. The only available collector connection in a north-south orientation from South Cooper Mountain is Mountainside Way, which is on the west side of Cooper Mountain and is directly south of the Cooper Mountain Nature Park. The proposed amendments propose a north-south Cooper collector to intersect with Mountainside Way.
- 3.08.110C(5) Leases, easements, or covenants. The city is not aware of leases, easements, or covenants that would make the road network impractical, although the Cooper Mountain Nature Park and Winkelman Park are in public ownership as park space/natural area.
- 3.08.110C(6) The requirements of Titles 3 and 13 of the Urban Growth Management Functional Plan.
 - Title 3 of the Metro UGMFP requires the city to develop a program that limits or mitigates the impacts from development to Water Quality Resource Areas. In the planning area, Water Quality Resource areas include the vegetated corridor, which includes wetlands, streams, and riparian areas. The Cooper Mountain Natural Resources Report (Exhibit 1, Appendix B) identifies riparian areas, including McKernan Creek and multiple tributaries that cover large portions of the planning area. There is little opportunity to locate collector roads in the desired spacing, without creating direct impacts to multiple riparian corridors. The proposed amendments identify the preferred collector road locations that would require only one major crossing of a McKernan Creek tributary.
 - Title 13 of the Metro UGMFP requires the city to develop a program to protect significant natural resource areas. The natural resources inventory mapping adopted with Title 13 in 2005 identified large areas of regionally significant riparian and upland habitat areas across the planning area. In addition, all of Cooper Mountain Nature Park is

identified as a regionally significant resource area. The Cooper Mountain Natural Resources Report (Exhibit 1, Appendix B) shows the location of the significant natural resource areas and their relationship to existing transportation corridors. There is little opportunity to locate collector roads at the desired spacing without crossing and disturbing large areas of regionally significant natural resources.

- 3.08.110C(7) Arterial design concepts in Table 2.6 and Figure 2.11 of the RTP. Regional Transportation Functional Plan Table 3.6 only lists design components for arterials. The city’s proposed Transportation Element amendments and existing Engineering Design Manual standards for arterials include designs that include the components in Table 3.6 and 3.8, including two to four lanes; medians/turn lanes; zones that can accommodate parking or transit stops; and other features.
- 3.08.110A and 3.08.110C(8) Best practices and designs as set forth in Green Streets: Innovative Solutions for Stormwater, Street Crossings (2002) and Trees for Green Streets: An Illustrated Guide (2002), Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002), and state or locally adopted plans and best practices for protecting natural resources and natural areas. Metro’s administrative interpretation requires this response to be to the “Designing Livable Streets and Trails Guide (2019)” rather than the Metro documents cited above. Beaverton’s Transportation System Plan was updated in 2010 and was found consistent with Metro requirements at that time. In addition, Beaverton development regulations have been found to be consistent with Metro requirements. Beaverton is in the process of updating its Transportation System Plan to comply with more recent Metro requirements and the city’s Complete Streets policies. The proposed amendments reflect a minor update of Beaverton’s Transportation System Plan and cannot address every element of the 186-page Designing Livable Streets and Trails Guide.” The proposed amendments include the following:
 - A Cooper Mountain Community Plan document that describes the transportation and land use future of Cooper Mountain.
 - Changes to Section 6.2.9 of Volume 1, Chapter 6, of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit. The functions and intended outcomes for

each street type in the Community Plan are described below. All roads and streets will be designed as complete streets.

- Volume 1, Chapter 6, of the Comprehensive Plan includes Figure 6.2b, which is the planned bicycle and pedestrian network for Cooper Mountain, which includes active transportation connections to designations within Cooper Mountain and connections to the McKernan Creek regional trail and other pedestrian ways and bike ways that surround Cooper Mountain.

In addition, the city's existing Development Code and Engineering Design Manual include standards that require or allow elements within the Metro design guide including sidewalks, frontage zones, street trees, lighting, corner radii, curb extensions, flex zones (lanes that can be used for parking, transit, deliveries, parklets, etc.), motor vehicle travel lanes, access management, medians, left-turn lanes, access management (such as driveway/intersection limitations on arterial and collector roads), speed management techniques, stormwater management, bicycle facilities, transit stops, signalized intersections, unsignalized intersections, midblock crossings, and trails/multi-use paths.

The proposed amendments include the Cooper Mountain Community Plan and its Natural Resources Report, which both count as locally adopted plans for the purposes of this criterion. The Cooper Mountain Community Plan says it "aims to focus development outside of the green framework. The resultant buildable areas comprise the neighborhoods where residential, commercial, and public land uses will be located. The transportation connections of the plan are designed to connect neighborhoods, while minimizing impacts and providing access to natural resources." The plan shows lower McKernan Creek and its tributaries that head north into Cooper Mountain as primary wildlife corridors. Policies include:

- Goal 3, Policy a): Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.
- Goal 6, Policy c): Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.
- Goal 6, Policy f): In collaboration with THPRD, plan, design, and implement a pedestrian-bike bridge to connect the Cooper Lowlands and Grabhorn Meadow neighborhoods, applying the following principles:

- Minimize impact to McKernan Creek and riparian habitat.
 - Provide passage for deer and other large mammals, such as by elevating the bridge to allow animals to pass underneath.
 - Work with natural resource stakeholders during the design process.
 - Coordinate bridge design and construction with THPRD’s Trails Functional Plan, and where feasible, with the Cooper Mountain Utility Plan.
- Goal 6, Policy q): Cooper Mountain streets shall connect to South Cooper Mountain streets and other abutting existing streets or streets planned for in the TSP except where the city concludes the connections are not feasible or desirable because of significant natural resources.

In addition, the Cooper Mountain Natural Resources Report finds that the route where a collector to Grabhorn would follow includes McKernan Creek, a primary wildlife corridor, tree canopy (including Oregon white oak), wetlands, and the following habitats: Riparian Class I, Upland Class A, and Upland Class B. The Cooper Mountain Community Plan, based on findings in the Natural Resources Report and City Council policy direction, directs that a collector road connection through the McKernan Creek significant natural resources is not consistent with Cooper Mountain Community Plan goals and policies. A collector connection is not shown in the proposed Transportation System Plan amendments or the amendments to Volume I, Chapter 6 (Transportation Element) of the Comprehensive Plan. Instead, a multi-use path connection with a bridge over the creek to facilitate wildlife passage is proposed instead to provide transportation connections consistent with the plan while ensuring adequate protection for natural resources and wildlife habitat/corridors.

3.08.110(D): The proposed amendments provide a conceptual map of arterials, collectors, and neighborhood routes within the Cooper Mountain Plan Area in modifications to Comprehensive Plan Volume 1, Chapter 6. Beaverton’s Engineering Design Manual also contains intersection spacing and other connectivity rules to ensure a logical, direct, and connected system of streets and limit closed-end streets and the length of closed-end streets. Local streets are not identified specifically in the conceptual map because the location and connections of those streets will be determined during development and shall be consistent with city Development Code and Engineering Design Manual standards. The conceptual map in the proposed amendments provides direct routes and preserves the region’s arterial system by coming as close as is practical to meeting arterial and collector

spacing standards in the Metro Regional Transportation Plan as described in the findings within Section 3.08.510A, which are incorporated here by reference.

3.08.110(E) Beaverton's existing Development Code requires a Traffic Management Plan (Section 60.55.15) and, for projects with more than 300 vehicle trips per day, a Traffic Impact Analysis (Section 60.55.20). Section 60.55.25 requires applicants to use figures and tables within Volume 1, Chapter 6 (Land Use Element) of the Comprehensive Plan to "identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel." The proposed amendments add relevant maps describing the future transportation system within the Cooper Mountain Community Plan area, including a map showing a conceptual streets with functional classifications and well as a map showing a network of multi-use paths. Beaverton's Engineering Design Manual requires maximum intersection spacing for local streets, neighborhood routes, and collectors (as described in the findings below responding to Metro Transportation Functional Plan Section 3.08.510A) to not exceed 530 feet. Beaverton Development Code and Engineering Design Manual allow developments to exceed those standards when natural resources, including Title 3 water features, are present. Beaverton Development Code Section 60.55.25.9 requires accessways or walkways (pedestrian connections) including in cases where physical or topographic conditions make other connections, such as full street connections, impracticable, such as steep slopes, wetlands, or other bodies of water prevent full street connections. The proposed amendments do not address street connections in centers. The city's current Development Code and Engineering Design Manual limit cul de sacs and other closed-end streets to circumstances where barriers prevent full street extensions and limit the lengths to 200 or less and the number of dwellings along the street to no more than 25. The city's standards also address street cross-sections and right of way dimensions, as well as maximum speed. The city's land division, design review and other relevant applications require applicants to provide information in their submittals that provide evidence that the proposal complies with the Development Code and the Engineering Design Manual, the city requires all the information described in this sub-section E.

3.08.110(F) Contiguous lots and parcels less than 5 acres that require construction of new streets follow the same rules in the Development Code and the Engineering Design Manual. The rules that are relevant for a smaller site would apply.

3.08.110(G) The proposed amendments do not apply to areas near highway interchanges.

6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.

Response: Motor vehicle capacity improvements are indicated in the proposed amendments as reflected in the proposed amendments to Comprehensive Plan Volume I, Chapter 6 (Exhibit 2) Figures 6.4b and 6.6b; Comprehensive Plan Volume IV, Chapter 4 (Exhibit 7) Figure 4-11a and Appendix O (Exhibit 8); and the Cooper Mountain Transportation Analysis (Exhibit 21). They are planned along with the multi-use path network shown in Comprehensive Plan Volume I, Chapter 6 Figure 6.2b and will be implemented consistent with the complete streets policies within Chapter 6.

Metro's administrative interpretation requires the city to make findings regarding Tables 3.6 and 3.8 and Section 3.3.3 of the Regional Transportation Plan. The proposed amendments and Beaverton's existing regulations were found to be consistent with Tables 3.6 and 3.8 in the findings to Section 3.08.510A.5 above.

RTP Section 3.3.3 includes the following policies relevant to the proposed amendments:

Motor Vehicle Policy 1: Preserve and maintain the region's motor vehicle network in a manner that improves safety, security and resiliency while minimizing life cycle cost and impact on the environment.

Motor Vehicle Policy 2: Use the Congestion Management Process, Regional Mobility Policy, safety and bike and pedestrian network completion data to identify motor vehicle network needs and solutions.

Motor Vehicle Policy 5: Prior to adding new throughway capacity beyond the planned system of motor vehicle through lanes, demonstrate that system and demand management strategies, including access management, transit and freight priority, pricing, transit service and multimodal connectivity improvements cannot adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.

Motor Vehicle Policy 7: Actively manage and optimize arterials according to their planned functions to improve reliability and safety and maintain mobility and accessibility for all modes of travel.

Motor Vehicle Policy 8: Complete a well-connected network of arterial streets ideally spaced at approximately 1-mile apart and planned for up to four travel lanes to maintain transit and freight mobility and accessibility and

prioritize safe pedestrian, bicycle and transit access for all ages and abilities using Complete Street design approaches.

Motor Vehicle Policy 9: Complete a well-connected network of collector and local streets that provide for local circulation and direct vehicle, bicycle and pedestrian access to adjacent land uses and to transit for all ages and abilities.

Motor Vehicle Policy 10: Prior to adding new arterial street capacity beyond the planned system of motor vehicle through lanes, demonstrate that system and demand management strategies, including access management, transit and freight priority, transit service, and multimodal connectivity improvements cannot adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.

The proposed amendments do not address freeways or highways, so policies related to those facilities are not addressed. The “Regional Motor Vehicle Network” in the RTP related to Cooper Mountain includes only 175th Avenue and the Tile Flat/Grabhorn arterial corridor. Those are both facilities owned and maintained by Washington County. Policy 1 relates to maintenance and design of arterial streets. The proposed amendments include Complete Streets policies related Cooper Mountain arterials, although Washington County also has policies and standards related to arterials. Motor vehicle needs and solutions were identified in the Cooper Mountain Transportation Needs and Improvements memo (Exhibit 9) and the Cooper Mountain Transportation Analysis (Exhibit 21). This addresses Policies 2 and 5. Findings related to Policies 7, 8, and 9 were addressed in the findings for Section 3.08.220A(5) and Oregon Administrative Rules 660-012-0060, which are incorporated here. The proposed amendments come as close as is practical to the 1 mile arterial and one-half mile collector spacing while determining that crossing of Summer Creek and McKernan creek are impractical or involve unnecessary and environmentally damaging impacts on significant natural resources.

The proposed amendments to transportation policies listed above are consistent with providing a well-connected network of complete street, including complete streets policies that prioritize safe and convenient pedestrian and bicycle access. Beaverton’s Engineering Design Manual standards also promote safe and convenient pedestrian and bicycle access, both through intersection spacing standards consistent with Metro’s Regional Transportation Functional Plan and engineering design standards. Beaverton also manages its streets to maximize operations.

The proposed amendments do not include adding arterial motor vehicle capacity beyond the planned system of motor vehicle through lanes, so Policy 10 is not applicable.

Overall response to 3.08.510A: The proposed amendments considered strategies in subsection 3.08.220A as part of the analysis required by OAR 660-012-0060. Some of the strategies have been incorporated as noted above. The Cooper Mountain Transportation Analysis, findings of which are incorporated here, and the staff report findings that address OAR 660-0120-0060 provide additional findings related to this Metro Regional Transportation Functional Plan section.

Among the proposed amendments are a network of Collector streets and Neighborhood Routes (as well as arterial improvements) identified in the proposed changes to Comprehensive Plan Volume 1, Chapter 6.

The proposed amendments in Section 6.2.9 of Volume 1, Chapter 6 of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit, as shown in Figure 15.

Existing city standards in the Beaverton Development Code and Engineering Design Manual establish safety, operational, and access management standards for transportation networks within the city. These will be applied to Cooper Mountain upon annexation. Beaverton’s Engineering Design Manual establishes maximum intersection spacing to ensure blocks are small enough to ensure walkability and prevent overly long routes to destinations. They are shown in Figure 17. For example, the distance between intersections along local streets cannot be greater than 530 feet. The minimum is 100 feet. In the highest density mixed use development areas, local streets shall be no more than 330 feet. In addition, Beaverton Development Code Section 60.55.25.9 requires pedestrian accessways in between if street intersections are too far apart because a street is not feasible.

Figure 17. Beaverton Engineering Design Manual Intersection Spacing Standards

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

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

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

1. Distance between streets is measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street.
2. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density mixed-use development.

Response: Criterion 3.08.510A has been met.

B. If a city or county adopts the actions set forth in subsection 3.08.230E and Title 6 of the UGMFP, it shall be eligible for the automatic reduction provided in Title 6 below the vehicular trip generation rates reported by the Institute of Transportation Engineers when analyzing the traffic impacts, pursuant to OAR 660-012-0060, of a plan amendment in a Center, Main Street, Corridor or Station Community.

Response: Cooper Mountain is not within a Title 6 area, so this criterion is not applicable.

C. If a city or county proposes a transportation project that is not included in the RTP and will result in a significant increase in SOV capacity or exceeds the planned function or capacity of a facility designated in the RTP, it shall demonstrate consistency with the following in its project analysis:

1. The strategies set forth in subsection 3.08.220A (1) through (5);
2. Complete street designs adopted pursuant to subsection 3.08.110A and as set forth in *Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002)* or similar resources consistent with regional street design policies; and
3. Green street designs adopted pursuant to subsection 3.08.110A and as set forth in *Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002)* and *Trees for Green Streets: An Illustrated Guide (2002)* or similar resources consistent with federal regulations for stream protection.

Response: The city’s findings related to 3.08.220A (1) through (5) are found above, as are findings related to the “*Designing Livable Streets and Trails Guide (2019)*,” which superseded the documents mentioned in (2) and (3) above.

Conclusion: Therefore, this criterion is met.

D. If the city or county decides not to build a project identified in the RTP, it shall identify alternative projects or strategies to address the identified transportation need and inform Metro so that Metro can amend the RTP.

Response: The proposed amendments do not include a decision not to build a project identified in the RTP.

Conclusion: Therefore, this criterion is not applicable.

E. This section does not apply to city or county transportation projects that are financed locally and would be undertaken on local facilities.

Response: The proposed amendments includes projects that are listed in the RTP and likely to be financed with non-local funding. The RTP projects in the proposed Appendix O to the Beaverton Transportation System Plan are:

- No. 1: Grabhorn Road at Stonecreek Drive
- No. 2: Grabhorn Road, southern curve
- No. 3: Grabhorn/Tile Flat intersection
- No. 4: 175th Avenue between Outlook Lane and Cooper Mountain Lane
- No. 6a: McKernan Collector, south of Kemmer Road
- No. 13: Tile Flat Road, Barrows to Grabhorn
- No. 14a: Grabhorn Road, north of Tile Flat Road
- No. 14b: Grabhorn Road, south of Stonecreek
- No. 15a: 175th Avenue, Barrows to Cooper Mountain Land
- No. 15a: 175th Avenue, Outlook Lane to Kemmer
- No. 20: Grabhorn/Gassner

This section is applicable to project listed above.

The remaining projects in Appendix O are expected to be financed locally and are local facilities. This section is not applicable to them.

Conclusion: Therefore, this criterion establishes the limited applicability of this the functional plan section.

METRO RTFP TITLE 6 – COMPLIANCE PROCEDURES

3.08.610 Metro Review of Amendments to Transportation System Plans

A. At least 45 days prior to the first public hearing on a proposed amendment to a TSP, the city or county shall submit the proposed amendment to the COO. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the RTFP. Within four weeks after receipt of the notice, the COO shall submit to the city or county a written analysis of compliance of the proposed amendment with the RTFP, including recommendations, if any, that would bring the amendment into compliance with the RTFP. The COO shall send a copy of its analysis to those persons who have requested a copy.

Response: Staff mailed a public hearing notice to Metro on August 30, 2024, which is more than 45 calendar days prior to the October 16 Planning Commission hearing.

Conclusion: This criterion is met.

Regional Transportation Functional Plan conclusion: The proposed amendments meet the criterion in Titles 5 and 6.

COMPREHENSIVE PLAN GOALS – CHAPTER 2 COMMUNITY INVOLVEMENT

Comprehensive Plan Goal 2.1.1

Goal 2.1.1: The Planning Commission, Council, and other decision making bodies shall use their best efforts to involve the public in the planning process.

Response: In Volume I of the Comprehensive Plan, Chapter 1 – Amendment Procedures was based on and has been found consistent with the Community Involvement Element. Those findings are incorporated here by reference. Approval procedures include a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance.

The City Council had 13 public work sessions between 2019-2024 to discuss the project prior to the October 16, 2024 Planning Commission hearing. The Planning Commission also had 14 public work sessions to discuss the project and the proposed amendments prior to the October 16, 2024 Planning Commission hearing. Public comment was accepted at every Planning Commission work session, and written public testimony was often submitted too. Community members were notified about how to provide public comment at each work session through email notifications that were sent out to community members who opted in for project updates. A complete list of work sessions and presentations for the Cooper Mountain Community Plan project is in Exhibit 14.

Section 1.4.1 of the Comprehensive Plan also establishes public hearing notice requirements for legislative amendments. Findings for Section 1.4.1, which describe how noticing requirements were completed, are incorporated here by reference.

Comprehensive Plan Goal 2.4.1

Goal 2.4.2: Make a concerted effort to include and recruit individuals of all ethnic, racial, age, cultural backgrounds, and sexual orientations in City boards, commissions, and public processes as to reflect and correspond to the City’s demographic profile.

Response: Recruiting community members for the Cooper Mountain Community Plan Community Advisory Committee (CAC) and Beaverton’s Inclusive Housing Cohort (IHC) involved extensive outreach with diverse and historically marginalized community members. In the CAC and IHC, membership included Black, Indigenous and people of color; immigrants; people with limited English proficiency; people who are experiencing or who have experienced homelessness; persons with disabilities; low- and moderate-income renters and homeowners; elderly; single parents; and people from the lesbian, gay, bisexual, transgender, queer, intersex, asexual, or two-spirit community. Many of

these committee members currently live or have lived in socially vulnerable areas with historic and existing inequities.

For CAC meetings, meeting materials were translated into Spanish and Spanish interpretation was provided at every meeting. As for Beaverton's IHC meetings, the project team provided translation and interpretation services in multiple languages for each meeting, as well as childcare and food or resources to obtain those things individually during the pandemic. In addition, all IHC meetings included a virtual meeting option, allowing people with disabilities who could not travel to participate, and a call-in option, allowing people without internet access or traveling between jobs to participate in meetings.

A complete list of CAC and IHC meetings, as well as other multicultural engagement opportunities for the project, is described in Exhibit 14.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 2: Community Involvement Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 3 LAND USE

Comprehensive Plan Goal 3.1.1

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

- Policy a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.**
- Policy b) Encourage development and programs that reduce the need for vehicle use and ownership.**
- Policy c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.**
- 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.**
- Policy f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.**
- Policy g) Encourage providing amenities for transit users at transit stops or stations, such as food carts and coffee stands, covered benches, trash/recycling receptacles, and lighting.**

Policy I) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.

Response: Findings in response to Comprehensive Plan Goal 6.2.2 and its policies address the transportation system and are incorporated here by reference to address the Cooper Mountain transportation goals and policies, which emphasize Complete Streets policies and designs to address safety. The proposed Comprehensive Plan amendments related to transportation emphasize pedestrian convenience through a network of streets with safe and comfortable pedestrian facilities. The city's existing Development Code also requires street connectivity and reasonably sized block sizes to ensure convenient transportation. The proposed Volume 1, Chapter 6 amendments also contain a multi-use path and trail network for pedestrians and bicycles that ensure walkability throughout Cooper Mountain and connections to facilities abutting Cooper Mountain.

The Volume I, Chapter 6 proposed amendments address Goal 3.1.1. and its policies, specifically proposed:

- Goal 6.2.9 and its policies, which include Complete Streets policies.
- Figure 6.4a, which provides a network of streets and their functional classifications for Cooper Mountain.
- Figure 6.2b, which provides the planned bicycle and pedestrian network for Cooper Mountain.

Those proposed Comprehensive Plan amendments will reduce vehicle use and ownership by providing a mix of uses and destinations; multi-modal connections; and Complete Streets with comfortable, safe pedestrian and bicycle facilities. Beaverton's Development Code also does not require minimum off-street parking for any use on any lot in the city. Not requiring excessive, unnecessary parking areas means uses can be closer together and makes non-automobile trips safe and more convenient.

The proposed Zoning Map and Development Code amendments include 53 acres of mixed-use zoning where commercial is allowed. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both commercial and residential are allowed but there is no minimum commercial requirement.

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersect with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with

parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

Although Cooper Mountain currently does not have fixed bus routes, the proposed amendments will make the area transit-ready in the following ways:

- Proposing zoning that provides many destinations and different types of destinations. The Zoning Map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road.
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The city coordinated with TriMet during the project. The same elements of the proposed amendments that address providing for multi-purpose trips above also apply to making Cooper Mountain transit-ready. The city's existing street standards also support transit provision. TriMet currently is working on an updating transit service plan that will address needs in the area.

The city's existing Development Code and the proposed amendments require pedestrian connections within sites and connections from private property to the streets, including to transit stops and stations. The city's existing Development Code and Engineering Design Manual also allow amenities for transit users at transit stops and stations. These amenities are already found throughout the city and will continue to be allowed.

The city's existing Development Code and the proposed amendments also have requirements that parking, if property owners choose to provide it, is located in general behind or beside buildings so buildings are near the street, which makes pedestrian access easier and more desirable. The existing and proposed development rules also

require pedestrian connections between the sidewalks in the right of way and primary building entrances on private property.

Comprehensive Plan Goal 3.3.1

Goal 3.3.1: Promote sustainable development, resilience, and resource protection

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

Response: Beaverton in 2018 applied for an expansion of Metro’s Urban Growth Boundary (UGB) to meet significant housing needs for the city and region. The Metro regional government approved the expansion in 2018, and the Cooper Mountain Community Plan was developed to establish how new housing could be allowed in the plan area, while protecting natural resources in Cooper Mountain neighborhoods.

Currently, all land inside the Cooper Mountain Community Plan area is in unincorporated Washington County and zoned as FD-20. Upon annexation, all properties that were zoned as FD-20 (county land use zoning) will be assigned one of four Cooper Mountain zoning districts. The proposed amendments apply urban zoning across the plan area, while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan.

Policy b) Conserve, protect and enhance natural resources identified in the city’s adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.

Response: The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

Policy c) Encourage and incentivize sustainable building and site design approaches that minimize environmental impacts of the built environment while creating healthy, safe places for people to live, work and play through: i.

Energy conservation and renewable energy, ii. Reducing resource consumption and waste, iii. Reducing water consumption and wastewater generation, including use of non-potable water systems where appropriate, iv. Integration of storm water and natural systems, v. Protecting and supporting human health, vi. Designing for adaptability over time.

Response: The proposed amendments do not change the city’s existing programs or approaches to sustainable building and site design or creating healthy safe places, which are included in the Building Code and Engineering Design Manual.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay, requiring site design approaches that place the majority of the Resource Overlay in protected tracts. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. The code incentivizes the protection and planting of mature trees and native trees. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

The Cooper Mountain Utility Plan (Exhibit 24) evaluated alternatives and presents a recommended approach to utility planning that incorporates sustainable design approaches. The Utility Plan identifies the neighborhoods where it would be appropriate to incorporate non-potable water systems. Non-potable water systems are recommended in lower elevation neighborhoods that can be connected to the city’s existing non-potable water supply, without requiring booster pump stations.

The Utility Plan evaluated alternatives for stormwater management and recommends regional stormwater management ponds, designed to be integrated with the natural surroundings. The proposed Development Code allows construction of stormwater management facilities within the Resource Overlay when the facilities are landscaped with native plants to further enhance natural systems.

Additional findings related to reducing resource consumption, including the use of solar energy and other renewable energy resources, were addressed in Goal 13 findings in the CPMA4024-00679 section of this staff report and are included here by reference.

Policy d) Wherever possible, allow resource areas to serve multiple purposes and acknowledge their multiple benefits.

Response: The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. The Natural Resources Report (Exhibit 1, Appendix B) describes

the purposes and benefits riparian and upland habitat areas and acknowledges the multiple benefits of natural resource areas.

Comprehensive Plan Goal 3.4.1

Goal 3.4.1: Provide effective and inclusive planning and development review services

Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.

Response: The existing Comprehensive Plan policies and Land Use Map provide guidance on the long-term growth and development of the city to promote walkable neighborhoods that support a variety of transportation options, access to goods and services. CPMA42024-00679 proposes changing the Comprehensive Plan by adding the Cooper Mountain Community Plan to Volume V, and also updating Volumes I through IV to implement Cooper Mountain Community Plan goals and policies as well as citywide goals and policies. The proposed amendments are consistent with the city's existing long-range land use goals and policies, and they provide additional policy guidance by addressing place-specific needs that honor the unique landscape of Cooper Mountain.

The proposed amendments to Volume V – the Cooper Mountain Community Plan – are also consistent with the proposed amendments to Volumes I through IV. For example, the Cooper Mountain Community Plan includes a Concept Map, which illustrates the goals and desired outcomes for the area. The Concept Map provided the direction for updates to the Land Use Map in Volume I Chapter 3 (Land Use), which proposes three new land use designations: Cooper Mountain Commercial, Cooper Mountain Mixed Use Corridor, and Cooper Mountain Residential (Table 10). The Land Use Map determines what city land use policies apply to different locations in the city and which zoning districts can be applied within those Comprehensive Plan designations. The proposed amendments also includes updates to the policies in Volume I Chapter 3 (Land Use) that are consistent with the proposed policies in the Community Plan.

Table 17: Comprehensive Plan Land Use Designation and Implementing Zoning Districts

Land Use Designation	Implementing Zoning Districts
Cooper Mountain Commercial	CM-CS – Cooper Mountain - Community Service
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential CM-MR – Cooper Mountain - Multi-dwelling Residential CM-RM – Cooper Mountain - Residential Mixed
Cooper Mountain Residential	CM-RM – Cooper Mountain - Residential Mixed

Additional information on how proposed Comprehensive Plan amendments are consistent with existing and other proposed Comprehensive Plan amendments is described in the findings for Comprehensive Plan Chapters 5 through 10 in this section.

As stated in the Background section, the goals and policies in the Cooper Mountain Community Plan also guided the development regulations proposed through ZMA42024-0068 and TA42024-00679, as did relevant existing city goals and policies in the Comprehensive Plan. The findings for how ZMA42024-0068 and TA42024-00679 amendments are consistent with the Comprehensive Plan are found in the findings for each respective section.

Policy b) Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

Response: The public engagement plan is included in Exhibit 13. It describes the City of Beaverton's approach to engagement for this effort. The Public Engagement Plan describes the following objectives:

- Advance racial equity and ensure Cooper Mountain is inclusive and welcoming to all communities.
- Recruit diverse and historically marginalized community members to serve on the community advisory committee and ensure feedback from multicultural engagement is integrated into project.
- Communicate complete, accurate, understandable, and timely information to the public throughout the project.
- Help the public understand the benefits of creating a community plan for the Cooper Mountain area.
- Actively seek public input from a broad, diverse audience at key project milestones to understand the needs and desires of the community.
- Involve the community with identifying issues, developing solutions, and evaluating alternatives.

- Provide meaningful public involvement opportunities and demonstrate how input has influenced the process.
- Seek participation of potentially affected and/or interested individuals, neighborhoods, businesses, and organizations.
- Implement the City’s adopted Diversity, Equity, and Inclusion (DEI) Plan to:
 - Build proactive, long-term relationships with historically underrepresented communities to reduce barriers, increase trust, and promote civic engagement.
 - Expand partnerships with community-based organizations to support outreach.
 - Offer meaningful engagement opportunities to historically underrepresented youth and expose them to networks and opportunities to influence their community beginning at a young age.
 - Promote community service, civic engagement, and other learning opportunities for youth.
 - Ensure that the public involvement process is consistent with applicable state and federal laws, requirements, and local policies.

Throughout the planning process, city staff engaged historically marginalized populations, including people of color, people with limited English proficiency and people with low incomes, as well as people with disabilities, older adults and youth. These efforts are documented in the Public Engagement Plan Update (Exhibit 13), which communicates what project staff had learned from engagement as of June 2021 and described how staff would conduct additional public engagement activities for subsequent phases.

A summary of all engagement activities for the entire project is in the Cooper Mountain Community Plan Public Engagement Summary (September 2024) (Exhibit 14). The Public Engagement Summary demonstrates how community feedback meaningfully influenced the process and project outcomes for each phase of the project and includes tables with all engagement activities between 2019-2024.

Policy c) Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city’s language access practices.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy c) was described above in findings for Comprehensive Plan Goal 2.4.1 and in findings for Comprehensive Plan Goal 3.4.1 policy a). Those findings, which describe the public engagement plan objectives, racial equity considerations, recruitment for committees, engagement

opportunities for each project phase, and translation and interpretation services, are incorporated here by reference.

Policy d) Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix... ; and the following policies.

i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy d.i) was described above in findings for the Comprehensive Plan Goal 3.4.1 policy a). Those findings, which describe how the four new zoning districts are consistent with the Community Plan and other Comprehensive Plan updates, are incorporated here by reference.

iii. Area-specific zoning districts (as indicated in the Comprehensive Plan and Zoning District Matrix) shall be applied only in locations consistent with the title and purpose statement of the zone, applicable Community Plan policies or Metro Title 6 designations.

Response: ZMA42024-00681 proposes four new zoning districts that can only be applied in the Cooper Mountain Community Plan Area. The Comprehensive Plan and Zoning District Matrix in Volume I Chapter 3 (Land Use) of the Comprehensive Plan indicates that the Cooper Mountain-specific zoning districts shall only be applied in areas with Cooper Mountain-specific Comprehensive Plan land use designations.

Comprehensive Plan Goal 3.4.2

Goal 3.4.2. Coordinate with Washington County on planning for the Urban Planning Area

Policy a) Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.

Response: The City of Beaverton has been in close coordination with Washington County throughout the entire planning process for the Community Plan.

- Washington County served on the project Technical Advisory Committee (TAC), along with Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation.

- Staff presented project updates to county staff and/or elected leaders between 2020-2024 at a Washington County Board of Commissioners meeting, Washington County Planning Directors meeting, Metro Policy Advisory Committee meeting and a Metro Technical Advisory Committee.
- City staff and county staff regularly had meetings to coordinate on the approach to Goal 5 and Title 13 compliance, transportation planning and funding plan scenarios. More complete findings regarding coordination on transportation planning is provided in this staff report in response to OAR 660-012-0060(4) and are incorporated here.
- A detailed list of all TAC meeting dates and topics, presentations and city-county coordination meetings is in Exhibit 13.

On August 22, 2024, the city also provided Washington County draft amendments prior to finalizing, which allowed 55 days before the initial hearing to provide comments. Compliance with the requirement to send a public hearing notice to the county regarding the adoption of proposed legislative amendments is described in Section 1.4.1.A (Legislative Amendments) in this section and is incorporated here by reference.

Furthermore, no update to the Urban Planning Area Agreement (UPAA) is required prior to these amendments because the UPAA contemplates in Section III.E that a Metro UGB expansion is added to the Urban Planning Area automatically. The UPAA reads:

Upon completion and acknowledgement of the concept plan by the CITY and COUNTY, and the addition of the area into the UGB by Metro, the affected portion of the URPA shall be designated as part of the Urban Planning Area, as described above. Inclusion in the Urban Planning Area is automatic and does not require an amendment to this Agreement.

Regarding UPAA Section IV (Comprehensive Planning and Development Responsibilities for Urban Areas):

- The proposed road system and Transportation System Plan amendments are consistent with the South Cooper Mountain Concept Plan because the collector road from South Cooper Mountain connects to the Tile Flat/Grabhorn arterial corridor in a fashion that is consistent with, if not exactly, the same route as in the Concept Plan. It is as close as is practical considering the environmental issues. The Comprehensive Plan amendments do not include changes to the Concept Plan.
- The city completed the City of Beaverton Cooper Mountain Utility Plan, which is included in the Public Facilities Plan in Volume I Chapter 5 (Public Facilities and Services Element) of the Comprehensive Plan.

Regarding UPAA Section V (Annexations), Section V.B reads:

Upon annexation. . . If a property is subject to a concept, neighborhood, or community plan adopted by the CITY, the CITY shall apply the applicable CITY comprehensive plan and zoning designations to the property upon annexation. In addition, the COUNTY shall advise the CITY of adopted policies that apply to the annexed areas.

Currently, all land inside the Cooper Mountain Community Plan area is in unincorporated Washington County and zoned as Future Development, 20-acre District (FD-20). The FD-20 District applies to the unincorporated urban lands added to the UGB by Metro through a Major or Legislative Amendment process after 1998.

Upon annexation, all properties that were zoned as FD-20 will be assigned one of four Cooper Mountain zoning districts described in the findings for ZMA42024-00681 consistent with the Cooper Mountain Community Plan and the Cooper Mountain Community Plan Land Use Map.

Policy b) Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.

Response: Since the Cooper Mountain Community Plan area is a “community plan” as referenced in the second part of Section V.B above, then zoning upon annexation will proceed as described in the findings above for Comprehensive Plan Policy 3.4.2.a).

When the city annexes taxlots into Cooper Mountain, then the city will also recognize planning work done by the county through evaluating the most recent Washington County Transportation System Plan and considering if county adopted policies are consistent with city proposed amendments, and if not, explore potential actions.

When a community plan, concept plan, or neighborhood does not apply, then the city recognizes planning work done by Washington County in other ways, as indicated in the UPAA and existing city procedures for non-discretionary map amendments.

Regarding UPAA Section V (Annexations), Section V.A reads:

The CITY and COUNTY agree that when annexation to the CITY takes place, the transition in land use designation from one jurisdiction to another should be orderly, logical and based upon the process in B, below.

In addition, Section V.B reads:

Upon annexation, the CITY shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the COUNTY. The CITY shall maintain a list of COUNTY land use designations and the corresponding CITY comprehensive plan and zoning designations. . .

The list referred to in Section V.B. is maintained in Volume I Chapter 1 Amendment Procedures, Table 1.5.2 Criteria for Non-Discretionary Map Amendments.

Policy c) Update city policies or create City of Beaverton Community Plans for newly annexed areas as needed to reflect changing conditions or where County plans offer little guidance.

Response: CPMA42024-00679 proposes amendments that include policies for the project area in the Cooper Mountain Community Plan (Volume V) and other Comprehensive Plan updates (Volume I and Volume IV).

Conclusion: The proposed amendments address the goal and its policies. This criterion is met.

Comprehensive Plan Goal 3.5.1

Goal 3.5.1: Recognize unique needs of different parts of the city through Community Plans

Policy a) Create and implement Community Plans to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted.

Policy b) Prioritize creation of Community Plans for areas where:

- i. Public facilities and/or physical improvements need to be addressed;**
- ii. Significant change is occurring or anticipated;**
- iii. Opportunities for substantial new development, infill or redevelopment are present or needed;**
- iv. Opportunities arise to influence site selection, development or major expansion of a single, large activity generator;**
- v. There is evidence of disinvestment, deteriorating housing, and/or high vacancy, unemployment and poverty rates;**
- vi. There is a need to coordinate private development and public investment; and/or**
- vii. The opportunity for development in conjunction with a transit station exists.**

Policy c) Ensure that Community Plans are created using an inclusive public process and include both analysis of place-specific needs and consideration of citywide needs and goals.

Policy d) Consider the needs of Beaverton's diverse cultural communities in developing Community Plans.

Response: The Cooper Mountain Community Plan area was added to the urban growth boundary in 2018. The 1,232-acre area is along Beaverton's southwestern city limits. In addition to forest and farmland, the area includes:

- Cooper Mountain Nature Park (southern portion)
- City of Beaverton water reservoirs
- Winkelman Park
- 140 homes (in 2020)
- 179 existing tax lots, with an average size of 6.75 acres (in 2020)

Cooper Mountain’s natural resources include nearly eight miles of streams, 23 acres of wetlands, and large areas of upland habitat. The 230-acre Cooper Mountain Nature Park is a key focal habitat conservation area for fish and wildlife.

The area primarily consists of rural lands that are bordered to the east, north, and south by development. The area to the west of the Community Plan area consists of rural landscape. The northern edge of the Community Plan area is situated along the top of Cooper Mountain, where topography is typically gently rolling, with slopes gradually steepening to the north and south to each side of the ridge top.

Slopes steepen quickly as one moves south within the Community Plan area, with several drainages flowing generally from northeast to southwest. These drainages typically occur in steep, forested V-shaped ravines, including McKernan Creek, which is the principal drainage. The slopes in the south and southwest tend to be gentler than in other parts of the area.

The headwater of Summer Creek is east of SW 175th Avenue and drains the easternmost portion of the Community Plan area.

Cooper Mountain currently has a limited rural road network that people inside and outside the neighborhood rely on for transportation. SW 175th Avenue and the Grabhorn/Tile Flat arterial corridors carry regional traffic, with significant segments containing two travel lanes with no sidewalks, bicycle facilities, or street trees.

Given that the purpose of this community plan is to provide a roadmap to transition this area from rural to urban, the plan was definitely needed to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted. This also was done for the South Cooper Mountain area, a similar urban growth boundary expansion planned almost 10 years ago that has an adopted Community Plan within Beaverton’s Comprehensive Plan.

The Community Plan was necessary to plan for significant change in the form of:

- About 5,000 new homes
- Two commercial areas and other opportunities for commercial and mixed-used development
- A network of streets, including collectors, neighborhood routes, and local streets.

- Utilities, including new water lines, sewer lines, reservoir, pump stations, stormwater facilities.
- Neighborhood parks, a community park, and a system of multi-use paths.
- Future transit.
- Other components to prepare for urban development where at least 10,000 residents are expected in the future.

Regarding Policy c) and Policy d), the Cooper Mountain Community Plan Public Engagement Plan (May 2020) included demographic data and racial equity considerations, listed target audiences and key stakeholders and described all anticipated public engagement activities, which included recruiting diverse and historically marginalized community members for project committees (Exhibit 13).

The Cooper Mountain Community Plan Public Engagement Summary (September 2024) provides an overview of how community feedback meaningfully influenced the process and project outcomes for each phase of the project (Exhibit 14). The Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

Conclusion: This criterion is met because the Cooper Mountain Community Plan was for this location consistent with policies a) and b) and the plan was conducted consistent with policies c) and d). This criterion is met.

Comprehensive Plan Goal 3.6.1

Goal 3.6.1: Support pedestrian-oriented mixed use areas

The following policies apply to all 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.**
- Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.**
- Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.**

Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:

- i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development**
- ii. Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks**
- iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)**

Response: The Cooper Mountain Mixed-Use Corridor land use designation includes three zoning districts that together provide a mix of commercial, residential, employment, and civic uses at relatively high densities. These include:

- Cooper Mountain High Density Residential, which is a mixed-use district that allows a wide range of commercial uses, residential uses, and civic uses. The minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Multi-unit Residential, which is a residential district with minimum residential density of 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Residential Mixed, which is a residential district with a minimum residential density of 10 units per acre. This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned Cooper Mountain Multi-unit Residential.

Proposed Comprehensive Plan policies allow zone changes among those districts, but Policy f) under Goal 3.6.6 says future zoning amendments should provide the same or similar number of housing units, housing variety, and equitable access to commercial opportunities.

The proposed amendments allow vertical or horizontal mixed use and generally allow a mix of uses within most neighborhoods to ensure different uses are within easy walking

distance of each other, both through application of zoning districts on the proposed Zoning Map and by allowing a variety of uses and/or housing types within each zoning district.

The proposed amendments would prohibit drive-throughs, auto sales, vehicle storage yards, storage yards (except for RV, boat, and trailer storage within a residential development or PUD) in all Cooper Mountain zoning districts. Minor auto repair is allowed only within the Cooper Mountain Community Service zoning district. This will enhance the pedestrian environment by reducing curb cuts for drive-through lanes, which will reduce the number of conflict points where driveways cross the sidewalk, and reducing the potential for large vehicle, equipment, or inventory storage areas within Cooper Mountain, which will leave more room for housing and businesses oriented toward pedestrian traffic.

Regarding pedestrian-oriented design, the city's existing Development Code combined with the proposed amendments to Section 60.05.15 and 60.05.20 requires a certain amount of building frontage along the street, requires a certain percentage of windows in ground-floor commercial spaces, and requires pedestrian circulation within development sites and connections to the public right of way. The Comprehensive Plan policies call for Complete Streets with comfortable and safe pedestrian and bicycle facilities for all ages and abilities, and the existing Engineering Design Manual and future updates will support these policies.

Conclusion: The city's existing goals, policies, and Development Code provisions and the proposed amendments are consistent with the goals and policies regarding pedestrian-oriented mixed-use districts. This criterion is met.

Proposed Comprehensive Plan Goal 3.6.6

Goal 3.6.6: Promote a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policy a) Apply the Cooper Mountain Mixed Use land use designation in areas:

- i. With high accessibility, such as along arterials, collectors, and neighborhood routes;**
- ii. Where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints;**
- iii. Near community or neighborhood parks; and**
- iv. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation. This includes but is not**

limited to areas near Cooper Mountain Commercial Land Use designations to provide additional locations where:

- i. Homes can be built so that residents can access goods, services, and community gathering places, and those residents can provide a customer base for those businesses; and
- ii. Additional commercial uses can be located to address demand not met by development in the Commercial Land Use designation.

Response: The proposed Land Use Map includes seven locations where the Cooper Mountain Mixed Use Corridor (CM-MUC) land designation is applied (Exhibit 3). Each CM-MUC land use designation is along an arterial or collector, sometimes both. Generally, each CM-MUC land use designation is also in areas with relatively flatter, more developable land with fewer identified natural resource constraints.

To ensure equitable access to parks, nature and commercial areas:

- All CM-MUC land use designations are adjacent to a Community Park or a Neighborhood Park, with the exception of one CM-MUC land use designation near the intersection of SW 175th Ave and SW Condor Lane, which is approximately 0.25 miles from the athletic fields of Mountainside High School.
- Most CM-MUC land use designations are also near significant natural resources, and if not, are still adjacent to a Neighborhood Park.
- The proposed Land Use Map includes two locations where the Cooper Mountain Commercial (CM-C) land use designation is applied. Each CM-C land use designation is clustered with CM-MUC land use designations.

Policy b) Ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and
- iii. Serve as priority locations for civic uses and regulated affordable housing.

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map.

- The neighborhood center just north of SW Tile Flat Road and east of SW Grabhorn Road.
- The neighborhood center west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.

The proposed Land Use Map establishes CM-MUC and CM-C land use designations in the areas designated as “Neighborhood Center” on the Concept Map. The perimeter of CM-MUC and CM-C land use designations in each neighborhood center largely overlaps with the perimeter of neighborhood center on the Concept Map. Where there are minor differences, the boundaries of CM-MUC and CM-C were adjusted to account for updated information on roads, parks and lot lines.

Proposed amendments in ZMA42024-00681 describe where commercial zoning would be required or allowed. This will provide shops, services, restaurants, and other businesses for nearby residents and passers-by as well as entrepreneurial opportunities.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-MUC and CM-C, with a focus on multi-unit residential.

Policy c) Apply zones that allow commercial uses or a mix of commercial and residential uses in areas:

- i. **Along or near arterials or collectors;**
- ii. **Along neighborhood routes with higher density multi-dwelling options; and**
- ii. **Near multi-use paths.**

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates which zoning district is an implementing zoning district for CM-MUC and CM-C, which are the two land use designations that provide for commercial services or promote a mix of commercial and residential services.

- CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the CM-C land use designation. The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied.
- CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the CM-MUC land use designation. The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed. Proposed amendments in ZMA42024-00681 describe where the CM-HDR zoning district is applied.

Policy d) Apply residential zones that have higher minimum densities in all developable subareas of the Cooper Mountain Community Plan area. Residential zones with higher minimum densities are most appropriate:

- i. Near land with Cooper Mountain Mixed Use land use designations;
- ii. Near Commercial and Mixed Use areas;
- iii. Along existing or planned transit routes;
- iv. Along collector streets;
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;
- vi. Near neighborhood and community parks; and
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Response: CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the CM-MUC land use designation. The CM-MR zoning district is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing. Since the CM-MUC land use designation is evenly distributed in all developable subareas of the Cooper Mountain Community Plan, this facilitates the equitable distribution of CM-MR as well. Proposed amendments in ZMA42024-00681 describe where the CM-MR zoning district is applied.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: As described above, CPMA42024-00679 indicates that the CM-CS, CM-HDR and CM-MR zoning districts are all implementing zoning districts for the CM-MUC land use designation. All three zoning districts either allow or require residential uses, primarily Multi-dwellings and Missile Housing. This facilitates clustering a combination of these three zoning districts in areas with the CM-MUC land use designation. Proposed amendments in ZMA42024-00681 describe where each zoning district is applied, and how the code provides flexibility for additional commercial, mixed-use, and multi-dwelling development and/or zoning map amendments.

Comprehensive Plan Goal 3.7.1

Goal 3.7.1: Enhanced Commercial Centers and Corridors

The following policies apply to all Commercial Centers and Corridors.

- Policy a) Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including**
- i. Improving pedestrian and bicycle connections within and between sites**
 - ii. Enhancing or creating multi-modal connections wherever feasible**
 - iii. Providing direct pedestrian connections to, and amenities near, transit stops**
 - iv. 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.**
 - v. Providing safe and convenient paths for pedestrians within large parking areas**

Response: Compliance with Comprehensive Plan Policy 3.7.1.a) is described above in findings for Comprehensive Plan Policy 3.1.1, which describes how proposed amendments to transportation policies and the Transportation System Plan will improve pedestrian and bicycle safety and connectivity, as well as create access to multi-modal options, for commercial areas in Cooper Mountain; and are incorporated here by reference.

Compliance with the requirement to provide a more visually engaging and appealing street frontage is addressed in findings for TA42024-00680.

- Policy b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city’s employment needs.**

Response: CPMA42024-00679 adds one new land use designation – Cooper Mountain Commercial (CM-C) – to the Commercial Centers and Corridors section of the Comprehensive Plan and Zoning District Matrix in Volume I Chapter 3 (Land Use). The CM-C land use designation is intended to provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities.

The CM-CS zoning district is the only implementing zoning district for the CM-C land use designation. As described in findings for ZMA42024-00681 and TA42024-00680, the CM-CS zoning district emphasizes commercial uses and requires a small amount of commercial square footage at the time of development. Compliance with site development standards and design requirements (such as limitations on ground floor uses) are also addressed in findings for TA42024-00680.

- Policy c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.**

Response: In addition to providing commercial services, the CM-C land use designation is intended for higher density residential development such as Multi-unit Dwellings and Middle Housing, thereby supporting integrated mixed-use developments. Compliance with site development standards and design requirements (such as buffers) are addressed in findings for TA42024-00680.

Proposed Comprehensive Plan Goal 3.7.4

Goal 3.7.4: Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

- Policy a) Apply the Cooper Mountain Commercial land use designation in areas:**
- i. Where commercial activity is necessary to ensure community members within the Cooper Mountain area and surrounding areas have access to goods, services, and community gathering places;**
 - ii. Along or near arterial roads with relatively high visibility or near an intersection with an arterial; and**
 - iii. Near existing or planned community parks.**

Response: The proposed Land Use Map includes two locations where the Cooper Mountain Commercial (CM-C) land use designation is applied (Exhibit 3).

- A CM-C land use designation is just west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.
- A CM-C land use designation is just north of SW Tile Flat Road and east of SW Grabhorn Road.

Each CM-C land use designation is along an arterial on one side and along a collector on a second side. Each CM-C land use designation is also in areas with relatively flatter, more developable land with fewer identified natural resource constraints.

The northernmost CM-C land use designation is between two parks, just north of the existing Winkelman Park and directly south of a neighborhood park. The Tile Flat CM-C land use designation is next to the proposed Community Park.

In addition, each CM-C land use designation is clustered with Cooper Mountain – Mixed Use Corridor land use designations, both of which encourage development intensity. Combined, higher density development, park access, and transportation access for a variety of modes promote vibrant places that support future commercial uses in CM-C land use designations.

Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map.

- One is west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.
- Another is just north of SW Tile Flat Road and east of SW Grabhorn Road.

The proposed Land Use Map establishes CM-C land use designations in the areas designated as “Neighborhood Center” on the Concept Map. The perimeter of each CM-C land use designation in each neighborhood center largely fits within the perimeter of neighborhood center on the Concept Map. Where there are minor differences, the boundaries of the CM-C land use designation were adjusted to account for updated information on roads, parks, and lot lines.

Proposed amendments in ZMA42024-00681 describe where commercial zoning would be required and allowed. This will provide shops, services, restaurants, and other businesses for nearby residents and passers-by as well as entrepreneurial opportunities.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-C, with a focus on multi-unit residential.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates which zoning district is an implementing zoning district for Cooper Mountain - Commercial. This matrix indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain - Commercial land

use designation. The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Proposed amendments in ZMA42024-00681 show where the CM-CS zoning district is applied.

In addition, the Cooper Mountain – Mixed Use Corridor land use designation allows a mix of commercial and residential services. The matrix indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain – Mixed Use Corridor land use designation. The CM-HDR District is intended to be primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses also are allowed. Proposed amendments in ZMA42024-00681 show where the CM-HDR zoning district is applied.

And last, the Cooper Mountain - Residential land use designation is also applied adjacent to the clusters of CM-C and CM-HDR. The CM-RM zoning district is an implementing zoning district for the Cooper Mountain - Residential land use designation. The CM-RM District is intended to allow a mix of housing types, including detached and attached housing. It also allows small-scale commercial uses in some locations. Since maximum density is generally not applicable in the CM-RM zoning district (or any other Copper zoning district), this supports moderate development intensity near higher-density commercial and mixed-use locations.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;**
- ii. Along neighborhood routes with higher density multi-dwelling options; and**
- iii. Near multi-use paths.**

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain - Commercial land use designation. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**

- iv. Along collector streets;
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;
- vi. Near neighborhood and community parks; and
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Response: CPMA42024-00679 includes updates to the Comprehensive Plan and Zoning District Matrix, which indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain - Commercial land use designation. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied. Future ZMAs proposed by a property owner or developer will need to be consistent with this policy, and all other relevant approval criteria for a ZMA to be approved.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.

Response: Proposed Comprehensive Plan Policy 3.7.4.f) is not applicable here because it is intended to be applied to future Zoning Map Amendments after the initial ZMA42024-00681 is approved by the Beaverton City Council. Reference findings for proposed Comprehensive Plan Policy 3.7.4.f) in the ZM42024-00681 section to see how property owners can benefit from flexibility provided by a ZMA.

Because of the addition of proposed polices for Comprehensive Plan Goal 3.7.4 (Cooper Mountain Commercial), the existing policies under Comprehensive Plan Goal 3.7.4 (Neighborhood Center) will be renumbered to Comprehensive Plan Goal 3.7.5.

Comprehensive Plan Goal 3.8.1

The following policies apply to all Neighborhoods.

Policy a) Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.

Policy b) Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

- i. **Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.**
- ii. **Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.**

Response: CPMA42024-00679 proposes adding the Cooper Mountain Community Plan to Volume V of the Beaverton Comprehensive Plan. The Community Plan includes Housing Policy b) The city will increase housing supply by establishing minimum densities as a tool to ensure the planned number of homes in the Community Plan is implemented. TA42024-00680 implements Housing Policy b) and Comprehensive Plan Goal 3.8.1 by establishing minimum density in each zoning district to ensure the efficient use of residential land and meet regional housing needs.

Furthermore, CPMA42024-00679 proposes updating Volume I Chapter 3 (Land Use) of the Comprehensive Plan by adding three new land use designations to the city's Land Use Map and corresponding policies for each designation that address density.

- Cooper Mountain Mixed Use Corridor: Proposed policies 3.6.6.b-e) establish expectations for where and how this land use designation should promote developments with higher minimum densities.
- Cooper Mountain Commercial: Proposed policies 3.7.4.b-e) establish expectations for where and how this land use designation should promote developments with higher minimum densities.
- Cooper Mountain Residential: Proposed policies 3.8.3.a) and d) establish expectations for where and how this land use designation shall promote lower density multi-dwellings.

Policy c) Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.

Response: In the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), Housing Policy d) calls for housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.

In proposed amendments to Chapter 3 Land Use (Volume I of the Comprehensive Plan), three new land use designations are proposed as described in in the findings for Comprehensive Plan Policy 3.8.1.a) and b) above. All three proposed land use designations have policies that promote housing variety.

The Cooper Mountain Mixed Use Corridor land use designation provides the most flexibility by allowing three very different zoning districts to be applied: CM-HDR, CM-MR and CM-RM. This was done to allow property owners flexibility about how those three zones could be applied on their property. This flexibility is desirable because:

- Property owners might have a different idea about where different uses are more physically feasible given site condition or financially feasible given real estate market conditions.
- The proposed zoning was established using imperfect information. City staff did not have access to all sites (because property owners need to provide permission to access their land and there are few public roads through the area).
- There is some uncertainty about where roads and other infrastructure will be built. Although they must follow city standards, developers will make many decisions about where roads are built, particularly local streets in neighborhoods. More detailed engineering studies also will sometimes result in route changes or modified street layouts.

All Cooper Mountain zoning districts allow and promote housing variety. CM-HDR and CM-MR zoning districts are intended for predominantly multi-dwelling and middle housing developments. The CM-RM zoning district is intended to allow a mix housing types, including detached and attached housing, at lower residential densities.

In addition, Comprehensive Plan Policy 3.6.6.f (Cooper Mountain Mixed Use Corridor) establishes policies for future zoning map amendments to provide even more flexibility, while ensuring that future zoning is still consistent with the intended Comprehensive Plan designation and zoning.

Policy e) Provide opportunities for a variety of housing types in all residential plan designations while maintaining a scale and character consistent with the intent of each plan designation.

Response: Compliance with Comprehensive Plan Goal 3.8.1.e), is described above in findings for Comprehensive Plan Goal 3.8.1.c) in this section, which describe how the proposed amendments provide for opportunities for a variety of housing types, and are incorporated here by reference.

Considering that Cooper Mountain is an expansion area expected to result in about 5,000 new homes, the context of existing neighboring developments is less of a consideration since this area will be transitioning from rural to urban uses. Most existing lots are large lots that will be subdivided for future development or might be vacant.

That said, TA42024-00680 includes some proposed changes that support maintaining scale and character consistent with the intent of each plan designation by adding site development standards in Section 20.22.15 and design requirements in Chapter 60 that

are largely based off similar districts in the city, except when additional flexibility is provided to protect natural resources.

Policy f) Facilitate development of housing that is affordable to a range of incomes, including low-income households.

Response: Compliance with Comprehensive Plan Goal 3.8.1.f), is described above in findings for Comprehensive Plan Goal 3.8.1.c) in this section, which describe how the proposed amendments add policies that provide for opportunities for a variety of housing types, which means that people with different household sizes or incomes will have more opportunities to reside where there are opportunities to live and work; and are incorporated here by reference.

Furthermore, the Cooper Mountain Community Plan Housing include policies aimed at facilitating development of housing that is affordable to a range of incomes:

- Equity Policy c) Support affordable housing and expand access for marginalized populations.
- Equity Policy d) Increase access to homeownership with a focus on eliminating disparities
- Housing Policy c) The city will promote affordable rental and home ownership housing choices in every neighborhood in a variety of housing types consistent with the city’s identified housing needs. The city should consider a target of at least 450 regulated affordable homes in Cooper Mountain.
- Housing Policy d) Include housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.

Proposed amendments in TA42024-00680 describe how the city intends to implement the equity and housing policies above.

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

Response: Compliance with Comprehensive Plan Goal 3.8.1.g), is described above in findings for Comprehensive Plan Goal 5.8.1, which describes how parks are integrated throughout all Cooper Mountain neighborhoods; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 3.8.1.g), is also described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how existing and proposed policies promote new developments that shall be designed to provide safe and convenient pedestrian and bicycle connections between destinations; and are incorporated here by reference.

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain TAC and shared feedback throughout the planning process (Exhibit 14). BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. Findings in the proposed amendments for TA42024-00680 describe how Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Policy i) Require subdivisions and development on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including connections to adjacent properties or opportunities to connect in the future.

Response: Compliance with Comprehensive Plan Goal 3.8.1.i), is described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how existing and proposed policies will require new developments to create a connected network of pedestrian ways, local streets, and other multimodal connections; and are incorporated here by reference.

Proposed Comprehensive Plan Goal 3.8.3

Goal 3.8.3: Cooper Mountain Lower Density Neighborhoods: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policy a) Apply the Cooper Mountain Residential land use designation in areas:

- i. Where site conditions, including both flatter land and land with steeper slopes, are better suited for single-detached dwellings, middle housing, and lower density multi-dwelling options;
- ii. In locations where Commercial and Mixed Use land use designations are less suitable considering policies for those designations; and
- iii. Relatively farther from any intersection with an arterial.

Response: CPMA42024-00679 includes amendments that add three new land use designations to the Land Use Map in Volume I Chapter 3 (Land Use) of the Comprehensive Plan (Exhibit 3).

The Cooper Mountain Commercial land use designation is applied along or near arterial roads with relatively high visibility or near an intersection with an arterial; near existing

or planned community parks; and near the Cooper Mountain Mixed Use Corridor designation to create vibrant activity centers.

The Cooper Mountain Mixed Use Corridor land use designation is applied based on similar policy goals for the Cooper Mountain Commercial land use designation; and also, in areas with relatively flatter, more developable land with fewer identified natural resource constraints; and in locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

All land inside the Cooper Mountain Community Plan area that is not designated as Cooper Mountain Commercial or Cooper Mountain Mixed Use Corridor is then designated as Cooper Mountain Residential. This is why the Cooper Mountain Residential land use designation is applied in areas where site conditions, including both flatter land and land with steeper slopes, are better suited for single-detached dwellings, middle housing, and lower density multi-dwelling options; in locations where Commercial and Mixed Use land use designations are less suitable considering policies for those designations; and relatively farther from any intersection with an arterial.

Policy c) The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Response: The city worked closely with THPRD throughout the development of the preferred approach. The proposed approach establishes a Parks Overlay in the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Additional findings related to park and trail siting and are included in the response to Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section and are incorporated here by reference.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: The proposed amendments in CPMA42024-00679 update the Comprehensive Plan and Zoning District Matrix in Volume I Chapter3 (Land Use) of the

Comprehensive Plan to indicate the implementing zoning districts for each new Cooper Mountain land use designation.

Proposed Comprehensive Plan policies 3.6.6. c-e) in the Cooper Mountain Mixed Use Corridor section indicate where to apply zoning that allows a mix of commercial and residential and has higher minimum residential densities to promote vibrant places. Proposed Comprehensive Plan policies 3.6.6. f) provides policy guidance for property owners that would like the ability to request different zoning on the condition that the new zoning is consistent with Comprehensive Plan policies.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. **Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. **Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. **Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: This proposed policy in CPMA42024-00679 reinforces existing Comprehensive Plan policies in Chapter 3 Section 3.8.1 (Complete and livable neighborhoods) and Chapter 4 Section 4.2 (Housing type) and provides additional policy guidance that respond to the unique geographic context of Cooper Mountain. Beaverton Development Code Section 40.97 already allows property owners to request a Zoning Map Amendment (ZMA). For the ZMA to be approved, Section 40.97 indicates that the proposal must confirm with all applicable policies in the Comprehensive Plan, such as proposed Comprehensive Plan policy 3.8.3.f).

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 3: Land Use Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 4 HOUSING

Comprehensive Plan Goal 4.1.1

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

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: The Cooper Mountain Community Plan area is a 1,232-acre expansion area bordering Beaverton that will eventually be home to about 5,000 homes, more than 10,000 residents, parks, commercial areas, trees, and natural resources. As such, it is essentially greenfield development, not infill development.

Inside city limits, Beaverton’s existing Comprehensive Plan land use designations and their corresponding implementing zones already allow for a variety of housing options with flexible development rules that allow the development of housing in a variety of configurations and sizes. These housing types include single-detached homes, duplexes, triplexes, quadplexes, townhouses, and cottage clusters, as well as multi-dwellings (apartments with five or more units), which are suitable housing types for infill development.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: Compliance with Comprehensive Plan Goal 4.1.1.c) is described above in findings for Comprehensive Plan Goal 3.1.1.a) in the CPMA42024-00679 section, which describes how commercial and high density residential development on mixed use and commercially zoned sites support a variety of transportation options; and are incorporated here by reference.

Policy d) Develop a Housing Implementation Plan that is updated regularly based on market conditions and trends

Response: In September 2023, the City Council adopted the Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community. The strategies cover a range of topics such as exploring market conditions and trends, funding affordable rental housing and promoting homeownership.

Policy e) Develop programs or strategies to improve Beaverton’s jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment

Response: The Cooper Mountain Commercial land use designation allows the Cooper Mountain – Community Service (CM-CS) zone to be applied in areas that meet the locational criteria described in policies under proposed Comprehensive Plan Goal 3.7.4

(Cooper Mountain Commercial), thereby creating jobs closer to where people live and visit.

Policy f) Strive to meet the city’s future housing need within city limits, while coordinating with Washington County and Metro to assess future housing needs at a larger geographic scale

Response: As described in the Introduction, the Cooper Mountain Community Plan is a planning effort to address citywide and regional housing needs. Both Washington County and Metro participated in the Cooper Mountain Community Plan Technical Advisory Committee, in addition to participating in interviews, focus groups and monthly coordination meetings (Exhibit 14). Furthermore, the city’s recently completed Housing Needs Analysis and Housing Production Report relied on frequent collaboration with Washington County and Metro, among other jurisdictional partners in the region.

Policy g) Support UGB expansions and city boundary changes that consider the city’s unique geopolitical boundaries and the availability of city and other urban services to help meet the city’s identified housing needs

Response: Compliance with Comprehensive Plan policy 4.1.1.g) is described above in findings for Comprehensive Plan Goal 3.1.1.f) above; and are incorporated here by reference.

Policy h) Provide an efficient, consistent, and reliable development review process

Response: Compliance with Comprehensive Plan policy 4.1.1.h) is described above in findings for Comprehensive Plan Goal 3.4.1.a), which describes that consistency between Comprehensive Plan designations and development regulations ensures an effective development review process; and in findings for OAR 660-007-0015 (Clear and Objective Approval Standards Required), which describes how clear and objective standards ensure an efficient and reliable development review process; and are incorporated here by reference.

Policy i) Work with regional partners to develop measures that reduce upfront housing development costs

Response: Compliance with Comprehensive Plan policy 4.1.1.i) is described below in findings for 660-046-0030(3) (Implementation of Middle Housing Ordinances), which describes ways that Beaverton is aiming to increase the affordability of housing; and are incorporated here by reference.

Comprehensive Plan Goal 4.2.1

Goal 4.2.1. Provide a variety of housing types that meet the needs and preferences of residents

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will provide sufficient buildable lands that result in housing that meets a variety of needs; and are incorporated here by reference.

Policy d) Incentivize the development of housing types that are needed but not currently being provided in adequate numbers by market forces, such as multigenerational housing, accessible housing and larger multi-dwelling rental units

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Comprehensive Plan policy 3.8.1.f), which describes Cooper Mountain Community Plan equity and housing policies that call for the development of housing that is needed but not sufficiently being provided by market forces; and are incorporated here by reference. Incentives that implement these policies are described in the proposed amendments for TA42024-00680, specifically Section 60.50.25 (Uses Requiring Special Regulation) and Section 60.36 (Planned Unit Development – Cooper Mountain).

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 4: Housing Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 5 PUBLIC FACILITIES AND SERVICES

Comprehensive Plan Goal 5.3.1

Goal 5.3.1: Ensure long-term provision of adequate urban services within existing City limits and areas to be annexed in the future.

Policy b) The City shall work cooperatively with service providers within its Urban Services Area in the development of master plans that are elements of the City’s Public Facility Plan, so as to prescribe the most effective and efficient long-term methods of providing each service.

Policy c) The City will involve owners of properties and residents in the unincorporated portion of its urban services area in planning for facilities and services.

Response: Throughout the project, Community Advisory Committee and Technical Advisory Committee meetings were held to support development of both the

Community Plan and the Cooper Mountain Utility Plan. (See Public Engagement Summary, Exhibit 14, for additional information.) The proposed amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Technical Advisory Committee included representatives from Clean Water Services, Washington County, Tualatin Hills Park & Recreation District, and other partners. The Community Advisory Committee included Beaverton residents and residents of unincorporated Washington County, including those within the plan area and other parts of Washington County.

Comprehensive Plan Goal 5.4.1

Goal 5.4.1: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policy b) On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.

Policy c) All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.

Response: The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. The current standards include requirements for water quality treatment, flow control, and hydromodification, based on the amount of proposed impervious surface with the development.

The Cooper Mountain Utility Plan presents an evaluation of the existing conditions and potential impacts from proposed development, along with preliminary sizing and siting of stormwater management facilities to serve the proposed development. The Utility Plan includes calculations to demonstrate that the required stormwater management facilities would mitigate the impacts of increased stormwater runoff associated with full development of the plan area. The current standards require new land development to provide the stormwater management facilities to serve the proposed development.

Comprehensive Plan Goal 5.5.1

Goal 5.5.1: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policy a) All new land development (residential subdivisions, multi-dwelling development, and industrial and commercial developments) shall be connected to a public water system.

Response: The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated demands, and proposed infrastructure to provide efficient and resilient potable water service to the plan area while preserving operational flexibility. The proposed infrastructure focuses on storage and pumping requirements and large diameter transmission piping along the proposed roadway alignments. More detailed planning for local distribution piping will be developed for each developing neighborhood.

Projected residential water demand is estimated using a combination of housing units, people per unit, and demand per capita assumptions. The Joint Water Commission (JWC), a water authority that serves as the primary supply for the city water system, completed a Water Management Conservation Plan (WMCP) in 2021. The JWC WMCP includes evaluations of water demand by type and updated per capita unit demands for each member agency it supplies water to. The Utility Plan demand estimates use criteria from the JWC WMCP to evaluate residential and irrigation demands for the study area. Commercial water demand is estimated using 41.9 jobs per acre of commercial development and demand of 45.8 gallons per day per job.

Potable water in the plan area will be served through an expansion of existing pressure zones, booster pump stations, and pressure reducing valves. Storage for the area will be provided by a proposed 550 zone reservoir, known as CMR 3, and the existing 794 zone CMR 1&2 on SW Kemmer Road at the northern boundary of the study area. The distribution system will be an extension of existing zones, where possible, in both the South Cooper Mountain area (470, 550, and 675 zones) and the western edge of the current city water service area (675, 750, and 794 zones).

The city previously installed a 24-inch diameter main on SW 175th Avenue to provide initial potable water supply to much of the plan area. This transmission main allows for potable water service to a wide range of developable area with the construction of distribution piping and pressure reducing valve facilities. At higher elevations, proposed 930 and 850 pressure zones will be supplied by a proposed Upper Pressure Zone booster pump station that will be located at the CMR 1&2 Site. The transmission piping for these two pressure zones will generally be connected to 794 zone with PRVs at various locations for pressure relief and supplemental supply to 794 zone, if needed.

The proposed amendments do not change the water system standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide connections and distribution piping to bring public water system connections to the proposed development.

Comprehensive Plan Goal 5.6.1

Goal 5.6.1: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policy a) All new land development (residential subdivisions, and multi-dwelling, industrial, and commercial developments) shall be connected to the City sewer system.

Response: The city has long had an intergovernmental agreement (IGA) with Clean Water Services (CWS) for the cooperative operation of sewer facilities. The existing IGA establishes a service boundary relative to city limits and outlines division of responsibilities within and outside of the boundary. Within city limits, the city owns and operates sewer lines up to and including 12-inch diameter, owns and operates but does not pay to move or replace lines over 12-inch up to 24-inch diameter, and does not own or operate lines equal to or larger than 24-inch diameter. Pump stations are owned and operated by CWS.

The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated flows, and proposed infrastructure to provide public sanitary sewer service to the plan area. The proposed infrastructure focuses on conveyance requirements along the proposed roadway alignments. More detailed planning for local collection systems will be developed for each developing neighborhood.

Projected sewer flows were based on proposed land use for each neighborhood, buildable land, and housing densities. Technical guidance from CWS established the people per household, residential average dry weather flow rate, peaking factors, groundwater infiltration rate, and rainfall driven infiltration and inflow rate across the plan area.

The proposed sewer alignments consist of approximately 41,000 ft of PVC pipe ranging in diameter from 8 inches to 18 inches. The Utility Plan identifies proposed alignments to connect future neighborhoods to the existing public sewer system. A large portion of the plan area is proposed to be served by a sanitary sewer lift station, located in the southwest corner of the plan area, near Tile Flat Road.

The proposed amendments do not change the sanitary sewer design standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide collection and conveyance systems to connect new development to the public sewer system.

Comprehensive Plan Goal 5.7.1

Goal 5.7.1. Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

- Policy d)** The City shall work cooperatively with the School District in implementation of the Comprehensive Plan through the District’s various programs, joint acquisition and development efforts.
- Policy e)** The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.
- Policy f)** The City shall notify the School District when considering Comprehensive Plan or land use regulation amendments that may significantly impact school capacity.

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain Technical Advisory Committee and shared feedback throughout the planning process. BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. A full list of TAC meetings is Exhibit 14.

On August 22, 2024, Beaverton also provided BSD and HSD with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments.

Comprehensive Plan Goal 5.8.1

Goal 5.8.1. Cooperate with THPRD in implementation of its 20-Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

- Policy a)** The City shall support and encourage THPRD efforts to provide parks and recreation facilities that will accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.
- Policy b)** The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.
- Policy c)** The City shall support and encourage acquisition of park and recreation sites in advance of need so that the most appropriate sites are available for these vital public facilities.

Response: The city worked closely with THPRD throughout the development of the preferred approach. (See Public Engagement Summary, Exhibit 14, for additional information.) A key concept of the preferred approach is to create a green framework of natural resource areas, wildlife corridors, and parks. The Cooper Mountain Community Plan Goal 5 is to “Provide public facilities and infrastructure needed for safe, healthy communities.” The public facilities goal includes three strategies related to parks and trails:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Establish McKernan Creek Regional Trail

Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

The Community Plan includes six Parks Policies (Community Plan Goal 5, policies a through f) to implement the preferred parks approach. The policies identify the preferred locations for the community park and eight neighborhood parks, establish the size for neighborhood parks, identified key features for each type of park, require accessible walking and biking connections to each park, and point to the THPRD Parks Functional Plan to guide park design.

The preferred park locations have been identified on existing lots that are larger than 5 acres. A larger lot can more easily accommodate consolidated areas to create community amenities. On smaller lots, other constraints, such as required roads, utility corridors, existing natural areas, and natural topography, may limit development flexibility. The proposed amendments require lots larger than 5 acres to designate 15 percent open space. Smaller lots have varying percentage of open space requirement, depending on the proposed use. The 15 percent open space requirement on larger lots provides an opportunity to designate a consolidated open space area for a neighborhood park or to assign the required open space toward a larger community park.

The proposed approach establishes a Parks Overlay in the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Policy g) The planning, acquisition and development of multi-use paths should be consistent with this Plan's Transportation Element and THPRD's Trail Master Plan

Response: The proposed amendments to the Transportation System Plan (Comprehensive Plan Volume IV) and the proposed amendments to Volume 1, Chapter 6 show the preferred alignment for bicycle and pedestrian paths and trails in the plan area.

Figure 6.2b shows the proposed McKernan Creek Regional Trail, which is consistent with the alignment shown in the THPRD Trails Functional Plan (2016). Figure 6.2b also includes proposed alignments for community multi-use trails and proposed streets that will have low-stress bike facilities. The multi-use paths follow the alignments of Kemmer Road, portions of SW 175th Avenue, Grabhorn Road, proposed collectors, and other locations to provide connectivity between neighborhoods and destinations.

The Community Plan also includes six McKernan Creek Regional Trail Policies (Community Plan Goal 5, policies n through s) to implement the desired trails network. The policies include the following:

- Coordinate with THPRD to define and develop the McKernan Creek Regional Trail, in accordance with THPRD regional trail standards. (policy n)
- Protect natural resources along the McKernan Creek Regional Trail in accordance with the policies listed in the Natural Resources section of this plan. (policy o)
- Coordinate with THPRD to provide equitable access to the McKernan Creek Regional Trail and amenities, where applicable, for different cultural, ethnic, and socioeconomic groups that historically have not benefited from access to natural areas due to physical, geographic, or transportation-related barriers. (policy s)

Policy h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.

Response: The proposed development code requires protection of regionally significant natural resources. During development, the majority of the property that has been designated as part of the Resource Overlay must be placed in a protected tract or easement. That protected tract may be transferred to a public agency or conservation group, such as THPRD

The Community Plan includes six Parks Policies (Community Plan Goal 5, policies a through f) to implement the preferred parks approach. To encourage park acquisition of areas designated as significant natural resources, one proposed policy states “The City supports the expansion of the Cooper Mountain Nature Park and will coordinate with Metro, THPRD, property owners, and others as expansion plans are evaluated and proposed.” Expansion of the Cooper Mountain Nature Park would likely be in areas that are designated as Goal 5 resources because many areas adjacent to the existing park boundary contain significant riparian and upland habitat areas.

Policy i) THPRD is the park and recreation provider for the City of Beaverton and the City desires that all property within its boundaries be within THPRD’s boundaries.

Response: The city has declared THPRD as the parks and recreation provider for the City (Policy 5.8.1.h. of the Comprehensive Plan). Since THPRD is the parks and recreation provider for the City, annexation to THPRD will generally be required by the City for all new development or redevelopment of properties that are outside THPRD boundaries. The city’s existing Development Code includes requirements for annexation into THPRD as a condition of approval for a conditional use, design review, or land division application. Issuance of building permits may be delayed until the annexation is effective. The proposed amendments remove provisions that allow property owners to avoid annexing to THPRD as part of these applications.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 5: Public Facilities and Services Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 6 TRANSPORTATION

Comprehensive Plan Goal 6.2.1

Goal 6.2.1: Transportation facilities designed and constructed in a manner to enhance Beaverton’s livability and meet federal, state, regional, and local requirements.

- Policy a) **Maintain the livability of Beaverton through proper location and design of transportation facilities.**
- Policy d) **Maintain the livability of Beaverton through proper location and design of transportation facilities.**
- Policy e) **Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.**
- Policy g) **Provide convenient direct pedestrian and bicycle facilities to promote the health and physical well-being of Beaverton residents, to reduce traffic congestion, to provide commuting and recreational alternatives to the motor vehicle, and to support local commerce.**
- Policy h) **Continually explore novel or transformative transportation designs, technologies, and integration, especially in the context of large-scale economic and redevelopment planning efforts.**

Response: Regarding location of transportation facilities, the proposed amendments provide a conceptual map of arterials, collectors, neighborhood routes, and multi-use paths within the Cooper Mountain Plan Area in modifications to Comprehensive Plan Volume 1, Chapter 6. Beaverton’s Engineering Design Manual also contains intersection

spacing and other connectivity rules to ensure a logical, direct, and connected system of streets and limit closed-end streets and the length of closed-end streets. Local streets are not identified specifically in the conceptual map because the location and connections of those streets will be determined during development and shall be consistent with city Development Code and Engineering Design Manual standards. The conceptual map in the proposed amendments provides direct routes comes as close as is practical to meeting arterial and collector spacing standards in the Metro Regional Transportation Plan as described in the findings within Section 3.08.510A, which are incorporated here by reference.

Regarding design, Beaverton’s existing Development Code requires a Traffic Management Plan (Section 60.55.15) and, for projects with more than 300 vehicle trips per day, a Traffic Impact Analysis (Section 60.55.20). Section 60.55.25 requires applicants to use figures and tables within Volume 1, Chapter 6 (Land Use Element) of the Comprehensive Plan to “identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.” The proposed amendments add relevant maps describing the future transportation system within the Cooper Mountain Community Plan area, including a map showing a conceptual streets with functional classifications and well as a map showing a network of multi-use paths. Beaverton’s Engineering Design Manual contains standards for street design, including street cross-sections, traffic calming, and right-of-way dimensions, as well as maximum speed. The city’s land division, design review, and other relevant applications require applicants to provide information in their submittals that provide evidence that the proposal complies with the Development Code and the Engineering Design Manual.

Applicants for new developments within Cooper Mountain will have to comply with the Development Code and Engineering Design Manual and provide the pedestrian, bicycle, and transit-supportive improvements within proposed developments consistent with adopted policies and standards. The pedestrian routes also are proposed to provide direct connections to a variety of destination so people moving through Cooper Mountain have an alternatives to automotive transportation that promote health, activity, vibrance, and commerce. The proposed amendments also include Complete Streets policies that are transformative in their emphasis on safety, comfort, and active transportation.

Comprehensive Plan Goal 6.2.2

Goal 6.2.2: A balanced multimodal transportation system that provides mobility and accessibility for users.

- Policy b)** Provide a seamless and coordinated transportation system that is barrier-free, provides affordable and equitable access to travel choices, and serves the needs of people and businesses.
- Policy c)** Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.
- Policy e)** Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, commercial, employment, and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs.
- Policy f)** Develop neighborhood and local connections to provide convenient circulation into and out of neighborhoods. Work to prevent and eliminate pedestrian and bicycle “cul-de-sacs” that require substantial out-of-direction travel for pedestrians and bicyclists.
- Policy j)** Require developers to include pedestrian, bicycle, and transit-supportive improvements within proposed developments and adjacent rights-of-way in accordance with adopted policies and standards.

Response: The proposed Comprehensive Plan amendments Volume 1, Chapter 6 (Transportation Element), and Comprehensive Plan Volume 4, Chapters 2 and 4 (Transportation System Plan), identify planned transportation improvements for all modes. Among the proposed amendments are a network of Collector streets and Neighborhood Routes (as well as arterial improvements) identified in Figure 13 and bicycle/pedestrian facilities and connections identified in Figure 14.

The proposed amendments in Section 6.2.9 of Volume 1, Chapter 6 of the Comprehensive Plan state that the goal is to: “In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.” The section has policies regarding active transportation, transit, and complete and connected streets. The policies establish a modal hierarchy with walking (and rolling and using mobility devices for people with disabilities) at the top, followed by biking/micromobility/transit.

In addition, the proposed amendments include strong Cooper Mountain-specific transportation multi-modal policies, including:

- Policy a) Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton's Active Transportation Plan. ...

Policy b) The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. Streets in the Cooper Mountain Community Plan area shall:

- i. Be designed with the goal of preventing all death and serious injuries.
- ii. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.
- iii. Provide easy, dignified, and affordable access to places for people who cannot drive, or choose not to drive, for the trip they need to make.
- iv. Reflect the fact that everyone is a pedestrian and benefits from generous, attractive, and socially activated walking environments.
- v. Make walking, biking, and transit a viable and desirable transportation option for people of all ages and abilities.
- vi. Be designed to advance the city toward its goal of 100 percent greenhouse gas emissions reduction by 2050.
- vii. Facilitate an equitable, communitywide transition from gas-powered vehicles to electric vehicles.

Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

Policy g) Integrate Americans with Disabilities Act standards and guidelines into the design and implementation of active transportation facilities, and for trails, meet THPRD standards established in THPRD's Trails Functional Plan that balance accessibility with prohibitive impacts that include harm to significant cultural or natural resources; requirements of construction methods that are against federal, state, or local regulations; or terrain characteristics that prevent compliance.

The multi-modal system is described in more detail in Goal 12 findings and Regional Transportation Functional Plan findings within this staff report, which are incorporated here by reference, including but not limited to responses to OAR 660-012-0060(2). Connections also are required to surrounding areas.

As described in findings for Goal 6.2.1, applicants for new developments within Cooper Mountain will have to comply with the Development Code and Engineering Design Manual and provide the pedestrian, bicycle, and transit-supportive improvements within proposed developments consistent with adopted policies and standards.

Comprehensive Plan Goal 6.2.3

Goal 6.2.3: A safe transportation system.

- Policy b) Design streets to serve anticipated function and intended uses as determined by the Comprehensive Plan.**
- Policy d) Designate safe walkway and bikeway routes from residential areas to schools, parks, transit, and other activity centers.**
- Policy e) Construct multi-use paths only where they can be developed with satisfactory design components that address safety, security, maintainability, and acceptable uses. Multi-use paths should converge at traffic-controlled intersections to provide for safe crossing, and paths should be separate and distant from major streets for most of their length. Mid-block crossings for trails access, such as the Denney Road Fanno Creek Trail crossing, will be considered as appropriate where findings for safety are met and such crossings are approved by the City.**
- Policy h) Ensure that adequate access for emergency services vehicles is provided throughout the City.**

Response: The proposed amendments would implement Goal 6.2.9 and related policies that apply to the Cooper Mountain Community Plan area. The goal calls for “safe, comfortable, convenient access” to destinations. The amendment include policies for active transportation; transit; and complete and connected streets. They include:

Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

The proposed Figure 6.2b in Volume 1, Chapter 6 of the Comprehensive Plan identifies the planned pedestrian and bicycle network, which will often include multi-use paths and trails. The locations were determined in collaboration with Tualatin Hills Park & Recreation District and include a combination of paths that are along streets and those separated from streets. The locations were planned for construction feasibility, usability, access to important destinations, maintainability, and safety.

The city’s current Engineering Design Manual standards allow mid-block crossings in appropriate locations to ensure safe street crossing and access to destinations. The pedestrian and bike network also frequently assumes crossings will take place at intersections, including controlled intersections.

Tualatin Valley Fire & Rescue was included in project planning and has not expressed concerns about emergency service vehicle access related to the proposed amendments.

Comprehensive Plan Goal 6.2.4

Goal 6.2.4: 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 a) Develop an energy efficient transportation system.**
- Policy c) Limit the provision of parking to meet regional and State standards.**
- Policy e) Maintain mobility and performance standards that meet the needs of the City and are consistent with regional and State standards.**
- Policy f) Reduce traffic congestion and enhance traffic flow through such system management measures as intersection improvements, intelligent transportation systems, incident management, signal priority, optimization, and synchronization, and other similar measures.**
- Policy g) Plan land uses to increase opportunities for multi-purpose trips (trip chaining).**
- Policy i) Support mixed-use development in appropriate locations and encourage local job creation in order to reduce the number of locally generated regional commuting and shopping trips.**
- Policy j) Coordinate with TriMet and other agencies to implement transit improvements concurrent with roadway improvements, to improve access and frequency of service, to provide parking as appropriate at transit centers, and to increase ridership and service area. Encourage development of regional high capacity transit, including light rail transit, streetcar, and commuter rail.**

Response: The proposed amendments support an energy-efficient transportation system because the Complete Streets policies prioritize the most energy efficient travel modes, including walking, bicycling, using other mobility devices, transit, and other shared modes while accommodating access for freight and motor vehicles. Cooper Mountain and the city in general will have no minimum parking requirements for any use on any property. The city's existing Development Code has maximum parking limits that comply with the state's Climate Friendly and Equitable Communities administrative rules as well as Metro requirements. The proposed amendments do not change the city's mobility and performance standards, but the city has started a Transportation System Plan update to revisit the city's transportation policies, approaches, and performance standards. The proposed amendments promote reduced congestion and

traffic flow by providing a network of streets for Cooper Mountain. The proposed Transportation System Plan Appendix O contains projects that include intersection improvements. The other elements, such as intelligent transportation systems, signal priority, and signal optimization will be considered during the design of future facilities.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations by:

- Requiring a network of arterials, collectors, neighborhood routes, and local streets with intersection spacing and connectivity standards that mean people can easily travel between different destinations within Cooper Mountain and are connected to nearby destinations.
- Proposing zoning that provides many destinations and different types of destinations. The zoning map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The same elements of the proposed amendments that address providing for multi-purpose trips above also apply to making Cooper Mountain transit-ready. The city's existing street standards also support transit provision. TriMet currently is working on an updating transit service plan that will address needs in the area.

Throughout the project, the city has been in close coordination with Washington County and TriMet on the topic of transit and transportation strategies in the area. Regarding coordination and notice more broadly, notice, opportunity to comment, and/or direct coordination of the Cooper Mountain Transportation Analysis and proposed Community

Plan occurred during the planning process. The Technical Advisory Committee (TAC) included Washington County, Metro, Tualatin Hills Park & Recreation District, Clean Water Services, Beaverton School District, TriMet, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, and Hillsboro School District, the state Department of Land Conservation and Development, and the Oregon Department of Transportation. A detailed list of TAC meeting dates, and other examples of coordination with Washington County and TriMet is in Exhibit 14.

On August 22, 2024, the city provided all TAC members with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments.

Comprehensive Plan Goal 6.2.6

Goal 6.2.6: Transportation facilities that provide safe efficient movement of goods.

Policy a) Designated arterial routes and freeway access are essential for efficient movement of goods. Design these facilities and adjacent land uses to reflect these needs.

Response: The existing and planned arterials in the Cooper Mountain area (175th, Kemmer, and the 175th-Grabhorn corridor, wither are designed for the movement of goods or existing standards will ensure they are designed for the movement of goods as they are upgraded from rural roads to urban facilities.

Comprehensive Plan Goal 6.2.7

Goal 6.2.7: Implement the transportation plan by working cooperatively with federal, State, regional, and local governments, the private sector, and residents.

Policy a) Coordinate transportation projects, policy issues, and development actions with all affected governmental units in the area. Key agencies for coordination include Washington County, Oregon Department of Transportation, TriMet, Metro, Tualatin Hills Park and Recreation District, Tualatin Valley Fire and Rescue, and the adjacent cities of Tigard, Hillsboro, and Portland.

Policy c) Monitor and update the Transportation Element of the Comprehensive Plan so that issues and opportunities are addressed in a timely manner.

Policy e) Establish rights-of-way through development review and, where appropriate, officially secure them by dedication or reservation of property.

Response: The proposed amendments include amendments to Comprehensive Plan Volume I Chapter 6 (Transportation Element) and Volume IV (Transportation System Plan) to address Cooper Mountain issues and opportunities and provide direction for future provision of streets and active transportation facilities. The city's adopted

Development Code in Section 60.55 and other locations as well as the Engineering Design Manual require provision of streets, dedication, and easements as necessary to ensure the area has a complete transportation system.

Throughout the project, the city has been in close coordination with Washington County, Oregon Department of Transportation, TriMet, Metro, Tualatin Hills Park and Recreation District, Tualatin Valley Fire and Rescue, City of Tigard, City of Hillsboro, Beaverton School District, Hillsboro School District, Clean Water Services and the state Department of Land Conservation and Development, all of whom served on the project Technical Advisory Committee (TAC). A detailed list of TAC meeting dates, and other examples of coordination among government is in Exhibit 14.

Additional findings regarding coordination on transportation planning is provided in findings for OAR 660-012-0060(4) and Comprehensive Plan Goal 3.4.2 Policy a) in CPMA42024-00679; and are incorporated here by reference.

In addition, the Infrastructure Funding Plan (Exhibit 1, Appendix C) presents recommendations for funding the transportation projects identified to serve new neighborhoods in Cooper Mountain and estimates where the city, partner agencies, and development in Cooper Mountain could be expected to contribute toward implementing the identified projects.

Comprehensive Plan Goal 6.2.8

Goal 6.2.8: Create a stable, flexible financial system.

Policy a) Plan for an economically viable and cost-effective transportation system.

Policy b) Identify and develop diverse and stable funding sources to implement recommended projects in a timely fashion.

Policy c) Use the System Development Charge, Traffic Impact Fees, and development exactions as elements of an overall program to pay for adding capacity to the transportation system and for making safety improvements related to development impacts.

Response: The Infrastructure Funding Plan (Exhibit 1, Appendix C) presents recommendations for funding the transportation projects identified to serve new neighborhoods in Cooper Mountain and estimates where the city, partner agencies, and development in Cooper Mountain could be expected to contribute toward implementing the identified projects.

The transportation projects in the Infrastructure Funding Plan include projects to extend the transportation system across the plan area and to make safety improvements on existing arterials and intersections. Section 2.1 of the Infrastructure Funding Plan presents an overview of the potential funding sources for those projects,

including system development charges, the Transportation Development Tax (TDT), developer contributions, and other sources.

Section 2.3.2 of the Infrastructure Funding Plan is an evaluation of existing revenue sources, demonstrating that existing policies and programs could fund large portions of the needed transportation infrastructure. Section 2.3.3 presents two alternative funding scenarios to fully fund all projects identified in the amendments to Comprehensive Plan Volume 1, Chapter 6 (Transportation Element). The recommended approach, outlined in the Exhibits 9 and 11 of the Infrastructure Funding Plan, includes a combination of funding from direct development contributions, TDT credits, TDT revenue, a new Cooper Mountain funding source, and other county sources. The plan identifies that the new Cooper Mountain funding source could include a supplemental transportation SDC, Local Improvement District, and/or reimbursement district.

The funding plan lists the following benefits of the proposed approach:

- Creates dedicated funding for the McKernan Creek crossing and widening 175th Avenue, rather than relying on TDT allocation.
- Any surplus TDT generated in this area could be used for off-site capacity-increasing transportation projects.
- Increases the share of funding coming from development in Cooper Mountain compared to the existing sources scenario. However, if the new funding source were spread across all units in Cooper Mountain, the per-unit cost would be similar to the supplemental transportation SDCs that are currently charged in other urban growth areas of Washington County.
- Because the new Cooper Mountain source would fund multiple projects, if it were charged at time of development, it would not require the area to fully build out before sufficient revenue would be available to fund the McKernan Creek crossing.

This approach provides flexibility to fund transportation projects based on the timing and phasing of development. The cost to development is similar to the cost in other urban growth areas, and the proposed approach uses a variety of funding sources to create a stable and economically viable strategy.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 6: Transportation Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 7 NATURAL, CULTURAL, HISTORIC, SCENIC, ENERGY, AND GROUNDWATER

Comprehensive Plan Goal 7.1.1

Goal 7.1.1: Balance development rights with natural resource protection.

Policy a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin.

The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 20) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. Riparian resources were mapped following the Clean Water Services (CWS) standards for determining buffer widths for vegetated corridors.

The city's program related to wetland protection and enhancement follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed amendments do not change the city's programs to notify local, state, and federal regulatory agencies about development proposals within natural resource areas. The city requires development applications to include a service provider letter from CWS to affirm natural resource areas that are protected through the CWS program for Sensitive Areas and Vegetated Corridors. The city also requires development proposals to secure all necessary permits from state and federal agencies when work is proposed in natural resource areas.

Policy b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.

Response: The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates the development activities and identifies which activities are allowed, limited, or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting, commensurate with the amount of disturbance area. Mitigation planting must occur within the same stream basin as the disturbance area and may be located with the Resource Overlay or in an adjacent area that is preserved in a protected tract or easement. The mitigation requirements are based on planting in quantities that correspond to the square footage of disturbance area. All mitigation planting must be native plants from an approved plant list to restore or enhance the protected portion of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

Policy c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.

Response: As described in Goal 7.2.1, there are no designated Significant Historic Landmarks in the Cooper Mountain area.

With respect to significant natural resources, the proposed Development Code includes general development standards for all properties that contain the Resource Overlay. The standards outline best practices for natural resource protections. The proposed Development Code limits the area of the Resource Overlay that can be disturbed to support development activity and identifies when design standards can be relaxed to reduce impacts to significant natural resources. For example, the proposed Development Code requires dedication of the standard right-of-way width for roadway construction but allows for reduction of the standard street section by eliminating medians, planter strips, and parking lanes when the street is traversing the Resource Overlay.

In addition, the city previously adopted code provisions (Beaverton Development Code 60.12 Habitat Friendly Development Practices) to allow and encourage Habitat Friendly Development Practices across the city. The use of habitat friendly development practices is voluntary. Beaverton Development Code 60.12.25 offers development

credits when projects apply specific techniques, such as preserving Habitat Benefit Areas and utilizing Low Impact Development Techniques. Those credits will still be available outside the Cooper Mountain Community Plan area. Within the Cooper Mountain Community Plan area, the protection of habitat areas is required, as described above. The use of low impact development techniques will not result in other development credits, but the habitat friendly development practices are still allowed and encouraged. In addition, the proposed Development Code amendments already have smaller setbacks and taller heights than many comparable zones within Beaverton, which means adjustments to setback and heights will not be needed as often within Cooper Mountain. The approach was to allow more flexibility for all development because the Cooper Mountain area has so many properties with slopes and natural resources present.

Policy d) City policies or regulations shall not interfere with actions necessary for nuisance abatement or protecting the safety, health and welfare of Beaverton's citizens.

Response: The proposed Development Code allows for nuisance abatement and actions to protect safety, health and welfare within the Resource Overlay. Allowable activities include removal of nuisance plants, enhancement and natural resource restoration activities, and emergency procedures necessary for the immediate safety or protection of life or property, including removing hazardous trees, flood control, sanitary sewer overflow repair, and stream bank stabilization.

Policy e) Upon annexation of unincorporated properties with County Goal 5 natural resource designations, the City shall rely on the Urban Planning Area Agreement with Washington County to determine the appropriate City designation.

Response: The proposed amendments will adopt the Cooper Mountain Community Plan, which includes natural resource designations across the plan area. Additional findings related to Goal 5 are included earlier in this document. The Urban Planning Area Agreement also contemplates the city adopting policies, maps, and development rules that would apply upon annexation.

Comprehensive Plan Goal 7.2.1

There are no goals regarding cultural resources as there are no known significant or important cultural resources within the city limits. Based on the findings in Exhibit 26 (Memorandum regarding Cooper Mountain's cultural history and oldest buildings) there is no evidence of cultural or archeological resources in the Cooper Mountain Area. If cultural resources were to be found they could be inventoried and protected through a legislative or quasi-judicial process consistent with Beaverton Comprehensive Plan Section 1.3, which provides procedures for amending the Comprehensive Plan.)

Goal 7.2.1: Preserve, manage and encourage restoration of historic sites, structures, and objects designated as Significant Historic Landmarks, and protect the character of the Downtown Historic District as listed on the National Register of Historic Places.

Response: There are no designated Significant Historic Landmarks in the Cooper Mountain area. If at any time something becomes designated as a landmark through a legislative or quasi-judicial process, it will be preserved and managed consistent with existing Development Code provisions in Section 40.35: Historic Review.

Comprehensive Plan Goal 7.3.1.1

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their educational and recreational values; to provide habitats for fish and wildlife in our urban area.

Response: The proposed amendments include goals, policies, and land use regulations to protect natural resources and conserve open space resources in the planning area. The Cooper Mountain Community Plan Natural Resource Report, August 2024 (Exhibit 1, Appendix B) identifies and includes a determination of significance for natural resources within the planning area. A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area is consistent with the methodology that Metro used to create the initial regional inventory.

The city’s program related to conserving, protecting, enhancing, and restoring natural resource areas follows Metro’s Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance UGMFP Title 13 are described above and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay.

Policy b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.

Response: The city's program related to conserving, protecting, and enhancing natural resource areas follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance UGMFP Title 13 are described above and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

Policy c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.

Response: Proposed Development Code includes standards for land divisions and property line adjustments when the property contains the Resource Overlay. At least 80 percent of the Resource Overlay must be placed in one or more protected tracts or a protected easement. The protected tracts must be identified as a private natural area held by a homeowners' association, a public natural area, or a public or private tract for stormwater management. These standards recognize the natural resource areas as part of the site development plan and protect them as amenities for residents or the public.

Policy d) The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.

Response: The proposed Development Code includes several new land use applications related to development in or near the Resource Overlay. All non-exempt development activities on properties that contain the Resource Overlay must include an application that demonstrate compliance with the proposed Development Code rules for the Resource Overlay.

Policy e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.

Response: Proposed Development Code requires development in or near wetlands, streams, and riparian areas to be consistent with the requirements from Clean Water Services, the Oregon Department of State Lands, the U.S. Army Corps of Engineers. When mitigation is required, the proposed Development Code states that City shall not issue a site development permit or building permit until all applicable local, Regional, State and Federal permit approvals have been granted.

Policy f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.

Response: The city's program related to conserving, protecting, and enhancing natural resource areas follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with UGMFP Title 13 are described above in findings for Metro UGMFP Title 13, Section 3.07.1330-1370 and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code allows activities that are consistent with resource protections within the Resource Overlay. Allowable activities include removal of nuisance plants, enhancement and natural resource restoration activities, continued maintenance of existing structures, minor residential development, such as home additions, decks, patios, sheds, gardens and landscaping, that do not exceed 500 square feet, and low impact outdoor facilities for public and private use, such as picnic areas and overlooks, that do not exceed 500 square feet.

The proposed Development Code includes general development standards and standards for specific development types when that development would occur in the allowable disturbance area of the Resource Overlay. Development that is complementary and compatible with resource protection are allowed within the boundary of the Resource Overlay. This includes surface stormwater management facilities that are planted with native vegetation, utility corridors that are replanted, and public accessways (trails) that are up to 15 feet wide when no large trees are removed in the disturbance area.

During land development, at least 80 percent of the Resource Overlay must be placed in one or more protected tracts or a protected easement. The remaining area may be used for development activity and mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

Policy g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.

Response: The proposed Development Code includes general development standards for all properties that contain the Resource Overlay. The standards outline best practices for natural resource protections. The best practices include following existing development standards, planting vegetation from approved plant lists, limiting fencing and lighting, restoring temporary disturbance areas, and a series of construction standards to protect trees and manage erosion.

Policy h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

Response: The proposed Development Code limits the area of the Resource Overlay that can be disturbed to support development activity. These limits will require planning for roadways and utilities that reduce the impacts to the significant natural resource areas. The proposed Development Code includes limits on the width of the permanent disturbance area for linear utilities and total disturbance area of non-linear utilities. When roads and utilities must be located in or traverse through significant natural resource areas, the proposed Development Code includes requirements for mitigation of the disturbance area of the Resource Overlay. Mitigation may include replanting in temporary disturbance areas or planting to enhance protected areas of the Resource Overlay. The proposed Development Code requires dedication of the standard right-of-way width, but allows for reduction of the standard street section by eliminating medians, planter strips, and parking lanes when the street is traversing the Resource Overlay.

In addition, the proposed amendments add a policy to Goal 7.3.1.1 that is specific to natural resource protections in Cooper Mountain. The proposed policy is stated as:

Policy i) In the Cooper Mountain Community Plan area:

- i. Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.**
- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.**
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.**
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.**

Response: Compliance with proposed Goal 7.3.1.1, Policy i.i for natural resource protections in the Cooper Mountain Community Plan area will be achieved through the proposed Comprehensive Plan, Development Code, and Zoning map amendments for the Resource Overlay, as described in Goal 7.3.1.1, Policy a through h above.

The proposed Goal 7.3.1.1, Policy i.ii encourages equitable access to natural areas. The proposed amendments include Development Code provisions that require the majority of natural areas in the Resource Overlay to be placed in protected tracts during development. In addition, the Community Plan includes policies that create connections to natural areas that are safe and accessible to the public through the siting and development of parks (Community Plan, Goal 5, Policy d) and development of the McKernan Creek Regional Trail (Community Plan, Goal 5, Policy r and Community Plan, Goal 6, policy e).

The Community Plan includes policies that encourage equitable access to the environmental and social benefits of trees by establish minimum tree canopy requirements (Community Plan, Goal 3, Policy g), which is consistent with proposed Comprehensive Plan Policy 7.3.1.1.i.iii. The Community Plan includes policies that provide incentives that encourage the retention of native trees (Community Plan, Goal 3, Policy h), which is consistent with Comprehensive Plan Policy 7.3.1.1.i.iv. Compliance

with the proposed Goal 7.3.1.1 Policy i.iii and i.iv will be achieved through the Cooper Mountain tree protections, which are part of the proposed Development Code.

The proposed Development Code also includes a new Section 60.61 that provides regulations for preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area to preserve and enhance the benefits trees provide for all people. Findings in TA42024-00680 provide additional information on this topic.

Comprehensive Plan Goal 7.3.2.1

Goal 7.3.3.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

Response: The city's program related to riparian corridors follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. The Riparian Class I areas include all streams, creeks, and watercourses within the Plan Area. These are areas that were not previously identified in the city's Significant Natural Resources inventory maps.

The proposed amendments do not include changes to the city's program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian

habitat areas. CWS regulates riparian habitat areas by designating those areas as part of the regulated “Vegetated Corridor.” The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat. The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Comprehensive Plan Goal 7.3.3.1

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

- Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.**
- Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.**
- Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.**

Response: The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 20) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors.

The city’s program related to wetland protection and enhancement follows Metro’s Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed amendments do not change the city-wide approach to wetland protection. The city’s program to protect wetlands follows the Clean Water Services standards for the Vegetated Corridor. The Clean Water Services Design and Construction Standards Manual, defines a “Vegetated Corridor” as “a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area.” Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant and added to the city’s inventory of natural resources.

The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Comprehensive Plan Goal 7.3.4.1

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources

Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.

Response: The city's program related to upland wildlife habitat protection follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with UGMFP Title 13 are described above in the findings for Metro UGMFP Title 13, Section 3.07.1330-1370 and incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. The upland habitat areas include wildlife habitat areas adjacent to stream corridors and other water features, as well as forested habitat areas outside of defined stream corridors.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited, or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay in Cooper Mountain. Findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section provide more information on these rules; and are incorporated here by reference.

In addition, the proposed amendments add policies to Goal 7.3.4.1 that are specific to protecting wildlife habitat protections in Cooper Mountain. The proposed policies are stated as:

Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

Response: The wildlife corridors identified in the proposed Cooper Mountain Community Plan (Community Plan, Figure 4) include primary corridors that follow the tributaries of McKernan Creek and other unnamed stream tributaries. These corridors are all identified as regionally significant riparian habitat areas in the Cooper Mountain Natural Resource Report (Exhibit 1, Appendix B). All of the primary wildlife corridors are included within the proposed Resource Overlay, and the proposed Development Code amendments regulate development activities and identifies which activities are allowed, limited, or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed Development Code also includes tree preservation standards and guidelines and tree canopy standards and guidelines that require preservation and planting of trees in the Resource Overlay.

Protecting significant natural resources and expanding tree protections collectively protect and enhance wildlife corridors. Findings on expanding tree protections are also described in findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section; and are incorporated here by reference. Other tools and strategies include integrating stormwater management with natural systems, such as planting stormwater facilities with wildlife-friendly landscaping to provide additional habitat; promoting restoration of streams and tributary areas; limiting infrastructure crossings of primary corridors; installing wildlife-friendly culverts or bridges where stream crossings are required; and requiring wildlife-friendly fencing and lighting adjacent to corridors, where possible.

The proposed Development Code amendments require stream crossings within the Resource Overlay to provide passage for large mammals, including deer. The proposed lighting standards also include provisions to reduce light and glare within and adjacent to Natural Areas and add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park .

The existing Development Code requires compliance with CWS regulations. Those regulations prioritize protection of interior habitat by placing stricter development

limitations on areas that are regulated as “Vegetated Corridor.” The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat, which coincides with all of the areas identified as primary wildlife corridors in the Cooper Mountain Community Plan.

Comprehensive Plan Goal 7.4.1

Goal 7.4.1: Conserve Significant Scenic Views and Sites, and the value they add to community.

Policy a) Help to preserve and enhance the City’s character, beauty and livability through the identification and protection of significant scenic sites in the city and views of those sites.

Response: As part of the planning process, visual inventory was conducted in the spring of 2020. Team members visited public and private properties around the project area, cataloging natural resources as well as qualitative aspects of the landscape. The Cooper Mountain Community Plan, Existing Conditions Summary Report (October 2020) provides an overview of views, landscape patterns, and local landmarks along with a photo inventory of existing development to acknowledge the built environment. A determination was made that determinations of significance and analyses of economic, social, environmental and energy consequences would not be needed to be able to protect scenic sites and views as that could also be done by protecting natural resources. These elements were all taken into account when developing the preferred approach to plan for the area’s future.

Policy b) Significant Scenic Sites may include forested areas or a specimen tree and are determined to have two or more of the following characteristics: aesthetic value; uniqueness of tree size, shape, rarity of specie; proximity of forested area to wetlands or riparian areas; provides slope stability; absorption of rainfall (canopy effects to offset adjoining impervious surfaces); and absorbs stormwater runoff.

All significant scenic sites must be visible from an existing or planned viewpoint that is safe and accessible to the general public.

Response: The Existing Conditions Summary Report identified key view locations throughout the Plan Area. The study provided a catalog of representative views and acknowledges that viewpoints exist throughout the study area, rather than at distinct locations. The study did not include an inventory or evaluation to determine specific locations that should be considered significant scenic sites. Therefore, the proposed amendments do not include designations of any new Significant Scenic Views or Significant Scenic Sites.

While significant scenic views or significant scenic sites are not designated in the plan area, the proposed Cooper Mountain Community Plan does acknowledge the importance of maintaining visual connections to forested areas and other natural resource areas. Within the plan area, Cooper Mountain Nature Park offers dramatic views of the tree groves through the nature park and across the Tualatin River Valley.

The Nature Park has been identified as a regionally significant Title 13 resource and will be protected by the proposed Resource Overlay designation. Other regionally significant resources include water features, riparian areas, and upland forest habitat. The Natural Resources Report (Exhibit 1, Appendix B) identifies upland forest habitat as areas adjacent to stream corridors and large patches of forested areas that were mapped by Metro as part of the Title 13 adoption process. These areas will also be protected by the proposed Resource Overlay, so most of the scenic sites described in Goal 7.4.1, Policy b will be protected in the Resource Overlay.

The proposed Community Plan includes policies create viewpoints that are safe and accessible to the general public through the siting and development of parks (Community Plan, Goal 5, Policy d) and development of the McKernan Creek Regional Trail (Community Plan, Goal 5, Policy r and Community Plan, Goal 6, policy e).

Policy c) The City will balance the conservation of significant scenic resources with the need to allow urban uses and activities.

Response: While there are not significant scenic views or significant scenic sites designated in the plan area, the proposed Development Code balances conservation of scenic views and sites with the need to allow urban uses and activities. The proposed Development Code defines the location of the Resource Overlay and defines the uses that are allowed, limited, or prohibited within the designated resource areas. The development rules have been developed in compliance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan. Natural resources are also protected through compliance with Comprehensive Plan Goal 3.3.1 and Goal 7.1.1, Goal 7.3.1.1, 7.3.2.1, 7.3.3.1, and 7.3.4.1.

Policy d) Provide incentives for protection of Scenic Views of topographic features such as mountain ranges and individual peaks for public enjoyment.

Response: The proposed Community Plan includes policies to promote scenic views in the siting and development of parks (Community Plan, Goal 5, Policy d), development of the McKernan Creek Regional Trail (Community Plan, Goal 5, Policy r and Community Plan, Goal 6, policy e). To emphasize views of topographic features, Community Plan, Goal 5, Policy r states: “Provide scenic viewpoints where people using the McKernan Creek Regional Trail can stop to enjoy scenic views, such as those of the Tualatin River Valley and the Chehalem Mountains.” The proposed Development Code provides incentives for the regional trail to be located adjacent to scenic sites by allowing trails to be located within areas designated as Resource Overlay.

Comprehensive Plan Goal 7.5.1

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Comprehensive Plan Goal 7.5.2

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

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 8 ENVIRONMENTAL QUALITY AND SAFETY

Comprehensive Plan Goal 8.2.1

Goal 8.2.1: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources

Policy a) All water resource areas within the City shall be enhanced, restored or protected to the extent practicable.

Policy b) The City shall limit development in vegetative corridors along streams through application of the CWS Design and Construction Standards so as to substantially comply with requirements of the Metro Functional Plan Title 3.

Response: The city's program related to water quality protections follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 and are incorporated here by reference.

The proposed Comprehensive Plan and Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B

Wildlife Habitat. The Riparian Class I areas include all streams, creeks, and watercourses within the Plan Area. These are areas that were not previously identified in the city’s Significant Natural Resources inventory maps.

The proposed amendments do not include changes to the city’s program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by designating those areas as part of the regulated “Vegetated Corridor.” The definition of the Vegetated Corridor encompasses to the areas designated as riparian habitat. The CWS design and construction standards for the Vegetated Corridor apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Policy e) Protect investments in the City by managing stormwater runoff.

Response: The proposed amendments do not change the stormwater design standards for new development, which are included in the City’s Engineering Design Manual and Standard Drawings. The current standards include requirements for water quality treatment, flow control, and hydromodification, based on the amount of proposed impervious surface with the development.

The Cooper Mountain Utility Plan presents an evaluation of the existing conditions and potential impacts from proposed development, along with preliminary sizing and siting of stormwater management facilities to serve the proposed development. The Utility Plan includes calculations to demonstrate that the required stormwater management facilities would mitigate the impacts of increased stormwater runoff associated with full development of the plan area. The current standards require new land development to provide the stormwater management facilities to serve the proposed development.

Policy f) Encourage development in urban environments in ways that promote healthy environments and natural resources.

Response: Staff findings related to sustainable development and natural resource protections are described in the findings for Comprehensive Plan Goals 3.3.1, 7.3.1.1, and 10.1. Those findings are incorporated here by reference.

Comprehensive Plan Goal 8.5.1

Goal 8.5.1: Protect life and property from potential earthquake hazards.

Response: Details regarding earthquake hazard in the Cooper Mountain area are found under Statewide Planning Goal 7. Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally

inside the natural resource overlay where development will be limited and mitigation to impact on those resources will also generally mitigate any increased seismic risks.

The proposed amendments in Beaverton Development Code Section 60.15.08 (Cooper Mountain Landslide Hazard Risk) will require geotechnical review for land divisions in mapped area to identify risks and appropriate mitigation measures.

Comprehensive Plan Goal 8.6.1

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Action 1: Identify geological hazard sites in the City including unstable steep slopes, weak foundation soils, and areas subject to erosion and deposition. Adopt and apply regulations to these sites through engineering standards and site development design criteria to allow, limit, or prohibit development, as appropriate.

Action 2: Periodically review and update the existing erosion control regulations and enforcement procedures to improve their effectiveness.

Action 3: Adopt and apply land use regulations requiring that building sites, streets and other improvements in areas with 25% or greater slopes, be designed so that cuts and fills are minimized and best management practices for erosion control are integrated into the design.

Response: Details regarding geologic hazards in the Cooper Mountain area are found under findings for Statewide Planning Goal 7. The proposed risk map, which is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide. Proposed amendments to Development Code Section 60.15.08 require geotechnical review for land divisions in mapped area to identify risks and appropriate mitigation measures. In addition, current Development Code rules, Site Development Standards, and building code rules address geological hazards related to foundations, erosion control, and grading and development on slopes.

The proposed Comprehensive Plan changes and proposed Development Code Section 60.15.08 address geological hazards consistent with the Comprehensive Plan Goal 8.6.1.

Comprehensive Plan Goal 8.7.1

Goal 8.7.1: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Response: There is no identified floodplain in the Cooper Mountain area. If at any time floodplain is identified by FEMA, the city's existing Development Code addresses floodplains in Section 60.10.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 8: Environmental Quality and Safety Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 9 ECONOMY

Comprehensive Plan Goal 9.1.1

Goal 9.1.1: Maximize efficient use of the city's employment land

Policy c) Support boundary changes that consider the city's unique geopolitical boundaries and the availability of city and other urban services to help meet the city's identified employment needs

Response: Cooper Mountain is a 1,232-acre expansion area bordering Beaverton that will eventually be home to about 5,000 homes and more than 10,000 residents. Upon annexation, the city would add a significant amount of land that will be used to build housing and provide commercial areas, among other things.

The citywide Economic Opportunity Analysis indicated that there is a resulting forecasted employment land need for over 900 acres over a 20-year horizon, of which 561 is for commercial uses (239 acres of retail, 229.8 acres of office and 92.5 acres of institutional). In addition, the citywide analysis indicates that the city's capacity for additional employment growth is affected by a limited supply of vacant property. Under the assumed employment growth scenario in the citywide analysis, the capacity within the urban service boundary is insufficient to accommodate the projected aggregate 20-year need for commercial uses.

The proposed Comprehensive Plan, Development Code, and Zoning Map amendments would add 53 acres of mixed-use zoning where commercial is allowed. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both

commercial and residential are allowed but there is no minimum commercial requirement. In addition, small-scale commercial uses will be allowed near public parks, neighborhood routes and land zoned CM-MR within the proposed CM-RM zone. Combined, these strategies address some of the need for employment land indicated in the citywide EOA.

Compliance with Comprehensive Plan Policy 9.1.1.c) is also described in findings for Statewide Planning Goal 11 – Public Facilities & Services, OAR 660-011 – Public Facilities Planning, Metro UGMFP Title 11 – Planning For New Urban Areas, and Comprehensive Plan Goals – Chapter 5 Public Facilities And Services, which describes public facilities planning; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 9.1.1.c) is also described in findings for Statewide Planning Goal 12 – Transportation, OAR 660-012 – Transportation Planning, Metro Regional Transportation Functional Plan, Comprehensive Plan Goals – Chapter 6 Transportation, which describes transportation planning and the transportation network; and are incorporated here by reference.

Policy f) Develop strategies to maximize employment within targeted planning areas, including the city’s major employment areas, commercial corridors, and neighborhood business districts

Response: Compliance with Comprehensive Plan Policy 9.1.1.f) is described above in findings for OAR 660-009-0020 (Industrial and Other Employment Development Policies), which describes how the Community Plan polices, the Land Use Map, and the Zoning Map together work to maximize commercial uses and employment opportunities within targeted planning areas, including proposed commercial areas near Tile Flat and 175th/Weir Road and portions of the CM-RM zoning district that allow small-scale commercial uses and are incorporated here by reference.

Policy h) Encourage home-based businesses that have minimal impacts on neighborhoods

Response: The Community Plan policy includes Commercial Policy 7.b) Allow small-scale commercial activity within the Cooper Mountain Residential land use designation to provide opportunities for residents to have access to goods and services, provide entrepreneurship opportunities, support at home work options that reduce automobile usage, and create potential places for people to see and meet with fellow neighbors.

Proposed amendments in TA42024-00680 describe rules for how small-scale commercial uses are allowed in the CM-RM zoning district. This is in addition to home occupations, which will also be allowed all Cooper Mountain zoning districts.

Goal 9.2.1: Provide Programs and Services that Support Existing Businesses and Attract New Businesses

Policy d) Encourage a mix of uses and amenities that are attractive to workers

Response: Compliance with Comprehensive Plan Policy 9.2.1.d) is described above in findings for Comprehensive Plan Policy 3.6.1.a-d), which describes how a mix of commercial and residential uses at relatively high densities, combined with pedestrian-oriented design, can create vibrant, walkable areas that are attractive to workers; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 9: Economy Element. This criterion is met.

COMPREHENSIVE PLAN GOALS – CHAPTER 10 COMMUNITY HEALTH

Comprehensive Plan Goal 10.1

Goal 10.1: Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods.

Policy b) Reduce barriers to siting and support of community gardens on private property, vacant public property, and unused rights-of-ways and increase access to fresh, local agricultural products.

Response: The proposed amendments allow community gardens as a permitted use on private property. The proposed amendments also allow commercial uses in two Cooper Mountain zoning districts (CM-CS and CM-HDR) and small-scale commercial uses within the CM-RM zoning district.

Comprehensive Plan Goal 10.2

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community.

Policy a) Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Policy b) Enhance accessibility and safety to key destinations such as schools, libraries and retail centers for pedestrians, bicyclists and public transit riders.

Policy c) Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel

Response: Staff findings related to recreation and physical activity are described in the findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal

5.8.1, which describe the existing parks and recreational facilities in the plan area and the plans to expand opportunities for recreation and physical activity. The proposed approach includes the creation of a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. Findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 are incorporated here by reference.

In addition, staff findings related to bicycle, pedestrian, and transit access and safety features are described in findings for Statewide Planning Goal 12 and OAR 660-012-0060. Those findings include descriptions of the transportation network, including paths and trails and safety improvements that will connect residents to neighborhoods and destinations through multiple modes of travel. The findings for Statewide Planning Goal 12 and OAR 660-012-0060 are incorporated here by reference.

Comprehensive Plan Goal 10.3

Goal 10.3: Improve the quality of the built and natural environments.

Policy a) Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation (e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.

Response: Compliance with Comprehensive Plan Policy 10.3.a) is described above in findings for Comprehensive Plan Policy 3.1.1.a-d), which describe how the proposed land use patterns, development requirements and transportation improvements will result in Complete Streets that prioritize multi-modal transportation options, as well as pedestrian and bicycle safety; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings with Comprehensive Plan Policy 6.2.4, which describe how the Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations through connectivity standards and proposed zoning that includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. The same elements of the proposed amendments that address providing for multi-purpose trips also apply to making Cooper Mountain transit-ready. Staff findings for Comprehensive Plan Policy 6.2.4 are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings for Comprehensive Plan Policy 3.6.1.a-d), which describe how a mix of residential and commercial uses at relatively high densities, combined with pedestrian-oriented design, come together to make complete neighborhoods; and are incorporated here by

reference. Proposed amendments in TA42024-00680 describe more information about the types of residential and commercial uses that are allowed, and rules that would apply to residential, commercial and mixed-use developments in Cooper Mountain.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 10: Community Health. This criterion is met.

1.5.3 CRITERIA FOR STATEWIDE PLANNING GOAL 5 INVENTORY RESOURCE DOCUMENT (VOLUME III) COMPREHENSIVE PLAN AMENDMENTS

- A. **Local Wetland Inventory Amendments require following the criteria for adoption of a local wetland inventory found within Oregon Revised Statutes and Oregon Administrative Rules (as of November 2004, ORS 196 and OAR 141-086 and OAR 660-023).**

Findings:

Staff finds that the proposed amendment is consistent with the Criteria for Statewide Planning Goal 5 Inventory Resource Document (Volume III) Comprehensive Plan Amendments, as described in the following sections.

ORS 196 State Waters and Ocean Resources; Wetlands; Removal and Fill

Response: Under ORS 196.674, the Oregon Department of State Lands (DSL) is required to compile and maintain a comprehensive Statewide Wetlands Inventory. ORS 196 does not include criteria relating to the adoption of a local wetland inventory. Rules and requirements related to the local wetland inventory are outlined in OAR 141-086 and OAR 660-023.

OAR 141-086 Wetland Conservation Plan

Response: The city has followed the process outlined in OAR 141-086-0228 to submit the Cooper Mountain Local Wetland Inventory (Exhibit 20) to the Oregon Department of State Lands for review and approval. A letter from DSL, dated September 19, 2024, states that DSL has approved the Beaverton Cooper Mountain Local Wetlands Inventory. Approval by DSL means that the LWI becomes part of the Statewide Wetlands Inventory and must be adopted by the city per the Goal 5 requirements.

OAR 660-023 Procedures and Requirements for Compliance with Goal 5

Response: Compliance with OAR 660-023 is described above in findings for Section 1.5 in CPMA42024-00679, which describes the procedures and requirements for compliance

with Statewide Planning Goal 5, related to protection of natural resources. The findings for OAR 660-023 in Section 1.5 of this application are incorporated here by reference.

Conclusion: These criteria are met.

ZMA42024-00681 ZONING MAP AMENDMENT

ANALYSIS AND FINDINGS FOR ZONING MAP AMENDMENT

ZMA42024-00681 Recommendation

Based on the facts and findings presented below, staff offers the following recommendation for the conduct of the October 16, 2024, public hearing for ZMA42024-00681, Cooper Mountain Community Plan Zoning Map Amendment.

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend APPROVAL of ZMA42024-00681 Cooper Mountain Community Plan Zoning Map Amendment to the City Council as presented in the staff report.

Section 40.97 Zoning Map Amendment Application

Section 40.97.15.2.C includes the approval criteria that apply to legislative zoning map amendments. Each criterion is addressed in separate sections below.

40.97.15.2.C.1 – THRESHOLD

Criterion 1. The proposal satisfies the threshold requirements for a Legislative Zoning Map Amendment application.

Response: Section 40.97.15.2.A specifies that an application for a Legislative Zoning Map Amendment shall be required when there is proposed a change of zoning designation for a large number of properties. ZMA42024-00681 proposes adding four new zoning districts for the Cooper Mountain Community Plan area to the map (Exhibit 11).

The proposed zoning districts are:

- **Cooper Mountain – Community Service (CM-CS).** Requires a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing residential development, generally multi-dwellings and middle housing.
- **Cooper Mountain – High Density Residential (CM-HDR).** Primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses are also among the uses allowed.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** Intended to result in mostly residential developments with a focus on multi-dwellings and middle housing.

- **Cooper Mountain – Residential Mixed (CM-RM).** Allows a mix of detached and attached housing types at the lowest number of units per acre of Cooper Mountain's residential zones. Allows small-scale commercial uses in some locations.

Since the proposed amendments affect all taxlots inside the Cooper Mountain Community Plan area, then the proposed change of zoning designation also affects a large number of properties, which meets the threshold for Legislative Zoning Map Amendment application.

Findings:

Staff finds that the proposed amendment is consistent with the Section 40.97.15.2.C.1.

40.97.15.2.C.2 – COMPREHENSIVE PLAN POLICIES

Criterion 2. Proposal conforms with applicable policies of the City's Comprehensive Plan.

Findings:

Staff finds that the proposed amendment is consistent with the applicable goals and policies of the City's Comprehensive Plan, as described in the following sections.

Comprehensive Plan Chapter 2: Community Involvement Element

Goal 2.1.1: The Planning Commission, Council, and other decision making bodies shall use their best efforts to involve the public in the planning process.

Response: The city's Development Code procedures were based on and have been found consistent with Chapter 2 – Community Involvement Element. Approval procedures includes a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance.

The City Council had 13 public work sessions between 2019-2024 to discuss the project prior to the October 16, 2024 Planning Commission hearing. The Planning Commission also had 14 public work sessions to discuss the project and the proposed amendments prior to the October 16, 2024 Planning Commission hearing. Public comment was accepted at every Planning Commission work session, and written public testimony was often submitted too. Community members were notified about how to provide public comment at each work session through email notifications that were sent out to community members who opted in for project updates. A complete list of work sessions and presentations for the Cooper Mountain Community Plan project is in Exhibit 14.

Section 1.4.1 of the Comprehensive Plan also establishes public hearing notice requirements for legislative amendments. Findings for Section 1.4.1 above in CPMA42024-00679, which describe how noticing requirements were completed, are incorporated here by reference.

Goal 2.4.2: Make a concerted effort to include and recruit individuals of all ethnic, racial, age, cultural backgrounds, and sexual orientations in City boards, commissions, and public processes as to reflect and correspond to the City’s demographic profile.

Response: Compliance with Comprehensive Plan Goal 2.4.2 is described above in findings for Comprehensive Plan Goal 2.4.2 in CPMA42024-00679, which describe recruitment for the Cooper Mountain Community Plan Community Advisory Committee and Beaverton’s Inclusive Housing Cohort, as well as other multicultural outreach efforts for the project, and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 2: Community Involvement Element. This criterion is met.

Comprehensive Plan 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.

Response: Compliance with Comprehensive Plan Goal 3.1.1 is described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how the proposed Zoning Map includes 53 acres of mixed-use zoning where commercial is allowed.; how the CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials; and how the proposed amendments will make the area transit-ready; and are incorporated here by reference.

Goal 3.3.1 Sustainability and Natural Resources

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

Policy b) Conserve, protect and enhance natural resources identified in the city’s adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.

Response: Compliance with Comprehensive Plan Goal 3.3.1 is described above in findings for Comprehensive Plan Goal 3.3.1 in the CPMA42024-00679 section, which describes how the proposed amendments apply urban zoning across the plan area,

while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas. Several of the CM-MR zones are located near or adjacent to significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

In addition, the proposed Development Code regulates development activities within the boundary of the Resource Overlay (which includes wetlands, streams, creeks, riparian habitat areas, and upland habitat areas). When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed Development Code also includes rules require preservation and planting of trees in the Resource Overlay to further enhance natural resource areas.

Staff findings for Comprehensive Plan Goal 3.3.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 3.4.1. Provide effective and inclusive planning and development review services

Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.

Response: This section describes how updates to the development regulations proposed in ZMA42024-00681 were written to ensure consistency with the existing Comprehensive Plan policies and proposed Comprehensive Plan amendments in CPMA42024-00679.

ZMA42024-00681 proposes adding four new zoning districts to the Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods

and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

- CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

According to existing code, when the city or a property owner applies to change zoning on a site, which is called a Zoning Map Amendment (ZMA), the proposal must be consistent with the applicable Comprehensive Plan policies to be approved. Proposed amendments in CPMA42024-00679 includes updates to the policies in Volume I Chapter 3 (Land Use) that provide guidance for future ZMAs.

For example, proposed Cooper Mountain Mixed Use Corridor Policy 3.6.6.d describes locational requirements for residential zones that have higher minimum densities. If a property owner submitted a ZMA to rezone a site from CM-RM, a lower density residential zone with a Cooper Mountain Residential land use designation, to CM-MR, a higher density residential zone with a Cooper Mountain Mixed Use Corridor designation, then the property owner must demonstrate that the applicable site is near land with Mixed Use land designations and along existing or planned transit routes, among other requirements, as required by Cooper Mountain Mixed Use Corridor Policy 3.6.6.d.

To establish new rules for the four new zoning districts proposed by ZMA42024-00681, the proposed amendments include new development regulations for each zoning district, which are described in the TA42024-00680 section.

Policy b) Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy b) was described above in findings for Comprehensive Plan Goal 3.4.1 policy b) in CPMA42024-00679. Those findings, which describe how public engagement for this project was inclusive and provided meaningful opportunities to engage in each phase, are incorporated here by reference.

Policy c) Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city's language access practices.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy c) was described above in findings for Comprehensive Plan Goal 2.4.1 and in findings for Comprehensive Plan Goal 3.4.1 policy a) in CPMA42024-00679. Those findings, which describe the public engagement plan objectives, racial equity considerations, recruitment for committees, engagement opportunities for each project phase, and translation and interpretation services, are incorporated here by reference.

Policy d) Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix, below; and the following policies.

i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy d.i) was described above in findings for the Comprehensive Plan Goal 3.4.1 policy a). Those findings, which describe how the four new zoning districts are consistent with the Community Plan and other Comprehensive Plan updates, are incorporated here by reference.

iii. Area-specific zoning districts (as indicated in the Comprehensive Plan and Zoning District Matrix) shall be applied only in locations consistent with the title and purpose statement of the zone, applicable Community Plan policies or Metro Title 6 designations.

Response: ZMA42024-00681 proposes four new zoning districts that can only be applied in the Cooper Mountain Community Plan Area. The Comprehensive Plan and

Zoning District Matrix in Volume I Chapter 3 (Land Use) of the Comprehensive Plan indicates that the Cooper Mountain-specific zoning districts shall only be applied in areas with Cooper Mountain-specific Comprehensive Plan land use designations.

Goal 3.4.2. Coordinate with Washington County on planning for the Urban Planning Area

Policy a) Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy a) was described in findings for Comprehensive Plan Goal 3.4.2 policy a) in the CPMA42024-00679 section. Those findings, which describe coordination with Washington County on planning for the expansion area, are incorporated here by reference.

In addition, the city already has existing procedures for generally coordinating with the county for the area outside city limits that is within the Urban Planning Area.

Washington County maintains an online map that indicates where a Service Provider Letter (SPL) might be required for new development in unincorporated Washington County that is near city limits. The city receives the SPL and routes it to all relevant internal staff to determine if city services might be required.

Policy b) Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy b) was described in findings for Comprehensive Plan Goal 3.4.2 policy b) in the CPMA42024-00679 section. Those findings, which describe when and how the city recognizes planning work done by Washington County as annexation occurs, are incorporated here by reference.

In addition, Section 50.45 (Type 3) already includes a requirement to send a notice to the county for all Type 3 applications, which includes a Zoning Map Amendment. And the Facilities Review Process (Section 10.95 and 40.03) for all new development also provides the opportunity for the county to provide comments on new proposals.

Goal 3.5.1. Recognize unique needs of different parts of the city through Community Plans

Policy a) Create and implement Community Plans to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted.

Policy b) Prioritize creation of Community Plans for areas where:

- i. Public facilities and/or physical improvements need to be addressed;**
- ii. Significant change is occurring or anticipated;**

- iii. **Opportunities for substantial new development, infill or redevelopment are present or needed;**
- iv. **Opportunities arise to influence site selection, development or major expansion of a single, large activity generator;**
- v. **There is evidence of disinvestment, deteriorating housing, and/or high vacancy, unemployment and poverty rates;**
- vi. **There is a need to coordinate private development and public investment; and/or**
- vii. **The opportunity for development in conjunction with a transit station exists.**

Policy c) Ensure that Community Plans are created using an inclusive public process and include both analysis of place-specific needs and consideration of citywide needs and goals.

Policy d) Consider the needs of Beaverton’s diverse cultural communities in developing Community Plans.

Response: The Cooper Mountain Community Plan area was added to the urban growth boundary in 2018. The 1,232-acre area is along Beaverton’s southwestern city limits. In addition to forest and farmland, the area includes:

- Cooper Mountain Nature Park (southern portion)
- City of Beaverton water reservoirs
- Winkelman Park
- 140 homes (in 2020)
- 179 existing tax lots, with an average size of 6.75 acres (in 2020)

Cooper Mountain’s natural resources include nearly eight miles of streams, 23 acres of wetlands, and large areas of upland habitat. The 230-acre Cooper Mountain Nature Park is a key focal habitat conservation area for fish and wildlife.

The area primarily consists of rural lands that are bordered to the east, north, and south by development. The area to the west of the Community Plan area consists of rural landscape. The northern edge of the Community Plan area is situated along the top of Cooper Mountain, where topography is typically gently rolling, with slopes gradually steepening to the north and south to each side of the ridge top.

Slopes steepen quickly as one moves south within the Community Plan area, with several drainages flowing generally from northeast to southwest. These drainages typically occur in steep, forested V-shaped ravines, including McKernan Creek, which is

the principal drainage. The slopes in the south and southwest tend to be gentler than in other parts of the area.

The headwater of Summer Creek is east of SW 175th Avenue and drains the easternmost portion of the Community Plan area.

Cooper Mountain currently has a limited rural road network that people inside and outside the neighborhood rely on for transportation. SW 175th Avenue and the Grabhorn/Tile Flat arterial corridors carry regional traffic, with significant segments containing two travel lanes with no sidewalks, bicycle facilities, or street trees.

Given that the purpose of this community plan is to provide a roadmap to transition this area from rural to urban, the plan was definitely needed to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted. This also was done for the South Cooper Mountain area, a similar urban growth boundary expansion planned almost 10 years ago that has an adopted Community Plan within Beaverton's Comprehensive Plan.

The Community Plan was necessary to plan for significant change in the form of:

- About 5,000 new homes
- Two commercial areas and other opportunities for commercial and mixed-used development
- A network of streets, including collectors, neighborhood routes, and local streets.
- Utilities, including new water lines, sewer lines, reservoir, pump stations, stormwater facilities.
- Neighborhood parks, a community park, and a system of multi-use paths.
- Future transit.
- Other components to prepare for urban development where at least 10,000 residents are expected in the future.

With respect to Cooper Mountain zoning, proposed policies in the Cooper Mountain Community Plan informed proposed policies in the Comprehensive Plan to ensure that future zoning implements the desired outcomes of the Community Plan. For example, proposed Comprehensive Plan policies 3.6.6.d-f) include guidance on where zoning shall be applied and what criteria shall be used to evaluate requests for zoning changes if the respective zone is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation. And proposed Comprehensive Plan policies 3.7.4.c-e) include guidance on where zoning shall be applied and what criteria shall be used to evaluate requests for zoning changes if the respective zone is an implementing zoning district for the Cooper Mountain Commercial land use designation

Regarding Policy c) and Policy d), the Cooper Mountain Community Plan Public Engagement Plan (May 2020) included demographic data and racial equity considerations, listed target audiences and key stakeholders and described all anticipated public engagement activities, which included recruiting diverse and historically marginalized community members for project committees (Exhibit 13).

The Cooper Mountain Community Plan Public Engagement Summary (September 2024) provides an overview of how community feedback meaningfully influenced the process and project outcomes for each phase of the project (Exhibit 14). The Community Plan project followed a phased approach that involved identifying issues and opportunities, developing “plan concepts” to study different ideas, creating and evaluating alternatives, selecting a preferred approach, and finalizing a community plan before moving on to implementation through Comprehensive Plan, Land Use Map, Zoning Map, and Development Code amendments.

Goal 3.6.1: Support pedestrian-oriented mixed use areas

The following policies apply to all 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.**
- Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.**
- Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.**
- Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:**
 - i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development**
 - ii. Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks**
 - iii. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)**

Response: ZMA42024-00681 proposes adding three zoning districts to the Zoning Map that together provide a mix of commercial, residential, employment, and civic uses at relatively high densities. All three zoning districts are implementing zoning districts for the Cooper Mountain Mixed-Use Corridor land use designation, described above in the findings for CPMA42024-00679.

These include:

- Cooper Mountain High Density Residential (CM-HDR), which is a mixed-use district that allows a wide range of commercial uses, residential uses, and civic uses. The minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Multi-unit Residential (CM-MR), which is a residential district with minimum residential density of 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Residential Mixed (CM-RM), which is a residential district with a minimum residential density of 10 units per acre. This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned Cooper Mountain Multi-unit Residential.

Proposed Comprehensive Plan policies allow zone changes among those districts, but Policy f) under Goal 3.6.6 says future zoning amendments should provide the same or similar number of housing units, housing variety, and equitable access to commercial opportunities.

Findings for TA42024-00681 describe how the proposed amendments allow vertical or horizontal mixed use and generally allow a mix of uses within most neighborhoods to ensure different uses are within easy walking distance of each other, both through application of zoning districts on the proposed Zoning Map and by allowing a variety of uses and/or housing types within each zoning district.

Findings for TA42024-00681 also describe how the proposed amendments would prohibit drive-throughs, auto sales, vehicle storage yards, storage yards (except for RV, boat, and trailer storage within a residential development or PUD) in all Cooper Mountain zoning districts. Minor auto repair is allowed only within the Cooper Mountain Community Service zoning district. This will enhance the pedestrian environment by reducing curb cuts for drive-through lanes, which will reduce the number of conflict points where driveways cross the sidewalk, and reducing the potential for large vehicle,

equipment, or inventory storage areas within Cooper Mountain, which will leave more room for housing and businesses oriented toward pedestrian traffic.

Regarding pedestrian-oriented design, the city’s existing Development Code combined with the proposed amendments to Section 60.05.15 and 60.05.20 requires a certain amount of building frontage along the street, requires a certain percentage of windows in ground-floor commercial spaces, and requires pedestrian circulation within development sites and connections to the public right of way. The Comprehensive Plan policies call for Complete Streets with comfortable and safe pedestrian and bicycle facilities for all ages and abilities, and the existing Engineering Design Manual and future updates will support these policies.

Goal 3.6.6: Promote a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policy b) Ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: ZMA42024-00681 proposes adding three zoning districts to the Zoning Map that ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” on the Preferred Approach Concept Map.

The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

The proposed Land Use Map establishes Cooper Mountain Commercial (CM-C) and Cooper Mountain Mixed Use Corridor (CM-MUC) land use designations in the areas designated as “Neighborhood Center” on the Concept Map.

- The Cooper Mountain – Community Service (CM-CS) zoning district is an implementing zoning district for the CM-C land use designation. The CM-CS zoning

district is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

- The Cooper Mountain – High Density Residential (CM-HDR) zoning district is an implementing zoning district for the CM-MUC land use designation. The CM-HDR zoning district is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses are allowed.

Both CM-CS and CM-HDR will provide commercial uses and residential development intensity in both neighborhood centers. As described in findings for Comprehensive Plan Goal 3.1.1 in CPMA42024-00679, these areas will also be accessible by safe and convenient ways to travel.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-MUC and CM-C, with a focus on multi-unit residential.

Policy c) Apply zones that allow commercial uses or a mix of commercial and residential uses in areas:

- Along or near arterials or collectors;**
- Along neighborhood routes with higher density multi-dwelling options; and**
- Near multi-use paths.**

Response: ZMA42024-00681 amendments propose 53 acres of zones that allows commercial or a mix of commercial and residential uses. That includes 25 acres of Cooper Mountain – Community Service (CM-CS) where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of Cooper Mountain – High Density Residential (CM-HDR) where both commercial and residential are allowed but there is no minimum commercial requirement.

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

In addition, a CM-HDR zoning district is east of SW Grabhorn Road (an arterial) and adjacent to a trail and Cooper Mountain Multi-unit Residential (CM-MR) zoning district. Another CM-HDR zoning district is at the intersection of SW 175th Avenue (an arterial) and SW Siler Ridge Lane and adjacent to Neighborhood Park. It also has a Neighborhood Route that runs along and through part of the CM-MR zoning district.

Policy d) Apply residential zones that have higher minimum densities in all developable subareas of the Cooper Mountain Community Plan area. Residential zones with higher minimum densities are most appropriate:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**
- iv. Along collector streets;**
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;**
- vi. Near neighborhood and community parks; and**
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.**

Response: The CM-MR zoning district is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing. Each CM-MR zoning district is evenly distributed in all developable subareas of the Cooper Mountain Community Plan, generally along proposed Collectors and proposed Neighborhood Routes and/or near the Community Park and Neighborhood Park. All CM-MR zoning districts are also either adjacent to the Resource Overlay or within a short walk of natural resource and trails, ensuring equitable access to nature.

In addition, CM-MR zoning is generally surrounded by the CM-RM zoning district, which allows small-scale commercial uses in neighborhoods intended to allow a mix of housing types, including detached and attached housing. The proposed amendments would allow small-scale commercial uses in CM-RM neighborhoods to provide entrepreneurship opportunities for people who want to start a business. Those businesses in the neighborhood can help ensure neighborhood residents have access to goods and services. Small-scale commercial uses are allowed in CM-RM when within 300 feet of private property zoned CM-MR; within 100 feet of a Neighborhood Park; or within 100 feet of a street right of way within the CM-RM zone that is a Neighborhood Route.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: CM-CS, CM-HDR and CM-MR zoning districts all either allow or require residential uses, primarily Multi-dwellings and Middle Housing. In addition, the CM-CS zoning district requires some commercial square footage on lots with the CM-CS zoning designation and the CM-HDR zoning district allows a combination of commercial and

residential uses. Since CM-CS, CM-HDR and CM-MR zoning districts are all implementing zoning districts for the CM-MUC land use designation, this facilitates clustering a combination of these three zoning districts in areas with the CM-MUC land use designation. In addition, it provides flexibility because a property owner can apply for ZMA through Beaverton Development Code Section 40.97 (Zoning Map Amendment) and request that zoning is changed from one implementing zoning district to two other possible implementing zoning districts.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. Provide the same or similar commercial opportunities in Cooper Mountain and its geographic sub-areas; and**
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: Compliance with Comprehensive Plan Goal 3.6.6.f), is described above in findings for Comprehensive Plan Goal 3.6.6.e), which describes how ZMAs provide flexibility for lots with CM-CS, CM-HDR and CM-MR zoning coverage that request a new zoning designation; and are incorporated here by reference.

In addition, proposed amendments in TA42024-00681 provide additional information on site development standards, as well as commercial requirements and/or opportunities, that would be considered in the approval criteria if a property owner chooses to apply for a ZMA to request a new zoning designation.

Goal 3.7.1 Enhanced Commercial Centers and Corridors

Policy b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.

Response: ZMA42024-00681 proposes adding Cooper Mountain Community Service (CM-CS) to the city's Zoning Map. CM-CS is the implementing zoning district for the Cooper Mountain Commercial land use designation. The CM-CS zoning district is intended to require a minimum amount of commercial uses that helps meet the city's employment needs, as identified in the citywide Economic Opportunities Analysis and Cooper Mountain Market Analysis (Exhibit 22), and to provide access to goods and services within Cooper Mountain, while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Compliance with site development

standards and design requirements (such as limitations on ground floor uses) are addressed in findings for TA42024-00680.

Policy c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

Response: In addition to providing commercial services, the CM-CS zoning district is intended for higher density residential development such as Multi-unit Dwellings and Middle Housing, thereby supporting integrated mixed-use developments. Compliance with site development standards and design requirements (such as buffers) are addressed in findings for TA42024-00680.

Proposed Comprehensive Plan Goal 3.7.4. Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

There are two CM-CS zoning districts on the proposed Zoning Map. Each CM-CS zoning district generally fits within the perimeter of “Neighborhood Center” on the Concept Map. Where there are minor differences, the boundaries of the CM-CS zoning district were adjusted to account for updated information on roads, parks and lot lines.

Compliance with Comprehensive Plan Policy 3.7.4.b) is also described above in findings for Comprehensive Plan Policy 3.1.1.a-d), which describe how transportation

improvements will result in Complete Streets that prioritize safe and convenient ways to travel; and are incorporated here by reference.

Proposed amendments in TA42024-00680 describe how site development standards will provide opportunities for significant residential development in CM-CS, with a focus on multi-unit residential.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: The CM-CS zoning district is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

Both CM-CS zoning districts on the Zoning Map are adjacent to a Cooper Mountain High Density Residential (CM-HDR) zoning district and surrounded by lots with Cooper Mountain Residential Mixed (CM-RM) zoning.

- The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed,
- The CM-RM District is intended to allow a mix of housing types, including detached and attached housing. It also allows small-scale commercial uses in some locations. Since maximum density is generally not applicable in the CM-RM zoning district (or any other Copper zoning district), this supports moderate development intensity near higher-density commercial and mixed-use locations.

Combined, the clustering of CM-CS, CM-HDR and CM-RM zoning districts promotes vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;**
- ii. Along neighborhood routes with higher density multi-dwelling options;
and**
- iii. Near multi-use paths.**

Response: There are two CM-CS zoning districts on the proposed Zoning Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

Each CM-CS zoning district is along an arterial on one side and along a collector on a second side. Multi-use paths are proposed along the edge of each CM-CS zoning district, and in the case of the Tile Flat location, through the CM-CS zoning district too. In addition, each CM-CS zoning district is adjacent to a CM-HDR zoning district, which also encourages development intensity. Combined, the application of CM-CS zoning provides two places where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**
- iv. Along collector streets;**
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;**
- vi. Near neighborhood and community parks; and**
- vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.**

Response: There are two CM-CS zoning districts on the proposed Zoning Map. The CM-CS zoning district allows significant residential development with a focus on Multi-Dwellings and Middle Housing, in addition to requiring a minimum amount of commercial uses.

Compliance with Comprehensive Plan Policy 3.7.4.e) is described above in findings for Comprehensive Plan Policy 3.7.4.d), which describes where CM-CS zoning is applied with respect to the CM-HDR zoning district (an implementing zone for the Cooper Mountain Mixed Use Corridor land use designation) and along major roads; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 3.7.4.e) is also described in findings for 2018 Metro UGB Expansion Conditions of Approval A(4)(b) in the CPMA42024-00679 section, which describes how the proposed Comprehensive Plan amendments and Development Code text amendments support transit use by ensuring Cooper Mountain is transit-ready; and are incorporated here by reference.

In addition, the northern CM-CS zoning district is between two parks, just north of the existing Winkelman Park and directly south of a proposed Neighborhood Park. The Tile Flat CM-CS zoning district is also just south of the proposed Community Park.

Combined, higher density development, park access, and transportation access for a variety of modes promote vibrant developments that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and;**
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: This proposed policy reinforces existing Comprehensive Plan policies in Chapter 3 Section 3.7.1 (Enhanced Commercial Centers and Corridors) and provides additional policy guidance that responds to the unique geographic context of Cooper Mountain. Beaverton Development Code Section 40.97 already allows property owners to request a Zoning Map Amendment (ZMA). For the ZMA to be approved, Section 40.97 indicates that the proposal must confirm with all applicable policies in the Comprehensive Plan, such as proposed Comprehensive Plan policy 3.7.4.f). The ZMA provides property owners with flexibility to request changes to the Zoning Map, but in a way that still achieves the desired outcome described in the Cooper Mountain Community Plan.

Comprehensive Plan Goal 3.8.1

The following policies apply to all Neighborhoods.

Policy a) Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.

Policy b) Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

- i. Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.**
- ii. Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.**

Response: ZMA42024-00679 proposes adding four new Cooper Mountain zoning districts to the city's Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-Unit Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

The CM-CS, CM-HDR and CM-MR zoning districts are intended to predominantly result in multi-dwellings and middle housing. The CM-RM zoning district is intended to allow a mix of housing types, including detached and attached housing. The flexibility and available density ensure effective and efficient use of land within urban areas to relieve development pressure in rural areas and protect farms, forests, and natural resources.

Proposed amendments relating to Section 20.22.15 (Site Development Standards in Cooper Mountain) in TA42024-00680 include findings that describe minimum lot area and minimum density. This section also indicates that maximum density is not applicable in all four Cooper Mountain zoning districts, with one exception noted in the findings.

Policy c) Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.

Response: Zoning Map Amendments (ZMA) are allowed, which provides property owners with the ability to request different zoning on the condition that the new zoning is consistent with Comprehensive Plan policies proposed in CPMA42024-00679. This allows property owners with different option to provide housing variety while maintaining overall density consistent with the Comprehensive Plan designation and zoning.

For example, existing Beaverton Development Code Section 40.97 (Zoning Map Amendment) includes an application to request a zoning change if the proposal meets all relevant approval criteria. Approval criterion 2 reads, “The proposal conforms with applicable policies of the City’s Comprehensive Plan.” Proposed Comprehensive Plan Policy 3.6.6.f (Cooper Mountain Mixed Use Corridor) establishes a policy that reads:

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and
- ii. Provide the same or similar commercial opportunities in Cooper Mountain and its geographic sub-areas; and
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary

Therefore, the ZMA can only be approved if it conforms with Comprehensive Plan Policy 3.6.6.f, in addition to all other relevant approval criteria.

Policy f) Facilitate development of housing that is affordable to a range of incomes, including low-income households.

Response: Compliance with Comprehensive Plan Goal 3.8.1.f), is described above in findings for Comprehensive Plan Goal 3.8.1.a), b) and c) in this section, which describe how the proposed amendments establish four new zoning districts that provide for opportunities for a variety of housing types, which means that people with different household sizes or incomes will have more opportunities to reside where there are opportunities to live, work; and are incorporated here by reference.

Comprehensive Plan Goal 3.8.3

Goal 3.8.3: Cooper Mountain Lower Density Neighborhoods: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policy b) Allow small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are:

- i. Near areas zoned for higher density multi-dwellings;**
- ii. Near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and**
- iii. Along Neighborhood Routes.**

Response: ZMA42024-00681 proposes adding four new Cooper Mountain zoning districts to the city’s map. Small-scale commercial uses are allowed in the CM-RM zoning district that is intended to allow a mix of housing types, including detached and attached housing. Proposed amendments in TA42024-00680 describe additional rules, such as hours of operation and design requirements, that apply to small-scale commercial uses in the CM-RM zoning district.

Policy c) The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Response: Compliance with Comprehensive Plan Goal 3.8.3.c) is described above in findings for Comprehensive Plan Goal 5.8.1 and in findings for Comprehensive Plan Goal 3.8.3.c) in the CPMA42024-00679 section, which describe how the city will support efforts by THPRD with parks and trails planning in the Cooper Mountain Community Plan area; and are incorporated here by reference.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: ZMA42024-00681 updates the city’s Zoning Map by clustering the CM-CS and CM-HDR zoning districts in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersect with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other.

The CM-HDR zoning district is also applied in two other locations. One cluster is next to a proposed park and directly to the east of Grabhorn. A second location is also next to a proposed park just north of SW Siler Ridge Lane.

The CM-MR zoning district is mainly applied near proposed parks and along or near proposed collectors and neighborhood routes.

To promote vibrant places near these commercial, mixed-use and high density locations, ZMA42024-00681 also applies the CM-RM zoning district around them. The CM-RM zoning district is intended to allow a mix of housing types, including detached and attached housing. And while it is the one zoning district with the lowest number of units per acre of Cooper Mountain's zones, maximum density generally does not apply to the CM-RM zoning district (or the other three districts), which makes it easier to increase development intensity near these activity centers.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. **Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. **Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. **Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: If an applicant requests a future ZMA, as allowed by existing Beaverton Development Code Section 40.97, the applicant will need to demonstrate in their submittal that the proposal conforms to Comprehensive Plan policy 3.8.3.e). If the proposal confirms with this policy, along with all other relevant approval criteria, then the request for a ZMA could be approved.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 3: Land Use Element. This criterion is met.

Comprehensive Plan Chapter 4: Housing Element

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

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

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: Compliance with Comprehensive Plan Goal 4.1.1.a) is described above in findings for Comprehensive Plan Goal 4.1.1.a) in the CPMA42024-00679 section; and are incorporated here by reference.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: Compliance with Comprehensive Plan Goal 4.1.1.c) is described above in findings for Comprehensive Plan Goal 3.1.1.a) in the CPMA42024-00679 section, which describes how commercial and high density residential development on mixed use and commercially zoned sites (the CM-CS, CM-HDR and CM-MR zoning districts) support a variety of transportation options; and are incorporated here by reference.

Policy d) Develop a Housing Implementation Plan that is updated regularly based on market conditions and trends

Response: In September 2023, the City Council adopted the Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community. The strategies cover a range of topics such as exploring market conditions and trends, funding affordable rental housing and promoting homeownership.

Policy e) Develop programs or strategies to improve Beaverton’s jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment

Response: ZMA42024-00681 proposes adding several new Cooper Mountain zoning districts to the city’s map that require or allow commercial uses, thereby creating new jobs closer to where people might live or visit.

- The CM-CS zoning district has minimum requirements for commercial uses to ensure community members living or working in Cooper Mountain or visiting Cooper Mountain will have access to goods and services and community members have places to start and operate businesses. Commercial areas also are places for people to gather, meet, and socialize.
- The CM-HDR zoning district allows commercial uses, which is intended to be primarily a residential district with a focus on multi-dwellings and middle housing, allows but does not require commercial uses.
- The CM-RM zoning district allows small-scale commercial uses in neighborhoods intended to allow a mix of housing types, including detached and attached housing. The proposed code would allow small-scale commercial uses in CM-RM neighborhoods to provide entrepreneurship opportunities for people who want to start a business. Those business in the neighborhood can help ensure neighborhood residents have access to goods and services. The allowed uses would be Childcare;

Eating and drinking establishments; Offices; Retail; and Service businesses or professional services (hair salons, insurance sales, etc.). Proposed amendments in TA42024-00680 describe additional rules, such as hours of operation and design requirements, that apply to small-scale commercial uses in the CM-RM zoning district.

Policy h) Provide an efficient, consistent, and reliable development review process

Response: Compliance with Comprehensive Plan policy 4.1.1.h) is described above in findings for Comprehensive Plan Goal 3.4.1.a) in the CPMA42024-00679 section, which describes that consistency between Comprehensive Plan designations and development regulations ensures an effective development review process; and also above in findings for OAR 660-007-0015 (Clear and Objective Approval Standards Required) in the CPMA42024-00679 section, which describes how clear and objective standards ensure a an efficient and reliable development review process; and are incorporated here by reference.

Goal 4.2.1. Provide a variety of housing types that meet the needs and preferences of residents

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will provide sufficient buildable lands that result in housing that meets a variety of needs; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 4: Housing Element. This criterion is met.

Comprehensive Plan Chapter 5: Public Facilities and Services Element

Goal 5.3.1: Ensure long-term provision of adequate urban services within existing City limits and areas to be annexed in the future.

Policy b) The City shall work cooperatively with service providers within its Urban Services Area in the development of master plans that are elements of the City's Public Facility Plan, so as to prescribe the most effective and efficient long-term methods of providing each service.

Policy c) The City will involve owners of properties and residents in the unincorporated portion of its urban services area in planning for facilities and services.

Response: Compliance with Comprehensive Plan Goal 5.3.1 is described above in findings for Comprehensive Plan Goal 5.3.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.3.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.4.1: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policy b) On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.

Policy c) All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.

Response: Compliance with Comprehensive Plan Goal 5.4.1 is described above in findings for Comprehensive Plan Goal 5.4.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.5.1: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policy a) All new land development (residential subdivisions, multi-dwelling development, and industrial and commercial developments) shall be connected to a public water system.

Response: Compliance with Comprehensive Plan Goal 5.5.1 is described above in findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan

has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.6.1: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policy a) All new land development (residential subdivisions, and multi-dwelling, industrial, and commercial developments) shall be connected to the City sewer system.

Response: Compliance with Comprehensive Plan Goal 5.6.1 is described above in findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section, which describes that the proposed Comprehensive Plan amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city's Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area.

Staff findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.7.1. Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

Policy d) The City shall work cooperatively with the School District in implementation of the Comprehensive Plan through the District's various programs, joint acquisition and development efforts.

Policy e) The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.

Policy f) The City shall notify the School District when considering Comprehensive Plan or land use regulation amendments that may significantly impact school capacity.

Response: The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain Technical Advisory Committee and shared feedback throughout the planning process. BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. A full list of TAC meetings is Exhibit 14.

On August 22, 2024, Beaverton also provided BSD and HSD with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments. In the proposed amendments, Beaverton Development Code Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Goal 5.8.1. Cooperate with THPRD in implementation of its 20- Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

- Policy a) The City shall support and encourage THPRD efforts to provide parks and recreation facilities that will accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.**
- Policy b) The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.**
- Policy c) The City shall support and encourage acquisition of park and recreation sites in advance of need so that the most appropriate sites are available for these vital public facilities.**
- Policy g) The planning, acquisition and development of multi-use paths should be consistent with this Plan’s Transportation Element and THPRD’s Trail Master Plan**
- Policy h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.**
- Policy i) THPRD is the park and recreation provider for the City of Beaverton and the City desires that all property within its boundaries be within THPRD’s boundaries.**

Response: Compliance with Comprehensive Plan Goal 5.8.1 is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section.

The city worked closely with THPRD throughout the development of the preferred approach. (See Public Engagement Summary, Exhibit 14, for additional information.) Conceptual park and trail locations were identified in close coordination with THPRD and other stakeholders. Parks are identified in locations that would be easily accessible to the largest number of future residents and visitors. Multi-use paths and regional trails are identified in the proposed community plan and in Figure 6.2b of the proposed Community Plan. The proposed Comprehensive Plan, Development Code, and Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks.

The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site. The Development Code also requires some recreational amenities on the site to ensure recreational facilities are easily accessible to the residents.

The proposed Development Code provides higher open space credit if property in the Parks Overlay is dedicated to THPRD or another public agency. The proposed Development Code also requires sites in the CM-CS zone to provide at least one public plaza on sites where new leasable commercial square footage is provided.

The city's existing Development Code includes requirements for annexation into THPRD as a condition of approval for a conditional use, design review, or land division application. Issuance of building permits may be delayed until the annexation is effective. The proposed amendments remove provisions that allow property owners to avoid annexing to THPRD as part of these applications.

Staff findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 5: Public Facilities and Services Element. This criterion is met.

Comprehensive Plan Chapter 6: Transportation Element

Findings for Comprehensive Plan Chapter 6 can be found in the Comprehensive Plan Amendments findings. Goal 6.2.4 Policies g) and i) are relevant to the Zoning Map amendments

Goal 6.2.4: 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 g) Plan land uses to increase opportunities for multi-purpose trips (trip chaining).

Policy i) Support mixed-use development in appropriate locations and encourage local job creation in order to reduce the number of locally generated regional commuting and shopping trips.

Response: The proposed zoning map amendments apply zoning districts in a way that allows and provides for many destinations and different types of destinations within Cooper Mountain that will increase opportunities for multi-purpose trips and support mixed-use development. The zoning map includes mixed-use areas, zones that allow multi-dwellings,

and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:

- CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
- Smaller mixed-use areas along or near 175th and Grabhorn Road.
- CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
- Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
- Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 6: Transportation Element. This criterion is met.

Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element

Goal 7.1.1: Balance development rights with natural resource protection.

Policy a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.

Policy e) Upon annexation of unincorporated properties with County Goal 5 natural resource designations, the City shall rely on the Urban Planning Area Agreement with Washington County to determine the appropriate City designation.

Response: Compliance with Comprehensive Plan Goal 7.1.1 is described above in findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section, which describes how the city has coordinated with regulatory agencies; the proposed amendments include definition of the Resource Overlay for the Cooper Mountain Community Plan area to protect natural resources; the proposed Development Code regulates the development activities within the boundary of the Resource Overlay and requires mitigation commensurate with the impacts during development; and the proposed Development Code explicitly allows nuisance abatement within the Resource Overlay. The proposed amendments will adopt the Cooper Mountain Natural Resources

Inventory and Local Wetlands Inventory, which includes natural resource designations across the plan area.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section are incorporated here by reference.

7.2 Cultural And Historic Resources

There are no goals regarding cultural resources as there are no known significant or important cultural resources within the city limits. Based on the findings in Exhibit 26 (Memorandum regarding Cooper Mountain’s cultural history and oldest buildings) there is no evidence of cultural or archeological resources in the Cooper Mountain Area. If cultural resources were to be found they could be inventoried and protected through a legislative or quasi-judicial process (outlined in Beaverton Comprehensive Plan Section 1.3).

Goal 7.2.1: Preserve, manage and encourage restoration of historic sites, structures, and objects designated as Significant Historic Landmarks, and protect the character of the Downtown Historic District as listed on the National Register of Historic Places.

Response: There are no designated Significant Historic Landmarks in the Cooper Mountain area. If at any time something becomes designated as a landmark through a legislative or quasi-judicial process (outlined in Beaverton Comprehensive Plan Section 1.3) it will be preserved and managed through Beaverton Development Code Section 40.35 Historic Review.

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their

educational and recreational values; to provide habitats for fish and wildlife in our urban area.

- Policy b) **Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.**
- Policy c) **Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.**
- Policy d) **The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.**
- Policy e) **Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.**
- Policy f) **Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.**
- Policy g) **Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.**
- Policy h) **Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.**

In addition, the proposed amendments add a policy to Goal 7.3.3.1 that is specific to natural resource protections in Cooper Mountain. The proposed policy is stated as:

- Policy i) **In the Cooper Mountain Community Plan area:**
 - i. **Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.**

- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.

Response: Compliance with Comprehensive Plan Goal 7.3.1.1 is described above in findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section, which describes how the proposed amendments apply urban zoning across the plan area, while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro’s Urban Growth Management Functional Plan.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas. Several of the CM-MR zones are located near or adjacent to significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

In addition, the proposed Development Code regulates development activities within the boundary of the Resource Overlay (which includes wetlands, streams, creeks, riparian habitat areas, and upland habitat areas). When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay. The proposed

Development Code also includes rules require preservation and planting of trees in the Resource Overlay to preserve and enhance the benefits trees provide for all people.

The findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.3.2.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

Response: Compliance with Comprehensive Plan Goal 7.3.2.1 is described above in findings for Comprehensive Plan Goal 7.3.2.1 in the CPMA42024-00679 section. The city’s program related to riparian corridors follows Metro’s Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 section and are incorporated here by reference.

The proposed amendments do not include changes to the city’s program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by requiring compliance with the CWS design and construction standards, which designate riparian areas as part of the regulated “Vegetated Corridor.”

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.

Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.

Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.

Response: The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 4) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors.

The city's program related to wetland protection and enhancement follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 and are incorporated here by reference.

The proposed amendments do not change the city-wide approach to wetland protection. The CWS design and construction standards for the Vegetated Corridor include protections for wetlands. Those standards apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources

Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.

In addition, the proposed amendments add policies to Goal 7.3.4.1 that are specific to protecting wildlife habitat protections in Cooper Mountain. The proposed policies are stated as:

Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

Response: Compliance with Comprehensive Plan Goal 7.3.4.1 is described above in findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section. The city's program related to upland wildlife habitat protection follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements.

The proposed amendments include definition of the Resource Overlay for the Cooper Mountain Community Plan area to protect natural resources, which includes wildlife habitat areas adjacent to stream corridors and other water features, as well as forested habitat areas outside of defined stream corridors. The proposed Development Code prioritizes interior habitat protections, requires stream crossings to provide passage for large mammals, and includes provisions to reduce light and glare within and adjacent to natural areas. The proposed Development Code includes tree preservation standards and guidelines and tree canopy standards and guidelines to protect wildlife habitat areas.

The proposed Zoning Map amendments were developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources and primary and secondary wildlife corridors. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as primary wildlife corridors. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified adjacent to higher volume roadways, away from identified wildlife corridors. Several of the CM-MR zones are located near or adjacent to significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

The proposed Zoning Map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are outside of identified wildlife corridors, but several locations are in close proximity to primary or secondary wildlife corridors. This proximity will help to maintain additional open space outside of areas designated as part of the Resource Overlay.

Staff findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

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

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element. This criterion is met.

Comprehensive Plan Chapter 8: Environmental Quality and Safety Element

Goal 8.2.1: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources

Policy a) All water resource areas within the City shall be enhanced, restored or protected to the extent practicable.

Policy b) The City shall limit development in vegetative corridors along streams through application of the CWS Design and Construction Standards so as to substantially comply with requirements of the Metro Functional Plan Title 3.

Policy e) Protect investments in the City by managing stormwater runoff.

Policy f) Encourage development in urban environments in ways that promote healthy environments and natural resources.

Response: Compliance with Comprehensive Plan Goal 8.2.1 is described above in findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section. The city's program related to water quality protections follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management. The city will continue to require development in vegetated corridors to comply with CWS design and construction standards. The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. Staff findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 8.5.1: Protect life and property from potential earthquake hazards.

Response: Details regarding earthquake hazard in the Cooper Mountain area are found under Statewide Planning Goal 7. Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land

divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally inside the natural resource overlay where development will be limited and mitigation to impact on those resources will also generally mitigate any increased seismic risks.

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Action 1: Identify geological hazard sites in the City including unstable steep slopes, weak foundation soils, and areas subject to erosion and deposition. Adopt and apply regulations to these sites through engineering standards and site development design criteria to allow, limit, or prohibit development, as appropriate.

Action 2: Periodically review and update the existing erosion control regulations and enforcement procedures to improve their effectiveness.

Action 3: Adopt and apply land use regulations requiring that building sites, streets and other improvements in areas with 25% or greater slopes, be designed so that cuts and fills are minimized and best management practices for erosion control are integrated into the design.

Response: Details regarding geologic hazards in the Cooper Mountain area are found under Statewide Planning Goal 7. The proposed risk map, which is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide.

Goal 8.7.1: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Response: There is no identified floodplain in the Cooper Mountain area. If at any time floodplain is identified by FEMA managed through section 60.10 (Floodplain Regulations) of the Beaverton Development Code.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 8: Environmental Quality and Safety Element. This criterion is met.

Comprehensive Plan Chapter 9: Economy Element

Goal 9.1.1: Maximize efficient use of the city’s employment land

Policy c) Support boundary changes that consider the city’s unique geopolitical boundaries and the availability of city and other urban services to help meet the city’s identified employment needs

Response: Compliance with Comprehensive Plan Policy 9.1.1.c) is described above in findings for Comprehensive Plan Policy 9.1.1.c) in the CPMA42024-00679 section, which describes how the plan for the expansion area will result in new land use designations and new zoning districts that address employment needs identified in the citywide Economic Opportunities Analysis and Cooper Mountain Market Analysis; and are incorporated here by reference.

Policy f) Develop strategies to maximize employment within targeted planning areas, including the city’s major employment areas, commercial corridors, and neighborhood business districts

Response: Compliance with Comprehensive Plan Policy 9.1.1.f) is described above in findings for OAR 660-009-0020 (Industrial and Other Employment Development Policies) in the CPMA42024-00679 section, which describes how the Community Plan polices, Land Use Map, and Zoning Map together work to maximize commercial uses and employment opportunities within targeted planning areas, including the two commercial centers and portions of the CM-RM zoning district that allow small-scale commercial uses if near parks, neighborhood routes and land zoned CM-MR; and are incorporated here by reference.

Policy h) Encourage home-based businesses that have minimal impacts on neighborhoods

Response: The proposed amendments allow home occupations in all Cooper Mountain zoning districts. In addition, each CM-CS zoning district is bordered by lots with CM-RM zoning. TA42024-00680 indicates that the CM-RM zoning district allows small-scale commercial uses if near parks, neighborhood routes and land zoned CM-MR. Section 20.22.35 (CM-RM Small-scale Commercial) provides more information on allowed uses, site development standards, limitations on permitted uses and outdoor activities, and some other additional standards relating to small-scale commercial uses. These small-scale commercial uses can be home-based businesses, but they can also be standalone commercial uses on a lot.

Goal 9.2.1: Provide Programs and Services that Support Existing Businesses and Attract New Businesses

Policy d) Encourage a mix of uses and amenities that are attractive to workers

Response: Compliance with Comprehensive Plan Policy 9.2.1.d) is described above in findings for Comprehensive Plan Policy 3.6.1.a-d) in the CPMA42024-00679 section, which describe how a mix of commercial and residential uses at relatively high densities, combined with pedestrian-oriented design, can create vibrant, walkable areas that are attractive to workers; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 9: Economy Element. This criterion is met.

Comprehensive Plan Chapter 10: Community Health Element

Goal 10.1: Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods.

Policy a) Support affordable and sustainable local food systems, food hubs and fresh food retailers to increase access to healthy food throughout the city.

Response: The proposed amendments include two Cooper Mountain zoning districts (CM-CS and CM-HDR) that allow commercial uses, which includes retail, such as a grocery store, and eating and drinking establishments. Also, the CM-RM zoning district allows small-scale commercial uses, which allows retail, such as a small market that subject to requirements in Section 20.22.35, and eating and drinking establishments.

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community.

Policy a) Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Policy b) Enhance accessibility and safety to key destinations such as schools, libraries and retail centers for pedestrians, bicyclists and public transit riders.

Policy c) Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel.

Response: Staff findings related to recreation and physical activity are described in the findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section, which describe the existing parks and recreational facilities in the plan area and the plans to expand opportunities for recreation and physical activity. The proposed approach includes the creation of a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. Findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

The proposed amendments address public park facilities with a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. If a Parks Overlay geography is shown on a property, required open space is required to be provided within the overlay first. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District.

In addition, staff findings related to bicycle, pedestrian, and transit access and safety features are described in findings for Statewide Planning Goal 12 and OAR 660-012-0060. Those findings include descriptions of the transportation network, including paths and trails and safety improvements that will connect residents to neighborhoods and destinations through multiple modes of travel. The findings for Statewide Planning Goal 12 and OAR 660-012-0060 are incorporated here by reference.

Goal 10.3: Improve the quality of the built and natural environments.

Policy a) Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation (e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.

Response: Compliance with Comprehensive Plan Policy 10.3.a) is described above in findings for Comprehensive Plan Policy 3.1.1.a-d), which describe how the proposed land use patterns, development requirements and transportation improvements will result in Complete Streets that prioritize multi-modal transportation options, as well as pedestrian and bicycle safety; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings with Comprehensive Plan Policy 6.2.4, which describe how the Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations through connectivity standards and proposed zoning that includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. The same elements of the proposed amendments that address providing for multi-purpose trips also apply to making Cooper Mountain transit-ready. Staff findings for Comprehensive Plan Policy 6.2.4 are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings for Comprehensive Plan Policy 3.6.1.a-d), which describe how a mix of residential and commercial uses at relatively high densities, combined with pedestrian-oriented design,

come together to make complete neighborhoods; and are incorporated here by reference. Proposed amendments in TA42024-00680 describe more information about the types of residential and commercial uses that are allowed, and rules that would apply to residential, commercial and mixed-use developments in Cooper Mountain.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 10: Community Health. This criterion is met.

40.97.15.2.C.3 – CRITICAL FACILITIES AND SERVICES

Criterion 3. All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.

Response: The city’s comprehensive plan definition states: “Critical public facilities and services shall include public water, public sanitary sewer, storm water system (including storm water quality and quantity facilities), transportation, and fire protection.”

The city’s existing Public Facilities Plan (Comprehensive Plan Section 5.2) is the city’s approach to providing the critical facilities and services across the city, except for fire protection. The Public Facilities Plan covers plans to provide public water, sanitary sewer, stormwater, and transportation facilities and services.

The proposed Comprehensive Plan amendments will add the Cooper Mountain Utility Plan to the list of documents that are included in the Public Facilities Plan. The Cooper Mountain Utility Plan identifies a plan for the extension of public utilities (water, sanitary sewer, and stormwater) to provide critical facilities and services to the plan area. The Cooper Mountain Utility Plan has been developed based on the potential future development allowable under the proposed zoning for properties in the plan area. Additional findings related to utility planning are described in the findings for Statewide Planning Goal 11 in the CPMA42024-00679 section and are incorporated here by reference.

The proposed Comprehensive Plan amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city’s Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network trails to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan. The amendments to the Transportation System Plan have been developed based on the potential future development allowable under the proposed zoning for properties in the plan area. Additional findings related to the transportation system planning are described in the

findings for Statewide Planning Goal 12 in the CPMA42024-00679 section and are incorporated here by reference.

The Cooper Mountain Infrastructure Funding Plan that is included as an appendix to the Cooper Mountain Community Plan (Exhibit 1, Appendix C) identifies funding sources and strategies for each category of infrastructure and whether resources are expected to be available to cover the estimated costs. Services are provided by the city as well as service providers, including Clean Water Services (stormwater and sewer), Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, Tualatin Hills Water District, Metro, Washington County, and Beaverton School District. Each of those agencies have capital improvement plans, capital budgets, and funding sources for ongoing service provision as well as financing public facility capital investments.

For fire protection, Tualatin Valley Fire & Rescue already provides services across the plan area. The nearest fire station is located adjacent to the plan area at 9940 SW 175th Avenue. The Cooper Mountain Utility Plan includes the plan for potable water service, including fire protection for the potential future development allowable under the proposed zoning for properties in the plan area. Tualatin Valley Fire & Rescue was included in project planning and has not expressed concerns about emergency service vehicle access related to the proposed amendments.

Findings:

Staff finds that the proposed amendment is consistent with the criteria. Based on the comprehensive plan definition, critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation. This criterion is met.

40.97.15.2.C.4 – ESSENTIAL FACILITIES AND SERVICES

Criterion 4. Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.

Response: The city’s comprehensive plan definition states: “Essential facilities and services shall include schools, transit improvements, police protection, and public pedestrian and bicycle facilities.”

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain TAC and shared feedback throughout the planning process (Exhibit 14). BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. Beaverton School District officials plan to serve Cooper Mountain students with existing facilities that already exist within the district, including Mountainside High School, which is nearby at 175th and Scholls Ferry Road. In addition, the school district owns land within South Cooper Mountain very close to

its border with Cooper Mountain. That land can be used for future school buildings. The western half of Cooper Mountain is within the Hillsboro School District. Hillsboro School District officials report that they plan to serve Cooper Mountain students with existing facilities or planned facilities consistent with the district's facilities plan. Additional findings related to school planning are described in the findings for Metro Title 11(c)(5) in the CPMA42024-00679 section and are incorporated here by reference.

Planning for transit and public pedestrian and bicycle facilities is included in the city's includes the City of Beaverton Transportation System Plan and City of Beaverton Active Transportation Plan. The proposed Comprehensive Plan amendments will add the transportation planning for the Cooper Mountain Community Plan area to the Transportation System Plan, which will therefore add those elements to the city's Public Facilities Plan. The transportation plan includes the network of transportation corridors (Community Plan, Figure 5), with facilities planned for motorized vehicles, bicycles, and pedestrians, and the network trails to provide additional bicycle and pedestrian facilities (Community Plan, Figure 6). Maps and descriptions of the transportation network have been included in the proposed amendments to Volume IV of the comprehensive plan. The amendments to the Transportation System Plan have been developed based on the potential future development allowable under the proposed zoning for properties in the plan area. Additional findings related to the transportation system planning are described in the findings for Statewide Planning Goal 12 in the CPMA42024-00679 section and are incorporated here by reference.

For police protection, the plan area is currently served by Washington County. Upon annexation, properties within the plan area will receive police protection from the City of Beaverton.

Findings:

Staff finds that the proposed amendment is consistent with the criteria. Based on the comprehensive plan definition, essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation. This criterion is met.

40.97.15.2.C.5 – CHAPTER 20 AND SECTION 70.15 CONSISTENCY

Criterion 5. The proposal is or can be made to be consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District.

Findings:

ZMA42024-00680 does not include area within the Downtown Design District. Staff finds that the criterion in Section 40.97.15.2.C.5 does not apply.

40.97.15.2.C.6 – PARCEL WITH MORE THAN ONE ZONING DESIGNATION

Criterion 6. For zone changes that create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.

Response: ZMA42024-00680 proposes amendments that would have more than one zoning designation on many lots, especially larger lots. All lots that have more than one zoning district applied have large areas in the different zoning districts that meet minimum lot size and dimensional requirements of the zoning districts and could be subdivided later into lots that would meet the minimum lot size and dimensional requirements of the zoning districts.

Findings:

Staff finds that the proposed amendment is consistent with the criterion in Section 40.97.15.2.C.6.

40.97.15.2.C.7 – SUBMITTAL REQUIREMENTS

Criterion 7. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

Response: The applicant, the City of Beaverton, submitted the Legislative Zoning Map Amendment on July 26, 2024. In review of the materials during the application review process, staff finds that all applicable applications submittal requirements identified in Section 50.25.1 are contained within this proposal.

Findings:

Staff finds that the proposed amendment is consistent with the criterion in Section 40.97.15.2.C.7.

40.97.15.2.C.8 – RELATED APPLICATIONS AND DOCUMENTS

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

Response: Concurrent applications have been submitted with ZMA42024-00681 that will ensure that the proposed zones can be properly implemented. A Comprehensive Plan Amendment (CPMA42024-00679) proposes to add the Cooper Mountain Community Plan to Volume V of the Comprehensive Plan and updates Volumes I, III and IV with updates to implement the Cooper Mountain Community Plan. In addition, a Text Amendment (TA42024-00680) will include all development standards, such as required density, maximum heights, and permitted uses of the zones proposed in this Zoning Map Amendment.

Findings:

Staff finds that the proposed amendment is consistent with the criterion in Section 40.97.15.2.C.8.

OTHER APPLICABLE APPROVAL CRITERIA

Section 40.97.15.2.C.2 indicates that the proposed zoning map amendment shall be consistent with the City's Comprehensive Plan. In addition, as a post-acknowledgement amendment to the City's Code, the proposed zoning map amendment is subject to ORS 197.175(2), which requires that the City demonstrate that the proposed zoning map amendment be consistent with the relevant Statewide Planning Goals.

Findings:

The proposed amendments are consistent with relevant Statewide Planning goals and related OARs, as described below.

Statewide Planning Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process. The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues. Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Response: The Beaverton Citizen Involvement Program adopted by Resolution 2229 in 1980 established a formalized public participation program that provides a method by which the Beaverton Committee for Community Involvement (as renamed in Ordinance

4624 signed in 2013) and other community members can communicate their opinions and inquiries about city matters, including the planning process.

The proposed amendment is subject to the public notice requirements of the Comprehensive Plan and the Development Code (Section 50.50). The city's Development Code procedures were based on and have been found consistent with Statewide Planning Goal 1. Approval procedures includes a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance. At the public hearing, the Planning Commission will consider written or oral testimony before making a recommendation to City Council. A record of staff presentations on the Cooper Mountain Community Plan to the Beaverton Committee for Community Involvement is in Exhibit 14, which also includes a record of all other public engagement activities for the project.

Consistent with procedures outlined in the Beaverton Comprehensive Plan and Development Code (Section 50.50), notice of the proposed amendment was sent to all NAC chairs; the Chair of the BCCI; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6 and 7; Washington County's Department of Land Use and Transportation; Metro; and DLCD. Copies of the hearing notice were posted at Beaverton City Hall, the Beaverton City Library, the Beaverton Police Department and published in the newspaper, consistent with noticing requirements. A notice was also posted on the city's website. Mailed notice also was sent to more than 24,000 property owner addresses to notify property owners where the proposed amendments affect allowed land uses. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 1.

Statewide Planning Goal 2 – Land Use Planning

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

Response: Legislative Zoning Map Amendments (that is, the change of zoning designation for a large number of properties as described in Beaverton Development Code Section 40.97) and Text Amendments (that is, Beaverton Development Code updates as described in Section 40.85) require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, the ultimate decision-making authority. Prior to adoption of each amendment, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal.

The proposed Zoning Map Amendment and Text Amendment fit within the established process and framework. The findings contained within this report establish an adequate factual basis for the proposal.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 2.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas & Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Statewide Planning Goal 5 is implemented through OAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5) and OAR 660-023 (Procedures and Requirements for Complying with Goal 5). Responses to the criteria from both OAR 660-016 and OAR 660-023 are included later in these findings for ZMA42024-00681.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 5.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards

To protect people and property from natural hazards. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Response: Compliance with Statewide Planning Goal 7 is addressed in the findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section. The findings document the areas of natural hazards within the plan area, including landslide, earthquake, and wildfire risk areas. The proposed amendments protects people and property from hazards through the use of development limitation in certain areas and risk mitigation in others. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified with greater susceptibility to landslide and earthquake risks. Wildfire hazard is not high enough to require additional protections and development is limited in these areas through the natural resource overlay thus mitigating risk.

Staff findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section and are incorporated here by reference.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 7.

Statewide Planning Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans...

Response: Compliance with Statewide Planning Goal 8 is addressed previously in findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 section. The proposed Zoning Map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres are larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be place elsewhere on the site. Staff findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 are incorporated here by reference.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 8.

Statewide Planning Goal 9 – Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis). The Economic Opportunities Analysis (EOA) was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. In addition, as part of the Cooper Mountain Community Plan project, the city also completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). CPMA42024-00679 proposes new commercial policies in the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), as well as new policies in Volume I Chapter 3 (Land Use) of the Comprehensive Plan, which are based off the citywide EOA and Cooper Market Analyses.

Proposed amendments in ZMA4204-00681 and TA42024-00680 implement the policies in the Comprehensive Plan. Findings for OAR 660-009 in the CPMA42024-00679 section provide additional information on how they relate to the proposed amendments in ZMA4204-00681 and TA42024-00680.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 9.

Statewide Planning Goal 10 - Housing

To provide for the housing needs of citizens of the state. 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.

Response: ZMA42024-00681 proposes adding four new Cooper Mountain zoning districts to the city's Zoning Map to help meet the housing needs established in the Cooper Mountain BLI, as described above in the findings for Statewide Planning Goal 10 in CPMA42024-00679. The proposed zoning districts are:

- **Cooper Mountain – Community Service (CM-CS).** Requires a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing residential development, generally multi-dwellings and middle housing.
- **Cooper Mountain – High Density Residential (CM-HDR).** Primarily a residential district with a focus on multi-dwellings and middle housing. Commercial uses are also among the uses allowed.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** Intended to result in mostly residential developments with a focus on multi-dwellings and middle housing.

- **Cooper Mountain – Residential Mixed (CM-RM).** Allows a mix of detached and attached housing types at the lowest number of units per acre of Cooper Mountain's residential zones. Allows small-scale commercial uses in some locations.

The Cooper Mountain BLI (Exhibit 22) determined that there are 328.7 developable acres in the plan area. Within this acreage, the Cooper Mountain housing estimate is 4,469 housing units across the four Cooper Mountain zoning districts listed above (42.9 single-detached homes, 32.8 percent middle housing and 24.2 multi-dwellings).

The proposed Zoning Map for Cooper Mountain identifies geographic locations where different development rules apply for the four new Cooper Mountain zoning districts. TA42024-00680 includes more information on these proposed development rules, which implement Comprehensive Plan policies by establishing site development standards for the four new zoning districts (such as minimum density); providing more flexibility with site development standards to make it easier to build a variety of housing types throughout the plan area, which includes many challenging sites with steep terrain and extensive natural resources; establishing standards for housing variety and integration in new developments; and providing incentives for visitable housing, among many other rules.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 10.

Statewide Planning Goal 11 – Public Facilities & Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Response: The findings for Statewide Planning Goal 11 are found in the Goal 11 and Oregon Administrative Rule 660-011 Public Facilities Planning in the CPMA42024-00679 section; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 12 – Transportation

To provide and encourage a safe, convenient and economic transportation system.

Response: The findings for Statewide Planning Goal 12 are found in the Goal 12 and Oregon Administrative Rule 660-012 Transportation Planning findings for the CPMA42024-00679 section and the TA42024-00680 section; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 13 – Energy Conservation

To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: As described in the CPMA findings for Goal 5, Goal 10, and Goal 12, which are incorporated here by reference, the Cooper Mountain Comprehensive Plan policies promote housing variety, efficient use of land, sufficient open space, and reduced automobile travel/greenhouse gas emissions consistent with development being energy efficient. In addition, existing city Comprehensive Plan goals and policies (specifically Goal 7.5 and its policies) already promote development that results in reduced energy consumption and enables renewable energy. The arrangement of the zoning districts on the zoning map also help meet the energy goals by generally arranging districts with more density along the arterial and collector roads consistent with the Goal 13 guidelines to “combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency.”

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 13.

Statewide Planning Goal 14 - Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Goal 14 requires urban growth boundaries to be established and expanded based on need consistent with state law. The Metro regional government approved the Cooper Mountain urban growth boundary expansion in 2018 and made Goal 14 findings at the time.

Goal 14 guidelines include:

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area; (2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land

resource and enable the logical and efficient extension of services to such parcels.

3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Response: Metro’s findings addressed Goal 14 topics including the guidelines above at the time of urban growth boundary expansion. The proposed amendments also include goals, policies, and land use regulations that promote housing, natural resource protection, parks/open space, streets, and public facilities.

ZMA42024-00681 establishes four new Cooper Mountain zoning districts that encourage the efficient use of land by allowing residential development, generally multi-dwellings and middle housing, in the CM-CS, CM-HDR and CM-MR zones; and allowing a mix of detached and attached housing types in the CM-RM zone. TA42024-00680 provides additional information on the land use regulations for the four new Cooper Mountain zoning districts established by ZMA42024-00681. For example, the land use regulations encourage the efficient use of land by providing small minimum lot sizes for single-detached and middle housing with the CM-RM zoning district; allowing five-plexes and six-plexes within CM-RM, which goes beyond middle housing requirements in state law; requiring a minimum density of 10 units per acre in CM-RM and 34 units per acre within the other three zones (or minimum floor area ratios for mixed-use development); and not regulating maximum density in CM-RM and allowing dense development in the other zones through generous floor-area ratio requirements. The projected residential capacity is found in Exhibit 22.

Additional findings related to Goal 14 are also found in the findings for Statewide Planning Goal 14 in the CPMA42024-00679 section.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with Goal 14.

OAR 660-009 – Economic Development

660-009-0010 Application

- (1) **This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.**

- (2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.
- (3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
 - (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030.
- (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.
- (6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis, EOA). The Economic Opportunities Analysis was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The analysis explored the community's economic patterns, potential, strengths, and deficiencies; resulted in policies concerning the economic development opportunities in the community; evaluated the supply of employment sites of suitable sizes and types; and addressed locations and service levels for a variety of industrial and commercial uses. DLCDC acknowledged these updates in 2016. The existing Beaverton Development Code, which includes the city's Zoning Map, implements the policies in Comprehensive Plan Chapter 9 (Economy Element).

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include

amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

- (1) **Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.
- (2) **Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period...
- (8) **Uses with Special Siting Characteristics.** Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:
 - (a) Identify sites suitable for the proposed use;
 - (b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and
 - (c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

Response: To implement policies described in findings for OAR 006-009-0020, the proposed amendments also update the city's Zoning Map. ZMA42024-00681 proposes amendments that add four new zoning districts to the city's Zoning Map.

- **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

- CPMA42024-00679 indicates that the CM-CS zoning district is an implementing zoning district for the Cooper Mountain Commercial Comprehensive Plan land use designation.
- **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - CPMA42024-00679 indicates that the CM-HDR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.
 - CPMA42024-00679 indicates that the CM-MR zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor land use designation.
- **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
 - CPMA42024-00679 indicates that the CM-RM zoning district is an implementing zoning district for the Cooper Mountain Mixed Use Corridor and Cooper Mountain Residential land use designations.

The Market Analyses indicates that the Cooper Mountain plan area could support 30,000 square feet of commercial space (this value was calculated in 2020 before additional analysis was completed, as described in the findings above for OAR 006-009-0015). The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed, significantly more than indicated in the Market Analyses. That includes 25 acres of CM-CS where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of CM-HDR where both commercial and residential are allowed but there is no minimum commercial requirement. CM-CS and CM-HDR zoning districts are applied where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints

The CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials. One cluster is along 175th Avenue between Weir Road and Kemmer Road. The other is along Tile Flat near the intersection with a future collector that will intersection with Tile Flat. This will provide two places where in Cooper Mountain where mixed-use developments and higher density development will be allowed in combination with parks and

trails to provide Cooper Mountain residents and visitors with places to acquire goods and services; engage in entrepreneurial activities; and interact with each other. Furthermore, these locations meet the locational requirements for commercial nodes as recommended in the Market Analyses, namely an easily visible and accessible location from larger roads.

According to existing Beaverton Development Code Section 40.97, when the city or a property owner applies to change zoning on a site, which is called a Zoning Map Amendment (ZMA), the proposal must be consistent with the applicable Comprehensive Plan policies to be approved. Proposed amendments in CPMA42024-00679 also include updates to the policies in Volume I Chapter 3 (Land Use) that provide guidance for future ZMAs, which gives property owners even more flexibility with how they choose to develop their site and, if applicable, meet any commercial use requirements.. For example, a property owner with a property zoned for CM-MR in the Mixed Use Corridor could seek a zone change to CM-HDR after annexation since CM-HDR is also an implementing zoning district for Mixed Use Corridor.

In addition, ZMA42024-00681 proposes adding the CM-RM zoning district to the city's Zoning Map. As described in TA42024-00680, the CM-RM zoning district includes amendments that would allow small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as SW 175th Ave, Tile Flat-Grabhorn, and east-west collector corridors.

Conclusion: Therefore, staff finds that the Zoning Map Amendment is consistent with OAR 660-009.

OAR 660-016 – Requirements and Application Procedures for Complying with Goal 5

660-016-0010 Develop Program to Achieve the Goal

Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must “develop a program to achieve the Goal.” Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to “resolve” conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan's overall ability to protect and conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2), and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

- (1) Protect the Resource Site:** Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-016-0000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (2) Allow Conflicting Uses Fully:** Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (3) Limit Conflicting Uses:** Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. The Tualatin Basin Program outlines the program to protect and conserve riparian habitat and upland habitat resources, identifying whether resource areas should be protected. The proposed amendments do not propose changes to the Tualatin Basin Program.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP Title 13, Section 3.07.1340 in the CPMA42024-00679 section, and are incorporated here by reference.

Conclusion: The requirements of OAR 660-016 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. This criterion is met.

OAR 660-018 – Post-Acknowledgement Amendments

660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department’s Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.**
- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:**
 - (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;**

- (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;
 - (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
- (3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.
- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:
- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.
- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been “submitted” on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Response: Compliance with OAR 660-018-0020 is described above in findings for OAR 660-018-0020 in the CPMA42024-00679 section, which describes how the city

submitted notice of the proposed changes to DCLD; and are incorporated here by reference.

660-018-0040 Submittal of Adopted Change

- (1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation it shall submit the decision to the department, with the appropriate notice forms provided by the department, within 20 days.**
- (2) For purposes of the 20-day requirement under section (1) of this rule, the proposed change is considered submitted to the department:**
 - (a) On the day the applicable notice forms and other required documents are received by the department in its Salem office, if hand-delivered or submitted by electronic mail or similar electronic method, or**
 - (b) On the date of mailing if the local government mails the forms and documents.**
- (3) The submission to the department must be in a format acceptable to the department and include all of the following materials:**
 - (a) A copy of final decision;**
 - (b) The findings and the text of the change to the comprehensive plan or land use regulation;**
 - (c) If a comprehensive plan map or zoning map is created or altered by the proposed change:**
 - (A) A map showing the area changed and applicable designations; and**
 - (B) Electronic files containing geospatial data showing the area changed, as specified in section (5) of this rule, if applicable.**
 - (d) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under OAR 660-018-0020 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and**
 - (e) A statement by the individual transmitting the decision identifying the date of the decision and the date the submission was mailed to the department.**
- (4) Where amendments or new land use regulations, including supplementary materials, exceed 100 pages, a summary of the amendment briefly describing its purpose and requirements shall be included with the submittal to the director.**
- (5) For local governments that produce geospatial data describing an urban growth boundary (UGB) or urban or rural reserve that is created or altered as part of an adopted change to a comprehensive plan or land use regulation, the submission must**

include electronic geospatial data depicting the boundary change. Local governments that create or alter other zoning or comprehensive plan maps as geospatial data are encouraged but not required to share this data with the department. Geospatial data submitted to the department must comply with the following standards endorsed by the Oregon Geographic Information Council:

- (a) Be in an electronic format compatible with the State's Geographic Information System software standard described in OAR 125-600-7550; and
- (b) Be accompanied by metadata that meets at least the minimum requirements of the federal Content Standard for Digital Geospatial Metadata.

(6) Local government must notify the department of withdrawals or denials of proposals previously sent to the department under requirements of OAR 660-018-0020.

Response: Compliance with OAR 660-018-0040 is described above in findings for OAR 660-018-0040 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCD after the Beaverton City Council adopts the proposed changes; and are incorporated here by reference.

660-018-0045 Alterations to a Proposed Change

(1) If, after initially submitting the notice and accompanying materials under OAR 660-018-0020, a proposed change to an acknowledged comprehensive plan or land use regulation is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must, at least 10 days before the final evidentiary hearing on the proposal:

- (a) Notify the department of the alterations to the proposed change, and
- (b) Provide a summary of the alterations along with any alterations to the proposed text or map and other materials described in OAR 660-018-0020.

Response: Compliance with OAR 660-018-0045 is described above in findings for OAR 660-018-0045 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCD if there are any alterations to proposed updates to the Beaverton Comprehensive Plan or Development Code; and are incorporated here by reference.

660-018-0050 Notice to Other Parties of Adopted Changes

(1) Notice of an adopted change to a comprehensive plan or land use regulation to persons other than the department is governed by ORS 197.615(4) and (5), which require that on the same day the local government submits the decision to the director the local government shall mail or otherwise deliver notice of the decision to persons that:

- (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and
 - (b) Requested in writing that the local government provide them with notice of the change to the acknowledged comprehensive plan or the land use regulation.
- (2) The notice to persons who participated and requested notice as required by section (1) of this rule must clearly describe and state the date of the decision; indicate how and where the materials may be obtained; include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice; list the locations and times at which the public may review the decision and findings; and explain the requirements for appealing the land use decision under ORS 197.830 to 197.845.

Response: Compliance with OAR 660-018-0050 is described above in findings for OAR 660-018-0050 in the CPMA42024-00679 section, which describes how the city intends to comply with notice of decision requirements; and are incorporated here by reference.

Conclusion: Staff finds the city has provided adequate notice and submitted all required materials consistent with OAR 660-018. This criterion is met.

OAR 660-023 – Procedures and Requirement for Complying with Goal 5

Response: OAR 660, Division 23 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

OAR 660-023-0020 defines the standard Goal 5 process that should be followed for each of the resources listed in OAR 660-023-0090 through 660-023-0230 and also explains the optional “safe harbor” course of action available for some of the listed resources. The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, includes:

- conducting an inventory of significant Goal 5 resources,
- conducting an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use, and
- adopting programs to achieve Goal 5, including comprehensive plan provisions and land use regulations to implement the decisions made through the ESEE analysis.

OAR 660-023-0080, part (3) states the following:

- (3) Metro may adopt one or more regional functional plans to address all applicable requirements of Goal 5 and this division for one or more resource categories and to**

provide time limits for local governments to implement the plan. Such functional plans shall be submitted for acknowledgment under the provisions of ORS 197.251 and 197.274. Upon acknowledgment of Metro’s regional resource functional plan, local governments within Metro’s jurisdiction shall apply the requirements of the functional plan for regional resources rather than the requirements of this division.

In 2005, the Metro Council voted to approve a regional Nature in Neighborhoods program (including Title 13 of the Urban Growth Management Functional Plan (UGMFP), effective date of December 28, 2005) to meet the requirements of Goal 5 for Riparian Corridors and Wildlife Habitat. This means that for regionally significant Riparian Corridors (OAR 660-023-0090) and Wildlife Habitat (OAR 660-023-0110) within Metro’s boundary, the City of Beaverton must comply with the Metro UGMFP rather than the standard provisions of the Goal 5 rule.

For natural resources which have not been identified in the UGMFP as regional resources or where the City is proposing regulations that would be more protective of a resource than is required by Title 13, the city has developed an ESEE consistent with the requirements of OAR 660-023-0030 through 660-023-0050. The ESEE decisions and resulting program for each resource in OAR 660-023-0090 through 660-023-0230 are outlined in the findings for OAR 660-023 in the CPMA42024-00679 section.

The proposed zoning was developed with consideration for the Natural Resources Report (Exhibit 1, Appendix B) that identifies regionally significant natural resources, including wetland features, streams creeks and tributaries, riparian habitat areas, and upland habitat areas. The proposed amendments locate zoning with higher potential intensity of development outside of areas that have been identified as significant natural resources. For example, the CM-CS, CM-HDR, and CM-MR zones are generally outside of identified resource areas.

The proposed Zoning map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The areas designated for the Parks Overlay are near significant resource areas. This proximity will help to preserve community and public connections to natural areas that are likely to be preserved and enhanced during development.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP Title 13, Section 3.07.1340 in the CPMA42024-00679 section, and are incorporated here by reference.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from

Metro states that the proposed Development Code is substantially compliant with the performance standards in Metro UGMFP Title 13.

Conclusion: The requirements of OAR 660-023 are met through compliance with Metro's Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro, DSL, and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of natural resource. The outcome was to allow more housing than required by Metro and limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors. The proposed Development Code rules implement the program to protect, allow, or limit conflicting uses for each type of natural resource. This criterion is met.

OAR 660-034 – State and Local Park Planning

660-034-0000 Purpose

(1) The purpose of this division is to establish policies and procedures for the planning and zoning of state and local parks in order to address the recreational needs of the citizens of the state. This division is intended to interpret and carry out requirements of Statewide Planning Goal 8 and ORS 195.120 to 195.125.

(2) In general, this division directs local government planning and zoning activities regarding state and local park master plans. OAR chapter 736, division 18, directs the Oregon Parks and Recreation Department (OPRD) with respect to state park master planning, and does not apply to local governments except where specified by this division.

660-034-0040 Planning for Local Parks

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

(a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and

(b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.

Response: Compliance with OAR 660-034 is addressed previously in findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 section; The proposed Zoning Map amendments establish a Parks Overlay to identify locations for parks/open space within Cooper Mountain, including the preferred locations for the Community Park and Neighborhood Parks. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site. Staff findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 are incorporated here by reference.

Conclusion: This criterion is met.

TA42024-00680 TEXT AMENDMENT

ANALYSIS AND FINDINGS FOR A TEXT AMENDMENT

TA42024-00680 Recommendation

Based on the facts and findings presented below, staff offers the following recommendation for the conduct of the October 16, 2024, public hearing for TA42024-00680, Cooper Mountain Community Plan Text Amendment.

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend APPROVAL of TA42024-00680 Cooper Mountain Community Plan Text Amendment to the City Council as presented in the staff report.

Section 40.85 Text Amendment Application

40.85.15.1.C.1 – THRESHOLD

Criterion 1. The proposal satisfies the threshold requirements for a Text Amendment application.

Response: Section 40.85.15.1.A.1 specifies that an application for a Development Code Text Amendment shall be required when there is any change to the Development Code, excluding changes to the zoning map.

TA42024-00680 proposes changes to the following chapters in the Development Code:

- Chapter 10 – General Provisions
- Chapter 20 – Land Use
- Chapter 40 – Applications
- Chapter 50 – Procedures
- Chapter 60 – Special Requirements
- Chapter 70 – Downtown Design District
- Chapter 90 – Definitions

Development Code changes are included to implement the Cooper Mountain Community Plan. In some cases, other code sections were updated to facilitate this work, and these changes have implications for code that applies to other parts of the city. All proposed

changes to the Development Code are summarized in the Background and Summary section of this Staff Report.

Findings:

Staff find that criterion 40.85.15.1.C.1 has been met.

40.85.15.1.C.2 – CITY APPLICATION FEES

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

Response:

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.

Findings:

Staff find that criterion 40.85.15.1.C.2 is not applicable.

40.85.15.1.C.3 – CONSISTENCY WITH METRO UGMFP

Criterion 3. The proposed text amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.

Findings:

Metro’s 2040 Growth Concept establishes a vision for the preferred form of regional growth and development. To implement the 2040 Growth Concept, Metro established two functional plans – the Urban Growth Management Functional Plan (Functional Plan) and the Regional Transportation Functional Plan (RTFP).

The Functional Plan is the general implementation tool for achieving the goals and objectives in the 2040 Growth Concept. The RTFP is the primary implementation tool for transportation-related policies.

As described in Section 5(e)(2) of the Metro Charter, the Functional Plan requires that cities update comprehensive plans and implementing regulations to comply with regional policies. The Functional Plan currently includes 11 Titles. The applicable Titles of the Functional Plan (Chapter 3.07) are addressed below.

Staff find that the proposed amendment is consistent with the provisions of the Metro UGMPF. Criterion 40.85.15.1.C.3 is met.

Metro UGMFP Title 1 – Housing Capacity

3.07.120 Housing Capacity

(b) Each city and county shall adopt a minimum dwelling unit density for each zone in which dwelling units are authorized except for zones that authorize mixed-use as defined in section 3.07.1010(gg). If a city or county has not adopted a minimum density for such a zone prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

Response: The proposed amendments would not reduce density in a Regional Center, Town Center, Corridor, Station Community, or Main Streets. Sub-section (a) is not applicable. Sub-sections (c) through (f) are not applicable because the proposed amendments do not include reduction of density in any zone or transfer of density to other jurisdictions.

Regarding sub-section (b), the proposed amendments establish a minimum dwelling unit density for each zone where dwelling units are authorized that are not mixed-use zones. The minimum density for the Cooper Mountain – Multi-unit Residential zone is 34 units per net acre. The minimum density for the Cooper Mountain – Residential Mixed zone is 10 units per acre. It is not possible to zone the minimum density at least 80 percent of maximum density because the State of Oregon no longer allows maximum density in zones where single-detached dwellings are allowed. The minimum residential density for residential-only projects in the two mixed-use zones, Cooper Mountain – Community Service and Cooper Mountain – High Density Residential, is 34 units per acre. Mixed-use projects within those zones are subject to minimum floor-area ratio requirements.

Regarding sub-section (g), Beaverton’s existing Development Code and the proposed amendments allow one accessory dwelling unit for each detached single-family dwelling, referred to in the code as Single-detached Dwellings.

(g) A city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The authorization may be subject to reasonable regulation for siting and design purposes. [Ord. 97-715B, Sec. 1. Ord. 02-972A, Sec. 1. Ord. 02-969B, Sec. 1. Ord. 07-1137A, Sec. 1. Ord. 10-1244B, Sec. 2. Ord. 15-1357.]

Response:

The existing code (Chapter 20) already allows the construction of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The proposed code (Section 20.22) will also allow at least one accessory dwelling unit for each detached single-family

dwelling unit in the CM-RM zoning district, which is the only Cooper Mountain zoning district that allows the new construction of single-detached homes.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 1.

Metro UGMFP Title 3 – Water Quality and Flood Management

3.07.330 Implementation Alternatives for Cities and Counties

(a) Cities and counties shall comply with this title in one of the following ways: (1) Amend their comprehensive plans and implementing ordinances to adopt all or part of the Title 3 Model Ordinance or code language that substantially complies with the performance standards in Section 3.07.340 and the intent of this title, and adopt either the Metro Water Quality and Flood Management Area Map or a map which substantially complies with the Metro map. . . . (2) Demonstrate that existing city and county comprehensive plans and implementing ordinances substantially comply with the performance standards in Section 3.07.340 and the intent of this title. (3) Any combination of (1) and (2) above that substantially complies with all performance standards in Section 3.07.340.

Response: Compliance with Metro Title 3 is described above in findings for Metro Title 3 in the CPMA42024-00679 section, which are incorporated here by reference. The findings state describe that the City of Beaverton already has a city-wide program of flood management and water quality standards that is substantially compliant with the performance standards in Title 3 and that the proposed amendments to not change the city-wide approach to flood management or water quality that will also apply to the plan area after annexation.

3.07.340 Performance Standards

Section 3.07.340(a) outlines the flood management performance standards. The proposed amendments do not change the city-wide approach to flood management that will also apply to the planning area after annexation.

Section 3.07.340(b) outlines the water quality performance standards. The proposed amendments do not change the city-wide approach to water quality standards. The city’s program to protect water quality follows the Clean Water Services standards for the Vegetated Corridor. The Clean Water Services Design and Construction Standards Manual, defines a “Vegetated Corridor” as “a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area.” CWS Design and Construction Standards, Table 3-1 defines the extent of the Vegetated Corridor, which includes existing and created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies; natural lakes, ponds, and in-stream impoundments; intermittent and perennial springs; intermittent streams draining

more than 10 acres; and perennial streams. CWS Design and Construction standards, Section 3.04 and 3.05 limits activities in Sensitive Areas (including all wetlands) and the Vegetated Corridor (including the impact areas around wetlands). When development activities are allowed in these areas, the activity must be minimized through choice of mode, sizing, and placement. Mitigation is required per the rules and regulations from the Department of State Lands and the US Army Corps of Engineers.

Section 3.07.340(c) outlines erosion and sediment control performance standards. The proposed amendments do not change the city-wide approach to erosion and sediment control that will also apply to the planning area after annexation.

Section 3.07.340(d) outlines implementation tools to protect water quality and flood management areas. As stated above, the proposed amendments do not change the city's approach to implementing water quality and flood management protections.

Section 3.07.340(e) includes the requirements for map administration. Subsection (e)(3) requires the city to add Title 3 wetlands to the water quality and food management area maps when the city receives significant evidence that a wetland meets any one of a list of criteria.

Cooper Mountain Community Plan area wetlands are identified in the Local Wetlands Inventory (LWI) (Exhibit 20), which follows the Division of State Lands (DSL) requirements for mapping and determining the functional classification of wetland features. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors. The Clean Water Services Design and Construction Standards Manual, defines a "Vegetated Corridor" as "a corridor adjacent to a Sensitive Area that is preserved and maintained to protect the water quality functions of the Sensitive Area." Sensitive Areas include all existing or created wetlands of any size, including isolated wetlands and wetlands connected to streams or other surface water bodies. Therefore, all wetlands in the planning area were determined to be significant and added to the city's inventory of natural resources.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 3.

Metro UGMFP Title 7 – Housing Choice

3.07.730 Requirements for Comprehensive Plan and Implementing Ordinance Changes.

Cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances:

(a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

(b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.

(c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing. [Ord. 97-715B, Sec. 1. Ord. 00-882, Sec. 2. Ord. 03-1005A, Sec. 1. Ord. 06-1129B, Sec. 2.]

Response: Compliance with Metro Title 7 is described above in findings for Metro Title 7 in the CPMA42024-00679 section, which describes how the existing Housing Element of the Comprehensive Plan, the proposed Cooper Mountain Community Plan, the proposed Cooper Mountain Comprehensive Plan land use designations and implementing zoning districts, and Development Code updates that require housing variety and integration, collectively ensure a diverse range of housing types in the plan area and promote affordable housing; and are incorporated here by reference.

Additionally, TA42024-00680 proposes amendments that either require housing variety (Section 20.22.40) or provide additional flexibility with code requirements through the Planned Unit Development process (Section 60.36) if the proposal provides needed development outcomes.

- **20.22.40 CM-RM Housing Variety and Integration Requirements.** The amendments add a section that includes additional housing requirements for the CM-RM zoning district to implement the Cooper Mountain Community Plan’s desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. Housing variety and integration requirements are clear and objective.
 - Minimum requirements for housing variety and integration apply when the net acreage of a parent parcel is three acres or larger. At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units.
 - In meeting the 30 percent housing variety standard, developments 3 to 15 net acres shall provide dwelling types from at least two of the categories below, and developments larger than 15 net acres shall provide dwelling types from at least three of the categories below.
 - Triplex or Quadplex
 - Duplex or Townhouse

- Cottage Cluster
- Multi-dwelling with five or six units
- In meeting the 30 percent housing variety standard, a development may count visitable units that are consistent with Section 60.50.25.17 (which defines visitable units) toward the 30 percent minimum requirement, up to a maximum of five percent of total units. The code describes how single-detached homes, duplexes, townhomes, cottage cluster units, detached triplex units, and detached quadplex units each count towards the 30 percent minimum requirement.
- To meet the housing variety requirements, the code establishes “Housing Variety Grouping,” which means at least three abutting lots designated for a duplex, triplex, quadplex, townhouse, cottage cluster, or multi-dwelling with five or six units. The three abutting lots may be designated for any combination of those housing types. Housing Variety Groupings designated to meet this standard shall be separated from each other by least 50 feet as measured by the shortest distance between the perimeter lot lines of the two groupings. In addition, Housing Variety Groupings shall be located such that 75 percent of lots designated for single-detached dwellings and manufactured and mobile homes are within 300 feet of the Housing Variety Groupings within the site or, in the case of multi-phase development, within the boundaries of each phase. The housing integration requirement would provide people with a better chance of finding housing that meets their needs (regarding size and configuration) within each neighborhood and the opportunity to live among people with a variety of housing needs as well.
- **60.36 Planned Unit Development – Cooper Mountain.** The proposed amendments add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. Due to Cooper Mountain’s unique constraints and policy goals, a new PUD approach was needed to provide opportunities for flexibility of code requirements and allow for more holistic development. This PUD option provides a discretionary option to meeting some site development standards in Section 20.22.15 (lot size reductions, setback reductions, building height bonuses and FAR bonuses) and a discretionary option to complying with the clear and objective housing variety and integrations standards in Section 20.22.40. The corresponding application is in Section 40.15 Conditional Use (Planned Unit Development).

Many of the provisions that offer enhanced flexibility are for specific types of housing development, identified as needed development outcomes, to

incentivize or to increase the ease of developing such uses in the Cooper Mountain Community Plan area. Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan.

Need development outcomes include:

- Visitable housing, when at least 30 percent of all proposed single-detached, duplex, or townhome dwellings are visitable consistent with Section 60.50.25.17 of the Development Code.
- Regulated Affordable Housing at or below 60 percent area median income, when at least 10 percent of all proposed dwellings are regulated affordable units.
- Regulated Affordable Housing at or below 80 percent area median income, when at least 20 percent of all proposed dwellings are regulated affordable units.
- Multiple use or multi-dwelling buildings that integrate regulated affordable housing units and non-regulated affordable units within a building consistent with one of the following:
 - At least 5 percent of provided dwellings or a minimum of 4 dwellings, whichever is greater, are regulated affordable units at or below 60 percent area median income; or
 - At least 10 percent of provided dwellings or a minimum of 8 dwellings, whichever is greater, are regulated affordable units at or below 80 percent area median income.
- At least 25 percent of provided single-detached or middle housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider. The permanent affordability provider shall use a land trust model to ensure affordability for a minimum period of 60 years. A lien shall be recorded for each dwelling prior to or concurrent with recordation of a final plat until the first sale of the dwelling is completed to the permanent affordability provider.
- Multi-dwelling structures with five or six units in the CM-RM zoning district.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 7.

Metro UGMFP Title 8 – Compliance Procedures

3.07.820(a) Review by the Chief Operating Officer.

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.

Response:

Title 8 establishes a process for determining whether city or county comprehensive plans and land use regulations substantially comply with requirements of the Functional Plan and requires cities to submit proposed amendments to land use regulations to Metro for their review. Metro requires the city to submit the proposed amendment to Metro at least 35 days before the first evidentiary hearing, which is the Planning Commission hearing. The city provided the notice on August 30, 2024, more than 35 days before the Planning Commission hearing.

On September 3, 2024, Metro submitted a letter (Exhibit 17) confirming that they will update the inventory of regionally significant fish and wildlife habitat to incorporate proposed updates for the subject area inventoried through the Cooper Mountain Community Plan process. Findings for these updates are described in CPMA42024-00679.

On September 11, 2024, Metro submitted a letter (Exhibit 18) indicating that proposed Development Code updates for the Cooper Mountain Community Plan area are substantially compliant with the performance standards required in Metro Title 13. Findings for these updates are described in Metro UGMFP Title 13 – Nature in Neighborhoods in the TA42024-00680 section.

Conclusion: Therefore, staff finds the Text Amendment is consistent with Title 8.

Metro UGMFP Title 11 – Planning For New Urban Areas, Including Metro UGB Expansion Conditions Of Approval

3.07.1120 Planning for Areas Added to the UGB

(a) The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section

3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.

Response: The Metro ordinance that added the Cooper Mountain Community Plan area to the UGB (Ordinance No. 18-1427) identifies the City of Beaverton as the local jurisdiction to adopt comprehensive plan provisions and land use regulations for the area to authorize urbanization. The city is approving the Development Code amendments after the date specified in the urban growth boundary expansion conditions of approval with the consent of Metro.

(c)(2) Comprehensive plan provisions for the area shall include...Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection.

Response: Compliance with 3.07.1120(c)(2) is described above in findings for 3.07.1120(c)(2) in the CPMA42024-00679 section, which describes existing Development Code rules that are already in place to facilitate annexation; and are incorporated here by reference.

(c)(3) Comprehensive plan provisions for the area shall include... Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455(b)(2) of this chapter.

Response: Compliance with 3.07.1120(c)(3) is described above in findings for 3.07.1120(c)(3) in the CPMA42024-00679 section, which describes how proposed Comprehensive Plan and Development Code amendments will facilitate even more homes than required in Metro Ordinance 18-1427; and are incorporated here by reference.

(c)(4) Comprehensive plan provisions for the area shall include... Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Response: Compliance with 3.07.1120(c)(4) is described above in findings for 3.07.1120(c)(4) in the CPMA42024-00679 section, which describes how the proposed amendments establish zoning and housing variety requirements for Cooper Mountain that together result in more types of homes available at a range of price points; and are incorporated here by reference.

(c)(5) Comprehensive plan provisions for the area shall include... Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school

districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110.

Response: Compliance with 3.07.1120(c)(5) is described above in findings for 3.07.1120(c)(5) in the CPMA42024-00679 section, which describes the role of the Beaverton School District and the Hillsboro School district in providing facilities within the plan area; and are incorporated here by reference.

(c)(6) Comprehensive plan provisions for the area shall include... Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Response: Compliance with 3.07.1120(c)(6) is described above in findings for 3.07.1120(c)(6) in the CPMA42024-00679 section, which describes different ways that the proposed Development Code updates in TA42024-00681 will provide parks in the plan area; and are incorporated here by reference.

(c)(7) Comprehensive plan provisions for the area shall include... A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan.

Response: Compliance with 3.07.1120(c)(7) is described above in findings for 3.07.1120(c)(7) in the CPMA42024-00679 section, which describes the conceptual street plan, as well as the expectation for new developments to provide streets that are consistent with city Development Code and Engineering Design Manual standards; and are incorporated here by reference.

(d) The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using a method consistent with a Goal 14 analysis, within 30 days after adoption of new land use regulations for the area.

Response: Compliance with 3.07.1120(d) is described above in findings for 3.07.1120(d) in the CPMA42024-00679 section, which describes how city calculations for residential capacity are based on the Building Land Inventory, Comprehensive Plan amendments, Zoning Map amendments, and Development Code amendments; and are incorporated here by reference.

2018 Metro UGB Expansion Conditions of Approval

A. Comprehensive Planning in the four UGB Expansion Areas

2. **The four cities shall allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit single family housing in the expansion areas.**

Response: Compliance with UGB Expansion Condition of Approval A.2 is described above in findings for UGB Expansion Condition of Approval A.2 in the CPMA42024-00679 section, which describes how all Cooper Mountain zoning districts allow single family attached housing and multiplexes with five or six units; and are incorporated here by reference.

3. **The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.**

Response: Compliance with UGB Expansion Condition of Approval A.3 is described above in findings for UGB Expansion Condition of Approval A.3 in the CPMA42024-00679 section, which describes how the existing code encourages ADU construction citywide; and are incorporated here by reference.

4. **As the four cities conduct comprehensive planning for the expansion areas, they shall address how their plans implement relevant policies adopted by Metro in the 2014 regional Climate Smart Strategy regarding:**

- (a) **concentrating mixed-use and higher density development in existing or planned centers;**

Response: Compliance with UGB Expansion Condition of Approval A.4(a) is described above in findings for UGB Expansion Condition of Approval A.4(a) in the CPMA42024-00679 section, which describes how the location and amount of mixed-use and commercial zoning facilitates walkable neighborhoods centers, that while not officially “neighborhood centers” per the Metro 2040 Growth Concept, still provide a similar function; and are incorporated here by reference.

- (b) **increasing use of transit; and**

Response: Compliance with UGB Expansion Condition of Approval A.4(b) is described above in findings for UGB Expansion Condition of Approval A.4(b) in the CPMA42024-00679 section, which describes how the proposed Comprehensive Plan amendments and Development Code text amendments support transit use by ensuring Cooper Mountain is transit-ready, even though TriMet does not currently provide transit to the area; and are incorporated here by reference.

- (c) **increasing active transportation options.**

Response: Compliance with UGB Expansion Condition of Approval A.4(c) is described above in findings for UGB Expansion Condition of Approval A.4(c) in the CPMA42024-00679 section, which describe how existing Engineering Design Manual standards that require bicycle and pedestrian facilities and proposed Development Code updates that will make some streets feel safer when riding, will increase the availability and appeal of active transportation options; and are incorporated here by reference.

The cities shall coordinate with the appropriate county and transit provider regarding identification and adoption of transportation strategies.

Response: Compliance with UGB Expansion Condition of Approval A.4 is described in findings for UGB Expansion Condition of Approval A.4 in the CPMA42024-00679 section, which describes coordination with the Technical Advisory Committee (TAC) on the identification and adoption of transportation strategies in Cooper Mountain; and are incorporated here by reference.

- 5. As the four cities conduct comprehensive planning for the expansion areas, they shall regularly consult with Metro Planning and Development staff regarding compliance with these conditions, compliance with the Urban Growth Management Functional Plan, compliance with the state Metropolitan Housing Rule, and use of best practices in planning and development, and community engagement. To those ends, cities shall include Metro staff in advisory groups as appropriate.**

Response: Compliance with UGB Expansion Condition of Approval A.5 is described in findings for UGB Expansion Condition of Approval A.5 in the CPMA42024-00679 section, which describes how Metro participated in project committees and reviewed project deliverables; and are incorporated here by reference.

- 6. At the beginning of comprehensive planning, the four cities shall develop – in consultation with Metro – a public engagement plan that encourages broad-based, early and continuing opportunity for public involvement. Throughout the planning process, focused efforts shall be made to engage historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth.**

Response: Compliance with UGB Expansion Condition of Approval A.6 is described in findings for UGB Expansion Condition of Approval A.6 in the CPMA42024-00679 section, which describes the development of the public engagement plan, which was the subject of review by the TAC; and are incorporated here by reference.

B. Citywide Requirements (for the four cities)

- 1. Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units.**

In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling units be owner occupied and shall not require off street parking when street parking is available.

Response: Compliance with UGB Expansion Condition of Approval B.1 is described in findings for UGB Expansion Condition of Approval B.1 in the CPMA42024-00679 section, which describes through an annual compliance letter how the city updated the Development Code to remove minimum parking and occupancy requirements for ADUs; and are incorporated here by reference.

- 2. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.**
- 3. Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.**

Response: Compliance with UGB Expansion Condition of Approval B.2 and B.3 is described above in findings for UGB Expansion Condition of Approval B.2 and B.3 in the CPMA42024-00679 section, which describes how provisions in existing Development Code Section 10.18 already ensure that future homeowners associations will not regulate housing types, including ADUs, or impose any standards that would have the effect of prohibiting or limiting housing types or density; and are incorporated here by reference.

C. Beaverton:

- 1. Beaverton shall plan for at least 3,760 homes in the Cooper Mountain expansion area.**

Response: Compliance with UGB Expansion Condition of Approval C.1 is described in findings for UGB Expansion Condition of Approval C.1 in the CPMA42024-00679 section, which describes how the proposed Comprehensive Plan and Development Code amendments will facilitate at least 4,469 homes in Cooper Mountain in the future; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with Title 11 and the 2018 Metro UGB Expansion Metro conditions of approval. This criterion is met.

Metro UGMFP Title 12 – Protection Of Residential Neighborhoods

Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services. [Ord. 02-969B, Sec. 3.]

Response: Metro Urban Growth Management Functional Plan Title 12 is not applicable to the proposed amendments. Findings explaining why Title 12 is not applicable are described in findings for Title 12 in the CPMA42024-00679 section.

Conclusion: Therefore, staff finds that Title 12 is not applicable.

Metro UGMFP Title 13 – Nature In Neighborhoods

3.07.1320 Inventory and Habitat Conservation Areas

The findings for Section 3.07.1320 are included in findings for Metro Title 13 in the CPMA42024-00679 section and are incorporated here by reference.

3.07.1330 Implementation Alternatives for Cities and Counties

The findings for Section 3.07.1330 are included in findings for Metro Title 13 in the CPMA42024-00679 section and are incorporated here by reference.

The city will continue to comply with the Tualatin Basin Program and implement CWS design and construction standards for the Vegetated Corridor to regulate development in riparian habitat areas. For upland wildlife habitat areas, the city is following pathway (2) from Section 3.07.1330(b)(5) to adopt Development Code updates for the Cooper Mountain Community Plan area that substantially comply with the performance standards in Metro Code Section 3.07.1340, as described below. In accordance with Section 3.07.1330(c), the proposed Development Code includes clear and objective standards. In accordance with Section 3.07.1330(d), the proposed Development Code and an alternative discretionary path to meet the performance standards in Metro Code Section 3.07.1340. The proposed amendments do not change the city’s approach related to Habitat Friendly Development Practices, which are consistent with Section 3.07.1330(e). In accordance with Section 3.07.1330(f) and Section 3.07.1330(g), this project has included the required public process and hearings, and Section 3.07.1330(h) does not apply.

3.07.1340 Performance Standards and Best Management Practices for Habitat Conservation Areas

a. **City and county comprehensive plans and implementing ordinances shall conform to the following performance standards and best management practices:**

(1) Habitat Conservation Areas shall be protected, maintained, enhanced, and restored as specified in this Metro Code Section 3.07.1340, and city and county development codes shall include provisions for enforcement of these performance standards and best management practices.

Response: Section 3.07.1340(b) outlines the review standards that are applicable to development in Habitat Conservation Areas (HCAs). Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Findings related to the performance standards are described in the findings for 3.07.1340(b) below.

(2) In addition to requirements imposed by this title, the requirements of Title 3 of the Urban Growth Management Functional Plan, Metro Code Sections 3.07.310 to 3.07.360 shall continue to apply.

Response: Findings related to Title 3 of the UGMFP are included in findings for Metro Title 3 in the CPMA42024-00679 section and are incorporated here by reference.

(3) [Subsection 3 includes a list of conditions when the performance standards shall not apply, including farming practices and areas outside the urban growth boundary.]

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.25 identifies uses and activities that are exempt from the requirements for the Resource Overlay. The exemptions include “E. Agricultural/Farming practices such as grazing, plowing, planting, cultivating, and harvesting, that existed on the property prior to the [effective date of this ordinance] and do not include new or expanded structures, roads, or other constructed facilities.”

(4) The performance standards and best management practices of this Metro Code Section 3.07.1340 shall not apply to any use of residential properties if, as of the local program effective date: (A) Construction of the residence was completed in compliance with all applicable local and state laws and rules for occupancy as a residence or the residence had been occupied as a residence for the preceding ten years; and (B) Such uses would not have required the property owner to obtain a land use approval or a building, grading, or tree removal permit from their city or county.

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.25 identifies uses and activities that are exempt from the requirements for the Resource Overlay. The exemptions include “J. Maintenance, repair, and replacement of existing public and private structures, public and private roads, public trails, public rest points, public viewing areas, public interpretative facilities, and utilities, provided the activity does not expand the footprint of the existing structure or facility within the Resource Overlay.” and “K. Continued maintenance of existing gardens, pastures, lawns, and other planted areas, including the installation of new irrigation and drainage facilities, new erosion control features, and the installation of plants except those identified as nuisance on the Cooper Mountain Community Plan Tree List.”

- (5) Habitat Conservation Areas within publicly-owned parks and open spaces that have been designated as natural areas and are not intended for future urban development shall be protected and managed so that the quality of fish and wildlife habitat that they provide is maintained and enhanced, and that habitat-friendly best management practices, such as integrated pest management programs, are used in such areas.**

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. The Resource Overlay includes all areas of Cooper Mountain Nature Park. In addition, the city has prepared an ESEE Analysis, dated August 2024 (Exhibit 19), to consider additional protections for Cooper Mountain Nature Park. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land. Proposed Development Code Table 20.22.15 defines a 25-foot minimum setback for rear and side yards abutting the Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of the Section 60.05.25, 60.05.60, or 60.05.65, as applicable to the proposed development.

- (6) Invasive non-native or noxious vegetation shall not be planted in any Habitat Conservation Area. The removal of invasive non-native or noxious vegetation from Habitat Conservation Areas shall be allowed. The planting of native vegetation shall be encouraged in Habitat Conservation Areas.**

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.20 includes a prohibition against planting any vegetation listed as nuisance or any prohibited species from the city's approved plant list. Section 60.37.25 includes an exemption for "Removal of plants identified as nuisance on the approved plant lists in Section 60.37.10 by hand, using low impact methods which do not create a permanent ground disturbance." The exemption means that the activity is exempt from the development regulations of Section 60.37. Section 60.37.45 requires mitigation for disturbances within the Resource Overlay and requires that "All vegetation planted within a revegetation or mitigation area shall be native plants from the approved plant lists in Section 60.37.10."

In addition, proposed Development Code Section 60.61 requires tree planting during development to meet minimum tree canopy standards or guidelines. The minimum tree canopy standard in Section 60.31.20 states "Within the Resource Overlay on the site, the development shall provide Tree Canopy coverage over at least 65 percent of the site area from eligible trees identified in Section 60.61.20.2, unless applicants pay the in-lieu fee consistent with Section 60.61.20.3." The option to pay an in-lieu fee only applies to properties with small areas of the Resource Overlay or isolated areas of the Resource Overlay that are not conducive to tree planting. Through the tree canopy standards and lists of eligible trees, planting of native vegetation in the natural resource areas is encouraged.

- (7) Except as provided in subsection (a)(8) of this section, routine repair, maintenance, alteration, rehabilitation, or replacement of existing structures, roadways, driveways, utilities, accessory uses, or other development within Habitat Conservation Areas may be allowed, provided that (A) The project is consistent with all other applicable local, state, and federal laws and regulations; (B) The project will not permanently or irreparably result in more developed area within a Habitat Conservation Area than the area of the existing development; and (C) Native vegetation is maintained, enhanced and restored, if disturbed; other vegetation is replaced, if disturbed, with vegetation other than invasive non-native or noxious vegetation; and the planting of native vegetation and removal of invasive non-native or noxious vegetation is encouraged.**

Response: Proposed Development Code Section 60.37 defines a Resource Overlay that contains riparian and upland habitat areas and includes performance standards for development in the Resource Overlay. Section 60.37.25 includes an exemption for "Maintenance, repair, and replacement of existing public and private structures, public and private roads, public trails, public rest points, public viewing areas, public interpretative facilities, and utilities, provided the activity

does not expand the footprint of the existing structure or facility within the Resource Overlay.” The exemption means that the activity is exempt from the development regulations of Section 60.37. Section 60.37.25 also allows removal of plants identified as nuisance, allows continued maintenance of existing gardens, pastures, laws, and planting areas, and allows temporary clearing of shrubs and brush for site investigations, provided that such areas are restored to their original condition or replanted with native vegetation.

- (8) Notwithstanding subsection (a)(7) of this section, when a city or county exercises its discretion to approve zoning changes to allow a developed property that contains a Habitat Conservation Area to (1) change from an industrial or heavy commercial zoning designation to a residential or mixed-use/residential designation, or (2) increase the type or density and intensity of development in any area, then the city or county shall apply the provisions of this Metro Code Section 3.07.1340, or provisions that will achieve substantially comparable habitat protection and restoration as do the provisions of this section. This provision will help to insure that, when developed areas are redeveloped in new ways to further local and regional urban and economic development goals, property owners should restore regionally significant fish and wildlife habitat as part of such redevelopment.**

Response: Upon annexation, all properties that were zoned as FD-20 (county land use zoning) will be assigned one of four Cooper Mountain zoning districts (Table 6). All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for 3.07.1340(b) below.

Subsections (9) and (10) relate to activities in specific areas and are not applicable to this plan area.

- b. City and county comprehensive plans and implementing ordinances shall conform to the following performance standards and best management practices:**
- (1) Clear and objective development approval standards consistent with Metro Code Section 3.07.1330(c) that protect Habitat Conservation Areas but which allow limited development within High Habitat Conservation Areas, slightly more development in Moderate Habitat Conservation Areas, and even more development in Low Habitat Conservation Areas. Such standards shall allow (a) property owners to consider reduced building footprints and the use of minimal excavation foundation systems (e.g., pier, post or piling foundation), and (b) the flexible application of local code requirements that may limit a property owner’s ability to avoid development in Habitat Conservation Areas, such as setback and landscaping requirements or limits on clustering and the transfer of development rights**

on-site. The habitat-friendly development practices described in Table 3.07-13c, which are intended to minimize the magnitude of the impact of development in Habitat Conservation Areas, shall be allowed, encouraged, or required to the extent that cities and counties can develop clear and objective standards for their use, unless their use is prohibited by an applicable and required State or Federal permit issued to a unit of local government having jurisdiction in the area, such as a permit required under the Clean Water Act, 33 U.S.C. §§1251 et seq., or the Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit. The clear and objective development standards required by this paragraph also shall require that all development in Habitat Conservation Areas be mitigated to restore the ecological functions that are lost or damaged as a result of the development. Standards that meet the requirements of this subsection and Metro Code Section 3.07.1330(c) are provided in Section (7) of the Metro Title 13 Model Ordinance; *[footnote omitted]*

Response: The first part of subsection (1) requires the city to adopt clear and objective development approval standards that protect HCAs but allow different levels of development based on whether the areas are High, Moderate, or Low HCA. The method for identifying High, Moderate, or Low HCAs in areas added to the UGB after December 28, 2005, is outlined in Metro UGMFP Table 3.07-13b. The method requires a cross reference of the fish and wildlife habitat classification and the urban development value for the area. Based on Metro’s 2040 Growth Concept Map (December 2023), all of the Cooper Mountain Community Plan area (with the exception of existing parks) is designated as “Neighborhood”, which is a Tertiary 2040 design type, resulting in a Low Urban Development Value. When cross-referencing with the fish and wildlife classifications, all areas of Class A and Class B Upland Wildlife Habitat would result in Moderate HCA. Metro Code Section 3.07.1340(b)(1) requires clear and objective standards that allow “slightly more development” than would be allowed in High HCAs.

For comparison, Riparian Class I areas cross referenced with Low Urban Development Value would be considered High HCAs. In Cooper Mountain, those riparian areas are protected by CWS rules for Vegetated Corridors.

For the purpose of writing the proposed Development Code, the city has considered that the development standards for riparian areas (as administered by CWS) allow limited development in High HCAs. Therefore, for upland areas in Cooper Mountain (Moderate HCA), the proposed Development Code allows slightly more development than is allowed in the CWS Vegetated Corridor.

The proposed Development Code Section 60.37 Resource Overlay provides clear and objective rules to regulate development within the Resource Overlay,

which includes wetlands, waters, Riparian Class I and II, and Upland Class A and B Habitat areas. The rules include the following:

- Previously approved and permitted development is exempt from the standards. Existing uses may remain and continue, including maintenance and repair of existing structures, landscaping, and other existing development. (60.37.25)
- Emergency procedures, agriculture and farming practices, removal of nuisance plants, natural resources enhancements, and small impacts (less than 500 square feet) are allowed within the Resource Overlay. (60.37.25)
- During land division, at least 80 percent of the Resource Overlay on the property will be required to be protected from disturbance and separated into its own lot (also called a tract) where future development will be not allowed. The remaining 20 percent of the overlay on the property can be disturbed for development. Mitigation must be provided for the permanent disturbance area. (60.37.30)
- Development activities within riparian areas must meet the vegetated corridor requirements of CWS. (60.37.35.1.C)
- On properties that are fully or extensively covered with Resource Overlay, the development rules allow up to 6,000 square feet of disturbance area. Mitigation must be provided for the permanent disturbance area. (60.37.40.1)
- Commercial and multi-dwellings are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.2)
- Vegetated stormwater management facilities, linear utilities, up to 6,000 square feet of a non-linear utility facility, and public trails may be constructed in the Resource Overlay. (60.37.40.3 through 6)
- Transportation corridors are allowed within the Resource Overlay. Mitigation must be provided for the permanent disturbance area. (60.37.40.7)
- Public and private parks are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.8)

The second part of subsection (1) states that the city standards must allow property owners to use habitat friendly development practices. The city previously adopted code provisions (Beaverton Development Code 60.12 Habitat Friendly Development Practices) to allow and encourage Habitat Friendly Development Practices across the city. The use of habitat friendly development practices is voluntary. Beaverton Development Code 60.12.25 offers development credits when projects apply specific techniques, such as preserving Habitat Benefit Areas and utilizing Low Impact Development Techniques. Those credits will still be available outside the Cooper Mountain Community Plan area. Within the Cooper Mountain Community Plan area, the protection of habitat areas is required, as described above. The use of low impact development techniques will not result in other development credits, but the habitat friendly development practices are still allowed and encouraged.

The third part of subsection (1) states that the city standards shall require that all development in HCAs be mitigated to restore ecological functions that are lost or damaged as a result of development. The proposed Development Code Section 60.37 requires developments to mitigate for disturbances of the Resource Overlay, which encompasses the significant riparian and upland habitat areas in the Cooper Mountain Community Plan area. The mitigation requirements (60.37.45) require mitigation through planting of trees, shrubs, and ground cover. The quantity of planting is based on the permanent disturbance area within the Resource Overlay. Developments must prepare a mitigation plan and provide irrigation and monitoring through a 2-year monitoring period.

In addition, proposed Development Code Section 60.61 includes design standards and guidelines for tree preservation during development and planting to achieve required tree canopy. The tree preservation standards (60.61.15) and guidelines (60.61.25) require development to preserve a minimum percentage of existing trees within the Resource Overlay (which includes both significant riparian and upland habitat areas). The tree canopy standards (60.61.20) require planting to achieve 65 percent canopy coverage within the Resource Overlay. The tree canopy guidelines (60.61.30) allow for lower percentage of canopy coverage within the Resource Overlay if the planting plan protects or restores other ecological functions.

(2) Discretionary development approval standards consistent with Metro Code Section 3.07.1330(d) that comply with subsections (b)(2)(A), (b)(2)(B), and (b)(2)(C) of this section. Standards that meet the requirements of this subsection (b)(2) and Metro Code Section 3.07.1330(d) are provided in Section (8) of the Metro Title 13 Model Ordinance.

Response: The referenced sections of Title 13 require the city to adopt discretionary development approval standards for development proposed in

HCAs that follow an avoid-minimize-mitigate process. Development pursuing a discretionary approval process must determine whether practicable alternatives exist to avoid development in the HCA. The city must allow flexibility in design standards (such as reduced setback and landscaping requirements) to help avoid impacts to the HCA. When there is no practicable alternative, the development proposal must minimize impacts to HCAs and impacts to water quality. When development occurs within HCAs, the city must require mitigation to restore the ecological functions that were lost or damaged as a result of the development.

The proposed Development Code Section 60.37.50, Alternative Review outlines the discretionary process for development within the Resource Overlay. The Alternative Review process is available for applicants that cannot or choose not to follow the standards in Section 60.37.30, 60.37.35, 60.37.40, or 60.37.45, all described above. Applicants must prepare an Alternatives Analysis and Impact Evaluation to identify the ecological functions provided by the habitat areas within the Resource Overlay on the project site. The analysis must document the site conditions or circumstances that make it physically difficult or impossible to avoid impacts to the Resource Overlay. The evaluation must provide three practicable development alternatives and identify the alternative that minimizes impacts to ecological functions. As with all development in the Resource Overlay, the applicants mitigate for impacts by following the mitigation requirements in Section 60.37.45 or provide an alternative mitigation plan that compensates for impacts to ecological functions, in accordance with Section 60.37.50.1.B.

The proposed Development Code includes an application and review process for developments that are pursuing an alternative review (40.70.15.4, Resource Overlay – Alternative Review). The process requires applicants to demonstrate that there are special conditions or circumstances of the site that make it physically difficult or impossible to develop without disturbing the Resource Overlay beyond the standard allowances. Applicants must prepare an Alternatives Analysis and Impact Evaluation to demonstrate that the proposal does not result in greater impacts to ecological functions, compared to other practicable alternatives. Finally, the applicant must provide a mitigation plan that is consistent with requirements described above.

- (3) When development occurs within delineated wetlands, then the mitigation required under subsections (b)(1) and (b)(2) of this title shall not require any additional mitigation than the mitigation required by state and federal law for the fill or removal of such wetlands.**

Response: The proposed Development Code defers to state and federal requirements for development in or near wetlands. Section 60.37.10.6 states, “Development in or near wetlands, streams, and riparian areas may require a service provider letter from Clean Water Services (CWS) and permits from the

Oregon Department of State Lands (DSL) and the U.S. Army Corps of Engineers (the Corps). If a state or federal permit is required, a water quality certification from the Oregon Department of Environmental Quality may also be required. Because these agencies may have more restrictive regulations than the City, applicants are encouraged to coordinate with regional, state, and federal agencies before they prepare their development plans.”

(4) City and county comprehensive plans and implementing ordinances shall include procedures to consider claims of hardship and to grant hardship variances for any property demonstrated to be converted to an unbuildable lot by application of any provisions implemented to comply with the requirements of this title.

Response: The proposed Development Code allows for limited development on properties that are fully covered by the Resource Overlay, which is intended to avoid the creation of unbuildable lots through these regulations. On properties that are fully or extensively covered with Resource Overlay, the development rules allow up to 6,000 square feet of disturbance area. Mitigation must be provided for the permanent disturbance area. (60.37.40.1)

In addition, the city’s existing Development Code Section 40.95.05 includes a variance application. The purpose of the variance application is to consider cases where the literal interpretation of the Development Code would cause an undue or unnecessary hardship without a corresponding public benefit.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states:

“[T]he proposed Development Code updates for the Cooper Mountain area would satisfy Example (2) [of UGMFP Subsection 3.07.1330(b)(5)(f)], with the referenced proposed updates substantially complying with Subsection 3.07.1340, Performance Standards and Best Management Practices for Habitat Conservation Areas, as they apply to upland wildlife habitat in new urban areas (i.e., the Cooper Mountain area added to the UGB in 2018).

“The proposed Development Code updates . . . contain review standards applicable to development in all proposed Habitat Conservation Areas (HCAs) of the Cooper Mountain area that appropriately include:

- Clear and objective development approval standards consistent with UGMFP Subsection 3.07.1330(c) that protect HCAs but allow limited development within High HCAs, slightly more development in Moderate HCAs, and even more development in Low HCAs;
- Allowances for property owners to use habitat friendly development practices, as well as requirements that development in HCAs be mitigated

to restore the ecological functions that are lost or damaged as a result of the development;

- Discretionary development approval standards consistent with UGMFP Subsection 3.07.1330(d) that comply with Subsections 3.07.1340(b)(2)(A)-(C);
- Provisions related to mitigation for development occurring within delineated wetlands that are consistent with state and federal law; and
- Procedures to consider claims of hardship and to grant hardship variances for any property demonstrated to be converted to an unbuildable lot by application of any provisions implemented by the City to comply with the requirements of Title 13.”

c. Administering the Habitat Conservation Areas Map and Site-Level Verification of Habitat Location.

Metro Code Section 3.07.1340(d) outlines the process to administer the map of HCAs and provide site-level verification of the locations of riparian areas and upland habitat.

Response: The city worked with Metro to update the inventory of Regionally Significant Fish and Wildlife Habitat. The mapping methodology and resulting inventory of natural resources have been documented in the Cooper Mountain Community Plan’s Natural Resources Report (Exhibit 1, Appendix B). A letter from Metro, dated September 3, 2024 (Exhibit 17) states that Metro has reviewed the Cooper Mountain Natural Resources Report and concurs that the city’s methodology to inventory natural resources in the planning area was consistent with the methodology that Metro used to create the initial regional inventory. Accordingly, Metro is using the Cooper Mountain Natural Resources Report to update the inventory of regionally significant riparian and upland habitat resources.

The proposed Development Code amendments include definition and mapping of the Resource Overlay (Figure 4), which includes areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat. During development, applicants must locate the Resource Overlay on their properties. The proposed Development Code Section 60.37.15 allows applicants to correct the boundary of the Resource Overlay based on site-specific investigations that have concurrence from Oregon Department of State Lands (DSL). Corrections to the boundary of the Resource Overlay that have concurrence from DSL may follow a Type 1 application process (40.70.15.2). The proposed Development Code Section also includes a detailed boundary correction process that requires a Type 3 application to challenge the data in the natural resources inventory (60.37.15.3 and 40.70.15.3). The city will maintain a GIS map of the Resource Overlay that includes the

corrections made through development applications and site-specific investigations.

Conclusion: The proposed amendments are consistent with Metro UGMFP Title 13. This criterion is met.

Metro UGMFP Title 14 – Urban Growth Boundary

3.07.1455 Conditions of Approval

(a) Land added to the UGB pursuant to sections 3.07.1420, 3.07.1430 and 3.07.1435 shall be subject to the requirements of sections 3.07.1120 and 3.07.1130 of this chapter.

Response: The proposed amendments are subject to Section 3.07.1120 and 3.07.1130, which are part of Title 11. Title 11 findings were addressed elsewhere in this staff report and are incorporated here by reference. Other sections of Title 14 apply to the Metro Council and are not relevant to the city’s proposed amendments.

Conclusion. This criterion is met.

40.85.15.1.C.4 – CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN

Criterion 4. Proposed text amendment is consistent with the City's Comprehensive Plan.

Findings:

Staff finds that the proposed amendment is consistent with the applicable goals and policies of the City’s Comprehensive Plan, as described in the following sections.

Comprehensive Plan Chapter 2: Community Involvement Element

Goal 2.1.1: The Planning Commission, Council, and other decision making bodies shall use their best efforts to involve the public in the planning process.

Response: Compliance with Comprehensive Plan Goal 2.1.1 is described above in findings for Comprehensive Plan Goal 2.1.1 in ZMA42024-00681, which describe how the Planning Commission and City Council involved the public in the planning process for this project, and are incorporated here by reference.

Goal 2.4.2: Make a concerted effort to include and recruit individuals of all ethnic, racial, age, cultural backgrounds, and sexual orientations in City boards, commissions, and public processes as to reflect and correspond to the City’s demographic profile.

Response: Compliance with Comprehensive Plan Goal 2.4.2 is described above in findings for Comprehensive Plan Goal 2.4.2 in CPMA42024-00679, which describe recruitment for the Cooper Mountain Community Plan Community Advisory Committee and Beaverton’s Inclusive Housing Cohort, as well as other multicultural outreach efforts for the project, and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 2: Community Involvement Element. This criterion is met.

Comprehensive Plan Chapter 3: Land Use Element

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

- Policy a) Emphasize pedestrian convenience and safety in all developments and transportation facilities.**
- Policy b) Encourage development and programs that reduce the need for vehicle use and ownership.**
- Policy c) Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.**
- 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.**
- Policy f) Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.**
- Policy g) Encourage providing amenities for transit users at transit stops or stations, such as food carts and coffee stands, covered benches, trash/recycling receptacles, and lighting.**
- Policy l) Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.**

Response: Compliance with Comprehensive Plan Goal 3.1.1 is described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how the Cooper Mountain transportation goals and policies emphasize Complete Streets designs to address safety; how the proposed Zoning Map includes 53 acres of mixed-use zoning where commercial is allowed; how the CM-CS and CM-HDR zoning districts are largely clustered in two locations along arterials, which support high-density development near transit; how the proposed amendments will make the area

transit-ready; and how the city's existing Development Code require pedestrian connections, among other design requirements; and are incorporated here by reference.

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.**
- Policy b) Conserve, protect and enhance natural resources identified in the city's adopted Significant Natural Resources inventories, consistent with policies in the Natural Resources Element.**
- Policy c) Encourage and incentivize sustainable building and site design approaches that minimize environmental impacts of the built environment while creating healthy, safe places for people to live, work and play through: i. Energy conservation and renewable energy, ii. Reducing resource consumption and waste, iii. Reducing water consumption and wastewater generation, including use of non-potable water systems where appropriate, iv. Integration of storm water and natural systems, v. Protecting and supporting human health, vi. Designing for adaptability over time.**
- Policy d) Wherever possible, allow resource areas to serve multiple purposes and acknowledge their multiple benefits.**

Response: Compliance with Comprehensive Plan Goal 3.3.1 is described above in findings for Comprehensive Plan Goal 3.3.1 in the CPMA42024-00679 section, which describes how the proposed amendments apply urban zoning across the plan area, while increasing protections for natural resources, in accordance with State Planning Goal 5 and Metro's Urban Growth Management Functional Plan. The proposed Development Code amendments include definition and mapping of the Resource Overlay (Figure 4) that includes natural resource areas of Riparian Class I and Class II Habitat and Upland Class A and Class B Wildlife Habitat.

The proposed Development Code regulates development activities and identifies which activities are allowed, limited or prohibited within the boundary of the Resource Overlay. When development activities are allowed in parts of the Resource Overlay, mitigation is required through planting and enhancement of the protected areas of the Resource Overlay.

Compliance with Comprehensive Plan Goal 3.3.1 is also described above in findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section, which describes rules for preserving, planting, and maintaining trees inside the Resource Overlay in Cooper Mountain (and in some cases, outside the Resource Overlay too) that promote sustainable site design practices and tree protection; and are incorporated here by reference.

The Cooper Mountain Utility Plan (Exhibit 24) evaluated alternatives and presents a recommended approach to utility planning that incorporates sustainable design approaches, including strategies to incorporate stormwater management into resource areas and promote multiple benefits of natural systems.

Goal 3.4.1: Provide effective and inclusive planning and development review services

Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.

Response: The existing Development Code rules and processes have been found to be consistent with the Comprehensive Plan in the past and this entire section addresses the proposed amendment’s consistency with existing Comprehensive Plan policies and proposed Comprehensive Plan amendments in CPMA42024-00679.

To establish new rules for the four new zoning districts proposed by ZMA42024-00681, TA42024-00680 proposes new development regulations that establish different allowed land uses as well as site development standards, such as minimum or maximum building height, required setbacks, and minimum density, for each of the four new zoning districts in Cooper Mountain.

In some cases, other Development Code sections were updated to facilitate this work, and these changes have implications for code that applies to other parts of the city. As a result, TA42024-00680 also proposes to make changes to other code sections that will apply to properties citywide.

TA42024-00680 proposes amendments that are intended to implement goals and policies in the Comprehensive Plan. For example:

- **Resource Overlay.** CPMA42024-00679 proposes updates to natural resource policies in Volume I Chapter 7: Natural, Cultural, Historic, Scenic, Energy, and Groundwater Resources and the addition of the Statewide Planning Goal Five Resource Inventory for Cooper Mountain to Volume III: Statewide Planning Goal Five Resource Inventory. As a result, TA42024-00680 proposes:
 - **Section 20.22.25 Cooper Mountain Resource Overlay.** A new section that describes where additional environmental rules apply to achieve the Cooper Mountain Community Plan goals related to natural resources as well as to meet state and regional requirements.
 - **Section 40.70 Resource Overlay.** New applications for development on sites with Resource Overlay coverage and boundary corrections to the Resource Overlay boundary.
 - **Section 60.37 Resource Overlay.** A new section with topics such as standards for land divisions and property line adjustments, general development standards, and standards for specific development types.

Likewise, CPMA42024-00679 propose updates to Volume I Chapter 6 (Transportation) and Volume IV (Chapters 2 and 4 of the TSP), and the addition of Appendix O (Cooper Mountain Transportation Project List) to Volume IV. Thus, TA42024-00680 also proposes transportation-related amendments to the Development Code that implement the new or updated transportation goals and policies in CPMA42024-00679.

TA42024-00680 also proposes adding Section 60.15.08 Cooper Mountain Landslide Hazard Risk, which includes standards applicable to land division proposals in Cooper Mountain that include land identified as a Landslide Hazard. These code updates implement revised policies and a new Cooper Mountain Landslide Hazard Risk Map in Volume I Chapter 8: Environmental Quality and Safety.

Policy b) Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy b) was described above in findings for Comprehensive Plan Goal 3.4.1 policy b) in CPMA42024-00679. Those findings, which describe how public engagement for this project was inclusive and provided meaningful opportunities to engage in each phase, are incorporated here by reference.

In addition, TA42024-00680 proposes new land use applications and modifications to existing applications in Chapter 40 of the Development Code. Proposed updates in Chapter 40 are included to support Chapter 20 and 60 updates, which are being amended to implement new or updated policies in the Comprehensive Plan.

New applications include the following:

- **40.70 Resource Overlay** (Type 1 and 3 applications)
- **40.91 Tree Applications – Cooper Mountain** (Type 1, 2 and 3 applications)

Update applications include the following:

- **40.15 Conditional Use – Planned Unit Development** (Type 3 application)
- **40.20 Design Review** (Type 1, 2 and 3 applications)
- **40.21 Single-Detached and Middle Housing Design Review** (Type 1, 2 and 3 applications)
- **40.40 Home Occupations** (Type 1 and 2 applications)
- **40.45 Land Division and Reconfiguration** (Type 1, 2 and 3 applications)
- **40.58 Sidewalk Design Modifications** (Type 1 application)

Chapter 40 updates to existing applications address new code sections that cover discretionary paths for Cooper developments; multi-phase developments; design requirements and small-scale commercial uses; design requirements for five-plexes and six-plexes; requirements for or special circumstances related to the Resource Overlay; and requirements for land divisions.

Section 50.40 (Type 2) and **Section 50.45** (Type 3) include noticing requirements. In addition, **Section 50.30** (Neighborhood Review Meeting) also confirms that a neighborhood meeting is required prior to submittal of an application subject to a Type 3 procedure. The existing procedures for Type 1, 2 and 3 applications are in compliance with the Comprehensive Plan.

TA42024-00680 also includes minor modifications to other applications in Chapter 40 to add references to new Cooper Mountain zoning districts, new building types, and small-scale commercial uses and also reflect changes in wording for clarity or consistency. These minor modifications do not affect existing current practices for notification, public involvement procedures or processes that encourage inclusive and meaningful opportunities for engagement by all community members.

Policy c) Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city's language access practices.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy c) was described above in findings for Comprehensive Plan Goal 2.4.1 and in findings for Comprehensive Plan Goal 3.4.1 policy a) in CPMA42024-00679. Those findings, which describe the public engagement plan objectives, racial equity considerations, recruitment for committees, engagement opportunities for each project phase, and translation and interpretation services, are incorporated here by reference.

Policy d) Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix, below; and the following policies.

i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.

Response: Compliance with Comprehensive Plan Goal 3.4.1 policy d.i) was described above in findings for Comprehensive Plan Goal 3.4.1 policy a) in ZMA42024-00681. Those findings, which describe how the four new zoning districts are consistent with the Community Plan and other Comprehensive Plan updates, are incorporated here by reference.

Goal 3.4.2. Coordinate with Washington County on planning for the Urban Planning Area

Policy a) Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy a) was described in findings for Comprehensive Plan Goal 3.4.2 policy a) in the ZMA42024-00681 section. Those findings, which describe coordination with Washington County on planning for the expansion area, as well as coordination with Washington County on other developments that are outside city limits but within the Urban Planning Area, are incorporated here by reference.

Policy b) Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.

Response: Compliance with Comprehensive Plan Goal 3.4.2 policy b) was described in findings for Comprehensive Plan Goal 3.4.2 policy b) in the ZMA42024-00681 section. Those findings, which describe when and how the city recognizes planning work done by Washington County as annexation occurs, and opportunities for the county to receive notice and/or provide comment on other proposals, are incorporated here by reference.

Goal 3.6.1: Support pedestrian-oriented mixed use areas

The following policies apply to all 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.

Policy b) Uses may be mixed vertically (i.e. within a single building on different floors) or horizontally (i.e. within different buildings), but should be mixed so that different uses are within easy walking distance of one another.

Policy c) Limit or prohibit auto-oriented commercial uses, including vehicle sales and services, drive-through uses, and uses requiring extensive outdoor storage, to enhance the pedestrian environment.

Policy d) Pedestrian-oriented design is a priority within mixed use areas. Pedestrian oriented design generally includes:

- i. Commercial and mixed use buildings located next to the sidewalk with windows, interesting facades, pedestrian-scale design features (e.g. lighting, awnings and signage), and majority of parking located behind, above, or beneath development**

- ii. **Residential buildings with windows and doors facing the street, and privacy provided through landscaping, grade changes, and modest setbacks**
- iii. **Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from fast-moving traffic (by using buffers such as curbside parking, landscaping, trees and street furniture)**

Response: TA42024-00680 proposes amendments that include site development standards and design requirements for proposed amendments in ZMA42024-00681 that add three zoning districts that together provide a mix of commercial, residential, employment, and civic uses at relatively high densities. These include:

- Cooper Mountain High Density Residential (CM-HDR), which is a mixed-use district that allows a wide range of commercial uses, residential uses, and civic uses. Section 20.22 indicates that the minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Multi-unit Residential (CM-MR), which is a residential district. Section 20.22 indicates that the minimum residential density is 34 units per net acre. There is no maximum residential density, and the maximum floor-area ratio that regulates building bulk allows residential and mixed-use development at relatively high densities.
- Cooper Mountain Residential Mixed (CM-RM), which is a residential district with a minimum residential density of 10 units per acre (Section 20.22). This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned CM-MR.

Section 40.97 (Zoning Map Amendment) provides a pathway for property owners to request a change in zoning. To be approved, the application needs to comply with all applicable approval criteria, which includes conforming with applicable policies of the City's Comprehensive Plan. Proposed Comprehensive Plan policies allow zone changes among those districts, but Policy f) under Goal 3.6.6 indicates that future zoning amendments should provide the same or similar number of housing units, housing variety, and equitable access to commercial opportunities.

The proposed amendments to Section 20.22 and Section 60 allow vertical or horizontal mixed use and generally allow a mix of uses within most neighborhoods to ensure different uses are within easy walking distance of each other, both through application

of zoning districts on the proposed Zoning Map and by allowing a variety of uses and/or housing types within each zoning district.

The proposed amendments would prohibit drive-throughs, auto sales, vehicle storage yards, storage yards (except for RV, boat, and trailer storage within a residential development or PUD) in all Cooper Mountain zoning districts. Minor auto repair is allowed only within the Cooper Mountain Community Service zoning district. This will enhance the pedestrian environment by reducing curb cuts for drive-through lanes, which will reduce the number of conflict points where driveways cross the sidewalk, and reducing the potential for large vehicle, equipment, or inventory storage areas within Cooper Mountain, which will leave more room for housing and businesses oriented toward pedestrian traffic.

Regarding pedestrian-oriented design, the city’s existing Development Code combined with the proposed amendments to Section 60.05.15 and 60.05.20 requires a certain amount of building frontage along the street, requires a certain percentage of windows in ground-floor commercial spaces, and requires pedestrian circulation within development sites and connections to the public right of way. The Comprehensive Plan policies call for Complete Streets with comfortable and safe pedestrian and bicycle facilities for all ages and abilities, and the existing Engineering Design Manual and future updates will support these policies.

Proposed Goal 3.6.6: Promote a mix of residential and commercial uses consistent with the Cooper Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policy b) Ensure commercial uses and residential development intensity are established in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map.

- The neighborhood center just north of SW Tile Flat Road and east of SW Grabhorn Road.
- The neighborhood center west of SW 175th Ave between SW Weir Road and the roundabout at SW 175th Ave and SW Kemmer Road.

On the proposed Zoning Map, CM-HDR is a zoning district that is inside where the Community Plan designates “Neighborhood Center” on the Preferred Approach Concept Map (in addition to CM-CS, which is covered by policies in Section 3.7 of Chapter 3 in the Comprehensive Plan). The CM-HDR zoning district allows commercial uses, though it is not required. In addition, proposed amendments in TA42024-00680 describe how the code ensures that some commercial uses will be required near land zoned CM-HDR. For example, Section 20.22.30 (CM-CS Commercial Requirements) indicates that each site with CM-CS zoning shall provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet. Applicants can always add more commercial square footage.

Proposed amendments in TA42024-00680 also describe how site development standards will provide opportunities for significant residential development in CM-HDR, with a focus on multi-unit residential, since the minimum residential density is 34 dwelling units per acre. Also, maximum density is not applicable in the CM-HDR zoning districts, which means that property owners and developers are able to provide more than 34 dwelling units per acre, if desired.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: TA42024-00680 indicates that there will be opportunities for significant residential development in the CM-HDR zoning district, with a focus on multi-unit residential, since the minimum residential density is 34 dwelling units per acre. Also, maximum density is not applicable in the CM-HDR zoning district, which means that property owners and developers are able to provide more than 34 dwelling units per acre, if desired.

In addition, the minimum residential density for the CM-RM zoning district is 10 dwellings units per acre. But also, maximum density is not applicable in the CM-RM zoning district either (with one small exception related to single room occupancies described in Section 20.22), which means that property owners and developers are able to provide more than 10 dwelling units per acre, if desired. Furthermore, the CM-RM zoning district allows small-scale commercial uses if a lot with CM-RM zoning is near

parks, Neighborhood Routes, and land zoned CM-MR (which has a minimum residential density of 34 dwelling units per acre). This combination of factors provides development intensity and commercial uses, promoting more opportunities for vibrant places in the Cooper Mountain Community Plan area.

Goal 3.7.1: Enhanced Commercial Centers and Corridors

The following policies apply to all Commercial Centers and Corridors.

- Policy a) Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including**
- i. Improving pedestrian and bicycle connections within and between sites**
 - ii. Enhancing or creating multi-modal connections wherever feasible**
 - iii. Providing direct pedestrian connections to, and amenities near, transit stops**
 - iv. 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.**
 - v. Providing safe and convenient paths for pedestrians within large parking areas**

Response: The city's existing Development Code and the proposed amendments require pedestrian connections within sites and connections from private property to the streets, including to transit stops and stations. The city's existing Development Code and Engineering Design Manual also allow amenities for transit users at transit stops and stations. These amenities are already found throughout the city and will continue to be allowed.

The city's existing Development Code and the proposed amendments also have requirements that parking, if property owners choose to provide it, is located in general behind or beside buildings so buildings are near the street, which makes pedestrian access easier and more desirable. The existing and proposed development rules also require pedestrian connections between the sidewalks in the right of way and primary building entrances on private property.

- Policy b) Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.**

Response: TA42024-00680 proposes amendments to the Beaverton Development Code, which emphasize commercial uses and create design standards for ground-floor elevations, among other requirements. These changes for the CM-CS zoning district include:

- **20.22.15 (Site Development Standards).** Add a new section that includes site development standards for the CM-CS zoning district (and all other Cooper zones). The CM-CS zoning district is intended to have more development intensity because it is supposed to result in more vibrant areas in general but also because commercial uses are allowed. Those commercial uses also would have floor area on the site, so the maximum FAR was set at 2.0 – higher than in CM-MR – to allow enough building size/bulk for both commercial and residential uses on a site.
- **20.22.20 (Land Uses).** Add a new section that describes which land uses (Commercial, Residential, Civic, Industrial and Planned Unit Development) are Permitted (P), Conditional Uses (C), or Prohibited (N) uses in the CM-CS zoning district.
- **20.22.30 (CM-CS Commercial Requirements).** Add a section that requires a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site’s size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional. The zone also would allow residential uses and other uses.
- **20.22.35 CM-RM Small-scale Commercial).** Add a section that allows small-scale commercial uses near parks, CM-MR zones, and streets with the Neighborhood Route classification. This sections provides more information on allowed uses, site development standards, limitations on permitted uses and outdoor activities, and some other additional standards.
- **40.20 (Design Review).** Update applicability rules to indicate when design review is required for various uses and building types in the CM-CS zoning district (and all other Cooper Mountain zoning districts), and how projects can meet minimum floor area ratio and/or minimum required commercial standards in a phased manner inside the Cooper Mountain Community Plan area.
- **60.05.15 (Building Design and Orientation Standards).** For Cooper Mountain, add requirements for building location and orientation along streets in Commercial and Multiple Use zones. Add requirements for ground-floor elevations on commercial and multiple-use buildings. Guidelines in Section 60.05.35 advance similar desired outcomes. Citywide, add additional detail and options to meet standards for roof forms, primary building entrances and window coverage.
- **60.05.20 (Circulation and Parking Design Standards).** For Cooper Mountain, add requirements for connections to the public street system; pedestrian circulation; off-street parking frontages; and sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. Citywide, add screening standards for ground-floor parking. Update frontage requirements for development in

commercial and multiple use districts. Guidelines in Section 60.05.40 advance similar desired outcomes.

- **60.05.25 (Landscape, Open Space, and Natural Areas Design Standards).** Add minimum landscaping requirements for various uses and building types (applies to CM-CS and other Cooper zoning districts). Add open space and landscape buffer requirements for developments subject to Design Review. Guidelines in Section 60.05.45 advance similar desired outcomes.
- **Table 60.05-1 Technical Lighting Standards.** Add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park (applies to CM-CS and other zoning districts).

Policy c) Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

Response: Compliance with Comprehensive Plan Policy 3.7.1.c) is described above in findings for Comprehensive Plan Policy 3.7.1.c), which describes allowed land uses in mixed-use developments, site development standards and design requirements in the CM-CS zoning district; and are incorporated here by reference.

To provide additional information on changes related to buffering, TA42024-00680 proposes adding Section 60.05.25.17 (Cooper Mountain Community Plan Open Space and Landscape Buffers to the Beaverton Development Code. Section 60.05.25.17 proposes rules that would create a new set of open space and buffering rules for Cooper Mountain. The buffer standards developed specifically for Cooper are proposed to ensure buffering is provided where visual or noise impacts need to be addressed without requiring addition land, fences, and landscaping features where they are not needed.

Proposed Comprehensive Plan Goal 3.7.4: Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

- Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:**
- Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and**

- ii. **Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and**
- iii. **Serve as priority locations for civic uses and regulated affordable housing.**

Response: The Community Plan includes two areas where “Neighborhood Center” is indicated on the Preferred Approach Concept Map. One is at the north end of the plan area, just west of SW 175th Ave and north of SW Weir Road. The other is in the southwest corner of the plan area, just north of SW Tile Flat Road and east of SW Grabhorn Road.

There are two CM-CS zoning districts on the proposed Zoning Map. Each CM-CS zoning district generally fits within the perimeter of “Neighborhood Center” on the Concept Map. Where there are minor differences, the boundaries of the CM-CS zoning district were adjusted to account for updated information on roads, parks and lot lines.

TA42024-00680 includes amendments that establish a minimum residential density of 34 dwelling units per acre for the CM-CS zoning district (Section 20.22.15). The CM-CS zoning district is intended to have more development intensity because it is supposed to result in more vibrant areas in general but also because commercial uses are allowed. Those commercial uses also would have floor area on the site, so the maximum FAR was set at 2.0 to allow enough building size/bulk for both commercial and residential uses on a site.

In addition, proposed amendments in Section 20.22.30 (CM-CS Commercial Requirements) require a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site’s size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional.

Compliance with Comprehensive Plan Policy 3.7.4.b) is also described above in findings for Comprehensive Plan Policy 3.7.1.a), which describes how the existing code and proposed amendments promote safe and convenient ways to travel; and are incorporated here by reference.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: The CM-CS zoning district is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while

allowing significant residential development with a focus on Multi-Dwellings and Middle Housing. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district is applied.

Each CM-CS zoning district is adjacent a CM-HDR zoning district, which is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed. Proposed amendments in TA42024-00680 indicate that the minimum density for CM-HDR is 34 dwelling units per acre.

In addition, the Cooper Mountain Residential Mixed (CM-RM) zoning district is around the CM-CS and CM-HDR zoning districts on the Zoning Map. The CM-RM zoning district is a residential district with a minimum residential density of 10 units per acre (Section 20.22). This zoning district allows relatively high densities, such as a six-plex on a 5,000-square-foot lot (52 units per acre) or a townhome on a 1,300-square-foot lot (34 units per acre). This zoning district also allows small-scale commercial uses (most are limited to 1,500 square feet) on lots near parks, neighborhood routes, and lots zoned CM-MR.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;**
- ii. Along neighborhood routes with higher density multi-dwelling options; and**
- iii. Near multi-use paths.**

Response: TA42024-00680 adds Section 20.22.20 (Land Uses) to the Beaverton Development Code. This new section indicates which zones require commercial uses (CM-CS) or allow commercial uses (CM-HDR and CM-RM). Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district (and all other Cooper zoning districts) are applied.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;**
- ii. Near Commercial and Mixed Use areas;**
- iii. Along existing or planned transit routes;**
- iv. Along collector streets;**
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;**
- vi. Near neighborhood and community parks; and**

vii. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Response: TA42024-00680 adds Section 20.22.15 (Site Development Standards) to the Beaverton Development Code. This new section establishes higher minimum residential density (34 dwelling units per acre) for the CM-CS, CM-HDR and CM-MR zones. Proposed amendments in ZMA42024-00681 describe where the CM-CS zoning district (and all other Cooper zoning districts) are applied.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: Beaverton Development Code Section 40.97 already allows property owners to request a Zoning Map Amendment (ZMA). For the ZMA to be approved, Section 40.97 indicates that the proposal must confirm with all applicable policies in the Comprehensive Plan, such as proposed Comprehensive Plan policy 3.7.4.f). The ZMA provides property owners with flexibility to request changes to the Zoning Map, but in a way that still achieves the desired outcome described in the Cooper Mountain Community Plan.

Comprehensive Plan Goal 3.8.1

The following policies apply to all Neighborhoods.

Policy a) Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.

Response: Maximum density is not applicable in all four Cooper Mountain zoning districts, with one exception - up to six single-room occupancy units on each lot or parcel are permitted within the CM-RM zoning district. This is not intended to exempt single-room occupancies from minimum density requirements of the underlying zone.

Table 11 includes minimum lot area for housing types in Cooper Mountain Zoning Districts. Minimum lot area is not generally used in residential zones intended to result in multi-dwellings and middle housing. Minimum lot area is generally used in residential zones intended for single-detached dwellings and middle housing.

Table 18. Minimum Lot Area for Housing Types in Cooper Mountain Zoning Districts

Housing Type	Minimum Lot Area CM-CS, CM-HDR and CM-MR zones	Minimum Lot Area CM-RM zone (square feet)
Single-Detached and Duplex	N/A	3,000
Triplex and Quadplex	N/A	4,000
Multi-Dwelling (5-6 units)	N/A	5,000
Townhouse	N/A	1,300 ¹
Cottage Cluster	N/A	7,000
Single-Room Occupancies	N/A	3,000

¹ Townhouses designed with rear-loaded parking areas, parking areas shared between 2 or more dwellings, or no off-street parking shall have a minimum lot size of 1,000 square feet.

Policy b) Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

- iii. **Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.**
- iv. **Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.**

Response: Maximum density is not applicable in all four Cooper Mountain zoning districts; therefore, Section 20.22.15 (Site Development Standards in Cooper Mountain) does not calculate minimum density based on maximum density. Instead, Section 20.22.15 proposes the minimum densities in Table . Minimum density is based on net acreage, defined in Chapter 90, which excludes significant natural resource areas and other constrained lands.

The CM-CS, CM-HDR and CM-MR zoning districts are intended to predominantly result in multi-dwellings and middle housing. The CM-RM zoning district is intended to allow a mix of housing types, including detached and attached housing. The flexibility and available density ensure effective and efficient use of land within urban areas to relieve development pressure in rural areas and protect farms, forests, and natural resources.

Table 19. Minimum Density for Cooper Mountain Zoning Districts

Cooper Mountain Zoning District	Minimum density: Units per net acre
Cooper Mountain – Community Service (CM-CS)	34
Cooper Mountain – High Density Residential (CM-HDR)	34
Cooper Mountain – Multi-Unit Residential (CM-MR)	34
Cooper Mountain – Residential Mixed (CM-RM)	10

Policy c) Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.

Response: TA42024-0080 proposes amendments that promote housing variety while maintaining an overall density consistent zoning in the following ways:

- In Section 20.22.15 (Site Development Standards), allowing small lots, a variety of minimum lot sizes for different housing types, and minimum densities to ensure efficient use of the land that supports different types of houses that can be built.
- In Section 20.22.15 (Site Development Standards), small front, rear, and in some cases, side setbacks, provide more flexibility in siting buildings to protect trees, orienting buildings along an east-west axis to take advantage of daylighting and solar collection opportunities and creating more opportunities for accessible living where a kitchen, bathroom, bedroom and living area could be on the ground floor.
- In Section 20.22.15 (Site Development Standards), establishing higher height limits (an additional 5 or 10 feet than other similar districts outside of the Cooper Mountain Community Plan area) so buildings can reach an adequate height on sites with slopes and so developers have flexibility to preserve natural resources by placing taller buildings on a smaller portion of a site away from those resources. The height limits could allow a five- or six-story building in the CM-CS, CM-HDR, and CM-MR zoning districts and a four-story building in the CM-RM zoning district.
- In Section 20.22.15 (Land Uses), allowing a variety of housing types throughout all Cooper Mountain zoning districts. Notably, multiplexes with five or six units are allowed in the CM-RM zoning district in addition to other middle housing types.
- In section 20.22.40 (CM-RM Housing Variety and Integration Requirements), adding a section that requires housing variety in developments when the net acreage of the parent parcel is three acres or larger (that is, 30 percent of homes

in developments are not single-detached homes, meaning they are plexes with two to six units, townhomes, and cottage clusters). Housing must also be integrated somewhat to promote inclusive neighborhoods where different housing types that meet different people's needs are close to each other.

- In Section 40.20 (Design Review), adding a discretionary option for projects within the Cooper Mountain Community Plan area that request to use the Cooper Mountain Development Plan process to develop a site in phases, where the first phase does not meet the clear and objective minimum floor area ratio (FAR) requirements established in Section 20.22.15.
- In Sections 40.45.4 (Preliminary Partition), 40.45.5 (Preliminary Subdivision) and 40.45.11 (Land Division Housing Plan Amendment), adding code language that creates a requirement for Land Division applications that would create lots for development of single-detached dwellings or middle housing to submit a Land Division Housing Plan when the project does not include a concurrent Design Review application (Sections 40.20, 40.21, and 40.23).

The Land Division Housing Plan will demonstrate that the proposed Land Division will be developed with housing in a way that complies with all applicable Chapter 20 or Chapter 70 requirements. If a developer wishes to change the housing plan for the subdivision prior to or concurrent with the submittal of the required Design Review application, a new Type 1 application process, called the Land Division Housing Plan Amendment, has been created for that purpose.

- In Section 60.05.60 (Design Standards for Single-Detached Dwellings and Middle Housing), providing flexible standards so site and building design can respond to the site, climate, and renewable energy opportunities.
- In Section 60.05.60 (Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the CM-RM Zoning District), adding a new section that provides flexible standards so site and building design can respond to the site, climate, and renewable energy opportunities (largely based off in the requirements in Section 60.05.60 above).
- In Section 60.30 (Off-street Parking), not requiring minimum parking for any developments citywide.
- In Section 60.36 (Planned Unit Development – Cooper Mountain), adding a new Planned United Development (PUD) section specifically designed for Cooper Mountain development. Cooper PUD provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area. The Cooper PUD provisions include opportunities for reduced site development standards, such as lot size reductions if active open space is provided, a discretionary

approach to housing variety and integration requirements, open space options, and additional incentives and flexibility for needed types of housing, called Needed Development Outcomes.

Policy d) For development that achieves a public benefit or goal (such as increased housing options, public space or affordable housing) the city may provide code incentives, such as opportunities for additional floor area or housing units.

Response: As described above in the findings for Comprehensive Plan Goal 3.8.1.c), Section 60.36 (Planned Unit Development – Cooper Mountain) provides flexibility, alternatives, and incentives to support needed development outcomes, such as visitable homes. To support the needed development outcomes in Section 60.36, the proposed amendment also updates Section (60.50.25 Uses Requiring Special Regulation) to add a new section that establishes clear and object standards for visitable dwellings.

Policy e) Provide opportunities for a variety of housing types in all residential plan designations while maintaining a scale and character consistent with the intent of each plan designation.

Response: Compliance with Comprehensive Plan Goal 3.8.1.e), is described above in findings for Comprehensive Plan Goal 3.8.1.a), b) and c) in this section, which describe how the proposed amendments provide for opportunities for a variety of housing types, and are incorporated here by reference.

Proposed changes that support maintaining scale and character consistent with the intent of each plan designation include site development standards in Section 20.22.15 and design requirements in Chapter 60 that are largely based off similar districts in the city, except when additional flexibility is provided to protect natural resources. Furthermore, considering that Cooper Mountain is an expansion area expected to result in about 5,000 new homes, site development standards and design requirements that consider the context of existing neighboring developments is less of a consideration since this area will be transitioning from rural to urban uses.

Policy f) Facilitate development of housing that is affordable to a range of incomes, including low-income households.

Response: Compliance with Comprehensive Plan Goal 3.8.1.f), is described above in findings for Comprehensive Plan Goal 3.8.1.a), b) and c) in this section, which describe how the proposed amendments provide for opportunities for a variety of housing types, which means that people with different household sizes or incomes will have more opportunities to reside where there are opportunities to live, work; and how Cooper PUD provisions incentivize housing that meets needed development outcomes, such as regulated affordable housing at or below 60 percent or 80 percent depending upon the proposal; and are incorporated here by reference.

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

Response: Compliance with Comprehensive Plan Goal 3.8.1.g), is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section, which describes how parks are integrated throughout all Cooper Mountain neighborhoods; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 3.8.1.g), is also described above in findings for Comprehensive Plan Goal 3.1.1 in the CPMA42024-00679 section, which describes how new developments shall be designed to provide safe and convenient pedestrian and bicycle connections between destinations; and are incorporated here by reference.

The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain TAC and shared feedback throughout the planning process (Exhibit 14). BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

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

Response: Beaverton’s Development Code has already been found to be consistent with Crime Prevention through Environmental Design techniques. For example, Section 60.05.60 (Design Standards for Single-Detached Dwellings and Middle Housing) includes design standards in the RMA, RMB, RMC and CM-RM zones that require a minimum 15 percent window percentage facing the street and require a doorway facing the street. The design standards also require outdoor open areas and other features to promote community. A side effect of these standards is that they create more interaction between the private property and public property, which could provide a sense of safety for many community members.

Policy i) Require subdivisions and development on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including connections to adjacent properties or opportunities to connect in the future.

Response: Beaverton’s Development Code already requires subdivisions and developments on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including pedestrian circulation requirements for single-detached dwellings and middle housing and limitations on

average block length in many development types. These requirements will apply to proposed developments in the Cooper Mountain Community Plan area.

Comprehensive Plan Goal 3.8.3

Goal 3.8.3: Cooper Mountain Lower Density Neighborhoods: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policy b) Allow small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are:

- i. Near areas zoned for higher density multi-dwellings;**
- ii. Near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and**
- iii. Along Neighborhood Routes.**

Response: TA42024-00681 includes proposed development rules that would apply to small-scale commercial uses in the CM-RM zoning district to provide entrepreneurship opportunities and to facilitate the availability of goods, services, and gathering places within Cooper Mountain neighborhoods.

- Section 20.22.15 (Site Development Standards) includes maximum lot area for a site with a small-scale commercial use.
- Section 20.22.20 (Land Use) indicates which types of commercial uses are allowed as small-scale commercial uses in the CM-RM zoning district.
- Section 20.22.35 (CM-RM Small-scale Commercial) contains provisions that limit the location and size of the uses to promote small-scale commercial uses that co-exist alongside residential uses without excessive noise or late operating hours that could disturb residents' sleep. The proposed amendments generally allow the small-scale commercial uses on lots near parks, properties zoned CM-MR or near certain Neighborhood Routes. The proposed amendments also limit the building scale of the buildings that contain a small-scale commercial use, so it is similar to the scale of the residential buildings allowed in the CM-RM zoning district.
- Chapter 40. Updates references to small-scale commercial uses in applications for Section 40.20 (Design Review), Section 40.21 (Single-Detached and Middle Housing Design Review), Section 40.40 (Home Occupation) and Section 40.91 (Tree Applications – Cooper Mountain).
- 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing). Updates requirements to include rules for small-scale commercial

uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.

- 60.30 (Off-Street Parking). Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone.

Policy c) The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Response: Compliance with Comprehensive Plan Goal 3.8.3.c) is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section and in findings for Comprehensive Plan Goal 3.8.3.c) in the CPMA42024-00679 section, which describes how the city will support efforts by THPRD with parks and trails planning in the Cooper Mountain Community Plan area; and are incorporated here by reference.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Response: Compliance with Comprehensive Plan Goal 3.8.3.d) is described above in findings for Comprehensive Plan Goal 3.8.3.d) in the ZMA42024-00680 section, which describes how zoning encourages development intensity in activity centers in the Cooper Mountain Community Plan area; and are incorporated here by reference.

In addition, TA42024-00680 includes proposed amendments that require higher minimum residential density (34 dwelling units per acre) in the CM-CS, CM-HDR and CM-MR zoning districts, which are intended for commercial, mixed-use, and higher density residential development.

Furthermore, TA42024-00680 includes the addition of Section 20.22.30 (CM-CS Commercial Requirements), which requires each site with CM-CS zoning to provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet. Applicants can always add more commercial square footage if desired.

In addition, TA42024-00680 provides flexibility by allowing applicants to use the Cooper Mountain Development Plan in Section 40.20.10.5.C, which is subject to review through a Design Review Three application, if they would like to pursue a phased

development that does not provide the required minimum commercial square footage with the first phase of development.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- iv. **Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and**
- v. **Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and**
- vi. **Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.**

Response: Existing Beaverton Development Code Section 40.97 allows applicants to request a ZMA for their property. In this case, Section 40.97 indicates that the applicant will need to demonstrate in their submittal that the proposal conforms to proposed Comprehensive Plan policy 3.8.3.e), which provides locational criteria relevant for requests to change zoning for properties assigned the Cooper Mountain Residential land use designation. If the proposal confirms with this policy, along with all other relevant approval criteria, then the request for a ZMA could be approved.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 3: Land Use Element. This criterion is met.

Comprehensive Plan Chapter 4: Housing Element

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

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

Policy b) Support higher density infill development that capitalizes on existing infrastructure and where impacts can be mitigated

Response: Compliance with Comprehensive Plan Goal 4.1.1.a) is described above in findings for Comprehensive Plan Goal 4.1.1.a) in the CPMA42024-00679 section; and are incorporated here by reference.

Policy c) Encourage high density residential development on mixed use and commercially zoned sites with proximity to transit and amenities with the objective of creating 18-hour neighborhoods

Response: Compliance with Comprehensive Plan Goal 4.1.1.c) is described above in findings for Comprehensive Plan Goal 3.1.1.a) in the CPMA42024-00679 section, which describes how commercial and high density residential development on mixed use and commercially zoned sites (the CM-CS, CM-HDR and CM-MR zoning districts) support a variety of transportation options; and are incorporated here by reference.

Also, TA42024-00680 includes amendments that establish a minimum residential density of 34 dwelling units per acre for the CM-CS, CM-HDR and CM-RM zoning districts.

Policy d) Develop a Housing Implementation Plan that is updated regularly based on market conditions and trends

Response: In September 2023, the City Council adopted the Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community. The strategies cover a range of topics such as exploring market conditions and trends, funding affordable rental housing and promoting homeownership.

Policy e) Develop programs or strategies to improve Beaverton’s jobs-housing balance, thereby reducing impacts on transportation infrastructure and the environment

Response: Compliance with Comprehensive Plan Goal 4.1.1.e) is described above in findings for Comprehensive Plan Goal 4.1.1.e) in the ZMA42024-00681 section, which describes how several new Cooper Mountain zoning districts that require or allow commercial uses are being added to the city’s map, thereby creating jobs closer to where people live and visit; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 4.1.1.e) is also described above in findings for Comprehensive Plan Goal 3.7.1 and 3.7.4 in the TA42024-00680 section, which describe how the code requires commercial square footage in developments with a portion of the lot in the CM-CS zoning district; and are incorporated here by reference.

Compliance with Comprehensive Plan Goal 4.1.1.e) is also described above in findings for Comprehensive Plan Goal 3.8.3.b) in the TA42024-00680 section, which describes proposed development rules that would apply to small-scale commercial uses in the CM-RM zoning district; and are incorporated here by reference.

Policy h) Provide an efficient, consistent, and reliable development review process

Response: Compliance with Comprehensive Plan policy 4.1.1.h) is described above in findings for Comprehensive Plan Goal 3.4.1.a) in the CPMA42024-00679 section, which describes that consistency between Comprehensive Plan designations and development regulations ensures an effective development review process; and also above in findings for OAR 660-007-0015 (Clear and Objective Approval Standards Required) in the CPMA42024-00679 section, which describes how clear and objective

standards ensure a an efficient and reliable development review process; and are incorporated here by reference.

Goal 4.2.1. Provide a variety of housing types that meet the needs and preferences of residents

Policy a) Ensure that sufficient land is appropriately zoned to meet a full range of housing needs

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will provide sufficient buildable lands that result in housing that meets a variety of needs; and are incorporated here by reference.

Policy c) Identify and research emerging housing types and regularly consider appropriate updates to the Development Code to allow for their development

Response: Compliance with Comprehensive Plan policy 4.2.1.a) is described above in findings for Statewide Planning Goal 10, which describes how proposed Comprehensive Plan land use designations and implementing zoning districts for the Cooper Mountain Community Plan area will result in housing that meets a variety of needs; and are incorporated here by reference.

While not an emerging housing type per se, the proposed amendments allow multiplexes with five or six units in the CM-RM zoning district, along with single-detached homes and middle housing. This provides more affordable homeownership and rental opportunities in neighborhoods types that historically have been reserved for single-detached dwellings.

Policy d) Incentivize the development of housing types that are needed but not currently being provided in adequate numbers by market forces, such as multigenerational housing, accessible housing and larger multi-dwelling rental units

Policy f) Encourage the development of a variety of housing types within planned unit developments and other large projects, which can serve to improve the aesthetic character of the neighborhood and provide housing choices for different income levels

Response: TA42024-00680 proposes adding a new Planned United Development (PUD) section: Section 60.36 Planned Unit Development – Cooper Mountain. Cooper PUD provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area. The Cooper PUD provisions include opportunities for reduced

site development standards, such as lot size reductions if active open space is provided, a discretionary approach to housing variety and integration requirements, open space options, and additional incentives and flexibility for needed types of housing, called Needed Development Outcomes.

Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan. Needed development outcomes also directly support the adopted goals and policies of the Cooper Mountain Community Plan related to age-friendly housing, affordable housing, and housing variety and integration. Examples of needed development outcomes include:

- Visitable housing, consistent with Section 60.50.25.17 of the code
- Regulated Affordable Housing at or below 60 percent area median income
- Regulated Affordable Housing at or below 80 percent area median income
- Multiple Use or Multi-Dwelling Buildings that integrate Regulated Affordable Housing units and non-Regulated Affordable units within a building
- At least 25 percent of provided single-detached or middle housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider.
- Five- or six-unit multi-dwelling structures in the CM-RM zoning district.

Section 60.36 includes additional requirements for needed development outcomes.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 4: Housing Element. This criterion is met.

Comprehensive Plan Chapter 5: Public Facilities and Services Element

Goal 5.3.1: Ensure long-term provision of adequate urban services within existing City limits and areas to be annexed in the future.

Policy b) The City shall work cooperatively with service providers within its Urban Services Area in the development of master plans that are elements of the City's Public Facility Plan, so as to prescribe the most effective and efficient long-term methods of providing each service.

Policy c) The City will involve owners of properties and residents in the unincorporated portion of its urban services area in planning for facilities and services.

Response: Throughout the project, Community Advisory Committee and Technical Advisory Committee meetings were held to support development of both the Community Plan and the Cooper Mountain Utility Plan. (See Public Engagement Summary, Exhibit 14, for additional information.) The proposed amendments add the Cooper Mountain Utility Plan (Exhibit 24) to the city’s Public Facility Plan to define public utility needs for the Cooper Mountain Community Plan area. The Technical Advisory Committee included representatives from Clean Water Services, Washington County, Tualatin Hills Park & Recreation District, and other partners. The Community Advisory Committee included Beaverton residents and residents of unincorporated Washington County, including those within the plan area and other parts of Washington County.

Goal 5.4.1: Ensure long-term provision of adequate storm water management within existing City limits and areas to be annexed in the future.

Policy b) On-site detention will be used as a storm water management tool to mitigate the impacts of increased storm water run-off associated with new land development.

Policy c) All new land development will be connected to a storm water drainage system. Each new development will be responsible for the construction or assurance of construction of their portion of the major storm water run-off facilities that are identified by the SWM program as being necessary to serve the new land development.

Response: The proposed amendments do not change the stormwater design standards for new development, which are included in the City’s Engineering Design Manual and Standard Drawings. The current standards include requirements for water quality treatment, flow control, and hydromodification, based on the amount of proposed impervious surface with the development.

The Cooper Mountain Utility Plan presents an evaluation of the existing conditions and potential impacts from proposed development, along with preliminary sizing and siting of stormwater management facilities to serve the proposed development. The Utility Plan includes calculations to demonstrate that the required stormwater management facilities would mitigate the impacts of increased stormwater runoff associated with full development of the plan area. The current standards require new land development to provide the stormwater management facilities to serve the proposed development.

Goal 5.5.1: The City shall continue to participate in the Joint Water Commission and work with the West Slope, Raleigh and Tualatin Valley Water Districts to ensure the provision of adequate water service to present and future customers in Beaverton.

Policy a) All new land development (residential subdivisions, multi-dwelling development, and industrial and commercial developments) shall be connected to a public water system.

Response: Compliance with Comprehensive Plan Goal 5.5.1 is described above in findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section. The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated demands, and proposed infrastructure to provide efficient and resilient potable water service to the plan area while preserving operational flexibility. The proposed infrastructure focuses on storage and pumping requirements and large diameter transmission piping along the proposed roadway alignments. More detailed planning for local distribution piping will be developed for each developing neighborhood.

The proposed amendments do not change the water system standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide connections and distribution piping to bring public water system connections to the proposed development.

Staff findings for Comprehensive Plan Goal 5.5.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.6.1: The City shall continue to cooperate with CWS to ensure long-term provision of an adequate sanitary sewer system within existing City limits and areas to be annexed in the future.

Policy a) All new land development (residential subdivisions, and multi-dwelling, industrial, and commercial developments) shall be connected to the City sewer system.

Response: Compliance with Comprehensive Plan Goal 5.6.1 is described above in findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section. The Cooper Mountain Utility Plan (Exhibit 24) summarizes the existing conditions, planning criteria, estimated flows, and proposed infrastructure to provide public sanitary sewer service to the plan area. The proposed infrastructure focuses on conveyance requirements along the proposed roadway alignments. More detailed planning for local collection systems will be developed for each developing neighborhood.

The proposed amendments do not change the sanitary sewer design standards for new development, which are included in the city's Engineering Design Manual and Standard Drawings. The current standards require new land development to provide collection and conveyance systems to connect new development to the public sewer system.

Staff findings for Comprehensive Plan Goal 5.6.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 5.7.1. Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

- Policy d) The City shall work cooperatively with the School District in implementation of the Comprehensive Plan through the District’s various programs, joint acquisition and development efforts.
- Policy e) The City shall notify the school district of development proposals that may potentially impact a present or future school site to allow the district the opportunity to comment, purchase or request dedications.
- Policy f) The City shall notify the School District when considering Comprehensive Plan or land use regulation amendments that may significantly impact school capacity.

Response: The Beaverton School District (BSD) and Hillsboro School District (HSD) are the school providers for the Cooper Mountain Community Plan area. Both BSD and HSD participated on the Cooper Mountain Technical Advisory Committee and shared feedback throughout the planning process. BSD and HSD are responsible for planning the locations of any new public schools in Cooper Mountain or the surrounding area. A full list of TAC meetings is Exhibit 14.

On August 22, 2024, Beaverton also provided BSD and HSD with draft amendments prior to finalizing, which allowed 55 days before the initial public hearing to provide comments. In the proposed amendments, Beaverton Development Code Section 20.22.15 indicates that educational institutions are permitted uses in the CM-CS and CM-HDR zoning districts, and conditional uses in the CM-MR and CM-RM zoning districts.

Goal 5.8.1. Cooperate with THPRD in implementation of its 20- Year Comprehensive Master Plan and Trails Master Plan in order to ensure adequate parks and recreation facilities and programs for current and future City residents.

- Policy a) The City shall support and encourage THPRD efforts to provide parks and recreation facilities that will accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.
- Policy b) The City shall encourage THPRD to provide parks and recreation facilities throughout the City in locations that are easily accessible to those they are intended to serve.
- Policy c) The City shall support and encourage acquisition of park and recreation sites in advance of need so that the most appropriate sites are available for these vital public facilities.
- Policy g) The planning, acquisition and development of multi-use paths should be consistent with this Plan’s Transportation Element and THPRD’s Trail Master Plan
- Policy h) The City shall encourage park acquisition and appropriate development in areas designated as Significant Natural Resources, as defined by Volume III of this Comprehensive Plan.

Policy i) THPRD is the park and recreation provider for the City of Beaverton and the City desires that all property within its boundaries be within THPRD's boundaries.

Response: Compliance with Comprehensive Plan Goal 5.8.1 is described above in findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section.

The city worked closely with THPRD throughout the development of the preferred approach. (See Public Engagement Summary, Exhibit 14, for additional information.) Conceptual park locations were identified in close coordination with THPRD and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors.

The proposed amendments address public park facilities in the following ways:

- Providing a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code, along with some of the Development Code standards regarding parks/open space.
- Requiring open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres are larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be place elsewhere on the site.
- Requiring park amenities for open space within the Parks Overlay. The amenities will ensure park facilities are near residents consistent with Comprehensive Plan policies. Outside the Parks Overlay, tree planting that would produce a 50 percent tree canopy at maturity is required.
- Requiring sites in the CM-CS zone to provide at least one public plaza on sites where new leasable commercial square footage is provided.
- Including code incentives for open space to be dedicated to THPRD by:
 - Not requiring the park amenities to be built if the land is dedicated to THPRD.
 - Giving 150 percent credit toward open space requirements for open space land dedicated to THPRD.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase

additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

The city's existing Development Code includes requirements for annexation into THPRD as a condition of approval for a conditional use, design review, or land division application. Issuance of building permits may be delayed until the annexation is effective. The proposed amendments remove provisions that allow property owners to avoid annexing to THPRD as part of these applications.

Staff findings for Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 5: Public Facilities and Services Element. This criterion is met.

Comprehensive Plan Chapter 6: Transportation Element

Findings for Comprehensive Plan Chapter 6 can be found in the Comprehensive Plan Amendments and Zoning Map Amendment findings. Goal 6.2.4 Policies c), g) and j) and Goal 6.2.7 Policy e) are relevant to the proposed text amendment.

Goal 6.2.4: 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 c) Limit the provision of parking to meet regional and State standards.

Policy g) Plan land uses to increase opportunities for multi-purpose trips (trip chaining).

Policy i) Support mixed-use development in appropriate locations and encourage local job creation in order to reduce the number of locally generated regional commuting and shopping trips.

Response: Regarding Policy c) Cooper Mountain and the city in general have no minimum parking requirements for any use on any property and have maximum parking ratios consistent with the state's Climate Friendly and Equitable Communities rules and Metro requirements.

Overall, the proposed Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations by:

- Requiring a network of arterials, collectors, neighborhood routes, and local streets with intersection spacing and connectivity standards that mean people can easily travel between different destinations within Cooper Mountain and are connected to nearby destinations.

- Proposing zoning that provides many destinations and different types of destinations. The zoning map includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. This includes:
 - CM-CS and CM-HDR zones in two larger mixed-use centers along 175th Avenue and Tile Flat Road
 - Smaller mixed-use areas along or near 175th and Grabhorn Road.
 - CM-MR zones near 175th and Grabhorn and along the east-west collector that connects Tile Flat and 175th.
 - Designating four Parks Overlay locations within one-quarter mile of 175th, two Parks Overlay locations along the Tile Flat-Grabhorn arterial corridor, and four Parks Overlay locations along the east-west collector that connects Tile Flat and 175th.
 - Allowing small-scale commercial uses near public parks, neighborhood routes and land zoned CM-MR. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as 175th, Tile Flat-Grabhorn, and east-west collector corridors.

The variety of commercial opportunities promote local entrepreneurship and provide opportunities for Cooper Mountain and nearby residents to meet their needs and acquire goods and services nearby rather than needing to make exclusively regional commuting and shopping strips.

The same elements of the proposed amendments that address providing for multi-purpose trips above also apply to making Cooper Mountain transit-ready. The city's existing street standards also support transit provision. TriMet currently is working on an updating transit service plan that will address needs in the area.

Goal 6.2.7: Implement the transportation plan by working cooperatively with federal, State, regional, and local governments, the private sector, and residents.

Policy e) Establish rights-of-way through development review and, where appropriate, officially secure them by dedication or reservation of property.

Response: Compliance with Comprehensive Plan Goal 6.2.7 Policy e) is described above in findings for Comprehensive Plan Goal 6.2.7 Policy a) and Policy e) in CPMA42024-00679, which describes existing code regulations that establish rights-of-way through development review and secure them by dedication or reservation of property; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 6: Transportation Element. This criterion is met.

Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element

Goal 7.1.1: Balance development rights with natural resource protection.

- Policy a) Coordinate resource protection programs with affected local, state, and federal regulatory agencies, and notify them of development proposals within natural resource areas.**
- Policy b) Where adverse impacts to Significant Natural Resources cannot be practicably avoided, require mitigation of the same resource type commensurate with the impact, at a location as close as possible to the impacted resource site.**
- Policy c) Allow for relaxation of development standards to protect significant natural and historic resources. Such standards may include but are not limited to minimum setbacks, maximum building height, minimum street width, location of bicycle, pedestrian and multi-use paths, etc.**
- Policy d) City policies or regulations shall not interfere with actions necessary for nuisance abatement or protecting the safety, health and welfare of Beaverton's citizens.**
- Policy e) Upon annexation of unincorporated properties with County Goal 5 natural resource designations, the City shall rely on the Urban Planning Area Agreement with Washington County to determine the appropriate City designation.**

Response: Compliance with Comprehensive Plan Goal 7.1.1 is described above in findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section, which describes how the city has coordinated with regulatory agencies; the proposed amendments include definition of the Resource Overlay for the Cooper Mountain Community Plan area to protect natural resources; the proposed Development Code regulates the development activities within the boundary of the Resource Overlay and requires mitigation commensurate with the impacts during development; and the proposed Development Code explicitly allows nuisance abatement within the Resource Overlay. The proposed amendments will adopt the Cooper Mountain Natural Resources Inventory and Local Wetlands Inventory, which includes natural resource designations across the plan area. The findings for Comprehensive Plan Goal 7.1.1 in the CPMA42024-00679 section are incorporated here by reference.

7.2 Cultural And Historic Resources

There are no goals regarding cultural resources as there are no known significant or important cultural resources within the city limits. Based on the findings in Exhibit 26 (Memorandum regarding Cooper Mountain's cultural history and oldest buildings) there is no evidence of cultural or archeological resources in the Cooper Mountain Area. If

cultural resources were to be found, they could be inventoried and protected through the legislative or quasi-judicial process outlined in Beaverton Comprehensive Plan Section 1.3.

Goal 7.2.1: Preserve, manage and encourage restoration of historic sites, structures, and objects designated as Significant Historic Landmarks, and protect the character of the Downtown Historic District as listed on the National Register of Historic Places.

Response: There are no designated Significant Historic Landmarks in the Cooper Mountain area. If at any time something becomes designated as a landmark through a legislative or quasi-judicial process outlined in Comprehensive Plan Section 1.3 it will be preserved and managed through Development Code 40.35 Historic Review.

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

- Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored: to retain the visual and scenic diversity of our community; for their educational and recreational values; to provide habitats for fish and wildlife in our urban area.**
- Policy b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.**
- Policy c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.**
- Policy d) The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.**
- Policy e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.**
- Policy f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.**

Policy g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.

Policy h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

In addition, the proposed amendments add a policy to Goal 7.3.3.1 that is specific to natural resource protections in Cooper Mountain. The proposed policy is stated as:

Policy i) In the Cooper Mountain Community Plan area:

- i. Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.**
- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.**
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.**
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.**

Response: Compliance with Comprehensive Plan Goal 7.3.1.1 is described above in findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section. The proposed Development Code amendments include a new Section 60.37 – Resource Overlay with regulations to protect natural resources and conserve open space resources in the planning area. Section 60.37 includes definition and mapping of the Resource Overlay and regulates the development activities and required mitigation within the boundary of the Resource Overlay. The proposed Development Code amendments related to conserving, protecting, enhancing, and restoring natural resource areas follow Metro’s Urban Growth Management Functional Plan, Title 13.

The proposed Development Code includes several new land use applications in Section 40.70 related to development in or near the Resource Overlay.

Compliance with Policy 7.3.1.1.i.iii and iv is mainly addressed through adding Section 60.61 (Trees and Vegetation - Cooper Mountain) to the Development Code. Generally, Section 60.61 provides regulations for preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area to preserve and enhance the benefits trees provide for all people. The proposed amendments are consistent with the tree canopy policies in the Cooper Mountain Community Plan. For example:

- **Establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas.**
 - Section 60.61.15 establishes tree preservation standards. These rules are focused on retaining existing trees. The proposed rules establish higher preservation standards inside the Resource Overlay and moderate preservation standards outside of the overlay for all zones in Cooper Mountain. Tree preservation is retaining trees and tree canopy that already exist on the site (Figure 5). Minimum preservation percentages are:
 - 65 percent of existing tree canopy within the Resource Overlay; and
 - 40 percent of existing tree canopy outside the Resource Overlay
 - Section 60.61.25 includes discretionary tree preservation guidelines if property owners/developers would like to use a different tree preservation method. This process sets a target of at least 50 percent tree canopy preservation on the entire site. First, 65 percent of tree canopy inside the Resource Overlay must be preserved. Additional preservation must occur elsewhere on the site (either inside the overlay or outside the overlay) until the total reaches 50 percent tree canopy. A discretionary process sets priorities for where tree preservation could occur but allows flexibility for solutions on a site-by-site basis.
 - Section 40.91 includes applications (clear and objective, as well as discretionary) for initial developments to demonstrate that proposals meet the tree preservation and tree canopy requirements in Section 60.61.
- **Implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations.**
 - Section 60.61.20 includes standards for meeting tree canopy requirements. These rules focus on ensuring the site has sufficient tree canopy, either now or in the future. The proposed rules require 65 percent tree canopy inside the Resource Overlay. That can be achieved using tree preservation, tree planting, or a combination of preservation and planting (Figure 6).
 - Section 60.61.30 includes discretionary guidelines for meeting tree canopy requirements. Property owners/developers can apply through a discretionary

process instead meet a tree canopy target of 50 percent for the entire site. The development rules in this section prioritize planting trees that:

- Are near Resource Overlay trees,
- Enhance special habitats, such as oak woodland or madrone woodland habitat or,
- Complete a wildlife corridor for birds, small mammals, or large mammals.

A second discretionary process in the same section would allow the tree canopy requirement to be as low as 40 percent in certain situations. For example, the property owner/developer could demonstrate that the site:

- Has utility issues,
- Is prone to risks related to site conditions, such as surface water flow or slope stability, or
- Needs an area without trees for food production, such as a community garden.

- Section 40.91 includes applications (clear and objective, as well as discretionary) for initial developments to demonstrate that proposals meet the tree preservation and tree canopy requirements in Section 60.61.

- **Institute effective ways to reduce the urban heat island effect.**

- Section 60.61 generally includes incentives that encourage the retention of native trees, such as white oak, drought-tolerant trees, mature trees, and tree groves. Collectively, this helps protect larger trees that provide more shade; sequester more carbon; provide higher quality habitat; and support diverse, mixed-age forests more resilient to disease and climate variability.
- Through updates to the city's Engineering Design Manual that will be approved separately are not included in the proposed amendments, the city plans to adjust rules for planting street trees (generally the trees found between the curb and the sidewalk) in Cooper Mountain to ensure large-canopy trees can be planting and thrive in those spaces. This will help the city meet the 40 percent tree canopy target for the Cooper Mountain Community Plan area.

- **Retain or enhance the benefits of diverse, mixed-age forests.**

- Section 60.61.25 includes code language that promotes healthy and resilient forests and tree groves by prioritizing the preservation of a mix of native tree species and ages.

- Section 60.61.30 requires that on-site tree plantings include a variety of tree species to promote diverse forests that are more resilient to pests, disease, extreme weather events and other disturbances. This applies if the property owner/developer chooses the discretionary approach.
- **Provide incentives that encourage the retention of native trees.**
 - Section 60.61.15 includes incentives that encourage the retention of native trees. For example, when calculating how much tree canopy counts toward tree canopy preservation requirements, the proposed Development Code includes rules for multipliers. Multipliers mean tree canopy preserved from high-value count more toward the standard than other trees. Multipliers are proposed as an incentive for preservation. For example, using a multiplier for Oregon white oaks also has the benefit of allowing the lower density of oak canopy consistent with lower oak woodland habitat canopy levels. Additional code language regarding prioritizing preserving native trees is in Section 60.61.25.
 - Section 60.61.20 allows existing native trees that are less than 6-inch diameter at breast height (DBH) to count towards tree canopy requirements. Additional code language regarding native trees is also in Section 60.61.30.

In addition to the above, proposed amendments address preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area in other ways:

- Section 40.91 (Tree Applications – Cooper Mountain) includes applications for tree removal outside of the initial development of a site (in other words, outside the proposed rules for preserving trees and enhancing canopy). Section 60.61.40 includes tree replacement and maintenance standards that are referenced in the approval criteria for Section 40.91. The tree removal rules allow property owners to remove a limited number of trees on a site to provide flexibility and allow easier removal of dead or hazardous trees while encouraging retention of some trees. For more expansive tree removal, the proposed Development Code requires a higher level of review. Depending upon the scenario, the proposed Development Code requires tree replanting or fee in lieu of replanting. The tree removal rules include standards for when a tree can be removed from a site based on clear and objective criteria, as well as discretionary processes that provide more flexibility.
- Section 60.05 includes rules for when trees shall be planted with new developments. When development occurs for single-detached homes, middle housing, apartments, commercial uses, and multiple-use developments, typically landscaping and trees are required. They vary by zoning district, but they also will provide some additional tree canopy for Cooper Mountain.
- Section 60.61.35 includes standards for tree protection during development, tree planting standard and soil volume standards. Adequate soil volume is important for

trees to grow and thrive. Requiring larger soil volumes allows trees to grow larger and have larger canopies.

Collectively, the proposed amendments encourage equitable access to the environmental and social benefits of trees and provide incentives that encourage the retention of native trees, while planning for up to about 5,000 new homes in the Cooper Mountain Community Plan area (more than the 3,760 homes required by Metro in the 2018 Conditions of Approval)..

The findings for Comprehensive Plan Goal 7.3.1.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.3.2.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

Response: Compliance with Comprehensive Plan Goal 7.3.2.1 is described above in findings for Comprehensive Plan Goal 7.3.2.1 in the CPMA42024-00679 section. The city's program related to riparian corridors follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 and are incorporated here by reference.

The proposed amendments do not include changes to the city's program for water quality standards or the protection of riparian habitat areas. The city will continue to comply with the Tualatin Basin Program and implement CWS protections for riparian habitat areas. CWS regulates riparian habitat areas by requiring compliance with the CWS design and construction standards, which designate riparian areas as part of the regulated "Vegetated Corridor."

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

- Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.**
- Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.**
- Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.**

Response: The proposed amendments will adopt an updated Local Wetlands Inventory (Exhibit 4) for the Cooper Mountain Community Plan area. Wetlands were determined to be significant based on the DSL criteria. Additional wetlands were determined to be significant within the Cooper Mountain Community Plan area because they meet the criteria for protection through CWS Vegetated Corridors.

The city's program related to wetland protection and enhancement follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management, and Title 13, Nature in Neighborhoods requirements. Staff findings related to compliance with Metro Title 3 and Metro Title 13 are described above in the findings for Metro UGMFP Title 3, Section 3.07.330 and 3.07.340 and Metro UGMFP Title 13, Section 3.07.1330-1370 in the CPMA42024-00679 and are incorporated here by reference.

The proposed amendments do not change the city-wide approach to wetland protection. The CWS design and construction standards for the Vegetated Corridor include protections for wetlands. Those standards apply throughout the city and will apply throughout the Cooper Mountain Community Plan area after annexation.

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources

- Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.**

In addition, the proposed amendments add policies to Goal 7.3.4.1 that are specific to protecting wildlife habitat protections in Cooper Mountain. The proposed policies are stated as:

- Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.**

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

Response: Compliance with Comprehensive Plan Goal 7.3.4.1 is described above in findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section. The city's program related to upland wildlife habitat protection follows Metro's Urban Growth Management Functional Plan, Title 13, Nature in Neighborhoods requirements. The proposed Development Code, new Section 60.37 includes definition and mapping of the Resource Overlay. The upland habitat areas in the Resource Overlay include wildlife habitat areas adjacent to stream corridors and other water features, as well as forested habitat areas outside of defined stream corridors. The proposed Development Code prioritizes interior habitat protections, requires stream crossings to provide passage for large mammals, and includes provisions to reduce light and glare within and adjacent to natural areas.

Compliance with Comprehensive Plan Goal 7.3.4.1 is also described above in findings for Comprehensive Plan Goal 7.3.1.1 in the TA42024-0680 section, which describes rules for preserving, planting, and maintaining trees inside Cooper Mountain that enhance the benefits trees provide for people and wildlife; and are incorporated here by reference.

Staff findings for Comprehensive Plan Goal 7.3.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.4.1: Conserve Significant Scenic Views and Sites, and the value they add to community.

Policy a) Help to preserve and enhance the City's character, beauty and livability through the identification and protection of significant scenic sites in the city and views of those sites.

Policy b) Significant Scenic Sites may include forested areas or a specimen tree and are determined to have two or more of the following characteristics: aesthetic value; uniqueness of tree size, shape, rarity of specie; proximity of forested area to wetlands or riparian areas; provides slope stability; absorption of rainfall (canopy effects to offset adjoining impervious surfaces); and absorbs stormwater runoff.

All significant scenic sites must be visible from an existing or planned viewpoint that is safe and accessible to the general public.

Policy c) The City will balance the conservation of significant scenic resources with the need to allow urban uses and activities.

Policy d) Provide incentives for protection of Scenic Views of topographic features such as mountain ranges and individual peaks for public enjoyment.

Response: Compliance with Comprehensive Plan Goal 7.4.1 is described above in findings for Comprehensive Plan Goal 7.4.1 in the CPMA42024-00679 section. The proposed Development Code balances conservation of scenic views and sites with the need to allow urban uses and activities. The proposed Development Code Section 60.37 requires protections of the natural resources areas within the designated Resource Overlay and provides incentives for the regional trail to be located adjacent to scenic sites by allowing trails to be located within areas designated as Resource Overlay. Staff findings for Comprehensive Plan Goal 7.4.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

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

Response: Findings related to this goal were addressed in Goal 13 findings in the CPMA, ZMA, and TA sections of this staff report and are included here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element. This criterion is met.

Comprehensive Plan Chapter 8: Environmental Quality and Safety Element

Goal 8.2.1: Maintain and improve water quality, and protect the beneficial uses, functions and values of water resources

Policy a) All water resource areas within the City shall be enhanced, restored or protected to the extent practicable.

Policy b) The City shall limit development in vegetative corridors along streams through application of the CWS Design and Construction Standards so as to substantially comply with requirements of the Metro Functional Plan Title 3.

Policy e) Protect investments in the City by managing stormwater runoff.

Policy f) Encourage development in urban environments in ways that promote healthy environments and natural resources.

Response: Compliance with Comprehensive Plan Goal 8.2.1 is described above in findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section. The city's program related to water quality protections follows Metro's Urban Growth Management Functional Plan, Title 3, Water Quality and Flood Management. The city will continue to require development in vegetated corridors to comply with CWS design and construction standards. The proposed amendments do not change the stormwater design standards for new development, which are included in the City's Engineering Design Manual and Standard Drawings. Staff findings for Comprehensive Plan Goal 8.2.1 in the CPMA42024-00679 section are incorporated here by reference.

Goal 8.5.1: Protect life and property from potential earthquake hazards.

Response: Compliance with Comprehensive Plan Goal 8.5.1 is described above in findings for Comprehensive Plan Goal 8.5.1 and Statewide Planning Goal 7 in the CPMA42024-00679 section. Areas identified as having elevated probabilities of being impacted by seismic hazards are mostly within the area identified as having landslide risk. The geotechnical review required for land divisions in that area will also identify seismic hazard and mitigate for increased risks. There are some very small areas of increased seismic hazard outside the landslide risk area but those are generally inside the natural resource overlay where development will be limited and mitigation to impact on those resources will also generally mitigate any increased seismic risks.

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Response: Compliance with Comprehensive Plan Goal 8.6.1 is described above in findings for Comprehensive Plan Goal 8.6.1 and Statewide Planning Goal 7 in the CPMA42024-00679 section. The proposed risk map, which is Figure 8.6.1 in proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide.

Proposed Beaverton Development Code Section 60.15.08. Cooper Mountain Landslide Hazard Risk. will require geotechnical review for land divisions in mapped area to ensure any risks are mitigated.

Goal 8.7.1: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

Policy a) Utilize uniform or complementary interjurisdictional floodplain development and management programs to reduce flood hazards, protect natural resources, and permit reasonable development.

Response: There is no identified floodplain in the Cooper Mountain area. The proposed amendments do not include changes to the city's existing floodplain regulations. If at any time floodplain is identified by FEMA, those areas will be managed through Beaverton Development Code section 60.10 Floodplain Regulations.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 8: Environmental Quality and Safety Element. This criterion is met.

Comprehensive Plan Chapter 9: Economy Element

Goal 9.1.1: Maximize efficient use of the city's employment land

Policy f) Develop strategies to maximize employment within targeted planning areas, including the city's major employment areas, commercial corridors, and neighborhood business districts

Response: Compliance with Comprehensive Plan Policy 9.1.1.f) is described above in findings for OAR 660-009-0020 (Industrial and Other Employment Development Policies) in the CPMA42024-00679 section, which describes how the Community Plan polices, Land Use Map, and Zoning Map together work to maximize commercial uses and employment opportunities within targeted planning areas, including two commercial centers and portions of the CM-RM zoning district that allow small-scale commercial uses if near parks, neighborhood routes, and land zoned CM-MR; and are incorporated here by reference.

In addition, Section 20.22.30 (CM-CS Commercial Requirements) requires a minimum amount of commercial square footage on properties in the CM-CS zone. In CM-CS, the proposed rules would require each site to provide a minimum amount of commercial space based on the site's size, unless land near the site already has 30,000 square feet of commercial space. At that point, providing commercial space would be optional. The zone also would allow residential uses and other uses.

Policy h) Encourage home-based businesses that have minimal impacts on neighborhoods

Response: The proposed amendments allow home occupations in all Cooper Mountain zoning districts. In addition, each CM-CS zoning district is bordered by lots with CM-RM zoning. TA42024-00680 indicates that the CM-RM zoning district allows small-scale commercial uses if near parks, neighborhood routes, and land zoned CM-MR. Section 20.22.35 (CM-RM Small-scale Commercial) regulates allowed uses, site development standards, limitations on permitted uses and outdoor activities, and some other additional standards relating to small-scale commercial uses. These small-scale

commercial uses can be home-based businesses, but they can also be standalone commercial uses on a lot.

Goal 9.2.1: Provide Programs and Services that Support Existing Businesses and Attract New Businesses

Policy d) Encourage a mix of uses and amenities that are attractive to workers

Response: Compliance with Comprehensive Plan Policy 9.2.1.d) is described above in findings for Comprehensive Plan Policy 3.6.1.a-d) in the CPMA42024-00679 section, which describe how a mix of commercial and residential uses at relatively high densities, combined with pedestrian-oriented design, can create vibrant, walkable areas that are attractive to workers; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 9: Economy Element. This criterion is met.

Comprehensive Plan Chapter 10: Community Health Element

Goal 10.1: Increase access to healthy, fresh, affordable food, especially in underserved neighborhoods.

Policy a) Support affordable and sustainable local food systems, food hubs and fresh food retailers to increase access to healthy food throughout the city.

Policy b) Reduce barriers to siting and support of community gardens on private property, vacant public property, and unused rights-of-ways and increase access to fresh, local agricultural products.

Response: TA42024-00679 proposes amendments that allow community gardens as a permitted use on private property. Sections 60.05.25 (Landscape, Open Space, and Natural Areas Design Standards) and 60.05.45 (Landscape, Open Space and Natural Areas Design Guidelines) include existing code and proposed amendments that address requirements for Community Gardens (or how they can be applied towards requirements in other code sections). Chapter 40 (Applications) already include information on when Community Gardens might require an application.

The proposed amendments also allow commercial uses in two Cooper Mountain zoning districts (CM-CS and CM-HDR) and small-scale commercial uses, which includes eating and drinking establishments, within the CM-MR zoning district.

Goal 10.2: Increase access to safe and convenient opportunities for recreation and physical activity throughout the community.

Policy a) Provide a comprehensive and integrated system of parks, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Policy b) Enhance accessibility and safety to key destinations such as schools, libraries and retail centers for pedestrians, bicyclists and public transit riders.

Policy c) Promote mixed-use urban streets that balance public transit, walking and bicycling with other modes of travel.

Response: Staff findings related to recreation and physical activity are described in the findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section, which describe the existing parks and recreational facilities in the plan area and the plans to expand opportunities for recreation and physical activity. The proposed approach includes the creation of a green framework of natural resource areas, wildlife corridors, and parks. The preferred approach also emphasizes trails and pedestrian and bicycle connections. Findings for Statewide Planning Goal 8, OAR 660-034, and Comprehensive Plan Goal 5.8.1 in the CPMA42024-00679 section are incorporated here by reference.

The proposed amendments address public park facilities with a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code text amendment, along with some of the Development Code standards regarding parks/open space. If a Parks Overlay geography is shown on a property, required open space is required to be provided within the overlay first. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District.

In addition, staff findings related to bicycle, pedestrian, and transit access and safety features are described in findings for Statewide Planning Goal 12 and OAR 660-012-0060. Those findings include descriptions of the transportation network, including paths and trails and safety improvements that will connect residents to neighborhoods and destinations through multiple modes of travel. The findings for Statewide Planning Goal 12 and OAR 660-012-0060 are incorporated here by reference.

Goal 10.3: Improve the quality of the built and natural environments.

Policy a) Coordinate the development of complete neighborhoods that include neighborhood amenities, such as access to food, multiple modes of transportation (e.g. sidewalks, bike facilities, transit, safe routes to schools, automobile safety), medical care, and schools, for the health, safety, and welfare of all residents.

Response: Compliance with Comprehensive Plan Policy 10.3.a) is described above in findings for Comprehensive Plan Policy 3.1.1.a-d) in the CPMA42024-00679 section, which describe how the proposed land use patterns, development requirements and

transportation improvements will result in Complete Streets that prioritize multi-modal transportation options, as well as pedestrian and bicycle safety; and are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings with Comprehensive Plan Policy 6.2.4, which describe how the Comprehensive Plan amendments and Development Code text amendments support increased opportunities for multi-purpose trips and provide mixed-use destinations through connectivity standards and proposed zoning that includes mixed-use areas, zones that allow multi-dwellings, and Parks Overlay areas for future parks/open space along major arterial and collector routes in a transit-supportive manner. The same elements of the proposed amendments that address providing for multi-purpose trips also apply to making Cooper Mountain transit-ready. Staff findings for Comprehensive Plan Policy 6.2.4 are incorporated here by reference.

Compliance with Comprehensive Plan Policy 10.3.a) is also described above in findings for Comprehensive Plan Policy 3.6.1.a-d) in the CPMA42024-00679 section, which describe how a mix of residential and commercial uses at relatively high densities, combined with pedestrian-oriented design, come together to make complete neighborhoods; and are incorporated here by reference.

Conclusion: The proposed amendment is consistent with Comprehensive Plan Chapter 10: Community Health Element. This criterion is met.

OTHER APPLICABLE APPROVAL CRITERIA

Section 40.85.15.1.C.4 indicates that the proposed text amendment shall be consistent with the City's Comprehensive Plan. In the Comprehensive Plan, Section 1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments indicates that proposed amendments shall be consistent and compatible with relevant Statewide Planning Goals; therefore, compliance with Statewide Planning Goals for text amendments is also provided in this section.

Findings:

The proposed amendments are consistent with relevant Statewide Planning goals and related OARs, as described below.

Statewide Planning Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved

in the on-going land-use planning process. The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues. Federal, state and regional agencies and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Response: The Beaverton Citizen Involvement Program adopted by Resolution 2229 in 1980 established a formalized public participation program that provides a method by which the Beaverton Committee for Community Involvement (as renamed in Ordinance 4624 signed in 2013) and other community members can communicate their opinions and inquiries about city matters, including the planning process.

The proposed amendment is subject to the public notice requirements of the Comprehensive Plan and the Development Code (Section 50.50). The city's Development Code procedures were based on and have been found consistent with Statewide Planning Goal 1. Approval procedures includes a public hearing before the Planning Commission and a City Council public hearing to adopt the ordinance. At the public hearing, the Planning Commission will consider written or oral testimony before making a recommendation to City Council. A record of staff presentations on the Cooper Mountain Community Plan to the Beaverton Committee for Community Involvement is in Exhibit 14, which also includes a record of all other public engagement activities for the project.

Consistent with procedures outlined in the Beaverton Comprehensive Plan and Development Code (Section 50.50), notice of the proposed amendment was sent to all NAC chairs; the Chair of the BCCI; Washington County Community Participation Organizations 1, 3, 4B, 4M, 6 and 7; Washington County's Department of Land Use and Transportation; Metro; and DLCD. Copies of the hearing notice were posted at Beaverton City Hall, the Beaverton City Library, the Beaverton Police Department and published in the newspaper, consistent with noticing requirements. A notice was also posted on the city's website. Mailed notice also was sent to more than 24,000 property owner addresses to notify property owners where the proposed amendments affect allowed land uses. The property owner mailing list included all property owners within the Cooper Mountain Community Plan Area and the City of Beaverton.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 1.

Statewide Planning Goal 2 – Land Use Planning

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

Response: Legislative Zoning Map Amendments (that is, the change of zoning designation for a large number of properties as described in Beaverton Development Code Section

40.97) and Text Amendments (that is, Beaverton Development Code updates as described in Section 40.85) require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, the ultimate decision-making authority. Prior to adoption of each amendment, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal.

The proposed Zoning Map Amendment and Text Amendment fit within the established process and framework. The findings contained within this report establish an adequate factual basis for the proposal.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 2.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas & Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Statewide Planning Goal 5 is implemented through OAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5) and OAR 660-023 (Procedures and Requirements for Complying with Goal 5). Responses to the criteria from both OAR 660-016 and OAR 660-023 are included later in these findings for TA42024-00680.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 5.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards

To protect people and property from natural hazards. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Response: Compliance with Statewide Planning Goal 7 is addressed in the findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section. The findings document the areas of natural hazards within the plan area, including landslide, earthquake, and wildfire risk areas. The proposed Development Code protects people and property from hazards through the use of development limitation in certain areas and risk mitigation in others. Landslide, and indirectly seismic, risks are mitigated through the addition of 60.15.08 and 40.45.15 which will require geotechnical review and, if necessary, mitigation at the time of

land division. Wildfire hazard is not high enough to require additional protections and development is limited in these areas through the natural resource overlay thus mitigating risk.

Staff findings for Statewide Planning Goal 7 in the CPMA 42024-00679 section and are incorporated here by reference.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 7.

Statewide Planning Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans...

Response: Compliance with Statewide Planning Goal 8 is addressed previously in findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 section.

The approach includes a Parks Overlay that identifies locations for future parks/open space. The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. The proposed Development Code amendments require open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres or larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site. Any additional requirement can be placed elsewhere on the site. Staff findings for Statewide Planning Goal 8 and OAR 660-034 in the CPMA42024-00679 are incorporated here by reference.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 8.

Statewide Planning Goal 9 – Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state. Such plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability and cost; labor market factors; educational and technical training programs; availability of key public facilities; necessary support facilities; current market forces; location relative to markets; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis). The Economic Opportunities Analysis (EOA) was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. In addition, as part of the Cooper Mountain Community Plan project, the city also completed a Market Analysis in October 2020 that defined the market area, analyzed socio-economic trends, and conducted a neighborhood commercial market assessment (Exhibit 23). CPMA42024-00679 proposes new commercial policies in the Cooper Mountain Community Plan (Volume V of the Comprehensive Plan), as well as new policies in Volume I Chapter 3 (Land Use) of the Comprehensive Plan, which are based off the citywide EOA and Cooper Market Analyses.

Proposed amendments in TA42024-00680 and ZMA4204-00681 implement the policies in the Comprehensive Plan. Findings for OAR 660-009 in the CPMA42024-00679 section provide additional information on how they relate to the proposed amendments in TA42024-00680 and ZMA42024-00681.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 9.

Statewide Planning Goal 10 – Housing

To provide for the housing needs of citizens of the state. 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.

Response: To implement the Cooper Mountain Community Plan and other Comprehensive Plan updates, TA42024-00680 proposes Development Code changes for the four new Cooper Mountain zoning districts being added to the city’s Zoning Map. Generally, the Development Code changes implement Comprehensive Plan policies by establishing site development standards for the four new zoning districts (such as minimum density); providing more flexibility with site development standards to make it easier to build a

variety of housing types throughout the plan area, which includes many challenging sites with steep terrain and extensive natural resources; establishing standards for housing variety and integration in new developments; and providing incentives for visitable housing, among many other rules. TA42024-00680 proposes the following amendments that help meet housing needs established in the Cooper Mountain BLI (Exhibit 22).

- **Chapter 20 – Land Uses**

- **Section 20.22 Cooper Mountain Zoning Districts**

- **20.22.15 Site Development Standards.** Add a section that includes clear and objective site development standards for CM-CS, CM-HDR, CM-MR, and CM-RM zoning districts, which all allow housing.
 - Minimum density is 34 dwelling units per acre for the CM-CS, CM-HDR and CM-MR zoning districts and 10 units per acre for the CM-RM zoning district.
 - Maximum residential density is not used to limit the size of residential projects. Maximum floor area ratio is used instead. This controls the size of the building rather than the number of homes in the building, which provides flexibility for projects to include a wider variety of unit sizes, including smaller units. This promotes flexibility and could assist with affordability because, all things being equal, smaller homes typically cost less to rent or buy.
 - Maximum building heights are proposed to be higher than in other comparable Beaverton districts to allow additional flexibility for applicants to provide a wider variety of housing types, build taller buildings with smaller footprints to avoid natural resources, and ensure an adequate building height can be achieved on land with steeper slopes.
 - Multi-dwellings with five or six units are proposed to be added to the table because multi-dwellings with those specific number of units are proposed to be allowed in CM-RM.
- **20.22.20 Land Uses.** Add a section that lists allowed (permitted and conditional uses) and prohibited land uses for the CM-CS, CM-HDR, CM-MR, and CM-RM zoning districts.
 - Multi-dwellings with five or six units are proposed to be added to the table because multi-dwellings with those specific number of units are proposed to be allowed in the CM-RM zoning district (this is different compared to similar zoning districts in the rest of the city). In past economic studies associated with Beaverton’s Housing Options Project (2022),

multi-dwellings with five or six units were shown to be more feasible to build compared to multi-dwellings with two to four units. In addition, multi-dwellings with five or six units often have smaller unit sizes, and again, smaller homes typically cost less to rent or buy.

▪ **20.22.40 CM-RM Housing Variety and Integration Requirements.**

Add a section that includes additional housing requirements for the CM-RM zoning district to implement the Cooper Mountain Community Plan’s desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. Housing variety and integration requirements are clear and objective.

- Minimum requirements for housing variety and integration apply when the net acreage of a parent parcel is three acres or larger. At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units.
- In meeting the 30 percent housing variety standard, developments 3 to 15 net acres shall provide dwelling types from at least two of the categories below, and developments larger than 15 net acres shall provide dwelling types from at least three of the categories below.
 - Triplex or Quadplex
 - Duplex or Townhouse
 - Cottage Cluster
 - Multi-dwelling with five or six units
- In meeting the 30 percent housing variety standard, a development may count visitable units that are consistent with Section 60.50.25.17 (which defines visitable units) toward the 30 percent minimum requirement, up to a maximum of five percent of total units. The code describes how single-detached homes, duplexes, townhomes, cottage cluster units, detached triplex units, and detached quadplex units each count towards the 30 percent minimum requirement.
- To meet the housing integration requirements, the code establishes a “Housing Variety Grouping,” which means at least three abutting lots designated for a duplex, triplex, quadplex, townhouse, cottage cluster, or multi-dwelling with five or six

units. The three abutting lots may be designated for any combination of those housing types. Housing Variety Groupings designated to meet this standard shall be separated from each other by least 50 feet as measured by the shortest distance between the perimeter lot lines of the two groupings. In addition, Housing Variety Groupings shall be located such that 75 percent of lots designated for single-detached dwellings and manufactured and mobile homes are within 300 feet of the Housing Variety Groupings within the site or, in the case of multi-phase development, within the boundaries of each phase. The housing integration requirement would provide people with a better chance of finding housing that meets their needs (regarding size and configuration) within each neighborhood and the opportunity to live among people with a variety of housing needs as well.

- This section also includes requirements that allow a property owner to divide their land in a way that doesn't meet minimum density yet, such as allowing a property to be divided and sold for future development, while ensuring that the future development will need to meet minimum density and these housing variety and integration requirements.

- **Chapter 40 – Applications**

- **Section 40.15 Conditional Review (Planned Unit Development, PUD).** The proposed amendments update the application to include references to the new Section 60.36 (Planned Unit Development – Cooper Mountain), which provides a discretionary option for housing development in Cooper Mountain.
- **Section 40.20 Design Review.** The proposed amendments update applications to include references to CM-CS, CM-MR, and CM-RM zoning districts. More information about Design Review applications is described in the findings for OAR 660-007-0015 in the TA42024-00680 section. For example, Design Review Three provides a discretionary option for projects within the Cooper Mountain Community Plan area that request to use the Cooper Mountain Development Plan process to develop a site in phases, where the first phase does not meet the clear and objective minimum floor area ratio (FAR) requirements established in Section 20.22.15.
- **Section 40.21 Single-Detached and Middle Housing Design Review.** The proposed amendments update the applications to include references to the CM-RM zoning district, which also covers the development of multi-dwelling structures with five or six units.

- **Chapter 60 – Special Requirements**

- **60.05.15 Building Design and Orientation Standards.** The proposed amendments add clear and objective requirements for building location and orientation along streets in Commercial and Multiple Use zones (Cooper Mountain), ground-floor elevations on commercial and multiple-use buildings (Cooper Mountain), and additional options to meet standards for roof forms, primary building entrances and window coverage (citywide). Guidelines in Section 60.05.35 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** The proposed amendments update clear and objective requirements for the development of single-detached and middle housing that are referenced in Section 40.21. New provisions include standards and guidelines for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines (Cooper Mountain).
- **60.05.65 Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District.** The proposed amendments add a new section that establishes clear and objective standards for the development of five-plexes and six-plexes that are referenced in Section 40.21. These new standards are based on the existing design standards for single-detached homes and middle housing. Guidelines in Section 60.05.65 also provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards.
- **60.36 Planned Unit Development – Cooper Mountain.** The proposed amendments add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. Due to Cooper Mountain’s unique constraints and policy goals, a new PUD approach was needed to provide opportunities for flexibility of code requirements and allow for more holistic development. This PUD option provides a discretionary option to meeting some site development standards in Section 20.22.15 (lot size reductions, setback reductions, building height bonuses and FAR bonuses) and a discretionary option to complying with the clear and objective housing variety and integrations standards in Section 20.22.40. The corresponding application is in Section 40.15 Conditional Use (Planned Unit Development).

Many of the provisions that offer enhanced flexibility are for specific types of housing development, identified as needed development outcomes, to

incentivize or to increase the ease of developing such uses in the Cooper Mountain Community Plan area. Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan.

Need development outcomes include:

- Visitable housing, when at least 30 percent of all proposed single-detached, duplex, or townhome dwellings are visitable consistent with Section 60.50.25.17 of the Development Code.
 - Regulated Affordable Housing at or below 60 percent area median income, when at least 10 percent of all proposed dwellings are regulated affordable units.
 - Regulated Affordable Housing at or below 80 percent area median income, when at least 20 percent of all proposed dwellings are regulated affordable units.
 - Multiple use or multi-dwelling buildings that integrate regulated affordable housing units and non-regulated affordable units within a building consistent with one of the following:
 - At least 5 percent of provided dwellings or a minimum of 4 dwellings, whichever is greater, are regulated affordable units at or below 60 percent area median income; or
 - At least 10 percent of provided dwellings or a minimum of 8 dwellings, whichever is greater, are regulated affordable units at or below 80 percent area median income.
 - At least 25 percent of provided single-detached or middle housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider. The permanent affordability provider shall use a land trust model to ensure affordability for a minimum period of 60 years. A lien shall be recorded for each dwelling prior to or concurrent with recordation of a final plat until the first sale of the dwelling is completed to the permanent affordability provider.
 - Multi-dwelling structures with five or six units in the CM-RM zoning district.
- **60.50.25 Uses Requiring Special Regulation.** The proposed amendments add a new section with clear and object standards that establishes requirements for Visitable Dwellings (Cooper Mountain). Visitable dwellings are those that provide the minimum accessibility features necessary to

accommodate individuals of all ages and abilities when they visit a home including an accessible entrance, bathroom, and living area. These standards would apply to Cooper developments that choose to incorporate visitable dwellings into a project to benefit from flexibility related to housing variety standards (Section 20.22.40) or from select provisions of the new Planned Unit Development – Cooper Mountain (Section 60.36).

Conclusion: Therefore, staff finds that the Text Amendment is consistent with Goal 10.

Statewide Planning Goal 11 – Public Facilities & Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The findings for Statewide Planning Goal 11 are found in the Goal 11 and Oregon Administrative Rule 660-011 Public Facilities Planning in the CPMA42024-00679 section; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 12 – Transportation

OAR 660-012 “implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient, and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development.”

Response: Compliance with Statewide Planning Goal 12 (Transportation) and OAR 660-012 is described above in findings for Statewide Planning Goal 12 (Transportation) and OAR 660-012 in the CPMA42024-00679 section, which describe the project’s approach to providing and encouraging a safe, convenient and economic transportation system; and are incorporated here by reference.

Conclusion: This criterion is met.

Statewide Planning Goal 13 – Energy Conservation

To conserve energy. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: As described in the CPMA findings for Goal 5, Goal 10, and Goal 12 and the Text Amendment Findings related to Metro UGMFP Title 1 – Housing Capacity, which are incorporated here by reference, the proposed Cooper Mountain Comprehensive Plan policies and the Development Code amendments promote housing variety, efficient use of

land, sufficient open space, and reduced automobile travel/greenhouse gas emissions consistent with development being energy efficient. In addition, existing city Comprehensive Plan goals and policies (specifically Goal 7.5 and its policies) already promote development that results in reduced energy consumption and enables renewable energy.

The implementation section of Goal 13 calls for cities to use lot size; building height, building bulk; density; availability of light, wind, and air; land-use compatibility; and other measures to facilitate energy conservation. The proposed text amendments in Chapter 20 (and specifically in Section 20.22 for Cooper Mountain) and Chapter 60 contain the following measures consistent with Goal 13:

- Permitted, conditionally permitted, and prohibited land uses to ensure compatibility.
- Setbacks and buffer requirements to ensure adequate light, wind, and air for developments.
- Standards for building height and bulk to allow sufficient densities to produce efficient use of land and allow smaller units and attached units that are generally more energy efficient than large, detached units.
- Density requirements and allowances (whether through density or floor-area requirements) that require and/or allow efficient use of land and more dense development.
- Small minimum lot sizes in CM-RM to allow more units and often smaller units on smaller lots, which is more transportation efficient and more energy efficient because the units are closer together and on average smaller if developers take advantage of the smaller minimum lot sizes.

Conclusion: This criterion is met.

Statewide Planning Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Goal 14 requires urban growth boundaries to be established and expanded based on need consistent with state law. The Metro regional government approved the Cooper Mountain urban growth boundary expansion in 2018 and made Goal 14 findings at the time.

Goal 14 guidelines include:

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of

- the area; (2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
 3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
 4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Response: Metro’s findings addressed Goal 14 topics including the guidelines above at the time of urban growth boundary expansion. The proposed amendments also include goals, policies, and land use regulations that promote housing, natural resource protection, parks/open space, streets, and public facilities. Additional findings related to this Goal are found in the Comprehensive Plan Amendment findings above. The land use regulations encourage the efficient use of land by providing small minimum lot sizes for single-detached and middle housing with the CM-RM zoning district; allowing five-plexes and six-plexes within CM-RM, which goes beyond middle housing requirements in state law; requiring a minimum density of 10 units per acre in CM-RM and 34 units per acre within the other three zones (or minimum floor area ratios for mixed-use development); and not regulating maximum density in CM-RM and allowing dense development in the other zones through generous floor-area ratio requirements. The projected residential capacity is found in Exhibit 22.

Conclusion: This criterion is met.

OAR 660-007 – Metropolitan Housing

660-007-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.**
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local**

government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

- (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);
- (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and
- (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.

(3) Subject to section (1), this rule does not infringe on a local government's prerogative to:

- (a) Set approval standards under which a particular housing type is permitted outright;
- (b) Impose special conditions upon approval of a specific development proposal; or
- (c) Establish approval procedures.

Response: The proposed text amendment includes clear and objective standards in the following ways listed below. Some provisions apply to the Cooper Mountain Community Plan area only and other provisions apply citywide.

- **Chapter 20 – Land Uses**
 - **Section 20.22 Cooper Mountain Zoning Districts**
 - **20.22.15 Site Development Standards.** Add a section that includes clear and objective site development standards for CM-CS, CM-HDR, CM-MR, and CM-RM zoning districts.
 - **20.22.40 CM-RM Housing Variety and Integration Requirements.** Add a section that requires a variety of housing types and integration of those housing types in larger new developments to promote inclusive neighborhoods in the CM-RM zone. Housing variety and integration requirements are clear and objective.
 - **20.22.25 Cooper Mountain Resource Overlay.** Add a section that describes where additional environmental regulations apply within the Resource Overlay. Cross reference clear and objective standards for the Resource Overlay in Section 60.37, and associated Resource Overlay applications in Section 40.70.
 - **20.25.05 Residential Density.** For sites within the CM-RM zoning district, clarify how minimum and maximum residential density is

calculated and how minimum and maximum residential density averaging is allowed based on clear and objective standards.

- **Chapter 40 – Applications**

- **Section 40.15 Conditional Review (Planned Unit Development, PUD).**

Update application to include references to new Section 60.36 (Planned Unit Development – Cooper Mountain), which provides a discretionary option for housing development in Cooper Mountain.

- **Section 40.20 Design Review.** Update applications to include references to CM-CS, CM-MR, and CM-RM zoning districts. There are three applications.

- Design Review Compliance Letter is a Type 1 review process, which means that staff is the decision-making authority. The Design Review One section indicates that approval is based on applicable standards, which are clear and objective. This application might be required for minor design changes and building additions limited in scale.
- Design Review Two is a Type 2 review process, which means that staff is the decision-making authority. For example, new construction of duplexes, triplexes, quadplexes, or townhouses in the MR and CM-MR zones or in any Commercial or Multiple Use zone where such housing types are a Permitted or Conditional Use requires a Design Review Two application. An applicant can meet no more than three applicable design guidelines (Sections 60.05.35 through 60.05.50) and the remaining applicable design standards. Otherwise, the approval criteria for Design Review Two complies with applicable statewide land use planning goals and rules, as well as minimum density established in Section 20.22.15 (unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application – all Type 2 or Type 3 applications).
- Design Review Three is a Type 3 review process, which means that Planning Commission is the decision-making authority. Design Review Three also provides a discretionary pathway if an applicant chooses not to meet some or all the clear and objective standards. An applicant can meet no more than three applicable design guidelines. Otherwise, the approval criteria for Design Review Three complies with applicable statewide land use planning goals and rules, as well as minimum density established in Section 20.22.15 (unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application – all Type 2 or Type 3 applications).

In addition, Design Review three provides a discretionary option for projects within the Cooper Mountain Community Plan area that

request to use the Cooper Mountain Development Plan process to develop a site in phases, where the first phase does not meet the clear and objective minimum floor area ratio (FAR) requirements established in Section 20.22.15 or the CM-CS minimum commercial requirement established in Section 20.22.30.

- **Section 40.21 Single-Detached and Middle Housing Design Review.** Update applications to include references to the CM-RM zoning district, which also covers small-scale commercial uses and the development of multi-dwelling structures with five or six units.

- Single-Detached and Middle Housing Design Review One is a Type 1 review process, which means that staff is the decision-making authority. The Design Review One section indicates that approval is based on applicable standards, which are clear and objective.
- Single-Detached and Middle Housing Design Review Two is a Type 2 review process, which means that staff is the decision-making authority, and Single-Detached and Middle Housing Design Review Three is a Type 3 review process, which means that Planning Commission is the decision-making authority.

Design Review Two and Design Review Three options provide a discretionary pathway if an applicant chooses not to meet some or all the clear and objective standards. Discretion is available through design guidelines in Section 60.05.60. Otherwise, the approval criteria for Design Review Two and Design Review Three comply with applicable statewide land use planning goals and rules, as well as minimum density established in Section 20.22.15 (unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application – all Type 2 or Type 3 applications).

- **40.45. Land Division and Reconfiguration.** Update applications to include references to Cooper Mountain zoning districts where appropriate. Applications include clear and objective and discretionary options. See Background and Summary for more information about proposed changes to Section 40.45.
- **40.70 Resource Overlay.** Add new applications to support Section 20.22.05 and Section 60.37 updates. There are four Resource Overlay applications.
 - Resource Overlay – Development and Resource Overlay – Boundary Correction Type 1 are clear and objective.

- Resource Overlay – Boundary Correction Type 3 and Resource Overlay – Alternative Review are discretionary.
 - **40.91 Tree Applications – Cooper Mountain.** Add new applications to support Chapter 60 updates. There are five tree applications for the Cooper Mountain Community Plan area.
 - Cooper Mountain Tree Removal One and Cooper Mountain Tree Plan One are clear and objective.
 - Cooper Mountain Tree Removal Two, Cooper Mountain Tree Plan Two and Cooper Mountain Tree Plan Three are discretionary.
- **Chapter 60 – Special Requirements**
 - **60.05.15 Building Design and Orientation Standards.** Add clear and objective requirements for building location and orientation along streets in Commercial and Multiple Use zones (Cooper Mountain), ground-floor elevations on commercial and multiple-use buildings (Cooper Mountain), and additional options to meet standards for roof forms, primary building entrances and window coverage (citywide). Guidelines in Section 60.05.35 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
 - **60.05.20 Circulation and Parking Design Standards.** Add clear and objective requirements for connections to the public street system (Cooper Mountain); pedestrian circulation (Cooper Mountain); off-street parking frontages (Cooper Mountain); sidewalks along streets and primary building elevations in Commercial and Multiple Use zones (Cooper Mountain); and screening standards for ground-floor parking (citywide). Update frontage requirements for development in commercial and multiple use districts for consistency with OAR 660-012-0330(4)(a) (citywide). Guidelines in Section 60.05.40 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
 - **60.05.25 Landscape, Open Space, and Natural Areas Design Standards.** Add clear and objective minimum landscaping requirements for various uses and building types (Cooper Mountain) and add open space and landscape buffer requirements for developments subject to Design Review (Cooper Mountain). Update minimum open space landscape requirements for other development types (citywide). Add general landscaping requirements that require plant diversity and irrigation (citywide). Rename Table 60.05-2 for landscape buffer requirements and relocate it to Section 60.05.25.14.H.1 (citywide). Guidelines in Section 60.05.45 provide discretionary options if an

applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.

- **60.05.30 Lighting Design Standards.** Update standards to reduce light and glare within and adjacent to Natural Areas (citywide). Guidelines in Section 60.05.50 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.20 Design Review.
- **Table 60.05-1 Technical Lighting Standards.** Add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park (Cooper Mountain). Relocate this table to Section 60.05.30 (citywide). Add exemption from lighting requirements for public parks based on hours of operation and proposed park uses (Cooper Mountain). Add special design standards for development within and adjacent to Natural Areas (citywide). Add lighting rules for private alleys (citywide). Corresponding applications are in Section 40.20 Design Review.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** Update clear and objective requirements for the development of single-detached and middle housing that are referenced in Section 40.21. New provisions include rules for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines (Cooper Mountain).
- **60.05.65 Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District.** Add a new section that establishes clear and objective standards for the development of five-plexes and six-plexes that are referenced in Section 40.21. These new standards are based on the existing design standards for single-detached homes and middle housing. Guidelines in Section 60.05.65 also provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards.
- **60.15.08 Cooper Mountain Landslide Hazard Risk.** Add a new section with standards applicable to land division proposals in Cooper Mountain that include land identified as a Landslide Hazard (Cooper Mountain). Corresponding applications are in Section 40.45 Land Division and Reconfiguration.
- **60.30 Off-Street Parking.** Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone (Cooper Mountain). Add parking ratio for minimum required bicycle parking spaces in public parks (citywide).

- **60.36 Planned Unit Development – Cooper Mountain.** Add a new section that provides provisions for PUD applications in the Cooper Mountain Community Plan area. This PUD option provides a discretionary option to meeting some site development standards in Section 20.22.15 (lot size reductions, setback reductions, building height bonuses and FAR bonuses) and a discretionary option to complying with the clear and objective housing variety and integrations standards in Section 20.22.40. The corresponding application is in Section 40.15 Conditional Use (Planned Unit Development).
- **60.37 Resource Overlay.** Add a new section with clear and objective standards that is intended to be substantially compliant with the Metro Title 13 Model Code, which provides the framework for regulating natural resources in the urban growth boundary (Cooper Mountain). Guidelines in Section 60.37 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.70.
- **60.50.25 Uses Requiring Special Regulation.** Add a new section with clear and object standards that establishes requirements for Neighborhood Parks and Community Parks based on THPRD’s 2019 Parks Functional Plan and for Visitable Dwellings (Cooper Mountain).
- **60.55.35 Access Standards.** Add clear and objective private alley standards and vehicular access standards for Neighborhood Routes west of SW 175th Avenue (Cooper Mountain). Add new section that describes clear and objective requirements for private alleys in other developments (citywide).
- **60.61 Trees and Vegetation – Cooper Mountain.** Add clear and objective standards for regulations for trees within the Cooper Mountain Community Plan area during and after the initial site development (Cooper Mountain). Guidelines in Section 60.61 provide discretionary options if an applicant chooses not to meet some or all of the clear and objective standards. Corresponding applications are in Section 40.91.

Compliance with OAR 660-007-0015 is also described in findings for OAR 660-046-0110(2)(b) and OAR 660-046-0205(3)(b)(E)(iv) in the TA42024-00680 section, which describes how siting and design standards for middle housing, do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay; and are incorporated here by reference.

660-007-0022 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing on or after its first periodic review shall either justify such restriction by an

analysis of housing need according to tenure or otherwise demonstrate that such restrictions comply with ORS 197.303(1)(a) and 197.307(3).

Response: The proposed amendments do not restrict the construction of either rental or owner occupied housing; therefore, this criterion is not applicable.

660-007-0035 Minimum Residential Density Allocation for New Construction

The following standards shall apply to those jurisdictions which provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing:

...

(3) Multnomah County and the cities of Portland, Gresham, Beaverton, Hillsboro, Lake Oswego and Tigard must provide for an overall density of ten or more dwelling units per net buildable acre. These are larger urbanized jurisdictions with regionally coordinated population projections of 50,000 or more for their active planning areas, which encompass or are near major employment centers, and which are situated along regional transportation corridors.

...

Response: Within the Cooper Mountain Community Plan area, the minimum density for the CM-CS, CM-HDR and CM-MR zoning districts is 34 units per acre and the minimum density for the CM-RM district is 10 units per acre. Inside the plan area, developable acreage is 373.7 acres and the housing estimate is 4,469 units, which results in approximately 12 units per buildable acre for the overall plan area. A more detailed analysis is described in the findings for OAR 660-007-0045 in the CPMA42024-00679 section.

Conclusion: The proposed amendments are consistent with OAR 660-007. This criterion is met.

OAR 660-008 – Interpretation of Goal 10 Housing

660-008-0010 Allocation of Buildable Land

(1) The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.

(2) For purposes of preparing Housing Capacity Analyses as provided in OAR 660-008-0045, the following provisions apply to local governments that are subject to OAR 660-012-0310(2):

- (a) Following the initial designation of climate-friendly areas as required in OAR 660-012-0315, local governments shall maintain climate-friendly area zones with sufficient zoned residential building capacity to contain at least 30 percent of current and projected housing needs. However, the local government shall determine housing capacity within the climate-friendly area for the purpose of meeting identified housing needs as required by Goal 10 and this division in a manner consistent with ORS 197.296(5).
- (b) The local government shall calculate the zoned residential building capacity within climate-friendly areas consistent with the provisions of OAR 660-012-0315(2), or utilizing an alternative methodology as provided in OAR 660-012-0320(10). The local government shall include demonstration of compliance with this requirement in each subsequent Housing Capacity Analysis.
- (c) The local government shall establish land use requirements in climate-friendly areas as provided in OAR 660-012-0320 for any newly designated climate-friendly area concurrent with or prior to the adoption of a Housing Capacity Analysis.

Response: Compliance with OAR 660-008-0010(1) was described above in findings for OAR 660-007-0030 in the CPMA42024-00679, which describes how the city's 2023 HNA examines sufficient buildable lands to satisfy housing needs by type; and also in findings for OAR 660-007-0035 in the TA42024-00680 section, which describes minimum densities in residential areas, are incorporated here by reference. Findings are not provided for OAR 660-008-0010(2) since that does not apply to cities/counties within the Portland Metropolitan Area; therefore, it is not applicable.

660-008-0015 Clear and Objective Approval Standards Required

- (1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.
- (2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:
 - (a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);

- (b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and
- (c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.

(3) Subject to section (1), this rule does not infringe on a local government's prerogative to:(a) Set approval standards under which a particular housing type is permitted outright;(b) Impose special conditions upon approval of a specific development proposal; or (c) Establish approval procedures.

Response: Compliance with OAR 660-008-0015 is described above in findings for OAR 660-007-0015, which describes clear and objective standards for the development of needed housing on buildable land; and are incorporated here by reference.

660-008-0040 Restrictions on Housing Tenure

Any local government that restricts the construction of either rental or owner occupied housing shall include a determination of housing need according to tenure as part of the local housing needs projection.

Response: Compliance with OAR 660-008-0040 is described above in findings for OAR 660-007-0022 in the TA42024-00680 section, which confirms that the city does not restrict the construction of either rental or owner occupied housing; and are incorporated here by reference.

Conclusion: The proposed amendments are consistent with OAR 660-008. This criterion is met.

OAR 660-009 – Economic Development

660-009-0010 Application

- (1) This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.
- (2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.

- (3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
- (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030.
- (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.
- (6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.

Response: Beaverton City Council adopted Ordinance 4693 (an ordinance amending Ordinance 4187, the Comprehensive Plan) on September 20, 2016 and the Mayor signed the ordinance on September 21, 2016, that updated Volume I Chapter 9 (The Economy Element) and Volume II Background and Supporting Material (Economic Opportunities Analysis, EOA). The Economic Opportunities Analysis was based on the Beaverton Urban Service area, which included what was then called Urban Reserve 6B and what is now called the Cooper Mountain Community Plan area. The analysis explored the community's economic patterns, potential, strengths, and deficiencies; resulted in policies concerning the economic development opportunities in the community; evaluated the supply of employment sites of suitable sizes and types; and addressed locations and service levels for a variety of industrial and commercial uses. DLCDC acknowledged these updates in 2016. The existing Beaverton Development Code implements the policies in Comprehensive Plan Chapter 9 (Economy Element).

660-009-0025 Designation of Lands for Industrial and Other Employment Uses

Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

- (1) **Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar

site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.

- (2) **Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period...
- (8) **Uses with Special Siting Characteristics.** Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:
- (a) Identify sites suitable for the proposed use;
 - (b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and
 - (c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

Response: To implement policies described in findings for OAR 006-009-0020, the proposed amendments also update the Beaverton Development Code.

The Market Analyses indicates that the Cooper Mountain plan area could support 30,000 square feet of commercial space (this value was calculated in 2020 before additional analysis was completed, as described in the findings above for OAR 006-009-0015). The proposed amendments include 53 acres of mixed-use zoning where commercial is allowed, significantly more than indicated in the Market Analyses. That includes 25 acres of CM-CS where a small amount of commercial (6,000 square feet per acre zoned CM-CS) is required in each development and 28 acres of CM-HDR where both commercial and residential are allowed but there is no minimum commercial requirement.

TA42024-00680 proposes the following amendments that support commercial uses:

- **10.25 Classification of Zoning Districts.** Add Cooper Mountain zoning districts to the list of citywide zoning classifications. CM-CS, CM-HDR and CM-RM either require or allow commercial uses in different ways.

- **20.22.10 Cooper Mountain Zoning Districts.** Add purpose statements for new zoning districts in Cooper Mountain.
 - **Cooper Mountain – Community Service (CM-CS).** The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.
 - **Cooper Mountain – High Density Residential (CM-HDR).** The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.
 - **Cooper Mountain – Multi-dwelling Residential (CM-MR).** The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing. While this zone does not allow commercial development, it is relevant in this context because commercial uses are allowed in the CM-RM District if they are near CM-MR.
 - **Cooper Mountain – Residential Mixed (CM-RM).** The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.
- **20.22.15 Site Development Standards.** Add a new section that includes site development standards for the CM-CS, CM-HDR and CM-RM zones.
- **20.22.20 Land Uses.** Add a new section that includes land uses (that is, commercial and other uses) for the CM-CS, CM-HDR and CM-RM zones.
- **20.22.30 CM-CS Commercial Requirements.** Add a section that requires a minimum amount of commercial square footage on properties in the CM-CS zone. Each site shall provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet.
- **20.22.35 CM-RM Small-scale Commercial.** Add a section that allows small-scale commercial uses near parks, CM-MR zones, and streets with the Neighborhood Route classification. This provides more and a wider variety of destinations near those features, which are also frequently found on the corridors most likely to support transit, such as SW 175th Ave, Tile Flat-Grabhorn, and east-west collector corridors. Most commercial uses within that district are limited to 1,500 square feet within buildings that would be similar in scale to the housing within CM-RM.
- **20.25.10 Floor Area Ratio.** For sites in CM-CS, CM-HDR, and CM-MR with constrained lands, the code allows a higher FAR on the buildable portion of a lot. For

multi-phase developments, the code provides a process that allows applicants to demonstrate how the project can meet minimum FAR at ultimate build out.

- **40 Applications.** Update applications – Design Review, Single-Detached and Middle Housing Design Review and Home Occupations – to address new code sections that cover multi-phase developments and design requirements (including for small-scale commercial uses on lots in the CM-RM zoning district).
- **60.05.15 Building Design and Orientation Standards.** Add requirements for building location and orientation along streets in Commercial and Multiple Use zones. Add requirements for ground-floor elevations on commercial and multiple-use buildings. Guidelines in Section 60.05.35 advance similar desired outcomes.
- **60.05.20 Circulation and Parking Design Standards.** Add requirements for connections to the public street system; pedestrian circulation; off-street parking frontages; and sidewalks along streets and primary building elevations in Commercial and Multiple Use zones. Guidelines in Section 60.05.40 advance similar desired outcomes.
- **60.05.60 Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing.** Updates requirements to include rules for small-scale commercial uses; tree planting and irrigation; open space; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.
- **60.30 Off-Street Parking.** Add maximum parking requirements for motor vehicles related to small-scale commercial uses in the CM-RM zone.

Conclusion: Therefore, staff finds that the Text Amendment is consistent with OAR 660-009.

OAR 660-012 – Transportation Planning

OAR 660-012 “implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient, and economic transportation system. This division also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in close coordination with urban and rural development.”

Response: Compliance with Statewide Planning Goal 12 (Transportation) and OAR 660-012 is described above in findings for Statewide Planning Goal 12 (Transportation) and OAR 660-012 in the CPMA42024-00679 section, which describe the project’s approach to providing and encouraging a safe, convenient and economic transportation system; and are incorporated here by reference.

Conclusion: Therefore, this criterion is met.

OAR 660-016 – Requirements and Application Procedures for Complying with Goal 5

660-016-0010 Develop Program to Achieve the Goal

Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must “develop a program to achieve the Goal.” Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to “resolve” conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan’s overall ability to protect and conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2), and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

- (1) Protect the Resource Site:** Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-016-0000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (2) Allow Conflicting Uses Fully:** Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.
- (3) Limit Conflicting Uses:** Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or

standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Response: In 2005, the city coordinated with Washington County, other cities in the County, Clean Water Services (CWS), the Tualatin Hills Park & Recreation District, and Metro to adopt a comprehensive program for the protection of fish and wildlife habitat in the Tualatin Basin. The Tualatin Basin Program outlines the program to protect and conserve riparian habitat and upland habitat resources, identifying whether resource areas should be protected. The proposed amendments do not propose changes to the Tualatin Basin Program.

All four Cooper Mountain zoning districts would be subject to the proposed Development Code standards in Section 60.37 that implement habitat protection and restoration standards for the Resource Overlay. Findings related to the performance standards for the Resource Overlay are described in the findings for Metro UGMFP Title 13, Section 3.07.1340 above, and are incorporated here by reference.

For local resources that were not included in the Tualatin Basin Program, the city prepared an ESEE Analysis, dated August 2024 (Exhibit 19). The ESEE concludes that conflicting uses should be limited in areas around wetlands and probable wetlands. To protect the habitat within the Cooper Mountain Nature Park, the ESEE concludes that conflicting uses should be lightly limited around the perimeter of the nature park for a distance of 25 feet. The 25-foot buffer area of limited use around the Cooper Mountain Nature Park will serve to protect the interior habitat of the nature park while allowing for economic, social and energy benefits of private development on the remaining land.

Proposed Development Code Table 20.22.15 defines a 25-foot minimum setback for rear and side yards abutting the Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of the Section 60.05.25, 60.05.60, or 60.05.65, as applicable to the proposed development. The proposed lighting standards also include provisions to reduce light and glare within and adjacent to Natural Areas and add rules for lighting of trails in Cooper Mountain and for lighting within a Natural Area or within 25 feet of the Resource Overlay or Cooper Mountain Nature Park.

660-016-0020 Landowner Acknowledgement

- (1) The development of inventory data, identification of conflicting uses and adoption of implementing measures must, under Statewide Planning Goals 1 and 2, provide opportunities for citizen involvement and agency coordination. In addition, the adoption of regulations or plan provisions carries with it basic legal notice requirements.**
- (2) As the Goal 5 process progresses and more specificity about the nature of resources, identified conflicting uses, ESEE consequences and implementing measures is known,**

notice and involvement of affected parties will become more meaningful. Such notice and landowner involvement, although not identified as a Goal 5 requirement is in the opinion of the Commission, imperative.

Response: The development of the natural resources inventory included community involvement, agency coordination, and landowner notification, as outlined in the findings for Statewide Planning Goal 1 and Statewide Planning Goal 2 and incorporated here by reference. This included specific mail and email communication with property owners– as well as opportunities for interested parties to participate in open-house information sessions and Planning Commission work sessions – regarding the Cooper Mountain Community Plan (including the Natural Resources Report); Resource Overlay mapping and approach; and the proposed amendments to the Comprehensive Plan, Development Code, and Zoning Map.

Conclusion: The requirements of OAR 660-016 are met through compliance with Metro’s Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each type of Goal 5 resource. This criterion is met.

OAR 660-018 – Post-Acknowledgement Amendments

660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department’s Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.
- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:
 - (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;
 - (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;

- (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
- (3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.
- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:
- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.
- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been “submitted” on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Response: Compliance with OAR 660-018-0020 is described above in findings for OAR 660-018-0020 in the CPMA42024-00679 section, which describes how the city submitted notice of the proposed changes to DCLD; and are incorporated here by reference.

660-018-0040 Submittal of Adopted Change

- (1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation it shall submit the decision to the department, with the appropriate notice forms provided by the department, within 20 days.**
- (2) For purposes of the 20-day requirement under section (1) of this rule, the proposed change is considered submitted to the department:**
 - (a) On the day the applicable notice forms and other required documents are received by the department in its Salem office, if hand-delivered or submitted by electronic mail or similar electronic method, or**
 - (b) On the date of mailing if the local government mails the forms and documents.**
- (3) The submission to the department must be in a format acceptable to the department and include all of the following materials:**
 - (a) A copy of final decision;**
 - (b) The findings and the text of the change to the comprehensive plan or land use regulation;**
 - (c) If a comprehensive plan map or zoning map is created or altered by the proposed change:**
 - (A) A map showing the area changed and applicable designations; and**
 - (B) Electronic files containing geospatial data showing the area changed, as specified in section (5) of this rule, if applicable.**
 - (d) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under OAR 660-018-0020 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and**
 - (e) A statement by the individual transmitting the decision identifying the date of the decision and the date the submission was mailed to the department.**
- (4) Where amendments or new land use regulations, including supplementary materials, exceed 100 pages, a summary of the amendment briefly describing its purpose and requirements shall be included with the submittal to the director.**
- (5) For local governments that produce geospatial data describing an urban growth boundary (UGB) or urban or rural reserve that is created or altered as part of an adopted change to a comprehensive plan or land use regulation, the submission must include electronic geospatial data depicting the boundary change. Local governments that create or alter other zoning or comprehensive plan maps as geospatial data are encouraged but not required to share this data with the department. Geospatial data**

submitted to the department must comply with the following standards endorsed by the Oregon Geographic Information Council:

- (a) Be in an electronic format compatible with the State's Geographic Information System software standard described in OAR 125-600-7550; and
- (b) Be accompanied by metadata that meets at least the minimum requirements of the federal Content Standard for Digital Geospatial Metadata.

(6) Local government must notify the department of withdrawals or denials of proposals previously sent to the department under requirements of OAR 660-018-0020.

Response: Compliance with OAR 660-018-0040 is described above in findings for OAR 660-018-0040 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCDC after the Beaverton City Council adopts the proposed changes; and are incorporated here by reference.

660-018-0045 Alterations to a Proposed Change

- (1) If, after initially submitting the notice and accompanying materials under OAR 660-018-0020, a proposed change to an acknowledged comprehensive plan or land use regulation is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must, at least 10 days before the final evidentiary hearing on the proposal:
 - (a) Notify the department of the alterations to the proposed change, and
 - (b) Provide a summary of the alterations along with any alterations to the proposed text or map and other materials described in OAR 660-018-0020.

Response: Compliance with OAR 660-018-0045 is described above in findings for OAR 660-018-0045 in the CPMA42024-00679 section, which describes how the city intends to follow-up with DLCDC if there are any alterations to proposed updates to the Beaverton Comprehensive Plan or Development Code; and are incorporated here by reference.

660-018-0050 Notice to Other Parties of Adopted Changes

- (1) Notice of an adopted change to a comprehensive plan or land use regulation to persons other than the department is governed by ORS 197.615(4) and (5), which require that on the same day the local government submits the decision to the director the local government shall mail or otherwise deliver notice of the decision to persons that:
 - (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and
 - (b) Requested in writing that the local government provide them with notice of the change to the acknowledged comprehensive plan or the land use regulation.

(2) The notice to persons who participated and requested notice as required by section (1) of this rule must clearly describe and state the date of the decision; indicate how and where the materials may be obtained; include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice; list the locations and times at which the public may review the decision and findings; and explain the requirements for appealing the land use decision under ORS 197.830 to 197.845.

Response: Compliance with OAR 660-018-0050 is described above in findings for OAR 660-018-0050 in the CPMA42024-00679 section, which describes how the city intends to comply with notice of decision requirements; and are incorporated here by reference.

Conclusion: Therefore, staff finds the city has provided adequate notice and submitted all required materials consistent with OAR 660-018. This criterion is met.

OAR 660-023 – Procedures and Requirement for Complying with Goal 5

Response: OAR 660, Division 23 establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

OAR 660-023-0020 defines the standard Goal 5 process that should be followed for each of the resources listed in OAR 660-023-0090 through 660-023-0230 and also explains the optional “safe harbor” course of action available for some of the listed resources. The standard Goal 5 process, OAR 660-023-0030 through 660-023-0050, includes:

- conducting an inventory of significant Goal 5 resources,
- conducting an analysis of the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use, and
- adopting programs to achieve Goal 5, including comprehensive plan provisions and land use regulations to implement the decisions made through the ESEE analysis.

OAR 660-023-0080, part (3) states the following:

(3) Metro may adopt one or more regional functional plans to address all applicable requirements of Goal 5 and this division for one or more resource categories and to provide time limits for local governments to implement the plan. Such functional plans shall be submitted for acknowledgment under the provisions of ORS 197.251 and 197.274. Upon acknowledgment of Metro’s regional resource functional plan, local governments within Metro’s jurisdiction shall apply the requirements of the functional plan for regional resources rather than the requirements of this division.

In 2005, the Metro Council voted to approve a regional Nature in Neighborhoods program (including Title 13 of the Urban Growth Management Functional Plan (UGMFP), effective date of December 28, 2005) to meet the requirements of Goal 5 for Riparian Corridors and Wildlife Habitat. This means that for regionally significant Riparian Corridors (OAR 660-023-0090) and Wildlife Habitat (OAR 660-023-0110) within Metro's boundary, the City of Beaverton must comply with the Metro UGMFP rather than the standard provisions of the Goal 5 rule.

For natural resources which have not been identified in the UGMFP as regional resources or where the City is proposing regulations that would be more protective of a resource than is required by Title 13, the city has developed an ESEE consistent with the requirements of OAR 660-023-0030 through 660-023-0050. The ESEE decisions and resulting program for each resource in OAR 660-023-0090 through 660-023-0230 are outlined in the findings for OAR 660-023 in the CPMA42024-00679 section.

The Cooper Mountain Community Plan, Natural Resources Report, dated August 2024 (Exhibit 1, Appendix B) includes an updated inventory and determination of significance for Goal 5 resources. Based on the inventory of Goal 5 resources, requirements of the UGMFP, and the results of the ESEE analysis, the proposed Development Code Section 60.37 defines a Resource Overlay that contains Goal 5 riparian corridors, wetlands, wildlife habitat, and open space. The proposed Development Code Section 60.37 Resource Overlay provides clear and objective rules to regulate development within the Resource Overlay, which includes wetlands, waters, Riparian Class I and II, and Upland Class A and B Habitat areas. The proposed Development Code includes the following:

- Previously approved and permitted development is exempt from the standards. Existing uses may remain and continue, including maintenance and repair of existing structures, landscaping, and other existing development. (60.37.25)
- Emergency procedures, agriculture and farming practices, removal of nuisance plants, natural resources enhancements, and small impacts (less than 500 square feet) are allowed within the Resource Overlay. (60.37.25)
- During land division, at least 80 percent of the Resource Overlay on the property will be required to be protected from disturbance and separated into its own lot (also called a tract) where future development will be not allowed. The remaining 20 percent of the overlay on the property can be disturbed for development. Mitigation must be provided for the permanent disturbance area. (60.37.30)
- Development activities within riparian areas must meet the vegetated corridor requirements of CWS. (60.37.35.1.C)
- On properties that are fully or extensively covered with Resource Overlay, the development rules allow up to 6,000 square feet of disturbance area. Mitigation must be provided for the permanent disturbance area. (60.37.40.1)

- Commercial and multi-dwellings are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.2)
- Vegetated stormwater management facilities, linear utilities, up to 6,000 square feet of a non-linear utility facility, and public trails may be constructed in the Resource Overlay. (60.37.40.3 through 6)
- Transportation corridors are allowed within the Resource Overlay. Mitigation must be provided for the permanent disturbance area. (60.37.40.7)
- Public and private parks are allowed on existing lots of record with a maximum disturbance area of 50 percent of the total area of the Resource Overlay on the existing lot. Mitigation must be provided for the permanent disturbance area. (60.37.40.8)

The proposed Development Code Section 60.37.50, Alternative Review outlines the discretionary process for development within the Resource Overlay. The Alternative Review process is available for applicants that cannot or choose not to follow the standards for land divisions or development within the Resource Overlay. With all development in the Resource Overlay, the applicants must mitigate for impacts by following the mitigation requirements in Section 60.37.45 or provide an alternative mitigation plan that compensates for impacts to ecological functions, in accordance with Section 60.37.50.1.B.

A letter from Metro, dated September 11, 2024 (Exhibit 18) states that Metro has reviewed the proposed Development Code updates for the Cooper Mountain area. The letter from Metro states that the proposed Development Code is substantially compliant with the performance standards in Metro UGMFP Title 13.

In addition, proposed Development Code Section 60.61 includes design standards and guidelines for tree preservation during development and planting to achieve required tree canopy. The tree preservation standards (60.61.15) and guidelines (60.61.25) require development to preserve a minimum percentage of existing trees within the Resource Overlay (which includes both significant riparian and upland habitat areas). The tree canopy standards (60.61.20) require planting to achieve 65 percent canopy coverage within the Resource Overlay. The tree canopy guidelines (60.61.30) allow for lower percentage of canopy coverage within the Resource Overlay if the planting plan protects or restores other ecological functions.

Conclusion: The requirements of OAR 660-023 are met through compliance with Metro's Urban Growth Management Functional Plan and the proposed protections for Goal 5 resources in the Community Plan area. The city has worked with Metro, DSL, and other partner agencies to develop an inventory of Goal 5 resources, identify conflicting uses, and develop a program to protect and conserve each resource. The program identifies whether to protect from conflicting uses, fully allow conflicting uses, or limit conflicting uses for each

type of natural resource. The outcome was to allow more housing than required by Metro and limit the conflicting uses in natural resource areas to maintain habitat connectivity and wildlife corridors. The proposed Development Code rules implement the program to protect, allow, or limit conflicting uses for each type of natural resource. This criterion is met.

OAR 660-034 – State and Local Park Planning

660-034-0040 Planning for Local Parks

(1) Local park providers may prepare local park master plans, and local governments may amend acknowledged comprehensive plans and zoning ordinances pursuant to the requirements and procedures of ORS 197.610 to 197.625 in order to implement such local park plans. Local governments are not required to adopt a local park master plan in order to approve a land use decision allowing parks or park uses on agricultural lands under provisions of ORS 215.213 or 215.283 or on forestlands under provisions of OAR 660-006-0025(4), as further addressed in sections (3) and (4) of this rule. If a local government decides to adopt a local park plan as part of the local comprehensive plan, the adoption shall include:

- (a) A plan map designation, as necessary, to indicate the location and boundaries of the local park; and**
- (b) Appropriate zoning categories and map designations (a “local park” zone or overlay zone is recommended), including objective land use and siting review criteria, in order to authorize the existing and planned park uses described in local park master plan.**

Response: The plan area is fully within the boundary of the Tualatin Hills Park & Recreation District service planning area. THPRD’s Comprehensive Plan (2023) includes planning for parks and recreation facilities and services across the plan area. THPRD’s planning documents include the Comprehensive Plan (2023), Parks Functional Plan (2019), Trails Functional Plan (2016), Natural Resources Functional Plan (2014), Athletic Facilities Functional Plan (2016), and Programs Functional Plan (2023). Each plan identifies existing conditions, future conditions, and standards for developing new parks, trails, facilities, and services. The proposed amendments do not propose changes to the existing local park master plans.

The proposed amendments add a Parks Overlay to portions of the plan area that have been identified for future community parks and neighborhood parks and include open space requirements. In addition, the proposed Development Code Section 2.22.20 lists public parks, public dog parks or dog runs, and community gardens as a permitted uses in all proposed Cooper Mountain zoning districts. Public and private recreational facilities are

permitted uses in the CM-CS, and CM-HDR zone and conditional uses in the CM-MR and CM-RM zone.

In addition, the proposed amendments address public park facilities in the following ways:

- Providing a Parks Overlay that identifies locations for future parks/open space. The Parks Overlay includes eight neighborhood park/open space areas totaling 19 acres and one community park/open space area of 10.7 acres. The Parks Overlay map can be found in Section 20.22.45 of the proposed Development Code text amendment, along with some of the Development Code standards regarding parks/open space.
- Requiring open space on all properties within the Cooper Mountain Community Plan area, with requirements for 10 to 15 percent open space per lot. Lots 5 acres and larger are required to provide 15 percent of their gross site area to open space. If a Parks Overlay geography is shown on the lot, the required open space is required to be provided within the overlay first. Any additional requirement can be placed elsewhere on the site.
- Requiring park amenities for open space within the Parks Overlay. Outside the Parks Overlay, tree planting that would produce a 50 percent tree canopy at maturity is required.
- Including code incentives for open space to be dedicated to THPRD by:
 - Not requiring the park amenities to be built if the land is dedicated to THPRD.
 - Giving 150 percent credit toward open space requirements for open space land dedicated to THPRD.

The proposed amendments ensure open space is provided and uses a regulatory approach that provides incentives for property owners and developers to dedicate land for parks to Tualatin Hills Park & Recreation District. THPRD can work to purchase additional land for parks and recreation both within the Parks Overlay and outside the Parks Overlay to meet the district's standards for park provision. The city also plans to work with THPRD outside the regulatory process to ensure sufficient park provision.

Conclusion: While this criterion does not require the city to consider develop or amend a parks master plan, the Cooper Mountain Community Plan project overall includes planning for local parks. The proposed amendments add a Parks Overlay and objective land use and siting review criteria, in order to authorize the existing and planned park uses described in the Community Plan. This criterion is met.

OAR 660-046 – Middle Housing in Medium and Large Cities

660-046-0010 Applicability

- (1) A local government that is a **Medium City or Large City** must comply with this division.
- (2) Notwithstanding section (1), a **Medium or Large City** need not comply with this division for:
 - (a) **Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;**
 - (b) **Lots or Parcels that are Zoned For Residential Use but do not allow for the development of a detached single-family dwelling; and**
 - (c) **Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land’s potential for planned urban development.**

Response: According to OAR 660-046-0020, the City of Beaverton is a large city. As demonstrated in the findings for OAR 660-046-0030 through 660-046-0235, the city complies with all requirements in this division.

- (3) **A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.**
 - (a) **Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.**
 - (A) **Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through OAR 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5:**
 - i. **Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;**

- ii. **Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and**
- iii. **If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.**

Response: TA42024-00680 proposes amendments that allow all middle housing types in Goal 5 areas if they can meet relevant development standards.

TA42024-00680 adds Section 60.37.40 Standards for Specific Development Types to the Beaverton Development Code. Section 60.37 establishes a single set of standards that apply to the development of single-detached, middle housing, and five- and six-unit multi-dwellings in the Resource Overlay. Developments also need to comply with 60.37.30. Standards for Land Divisions and Property Line Adjustments, if relevant, and Section 60.37.35 General Development Standards.

Additional information about Beaverton's Goal 5 program for the Cooper Mountain Community Plan area is described in the findings for OAR 660-016 and 660-023 in the CPMA 42024-00679 section of this staff report.

(B) Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:

- i. **Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings; and**

- ii. **Standards that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the development of detached single-family dwellings.**

Response: Beaverton has regulations to protect historic resources in Beaverton Development Code Section 40.35 Historic Review and Section 70.20.10.11 Historic Overlay Design. The standards of Section 40.35 will apply to any resources that are identified in the Cooper Mountain area in the future.

- (b) **Goal 6: Air, Water and Land Resources Quality – Pursuant to OAR 660-015-0000(6), a Medium or Large City may limit development within an urban growth boundary to support attainment of federal and state air, water, and land quality requirements. Medium and Large Cities may apply regulations adopted pursuant to Goal 6 to the development of Middle Housing.**

Response: The city’s existing policies and development rules and the existing rules of partner agencies such as Clean Water Services address Goal 6, and the proposed amendments do not include additional limitations. This criterion is not applicable.

- (c) **Goal 7: Areas Subject to Natural Hazards – Pursuant to OAR 660-015-0000(7), Medium and Large Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy in the following areas:**

- (A) **Special Flood Hazard Areas as identified on the applicable Federal Emergency Management Agency Flood Insurance Rate Map; and**
- (B) **Other hazard areas identified in an adopted comprehensive plan or development code, provided the Medium or Large City determines that the development of Middle Housing presents a greater risk to life or property than the development of detached single-family dwellings from the identified hazard. Greater risk includes but is not limited to actions or effects such as:**
 - i. **Increasing the number of people exposed to a hazard;**
 - ii. **Increasing risk of damage to property, built, or natural infrastructure; and**
 - iii. **Exacerbating the risk by altering the natural landscape, hydraulics, or hydrology.**

Response: TA42024-00680 proposes adding Section 60.15.08. Cooper Mountain Landslide Hazard Risk which requires proposed development sites with land identified as a Landslide Hazard shown on the Landslide Hazard Risk

Map to generally obtain a geological assessment or report depending upon various factors described in Section 60.15.08. Section 60.15.08 does not restrict specific development types but does require mitigation of any additional risk that would otherwise be incurred.

- (d) Goal 9: Economic Development - Pursuant to OAR 660-009-0025, Medium and Large Cities must adopt measures adequate to implement industrial and other employment development policies, including comprehensive plan designations. Medium and Large Cities may limit the development of Middle Housing on Lots or Parcels Zoned For Residential Use designated for future industrial or employment uses.**

Response: The proposed amendments do not include plans for future industrial uses. ZMA42024-00681 proposes adding the CM-CS and CM-HDR zoning districts to the Zoning Map and TA42024-00680 proposes new rules for these two zoning districts, The CM-CS zoning district requires some commercial square footage, which may provide employment opportunities, and allows residential uses; and the CM-HDR zoning district allows residential and commercial uses. Both CM-CS and CM-HDR zoning districts are intended for multi-dwellings and middle housing.

- (e) Goal 11: Public Facilities and Services - Pursuant to OAR 660-011-0020(2), a public facility plan must identify significant public facility projects which are to support the land uses designated in the acknowledged comprehensive plan. This includes public facility projects to support the development of Middle Housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Following adoption of Middle Housing allowances by a Large City, the Large City shall work to ensure that infrastructure serving undeveloped or underdeveloped areas, as defined in OAR 660-046-0320(8), where Middle Housing is allowed is appropriately designed and sized to serve Middle Housing.**

Response: Compliance with OAR 660-011-0020 is described above in findings for OAR 660-011-0020 in the CPMA42024-00679, which confirms that the proposed comprehensive plan amendments will include updates to the public facilities plan to reflect the future development potential across the plan area; and are incorporated here by reference.

- (4) For the purposes of assisting local jurisdictions in adopting reasonable siting and design standards for Middle Housing, the applicable Model Code adopted in this section will be applied to A Local Government That Has Not Acted to comply with the provisions of ORS 197.758 and this division. For such Medium and Large Cities, the applicable Model Code completely replaces and pre-empts any provisions of those Medium and Large Cities' development codes that conflict with the Model Code.**

Response: To comply with House Bill 2001, Beaverton’s City Council adopted reasonable siting and design standards for middle housing in June 2022 through proposed amendments in TA 2022-0002. Proposed amendments in TA42024-00680 include changes to some siting and design standards for middle housing that address new rules for small-scale commercial uses in the CM-RM zoning district; tree planting and irrigation requirements; open space requirements; landscape buffers next to the Cooper Mountain Nature Park, and grading at property lines.

660-046-0030 Implementation of Middle Housing Ordinances

(1) Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the local government must submit the proposed amendment to the Department for review and comment pursuant to OAR chapter 660, division 18.

Response: The proposed Development Code text amendment (TA42024-00680) complies with OAR 660-046-0030, which requires the city to allow middle housing in residential districts that allow single-detached homes. Consistent with procedures outlined in the Beaverton Development Code, staff submitted the Post-Acknowledgement Plan Amendment (PAPA) to DLCD on September 6, 2024, more than 35 days before the initial hearing. DLCD acknowledged receiving the PAPA via email on September 6, 2024.

(2) In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a local government must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:

- (a) Waiving or deferring system development charges;**
- (b) Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and**
- (c) Assessing a construction tax under ORS 320.192 and ORS 320.195.**

Response: In September 2023, the Beaverton City Council adopted updated Housing Needs Analysis and Housing Production Strategy reports, which include strategies the city will implement to address housing needs in our community, such as increasing the supply and affordability of middle housing.

The Housing Production Report is organized into five categories: Zoning and Code Changes; Reducing Regulatory Impediments; Financial Resources; Tax Exemption and Abatement; and Land, Acquisition, Lease, and Partnerships.

Each category includes strategies (near-term, medium-term and long-term) and action items. The main Housing Production Report focuses on near-term and medium-term strategies only. Appendix E in the Housing Production Report includes longer-term strategies that the city may consider implementing beyond Fiscal Year (FY) 2028.

Below is an overview of methods to increase the supply and affordability of middle housing. More detailed information is provided for the near-term and medium-term categories because these strategies are either in progress or being evaluated for inclusion in city work plans.

- **Near-term strategies (1-2 years)**
 - **1.5. Mixed housing types in urban growth boundary expansion area**
 - This strategy is the intent of the Cooper Mountain Community Plan and the proposed amendments. It will ensure there are mixed housing types in UGB expansion areas through both clear and objective standards and discretionary processes. Requiring some housing variety, rather than just allowing various housing types and leaving the mix entirely up to market forces, ensures a range of housing types will be provided in a given area—including middle housing (plexes, townhomes, and cottage clusters). This can meet the housing needs of a wider variety of people and contribute to the creation of inclusive neighborhoods. The proposed amendments require housing variety in the CM-RM zoning district when the net acreage of the parent parcel is 3 acres or larger and require integration of middle housing within all neighborhoods in that zone.
 - Actions Needed to Implement: Complete and adopt the Cooper Mountain Community Plan; Adopt Development Code and Comprehensive Plan/Zoning map updates.
 - **2.3. Remove minimum off-street vehicle parking requirements**
 - This work was recently completed. Staff updated the Development Code to remove minimum vehicle parking citywide as part of implementation of new state rules on Climate Friendly and Equitable Communities (CFEC). Parking mandates are often cited as a major barrier for market-rate multi-dwelling and regulated affordable housing. Especially beneficial to low to moderate income households.
 - **3.2. Construction Excise Tax (CET)**
 - City staff is currently reviewing with city leadership the logistics and viability of implementing a CET, a one-time tax on construction projects and is a potential funding source for affordable housing. Cities and counties may levy a CET on residential construction for up

to 1 percent of the project's permit value; or on commercial and industrial construction, with no cap on the rate of the CET. The allowed uses for CET funding are defined by state statute and can include support for a variety of housing-related projects and programs. For example, some cities have used CET to pay for gap financing of new affordable development, backfilling System Development Charge waivers, acquisition of properties for affordable housing preservation, and down payment assistance for first-time homebuyers.

- **Medium-term strategies (3-5 years)**

- **1.2. Increase development flexibility and capacity in multi-dwelling and multiple-use districts**

- Beaverton's Multi-Unit Residential (MR) and Multiple Use zones are intended for higher-density apartment and condominium development, yet they include provisions that can limit opportunities for such housing. The following Development Code updates are recommended to address these issues:
 - Consider removing density limitations in the MR and Multiple Use zones.
 - Consider applying FAR limits to control the bulk and intensity of development. This would allow a building with more, smaller units to achieve the same built form as a building with fewer, larger units.
 - Increase FAR limits in some Multiple Use zones.
 - Remove the requirement for Planned Unit Development (PUD) review within the SC-S: Station Community Sunset District.
- These changes could mainly serve moderate to higher income households but could also benefit income-restricted multi-dwelling housing (income level: 80 percent AMI and above).
- Through Beaverton's Designing Walkable Places Project, staff is addressing some of these changes in Development Code updates slated for completion by June 2024. Other potential improvements to the Development Code changes will be re-evaluated after the Designing Walkable Place project is complete.

- **1.3. Facilitate Single Room Occupancy (SRO) housing in more areas**

- SRO housing includes multiple single-room dwelling units for individuals, often with shared kitchens and bathrooms outside the unit. SROs are typically aimed at those earning low or very low incomes.

Micro housing is a related type of housing, which is usually defined as having units under 400 square feet that may or may not share kitchen facilities with other units on the same floor. SROs and micro housing primarily serve lower-income households, including extremely low income; housing insecure or people experiencing homelessness; and seniors. To facilitate development of these lower-cost housing types, the following Development Code updates are recommended:

- Add definitions for SRO and micro housing.
 - Add SROs and micro housing to the land use tables and allow them where multi-dwelling housing is permitted.
 - Consider prorating density calculations so each SRO/micro housing unit counts as a fraction of a typical dwelling unit (e.g., four SRO units count as a single unit).
- In September 2024, City Council adopted changes to the Development Code that included adding a definition of SRO to Chapter 90 and permitting SROs in all residential and commercial zoning districts and most multiple use zoning districts. Other potential improvements to the Development Code changes will be considered in the next year.
- **1.6 Accessible design incentives or mandates**
 - This strategy involves incentives or mandates to increase development of housing that is accessible for seniors and people with disabilities or mobility challenges.
 - Potential incentives could include bonuses for height, density, lot size, or floor area ratio; and tax abatements (see Strategy 4.1).
 - Potential requirements could include
 - Requiring visitability in middle housing development—this would ensure anyone using a wheelchair can visit the subject homes.
 - Requiring housing that receives public funding to provide more accessible units or more accessibility features than required under federal standards.
 - Requiring elevators in some or all multi-story buildings.
 - Proposed amendments in TA42024-00680 include incentives for visitable housing in Section 60.36 (Planned Unit Development - Cooper Mountain and requirements for visitable housing in Section 60.50.25 (Uses Requiring Special Regulation). Other potential

improvements to the Development Code changes will be considered in the next year.

○ **1.7 Encourage housing that serves multigenerational households through incentives and removing code barriers**

- This strategy would encourage various opportunities for multigenerational living by removing barriers in the code and by providing financial or regulatory incentives. The Beaverton HNA reports a growing demand for multigenerational living opportunities, estimating that 17 percent of new households over the next 20 years will be multigenerational. The HNA also notes that, nationwide, communities of color (especially Asian, Black, and Latine) live in multigenerational households at roughly twice the rate as White Americans (24-26 percent vs. 13 percent). The city could encourage multigenerational housing in several ways:

- Height/FAR bonus for multiple bedrooms to help offset the financial impact of providing larger units in a development.
- Financial incentive for multiple bedrooms (e.g., MUPTE tax abatement, see Strategy 4.1).
- Allow an ADU with a townhouse.

- The Evaluation of Housing Strategies and Actions (Appendix E in the Housing Production Report) also considers a longer-term strategy of legalizing alternative housing types on wheels (e.g., tiny homes on wheels). This strategy would involve future Development Code updates and also relates to Strategy 4.1 for MUPTE actions.

○ **4.1 Multiple Unit Property Tax Exemption (MUPTE)**

- MUPTE can be used to incent multi-dwelling or middle housing with particular features or at particular price points by offering qualifying developments a partial property tax exemption for 10 years (or longer, for housing subject to affordability agreements). An in-depth analysis prepared by ECONorthwest (Appendix G in the Housing Production Report) examined the following potential uses of MUPTE in Beaverton:
 - As an incentive for new middle housing or multifamily housing within specific areas of the city that offer particular features that align with specific housing needs that are not being fully met by the market today: Accessible or visitable units; and Family-size or multigenerational units.

- As an incentive for mixed-income development, resulting in a voluntary inclusionary housing program
 - As an incentive to for-profit property owners to rehabilitate and stabilize existing low-cost market-rate housing
 - Actions Needed to Implement: Further evaluate the MUPTE program options listed above; Conduct outreach to stakeholders; Determine desired eligibility criteria; Seek support from overlapping tax districts; Establish the program via resolution or ordinance.
- **Longer term strategies (6+ years)**
 - 2.1. Permit-ready plan sets for middle housing types
 - Permit-ready plan sets can reduce housing development costs by reducing design and permit process times and fees. This strategy would likely lead to more development of middle housing in the city. The cost savings to builders wouldn't necessarily translate to reduced sale prices or rents but would deliver more housing.
 - 2.2. Facilitate and encourage Accessory Dwelling Units
 - Cities have several tools at their disposal to encourage development of ADUs. An in-depth analysis prepared by ECONorthwest examined three of the most common strategies in Oregon and their potential application in Beaverton – offer city SDC exemptions; offer permit-ready plans for ADUs and waive or reduce building permit fees; and/or offer a low-interest loan product.

In addition to strategies outlined in the Housing Production Report, below is additional information on methods to increase the affordability of housing in Beaverton:

- **Property tax exemptions**
 - Beaverton has an existing property tax exemption for affordable housing enabled by ORS 307.540-548. It is for nonprofit housing providers that serve residents earning below 60 percent of the area median income and below 80 percent of the area median income in their second and subsequent years of tenancy. The program is structured to exempt qualifying affordable housing projects from property taxes levied by all governments and special districts that have taxing authority over the property. This results in a cost savings that can be passed on to qualified residents in the form of lower rents. Annual application requests open in December, with Beaverton City Council action the following March.
- **System Development Charge (SDC) waivers**

- Beaverton sets SDC rates for water service within its service area. (Parts of Beaverton are served by the Tualatin Valley Water District, Raleigh Water District and West Slope Water District.) City water SDCs are based on meter size, which means they scale according to the size of development. A supplemental transportation system development charge (TSDC) for the South Cooper Mountain area, which was established to pay for infrastructure to develop that urban growth boundary expansion area, is controlled by the city but it is only for a small part of the city. The city is considering a similar TSDC for the Cooper Mountain area. Other SDCs are determined by other service providers, including:
 - Clean Water Services (CWS) (sewer and stormwater). Beaverton is currently negotiating a new intergovernmental agreement with Clean Water Services, and rates and charges are one of the topics to be addressed. CWS is also waiting for completion of the West Basin master plan to begin a review and update of the District’s SDC methodology and rates. The plan is to start this work in the next year or two. The issues of affordable housing and development type will be factors evaluated as CWS updates the methodology and rates.
 - Tualatin Hills Park & Recreation District (THPRD) (parks, recreation, trails and natural areas). In the last couple of years, THPRD revised its SDC methodology which includes 50 percent reduction for regulated affordable housing restricted at 60 percent Area Median Income (AMI) or below, and 100 percent reduction for regulated affordable units restricted at 30 percent AMI or below.
 - Washington County (transportation through the Traffic Development Tax (TDT), which is not an SDC but instead is a tax approved by Washington County voters. Methodology change requires voter approval.

(3) When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.

Response: While this criterion does not require the city to consider whether the amendments significantly affect an existing or planned transportation facility, the Cooper Mountain Community Plan project overall considers transportation needs and improvements to the transportation system. See findings for Statewide Planning Goal 12 Transportation, OAR 660-012, and Metro’s Regional Transportation Functional Plan in the CPMA 42024-00679 section.

660-046-0040 Compliance

- (1) A Medium or Large City may adopt land use regulations or amend its comprehensive plan to comply with ORS 197.758 and the provisions of this division.**

Response: The City Council public hearing to consider proposed amendments in TA42024-00680 (as well as CPMA42024-00679 and ZMA42024-00681) is currently scheduled for December 3, 2024.

In June 2022, City Council adopted amendments in TA2022-0002, CPMA2022-0004 and ZMA2022-0004, which included land use regulations and comprehensive plan map and policy updates, to comply with ORS 197.758 and the provisions of this division.

660-046-0100 through 660-046-0130

The City of Beaverton is classified as a Large City for the purpose of complying with Chapter 660 Division 46 (Middle Housing in Medium and Large Cities). However, OAR 660-046-0205 (Applicability of Middle Housing in Large Cities) indicates that a “Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130;” therefore, findings for OAR 660-046-0100 through OAR 660-046-0130 are below.

660-046-0105 Applicability of Middle Housing in Medium Cities

- (1) A Medium City must allow for the development of a Duplex, including those Duplexes created through conversion of an existing detached single-family dwelling, on each Lot or Parcel zoned for residential use that allows for the development of detached single-family dwellings.**
- (2) OAR 660-046-0105 through OAR 660-046-0130 do not require a Medium City to allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.**

Response: Section 20.22.20 Land Use (Cooper Mountain Zoning Districts) indicates that duplexes are allowed on all lots where single-detached dwellings are allowed in the only Cooper Mountain zone where Division 46 applies, CM-RM.

In June 2022, City Council adopted amendments to Section 20.05 (Residential Land Use Districts) that indicated that duplexes are allowed on all lots where single-detached dwellings are allowed; and amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) that indicated that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling, which makes it easier to build duplexes. Those provisions also will apply in CM-RM.

660-046-0110 Provisions Applicable to Duplexes in Medium Cities

- (1) Medium Cities may regulate Duplexes to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).**

Response: For the Cooper Mountain Community Plan area, the findings for OAR 660-046-0010(3) in TA42024-00680 address generally how single-detached dwellings and middle housing may be subject to compliance with protective measures.

In other parts of the city, Beaverton has already adopted a Local Wetlands Inventory and has identified significant resources in Volume III of the Comprehensive Plan, pursuant to Statewide Planning Goal 5. Duplexes are subject to the same process and review as applicable to other types of development in Significant Natural Resource Areas or jurisdictional wetlands.

(2) Medium Cities may regulate siting and design of Duplexes, provided that the regulations:

- (a) Are clear and objective standards, conditions, or procedures consistent with ORS 197.307; and**
- (b) Do not, individually or cumulatively, discourage the development of Duplexes through unreasonable costs or delay.**

Response: Compliance with OAR 660-046-0110(2) is described above in findings for OAR 660-007-0015, which describes clear and objective standards; OAR 660-046-0120, which describes duplex siting standards; and OAR 660-046-0125, which describes duplex design standards; and are incorporated here by reference.

Regarding the requirement to ensure that siting and design standards do not, individually or cumulatively, discourage the development of duplexes through unreasonable costs or delay, City Council adopted amendments in June 2022 to Section 20.05 (Residential Land Use Districts) that allow duplexes on all lots where single-detached dwellings are allowed; and amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) that indicated that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling, which makes it easier to build duplexes. In addition, Section 40.21.15.1 includes the application Single-Detached and Middle Housing Design Review One, which is a Type 1 procedure that can be processed in a reasonable time frame if the submittal meets all relevant approval criteria.

Furthermore, duplex design standards are based on the state-approved Model Code, which has been demonstrated not to add unreasonable cost or delay. And where design standards deviate from the Model Code, they either provide additional flexibility to make it easier to build duplexes, or they are similarly applied to all single-detached dwellings as well. The same standards will apply to duplexes in CM-RM. Section 20.22 also provides clear and objective standards that do not cause unreasonable cost or delay.

And last, the existing code already provides discretionary applications in Section 40.21 and discretionary guidelines in Section 60.05 (Design Review Design Principles, Standards and Guidelines) if property owners or developers desire more flexibility on the site.

(3) Siting and design standards that create unreasonable cost and delay include any standards applied to Duplex development that are more restrictive than those applicable to detached single-family dwellings in the same zone.

Response: Compliance with OAR 660-046-0110(3) is described above in findings for OAR 660-046-0110(2), which addresses siting and design standards for duplexes, and is incorporated here by reference.

(4) Siting and design standards that do not, individually or cumulatively, discourage the development of Duplexes through unreasonable cost and delay include only the following:

- (a) Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);**
- (b) Permitted uses and approval process provided in OAR 660-046-0115;**
- (c) Siting standards provided in OAR 660-046-0120;**
- (d) Design standards in Medium Cities provided in OAR 660-046-0125;**
- (e) Duplex Conversions provided in OAR 660-046-0130; and**
- (f) Any siting and design standards in the Model Code contained in section OAR 660-046-0010(4)(a).**

Response: Compliance with OAR 660-046-0110(4) is described above in findings for OAR 660-046-0110(1); OAR 660-046-0110(2), and OAR 660-046-0110(3), and are incorporated here by reference.

660-046-0115 Permitted Uses and Approval Process

Medium Cities must apply the same approval process to Duplexes as detached single-family dwellings in the same zone. Pursuant to OAR 660-007-0015, OAR 660-008-0015, and ORS 197.307, Medium Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Duplexes. Nothing in this rule prohibits a Medium City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

Response: Single-Detached dwellings and duplexes are subject to the same approval process in all residential zones. In June 2022, City Council adopted amendments to Section 40.21 (Single-Detached and Middle Housing Design Review), which included three new applications: Single-Detached and Middle Housing Design Review One (a Type 1 review process), Single-Detached and Middle Housing Design Review Two (a Type 2 review process), and Single-Detached and Middle Housing Design Review Three (a Type 3 review process). The same threshold, procedure type, and approval criteria apply to single-detached dwellings and duplexes and will apply in CM-RM.

660-046-0120 Duplex Siting Standards in Medium Cities

The following standards apply to all Duplexes:

- (1) Minimum Lot or Parcel Size:** A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.

Response: Section 20.22.15 (Site Development Standards, Cooper Mountain Zoning Districts) establishes the same minimum lot size for duplexes and single-detached dwellings. In addition, a duplex is allowed on any property zoned to allow single-detached dwellings.

- (2) Density:** If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.

Response: Maximum density is not applicable to duplexes in any of the four Cooper Mountain zoning districts.

- (3) Setbacks:** A Medium City may not require setbacks to be greater than those applicable to detached single-family dwellings in the same zone.

Response: Section 20.22.15 establishes the same setbacks for duplexes and single-detached dwellings in CM-RM. However, if a duplex has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots. In this case, duplexes benefit from lower setbacks than required for single-detached dwellings.

- (4) Height:** A Medium City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone.

Response: Section 20.22.15 establishes the same maximum height standards for duplexes and single-detached dwellings in CM-RM.

- (5) Parking:**

- (a) A Medium City may not require more than a total of two off-street parking spaces for a Duplex.**
- (b) Nothing in this section precludes a Medium City from allowing on-street parking credits to satisfy off-street parking requirements.**

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

- (6) Lot Coverage and Floor Area Ratio:** Medium Cities are not required to apply lot coverage or floor area ratio standards to new Duplexes. However, if the Medium City

chooses to apply lot coverage or floor area ratio standards, it may not establish a cumulative lot coverage or floor area ratio for a Duplex that is less than established for detached single-family dwelling in the same zone.

Response: Section 20.22.15 allows duplexes to have a slightly higher maximum floor area than single-detached dwellings to improve feasibility and promote reasonably sized units. These floor area maximums support buildings that can be a variety of sizes, small enough to support one- or two-person households, such as older adults that would like to age in their community, and large enough to accommodate family-friendly homes and multigenerational living.

(7) A Medium City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Duplexes.

Response: In June 2022, City Council adopted amendments through TA2022-0002 that indicated that single-detached dwellings and duplexes are subject to the same public work standards, including exceptions. Those provisions will apply to duplexes in Cooper Mountain as well.

660-046-0125 Duplex Design Standards in Medium Cities

(1) Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.

Response: Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) applies the same design standards and guidelines to single-detached dwellings and duplexes and will apply in CM-RM.

(2) A Medium City may not apply design standards to Duplexes created as provided in OAR 660-046-0130.

Response: In June 2022, City Council adopted amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) through TA2022-0002 that indicated Design Review is not required for the creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. That section applies to CM-RM.

660-046-0130 Duplex Conversions

Conversion of an existing detached single-family dwelling to a Duplex is allowed, pursuant to OAR 660-046-0105(2), provided that the conversion does not increase nonconformance with applicable clear and objective standards in the Medium City's development code, unless increasing nonconformance is otherwise allowed by the Medium City.

Response: In June 2022, City Council adopted amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) through TA2022-0002 that indicated Design Review is not required for the creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. Those provisions apply to duplexes in CM-RM as well.

660-046-0205 Applicability of Middle Housing in Large Cities

(1) A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.

Response: Compliance with OAR 660-046-0205(1) was described above in findings for OAR 660-046-0100 through OAR 660-046-0130, which described duplex requirements for Medium Cities, and is incorporated here by reference.

(2) A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:

- (a) Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);**
- (b) Master Planned Communities: Large Cities may regulate the development of Middle Housing in Master Planned Communities as follows...**
- (c) Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.**

Response: In the proposed amendment, Section 20.22.05 (Residential Land Use Districts) indicates that the CM-RM zoning district is the only zone that allows the construction of new single-detached dwellings. In CM-RM, triplexes, quadplexes, townhouses and cottage clusters are allowed.

In addition, Section 40.21 (Single-Detached and Middle Housing Design Review) already indicates that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling.

In the Cooper Mountain Community Plan area, rules that apply to proposed development in goal-protected lands is described above in the findings for 660-046-0010(3) in the TA42024-00680 section. In other parts of the city, Beaverton already has adopted a Local Wetlands Inventory and has identified significant resources in Volume III of the Comprehensive Plan, pursuant to Statewide Planning Goal 5. Middle housing is subject to

the same process and review as applicable to other types of development in Significant Natural Resource Areas or jurisdictional wetlands.

(3) A Large City may:

- (a) Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or**
- (b) Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):**
 - (A) Triplexes – Must be allowed on 80 percent of Lots or Parcels;**
 - (B) Quadplexes - Must be allowed on 70 percent of Lots or Parcels;**
 - (C) Townhouses - Must be allowed on 60 percent of Lots or Parcels; and**
 - (D) Cottage Clusters – Must be allowed on 70 percent of Lots or Parcels.**
 - (E) A Middle Housing type is considered “allowed” on a Lot or Parcel when the following criteria are met:**
 - (i) The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;**
 - (ii) The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement**
 - (iii) Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and**
 - (iv) The applicable siting or design standards do not individually or cumulatively cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).**
 - (F) A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in paragraph (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all Lots or Parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in section (2), within a Large City.**

(G) Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:

- (i) At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR chapter 660, division 18;**
- (ii) At any future Housing Capacity Analysis deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and**
- (iii) With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR chapter 660, division 18, for Large Cities that are not subject to the Housing Capacity Analysis deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.**

Response: In the proposed amendment, triplexes, quadplexes, townhouses, and cottage clusters; including those created through conversion of existing detached single-family dwellings; are allowed in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235. Specifically, Section 20.22.05 (Residential Land Use Districts) indicates that the CM-RM zoning district is the only zone that allows the construction of new single-detached dwellings. In CM-RM, triplexes, quadplexes, townhouses and cottage clusters are allowed.

More importantly, the Cooper Mountain Community Plan area is mostly undeveloped and will likely support approximately 5,000 new homes. Almost all lots in the plan area are 4 acres or greater. Considering that most development will be greenfield development, applicants will have to partition or subdivide lots, which makes it much easier to plan ahead for middle housing and multi-dwellings.

In addition, Section 20.22.40 includes housing variety and integration requirements for all development sites where the net acreage of a parent parcel is 3 acres or more. This will further advance the equitable distribution of middle housing in the CM-RM zoning district.

Regarding the requirement to ensure that siting and design standards do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay, City Council adopted amendments in June 2022 to Section 20.05 (Residential Land Use Districts) that allow middle housing in all zones

where single-detached dwellings are allowed; and amendments to Section 40.21 (Single-Detached and Middle Housing Design Review) that indicate that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling, which makes it easier to build middle housing. In addition, Section 40.21.15.1 includes the application Single-Detached and Middle Housing Design Review One, which is a Type 1 procedure based on clear and objective standards that can be processed in a reasonable time frame if the submittal meets all relevant approval criteria.

Furthermore, middle housing design standards are based on the state-approved Model Code, which has been demonstrated not to add unreasonable cost or delay. And where design standards deviate from the Model Code, they either provide additional flexibility to make it easier to build middle housing; or they are similarly applied to all single-detached dwellings in the case of duplexes, triplexes and quadplexes. The same standards will apply to middle housing in the CM-RM zoning district. Section 20.22 also provides clear and objective standards that do not cause unreasonable cost or delay.

And last, the existing code already provides discretionary applications in Chapter 40 and discretionary guidelines in Chapter 60 if property owners or developers desire more flexibility on the site.

(4) Pursuant to OAR 660-046-0205 through OAR 660-046-0235, the following numerical standards related to Middle Housing types apply:

(a) Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.

Response: Section 20.22 (Cooper Mountain Zoning Districts) indicates duplexes are allowed in all Cooper Mountain Zoning Districts. Accessory dwelling units are also allowed in all Cooper Mountain Zoning Districts but they are only allowed with single-detached homes and are not allowed with duplexes.

(b) Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a Lot or Parcel, including any accessory dwelling units.

Response: The proposed amendments allow more than four dwellings on a lot or parcel. In CM-RM, cottage clusters, which can include up to 16 dwelling units on one lot, and multi-dwellings with five or six units are allowed if the proposed development meets all applicable site development standards.

(c) Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.

Response: In the current Beaverton Development Code, Chapter 90 includes a definition for townhouse that indicates that at least two units must be attached. In addition, Section 60.05.60 in the current code indicates five units can be attached in a townhouse structure in the RMB and RMC zoning districts. The proposed amendment updates Section 60.05.60 to indicate that this requirement also applies to townhouses in the CM-RM zoning district.

(d) Cottage Clusters –

(A) A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.

Response: In the current Beaverton Development Code, Section 60.05.60 already indicates that the minimum number of dwelling units in a cottage cluster is five cottages. This provision applies to Cooper Mountain.

(B) A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.

Response: In the current Beaverton Development Code, Section 60.05.60 already includes a design standard for maximum number of dwellings in a cottage cluster (12-16 units, depending upon the size of the common courtyard). This provision applies to Cooper Mountain.

(5) A Large City may require that applicants for a partition, subdivision, replat, property line adjustment, or planned unit development not meeting the definition of a Master Planned Community specify, for the purpose of public facilities planning, the anticipated development of Middle Housing on Lots or Parcels resulting from the partition, subdivision, replat, property line adjustment, or planned unit development. Should an applicant subsequently submit a proposal for residential development exceeding the planned public facilities as specified in the partition, subdivision, replat, property line adjustment, or planned unit development approval, the city may withhold issuance of building permits until the public facility deficiency is remediated. This subsection does not apply to Middle Housing Land Divisions as provided in ORS 92.031.

Response: The proposed amendments sometimes ask applicants to specify which types of housing they are planning for sites or lots, such as to understand if applicants are meeting housing variety or integration standards in Section 20.22. The city reserves the right to withhold permits if applicants cannot demonstrate that public facilities can be provided.

(6) A Large City may require applicants of Middle Housing to provide the same right-of-way dedications, frontage improvements, and connectivity standards that would apply to detached single-family dwellings on the same Lot or Parcel, including applicable exemptions related to proportionality.

Response: The city's approach to compliance with Section OAR 660-046-0205(6) generally does not rely on provisions within the Beaverton Development Code, and instead, relies on other tools and documents, such as the Beaverton Engineering Development Manual, among other resources. The proposed amendments do not address these standards and provisions, so this criterion is not applicable to these amendments.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

(1) Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).

Response: For the Cooper Mountain Community Plan area, the findings for OAR 660-046-0010(3) in TA42024-00680 address generally how single-detached dwellings and middle housing may be subject to compliance with protective measures.

In other parts of the city, Beaverton has already adopted a Local Wetlands Inventory and has identified significant resources in Volume III of the Comprehensive Plan, pursuant to Statewide Planning Goal 5. Duplexes are subject to the same process and review as applicable to other types of development in Significant Natural Resource Areas or jurisdictional wetlands.

(2) Large Cities may regulate siting and design of Middle Housing, provided that the regulations:

- (a) Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and**
- (b) Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.**

Response: The proposed amendments include clear and objective standards for middle housing in Cooper Mountain zoning districts. In the current Beaverton Development Code, Section 40.21 includes three applications for single-detached dwellings and middle housing. The application Single-Detached and Middle Housing Design Review One (a Type 1 review process) relies on clear and objective standards. Design standards are generally based on the Model Code referenced in OAR 660-046-0010(4)(b). Where they deviate from the Model Code, they are either less restrictive, or they are the same clear and objective design standards that apply to single-detached dwellings. The proposed amendments updates the Applicability section to indicate that Section 40.21 will also apply to proposed developments in the CM-RM zoning district.

Other sections in Chapter 60 may also apply, and if so, they include clear and objective standards. The applications associated with these clear and objective standards are in Section 40.20 (Design Review).

Compliance with OAR 660-046-0210(2)(b) was also described above in findings for OAR 660-046-0205(3)(b)(E)(iv) in the TA42024-00680 section, which describes how siting and design standards for middle housing, do not, individually or cumulatively, discourage the development of middle housing through unreasonable costs or delay; and are incorporated here by reference.

(3) Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:

- (a) Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);**
- (b) Permitted uses and approval processes provided in OAR 660-046-0215;**
- (c) Siting standards provided in OAR 660-046-0220;**
- (d) Design standards in Large Cities provided in OAR 660-046-0225;**
- (e) Middle Housing Conversions provided in OAR 660-046-0230;**
- (f) Alternative siting or design standards provided in OAR 660-046-0235; and**
- (g) Any siting and design standards in the Model Code contained in OAR 660-046-0010(4)(b).**

Response: Compliance with OAR 660-046-0210(3)(a-g) was described in findings for OAR 660-046-0010(3), and in findings for 660-046-0205(3)(b)(E)(iv), OAR 660-046-0215, OAR 660-046-0220, OAR 660-046-0225, OAR 660-046-0230 and OAR 660-046-0235. Design standards based on the Model Code for Large Cities (OAR 660-046-0010(4)(b)) are described in findings for OAR 660-046-0225. Those findings are incorporated here by reference.

660-046-0215 Permitted Uses and Approval Process

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

Response: In the proposed amendment, Section 20.22.05 (Residential Land Use Districts) indicates that the CM-RM zoning district is the only zone that allows the construction of new single-detached dwellings. In CM-RM, all middle housing types (duplexes, triplexes, quadplexes, townhouses and cottage clusters) are allowed.

In the currently approved Beaverton Development Code, single-detached dwellings and middle housing are subject to the same approval process in CM-RM. Section 40.21 includes three applications for single-detached dwellings and middle housing. The applications include Single-Detached and Middle Housing Design Review One (a Type 1 review process), Single-Detached and Middle Housing Design Review Two (a Type 2 review process), and Single-Detached and Middle Housing Design Review Three (a Type 3 review process). The same threshold, procedure type, and approval criteria apply to single-detached dwellings and middle housing. These provisions will apply to Cooper Mountain.

In addition, compliance with OAR 660-046-0215 was described above in findings for OAR 660-007-0015, which described clear and objective approval standards for housing; and are incorporated here by reference.

660-046-0220 Middle Housing Siting Standards in Large Cities

(1) Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.

Response: Compliance with OAR 660-046-0220(1) was described above in findings for OAR 660-046-0100 through OAR 660-046-0130, which described duplex requirements for Medium Cities, and is incorporated here by reference.

(2) The following governs Large Cities' regulation of siting standards related to Triplexes and Quadplexes:

(a) Minimum Lot or Parcel Size:

(A) For Triplexes:

(i) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a single-detached dwelling in the CM-RM zoning district is 3,000 square feet and the minimum lot size for a triplex is 4,000 square feet.

(ii) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Response: In Section 20.22.15 (Site Development Standards), there is no residential zone where the minimum lot size for a single-detached dwelling is greater than 5,000 square feet; therefore, this criterion is not applicable.

(B) For Quadplexes

(i) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a single-detached dwelling in the CM-RM zoning district is 3,000 square feet and the minimum lot size for a quadplex is 4,000 square feet.

(ii) If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Response: In Section 20.22.15 (Site Development Standards), there is no residential zone where the minimum lot size for a single-detached dwelling is greater than 7,000 square feet; therefore, this criterion is not applicable.

(C) A Large City may apply a lesser minimum Lot or Parcel size in any zoning district for a Triplex or Quadplex than provided in paragraphs (A) or (B).

Response: Compliance with OAR 660-046-0220(2)(a)(C) was described above in findings for OAR 660-046-0220(2)(a)(A) and OAR 660-046-0220(2)(a)(B) and is incorporated here by reference.

(b) Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.

Response: Maximum density is not applicable in CM-RM.

(c) Setbacks: A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.

Response: Section 20.22.15 establishes the same setbacks for middle housing and single-detached dwellings in CM-RM. However, if middle housing has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots. In this case, middle housing benefits from lower setbacks than required for single-detached dwellings.

- (d) **Height:** A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.

Response: Section 20.22.15 establishes the same maximum height standards for triplexes, quadplexes and single-detached dwellings in the CM-RM zoning district, which is the only zone that allows the construction of new single-detached dwellings.

(e) **Parking:**

(A) For Triplexes, a Large City may require up to the following off-street parking spaces:

- (i) For Lots or Parcels of less than 3,000 square feet: one space in total;
- (ii) For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and
- (iii) For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.

(B) For Quadplexes, a Large City may require up to the following off-street parking spaces:

- (i) For Lots or Parcels of less than 3,000 square feet: one space in total;
- (ii) For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;
- (iii) For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and
- (iv) For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.

(C) A Large City may allow on-street parking credits to satisfy off-street parking requirements.

(D) A Large City may allow, but may not require, off-street parking to be provided as a garage or carport.

(E) A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.

(F) A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

If proposed developments voluntarily add off-street parking to a site, then the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards are applied to single-detached dwellings and middle housing in the CM-RM zone. These currently approved requirements are in Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing), Section 60.30 (Off-Street Parking), and Section 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements).

- (f) **Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City applies Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.**

Response: Section 20.22.15 (Site Development Standards) indicates that floor area maximums are applied to single-detached dwellings and triplexes and quadplexes in the CM-RM zoning district. In CM-RM, the floor area maximum for triplexes and quadplexes is higher than the floor area maximum for single-detached dwellings to improve feasibility and ensure reasonably sized units for different types of families and households.

- (g) **A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.**

Response: Compliance with OAR 660-046-0220(2)(g) was described above in findings for Statewide Planning Goal 11 (Public Facilities and Services) in the CPMA42024-0069 section, which describe the project's approach to infrastructure in the Cooper Mountain Community Plan area, are incorporated here by reference.

(3) The following governs Large Cities' regulation of siting standards related to Townhouses:

- (a) **Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet, or less.**

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a townhouse project in the CM-RM zoning district is 1,300 square feet. For townhouses in the CM-RM zoning district designed with rear-loaded parking areas, parking areas shared between two or more dwellings, or no off-street parking, the minimum lot size shall be 1,000 square feet. The proposed amendment does not include separate minimum lot sizes for internal, external and corner townhouse lots.

- (b) Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.**

Response: In Section 20.22.15 (Site Development Standards), the minimum lot width for a townhouse in the CM-RM zoning district is 20 feet. For townhouses in the CM-RM zoning district designed with rear-loaded parking areas, parking areas shared between two or more dwellings, or no off-street parking, the minimum lot width shall be 14 feet. For townhouses in the CM-MR zoning district, the minimum lot width is 14 feet.

- (c) Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.**

Response: Maximum density is not applicable the CM-RM zoning district.

- (d) Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.**

Response: Section 20.22.15 (Site Development Standards) indicates that the same setbacks apply to single-detached dwellings and townhouses. The only exception is that townhouses are allowed to have zero-foot side setbacks where townhouse units are attached. In no case are the setbacks for townhouses greater than those for single-detached housing.

- (e) Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction of at least two stories.**

Response: Section 20.22.15 establishes the same maximum height standards for townhouses and single-detached dwellings in the CM-RM zoning district, which is the only zone that allows the construction of new single-detached dwellings.

(f) Parking:

(A) A Large City may not require more than one off-street parking space per Townhouse dwelling unit.

(B) Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.

(C) A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

(g) Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse project greater than that of a single-family detached dwelling.

Response: Section 20.22.15 (Site Development Standards) indicates that floor area maximums do not apply to townhouses in CM-RM zoning district.

(h) A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.

Response: Compliance with OAR 660-046-0220(3)(h) was described above in findings for Statewide Planning Goal 11 (Public Facilities and Services) in the CPMA42024-0069 section, which describe the project's approach to infrastructure in the Cooper Mountain Community Plan area, are incorporated here by reference.

(4) The following governs Large Cities' regulation of siting standards related to Cottage Clusters

(a) Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot or Parcel, the following provisions apply:

(A) If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot size for a cottage cluster is 7,000 square feet in the CM-RM zoning district, which is the only zoning district in Cooper Mountain that allows the construction of new single-detached dwellings.

(B) If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.

Response: In the CM-RM zoning district, the minimum lot or parcel size for a detached single-family dwelling is 3,000 square feet; therefore, this criterion does not apply.

(b) Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for to Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.

Response: In Section 20.22.15 (Site Development Standards), the minimum lot width is 20 feet for both single-detached dwellings and cottage clusters in the CM-RM zoning district.

(c) Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.

Response: Maximum density is not applicable in the CM-RM zoning district. The city's definition of Cottage Cluster requires that it have a minimum density of at least four dwelling units per acre. In addition, the minimum density for residential zones is higher than four units per acre.

(d) Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.

Response: In Section 20.22.15 (Site Development Standards), the front and side minimum yard setbacks are the same for a single-detached dwelling and cottage clusters in the CM-RM zoning district. The rear minimum yard setback is 10 feet

for cottage clusters in the CM-RM zoning district, compared to 15 feet for single-detached dwellings. The minimum distance between structures is regulated by applicable building code requirements.

- (e) **Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of less than 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.**

Response: In Beaverton's current Development Code, Section 60.05.60 (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) already includes a design standard for minimum number of dwellings in a cottage cluster (5 units) and a design standard for maximum number of dwellings in a cottage cluster (12-16 units, depending upon the size of the common courtyard). Chapter 90 includes a definition of cottage cluster which indicates that each cottage shall have a maximum building footprint of less than 900 square feet per dwelling unit. These regulations will apply to cottage clusters allowed in the new CM-RM zoning district.

- (f) **Parking:**

(A) **A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.**

(B) **A Large City may allow but may not require off-street parking to be provided as a garage or carport.**

(C) **Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.**

Response: Section 60.30 (Off-Street Parking) indicates that off-street parking spaces are not required for any development citywide.

- (g) **Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.**

Response: Section 20.22.15 (Site Development Standards) indicates that floor area maximums do not apply to cottage clusters in the CM-RM zoning district.

- (h) **Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.**

Response: Section 40.45.15 (Application for Preliminary Middle Housing Land Division) already provides a pathway for each dwelling unit in a cottage cluster to

be on its own lot. These regulations will apply to cottage clusters allowed in the new CM-RM zoning district.

- (i) **A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.**

Response: Compliance with OAR 660-046-0220(4)(i) was described above in findings for Statewide Planning Goal 11 (Public Facilities and Services) in the CPMA42024-0069 section, which describe the project’s approach to infrastructure in the Cooper Mountain Community Plan area, are incorporated here by reference.

660-046-0225 Middle Housing Design Standards in Large Cities

- (1) **A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:**

- (a) **Design standards in the Model Code for Large Cities as provided in OAR 660-046-0010(4)(b);**

Response: Beaverton Development Code Section 60.05.60 (Design Standards and Guidelines for Single-Detached) already includes design standards and guidelines organized into three sections: (1) Single-Detached Dwellings, Duplexes, Triplexes and Quadplexes; (2) Townhouses and (3) Cottage Clusters. Section 60.05.60 currently applies to single-detached dwellings and middle housing in the RMA, RMB and RMC zones, and with this proposed amendment, will also apply to the CM-RM zone.

Design standards are generally based on the Model Code referenced in OAR 660-046-0010(4)(b). Where they deviate from the Model Code, they are either less restrictive, or they are the same clear and objective design standards that apply to single-detached dwellings, as described in the findings above for OAR 660-007-0015.

In Section 60.05.60, no design standard scales by the number of dwelling units or other features that scale with the number of dwelling units.

- (b) **Design standards that are less restrictive than those in the Model Code for Large Cities as provided in OAR 660-046-0010(4)(b);**

Response: Compliance with OAR 660-046-0225(1)(b) was described above in findings for OAR 660-046-0225(1)(a). Those findings, which described design standards for single-detached dwellings and middle housing, are incorporated here by reference.

- (c) **The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or**

Response: Compliance with OAR 660-046-0225(1)(c) was described above in findings for OAR 660-046-0225(1)(a). Those findings, which described design standards for single-detached dwellings and middle housing, are incorporated here by reference.

- (d) **Alternative design standards as provided in OAR 660-046-0235.**

Response: The proposed amendment does not include alternative design standards for single-detached dwellings or middle housing in the CM-RM zoning district.

- (2) **A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.**

Response: Beaverton Development Code Section 40.21 (Single-Detached and Middle Housing Design Review) already indicates that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. This provision will apply in CM-RM.

660-046-0230 Middle Housing Conversions

- (1) **Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in a Large City pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.**

Response: Beaverton's Development Code already allows the addition to, or conversion of, an existing single-detached dwelling into middle housing. Section 20.22.15 (Site Development Standards) allows higher floor area maximum for duplexes, triplexes and quadplexes to make it more feasible to convert a single-detached dwelling into middle housing. Furthermore, Section 40.21 (Single-Detached and Middle Housing Design Review) indicates that Design Review is not required for creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling. These provisions will apply in CM-RM.

- (2) **If Middle Housing is created through the addition to, or conversion of, an existing detached single-family dwelling, a Large City or other utility service provider that grants clear and objective exceptions to public works standards to detached single-**

family dwelling development must allow the granting of the same exceptions to Middle Housing.

Response: Beaverton’s Development Code already indicates that the proposed amendment establishes that single-detached dwellings and middle housing are subject to the same public work standards, including exceptions.

(3) An existing detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:

(a) The existing single-family dwelling may be nonconforming with respect to the requirements of the applicable code;

Response: Beaverton Development Code Section 60.05.60 (Design Guidelines and Standards for Cottage Clusters) already includes design standards for cottage clusters that relate to existing structures in a cottage cluster. These standards indicate that the existing single-detached dwelling can (1) be nonconforming, (2) expanded up to a maximum height of 25 feet or a building footprint less than 900 square feet, and (3) count as a unit in the cluster. These provisions will apply in CM-RM.

(b) The existing single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, an existing single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;

Response: Compliance with OAR 660-046-0230(3)(b) was described above in findings for OAR 660-046-0230(3)(a). Those findings, which describe how existing single-detached dwellings can be included in a cottage cluster, are incorporated here by reference.

(c) The existing single-family dwelling shall count as a unit in the Cottage Cluster;

Response: Compliance with OAR 660-046-0230(3)(c) was described above in findings for OAR 660-046-0230(3)(a). Those findings, which describe how existing single-detached dwellings can be included in a cottage cluster, are incorporated here by reference.

(d) The floor area of the existing single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; and

Response: The proposed amendment does not include floor area averages for cottage clusters or cottage cluster projects; therefore, this criterion is not applicable.

(e) A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.

Response: The proposed amendment does not address time limits on the conversion of a single-detached dwelling in a cottage cluster; therefore, this criterion is not applicable.

660-046-0235 Alternative Siting or Design Standards

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed if the city can demonstrate that it meets the applicable criteria in this section. Alternative Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements. If a Large City proposes to adopt alternative Siting or Design Standards, the Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing...

Response: The proposed text amendment does not include alternative siting or design standards; therefore, this criterion is not applicable.

Conclusion: The proposed amendments are consistent with OAR 660-046. This criterion is met.

40.85.15.1.C.5 – CONSISTENCY WITH THE CITY’S DEVELOPMENT CODE

Criterion 5. The proposed text amendment is consistent with other provisions within the City's Development Code.

Response:

TA42024-00680 proposes amendments that will affect Beaverton Development Code Chapter 10 – General Provisions, Chapter 20 – Land Uses, Chapter 40 – Applications, Chapter 50 – Procedures, Chapter 60 – Special Requirements, Chapter 70 – Downtown Design District, and Chapter 90- Definitions. Most of the amendments implement the goals and policies in the Cooper Mountain Community Plan, which establishes a long-term vision for Cooper Mountain’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection. The existing Beaverton Development Code, which has been found to be compliant with state law, also includes provisions that aim to expand housing variety in neighborhoods, promote a safe and convenient multi-modal transportation network, protect natural resources, and provide parks in neighborhoods. In some cases, existing Beaverton Development Code provisions that apply citywide were updated to facilitate implementation of the Cooper Mountain Community Plan and ensure consistency with proposed Development Code changes associated with Cooper Mountain. Staff has not identified any inconsistencies within the City’s Development Code.

Findings:

Therefore, staff finds the Development Code text amendment is consistent with the city's Development Code.

40.85.15.1.C.6 – CONSISTENCY WITH CITY ORDINANCES

Criterion 6. The proposed amendment is consistent with all applicable City ordinance requirements and regulations.

Response:

Staff has not identified any other applicable city ordinance requirements and regulations that would be affected by the proposed changes.

Findings:

Therefore, staff finds that the text amendment meets the criterion for approval.

40.85.15.1.C.7 – RELATED APPLICATIONS AND DOCUMENTS

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

Response:

Staff have determined that there are no other applications and documents related to the request that will require further city approval.

Findings:

Therefore, staff finds that the text amendment meets the criterion for approval.

EXHIBIT 1

Comprehensive Plan Volume V

COOPER MOUNTAIN COMMUNITY PLAN



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INTRODUCTION

PURPOSE

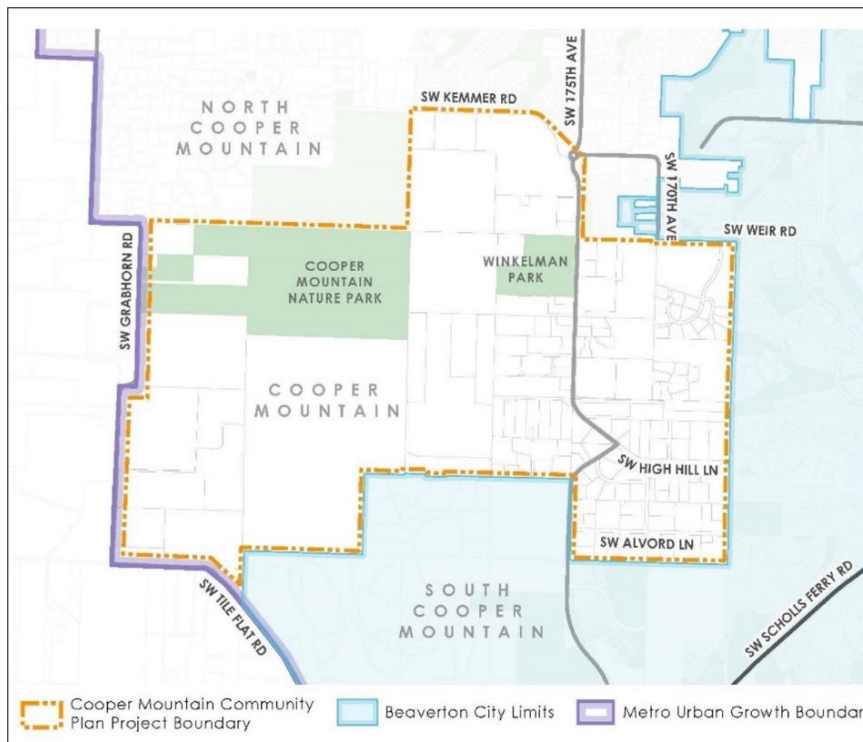
The Cooper Mountain Community Plan describes the vision and intended outcomes for the next 20 or more years of growth in Cooper Mountain. The Community Plan’s vision is to create a community of walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection.

The Community Plan is intended to create an equitable and inclusive community. It was prepared with the involvement of a wide variety of community members, including those from traditionally underserved and underrepresented groups. The outcomes described in this plan reflect the ideas and feedback of those participants.

As a part of Beaverton’s Comprehensive Plan, the Community Plan is a guiding blueprint for:

- Where and how housing, commercial, parks and other land uses will be developed
- A connected transportation network for walking, biking, driving and future transit
- Natural resource protection and integration into the neighborhoods
- Proactive planning and funding for utilities

Figure 1: Cooper Mountain Community Plan project boundary



The Community Plan describes how Beaverton will promote the addition of new neighborhoods and housing across 1,232 acres that were added to the Metro Urban Growth Boundary (UGB) in 2018. The planning area is in southwest Beaverton generally east of Grabhorn Road and south of Kemmer Road.

2018 URBAN GROWTH BOUNDARY EXPANSION

Beaverton applied for an expansion of the Metro region’s urban growth boundary to meet significant housing needs for the city and region. The city in 2015 completed a Housing Needs Analysis that identified the need for additional housing in the city and determined that Cooper Mountain could play an important role in meeting future housing needs. In addition, the city sought to welcome new community members and provide a wide variety of housing choices. The Metro regional government approved the expansion in 2018, and the Cooper Mountain Community Plan was developed to meet regional and state requirements for planning new urban areas.

COMMUNITY PLAN’S ROLE

The Community Plan built on the 2015 South Cooper Mountain Concept Plan, which established a vision for future growth; natural resource preservation and enhancement; and development across a 2,300-acre planning area. Initial development has been occurring in South Cooper Mountain, which is north Scholls Ferry Road and east of Tile Flat Road. The Cooper Mountain Community Plan covers the 1,232 acres north of South Cooper Mountain and was described in the Concept Plan as “Urban Reserve.”

The Cooper Mountain Community Plan includes policies and regulatory approaches that are tailored to the unique qualities and opportunities for Cooper Mountain. It reflects community preferences identified during the planning process, as well as direction from the City Council.

As with other goals and policies in the Comprehensive Plan, the goals and policies in this plan report are regulatory. All other aspects of this Community Plan are for reference only and do not take precedence over the above-listed policy documents. The City’s Land Use Map is the official land use designation map for zoning and development review. Beaverton’s Transportation System Plan will serve as the legal guidance for transportation facilities and improvements.

EXISTING CONDITIONS

This document’s goals and policies were informed by research and analysis completed during the project. The project team reviewed existing plans and gathered data to better understand the built and natural systems. Existing conditions documents:

- Examined the developability of land within the project boundary considering existing development patterns, land value, ownership, and physical constraints;
- Explored the ecological context of the project area; and
- Described slope and potential hazard conditions in the plan area, including landslide and earthquake susceptibility.

GOALS AND DESIRED OUTCOMES

COMMUNITY PLAN GOALS

The Community Plan includes eight goals. Each goal is listed in the beginning of the Land Use, Housing, Natural Resources, Climate Resilience, Public Facilities and Infrastructure, Transportation, and Commercial Areas sections. The Cooper Mountain Community Plan policies are the strategies to implement and achieve the goals in each area.

The Community Plan goals include:

1. Create equitable outcomes for residents, including underserved and underrepresented communities.
2. Provide new housing in a variety of housing types and for all income levels.
3. Preserve, incorporate, connect, and enhance natural resources.
4. Improve community resilience to climate change and hazards.
5. Provide public facilities and infrastructure needed for safe, healthy communities.
6. Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.
7. Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.
8. Identify feasible, responsible funding strategies to turn the vision into a reality.

Walkable Neighborhoods



Nature Trails



Neighborhood Parks



Mixed-use Apartment Buildings

COMMUNITY PLAN CONCEPT MAP

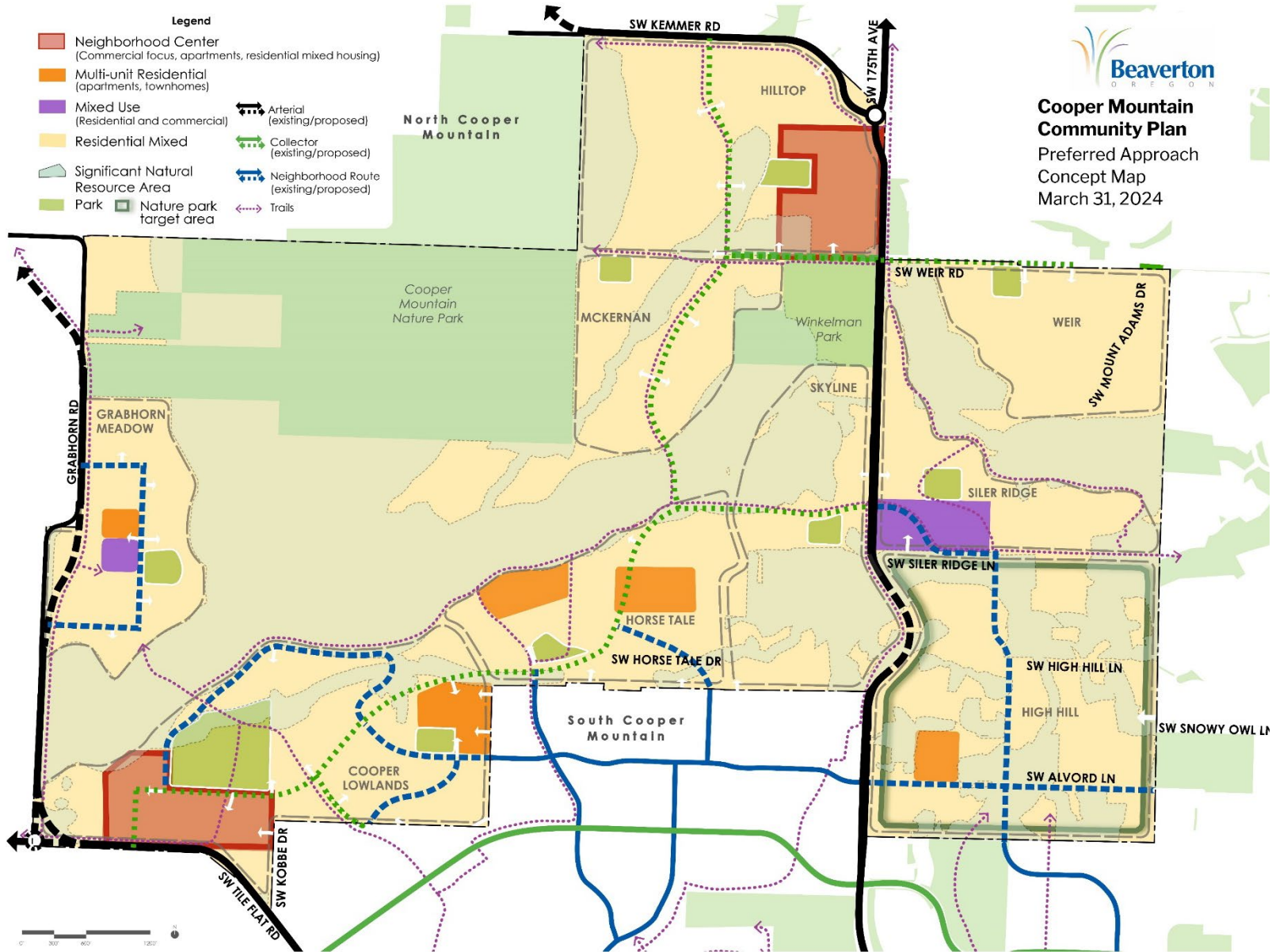
The Community Plan Concept Map in Figure 2 illustrates general patterns of land use, transportation connections, and open space. Key features include:

- A green framework of natural resource areas, wildlife corridors, and parks
- Nine walkable neighborhoods, each with a variety of residential choices
- Two mixed-use neighborhood centers – at SW Tile Flat Road and SW 175th/Weir Road
- Small-scale commercial opportunities close to where people live
- Trails and pedestrian and bicycle connections
- A network of streets – arterials, collectors, neighborhood routes, and potential local street connections

The Concept Map was informed by the project goals, community member engagement, equity considerations, and City Council direction. Cooper Mountain desired outcomes are shown on the map, including:

- **Significant Natural Resource Area:** Areas with the most significant resources (including streams, riparian areas, upland habitat), keeping in mind connected habitat, wildlife corridors, and areas with steep slopes. The amount of development in those areas would be more limited.
- **Neighborhood Centers:** Two areas are shown so people can walk, bike, roll, take transit, or drive a short distance to access goods and services or meet friends and family at gathering places. Each neighborhood center is intended to have:
 - Commercial-focused zoning where some commercial uses would be required. This will provide shops, services, restaurants, and other businesses for nearby residents and passers-by as well as entrepreneurial opportunities. Locations were chosen to provide access to the most people and to provide visibility from major streets to attract customers from outside Cooper Mountain.
 - Opportunities for significant residential development, with focus on multi-unit residential. These opportunities should, where possible, provide at least 6 to 8 acres for multi-dwellings and similar higher-density residential opportunities. In addition, some limited Residential Mixed opportunities can be included to provide a wider range of housing variety.
- **Mixed Use** is shown near commercial centers and parks to provides an opportunity for residential and commercial uses on the same land without requiring commercial. This provides residents of the housing in mixed-use areas with access to nearby commercial, provides more customers for those commercial businesses, and allows flexibility for the real estate market to provide more housing or more commercial depending on demand and financial feasibility.

Figure 2: Cooper Mountain Preferred Approach Concept Map



Note: On this map, most land under the SNRA is designated Residential Mixed.

- **Multi-Unit Residential** areas would allow multi-dwellings (apartments and other housing types that have a higher number of homes per acre) and are shown dispersed across most Cooper Mountain neighborhoods. Multi-Unit Residential is shown in locations where people who live in apartments and similar housing can:
 - Live in neighborhoods with a variety of housing types with households experiencing different levels of income
 - Access, in many cases, nearby shops, services, and gathering places.
 - Easily access nature, trails, and parks
 - Live near collector and arterials streets that are most likely to have transit in the future.

Apartments and similar housing types often provide housing for people who cannot access homeownership or who need regulated affordable housing because their household is experiencing lower incomes. Ensuring these housing types are near nature, parks, jobs, and transit provides a more equitable housing situation than if only people who own their own home have easy access to those destinations.

- **Residential Mixed areas** would allow single-detached homes, middle housing (duplexes, triplexes, quadplexes, townhomes, and cottage clusters), and small multi-dwellings (five or six units) to provide housing for a variety of household sizes and incomes with a variety of housing needs. The Residential Mixed areas are intended to provide opportunities for many different people and households to live in the same neighborhoods. Although not shown on the map, small-scale commercial uses will be allowed in Residential Mixed areas near parks, neighborhood routes that connect homes to busier collector streets, and some higher-density housing locations. Small-scale commercial uses allow some restaurants, shops, service businesses, and childcare facilities nearer to people’s homes.
- **Parks and trails:** Parks are shown in Residential Mixed areas throughout Cooper Mountain to promote access to recreation, nature, healthy activities, and community gathering places. The Nature Park Target Area indicates that the High Hill area could host a small nature park given that the steep slopes and natural resources mean it is less suitable for a neighborhood park. The target area does not specify a specific site for that nature park.
- **Major roads:** The arterials roads, which are SW 175th Avenue, SW Tile Flat Road, and SW Grabhorn Road, are existing roads that will require upgrades to improve safety (turn lanes and controlled intersections, for example) and accommodate more ways to travel (walking, bicycling, using a mobility device, using an electric scooter, etc.). The collector streets, in green, are shown in locations that would link different parts of Cooper Mountain while limiting impacts on natural resource areas.

EQUITY

GOAL 1: Create equitable outcomes for residents, including underserved and underrepresented communities

As established in Beaverton’s Diversity, Equity and Inclusion Plan (2019), the city uses race as a primary lens for diversity, equity and inclusion work, which includes guiding policy decisions.

To understand what this means for Cooper Mountain, it helps to have a shared understanding of what these key terms, as defined in the plan:

- **Diversity** includes all the ways that people differ, which encompasses the variation of social and cultural identities among people existing together.
- **Equity** is when structural barriers that have historically disadvantaged certain groups are removed and everyone has access to the opportunities and tools they need to thrive. Equity is measured in outcomes and is achieved when one’s identity can no longer predict their success.
- **Inclusion** means that everyone feels welcomed, valued, and encouraged to fully participate and belong.

Why was race used as a primary lens in the Community Plan? In Beaverton, one in three people identify as a person of color and one in five were born outside of the country. The city is becoming increasingly diverse, and yet most communities of color still experience disparities in housing, income, health, education, and more. Using race as a primary lens to draft the Community Plan, especially goals and policies, was an actionable strategy that can help improve outcomes for communities of color in Beaverton and Washington County.

What was the equity and inclusion process? To provide a roadmap for this work, the project team worked through the following steps:

Establishing desired results and outcomes. The Cooper Mountain Community Plan provided the direction for Comprehensive Plan updates, Development Code updates and a Funding Plan that provide the framework to build new neighborhoods in Cooper Mountain. The Community Plan goals include “creating equitable outcomes for residents, including underserved and underrepresented communities,” and “providing new housing in a variety of housing types and for all income levels.” For the outcomes to be truly inclusive, new neighborhoods should feel welcoming for all types of people, especially people who have not traditionally had access to newer, tree-lined neighborhoods near parks and schools.

- **Collecting and reviewing data to examine existing racial inequities.** Staff analysis of population-level data in Beaverton showed that exclusive single-family neighborhoods are significantly whiter and less racially diverse than multifamily neighborhoods. Historically, the people that lived in single-family neighborhoods have been more likely to own their homes, which provided long-term financial security through the ability to build equity in their homes and share this wealth with future generations.

For the past several decades in the United States, areas with mostly single-family zoning have had higher percentages of residents who were white, higher income and higher wealth. Census-based research has demonstrated that there is a correlation between growing up in single-family neighborhoods and improved outcomes in adulthood, compared to other neighborhood types (this has been confirmed for Beaverton neighborhoods, which mirrors a national pattern of generally improved outcomes in adulthood for children that grew up in mostly single-family areas).

While researchers know that there is a relationship these two factors, they do not know the nature of the relationship between them since there could be many explanations for the correlation. Nevertheless, the pattern encourages the city to think of local solutions to help improve outcomes for children that grow up in different types of neighborhoods.

Staff research also confirmed that renters and communities of color are the groups that are most likely to benefit from more diverse housing options for many reasons, including but not limited to, a history of racial segregation and racist housing practices, the fact that they are more likely to be cost-burdened, and the need to accommodate larger families and/or multigenerational living.

- **Conducting multicultural engagement.** Understanding the documented racial inequities and the desire to improve outcomes for a wider variety of families, the project team prioritized multicultural engagement for the Cooper Mountain Community Plan.

Over four years, multicultural engagement took many forms, including listening sessions with community organizations; coordination with Beaverton’s Inclusive Housing Cohort (a partnership with Unite Oregon); discussions with city advisory committees; a diverse Community Advisory Committee (CAC) with Spanish interpretation provided at every meeting; and Spanish translation provided throughout engagement.

Community engagement helped define the goals of the Community Plan and establish desired outcomes. In addition, the CAC provided input on alternatives and policies to help shape the community plan. As a result, the Community Plan goals are centered on creating equitable outcomes through implementing safe, accessible communities that are fully connected to natural resources, public facilities, and commercial areas. Each Community Plan goal presented throughout this document was reviewed using a racial equity lens.

- **Evaluating strategies that advance racial equity.** Leading up to this Community Plan, the project team created three alternatives that represented different strategies for growth and development across Cooper Mountain.

Each alternative addressed the amount, type, and location of housing; the amount, scale, and location of commercial uses; facilities for bicycles and pedestrians; trail and road networks; parks and viewpoints; and natural resource protection and habitat connectivity.

Three alternative strategies were developed to provide community members with choices and inform community dialogue about the future of the area. Staff provided

the City Council and the community, including multicultural engagement partners, with the affordability and equity considerations for each alternative. Staff then received direction to create a draft preferred approach based on strategies that would result in at least 1,000 additional homes beyond what was originally planned. Furthermore, another goal of this plan is to support more mixed-income, mixed-race neighborhoods. The Cooper Mountain Community Plan is expected to result in about 5,000 new homes. The policies in this document require that all new neighborhoods include a variety of single-detached dwellings; middle housing, such as duplexes, triplexes, quadplexes, townhouses and cottage clusters; and multi-dwellings to provide increased opportunities for different types and sizes of families to live in Cooper Mountain.

- **Implementing the plan.** To make these new neighborhoods a reality, the Community Plan has an associated funding plan that provides options for how to fund infrastructure and share the cost of new roads, parks, and utilities. In addition, the Beaverton Equity Procurement Program would apply to city contracting opportunities in Cooper Mountain. That procurement program advances equity by encouraging minority-owned, women-owned, and emerging small businesses (MWESB) to do business with the city and establishing minimum participation of MWESB firms in the city's overall dollar amount of contracting and purchasing activities, which helps achieve greater racial and gender equity in city contracting.
- **Ensuring accountability.** Over the long term, the city will measure progress toward the intended outcomes to evaluate whether the Community Plan is meeting diversity and equity goals.

Equity is a part of all eight Cooper Mountain goals. For some examples, the racial equity approach and the goal of inclusive communities informed some of the regulatory approaches in Cooper:

- Aiming for more homes (about 5,000) than required by Metro (3,760) to help address the region's housing shortage.
- Requiring a variety of housing types in larger developments to meet different community members' needs.
- Requiring some integration of housing types so people with different housing needs have opportunities to live in many areas and people with different housing needs can live near each other.
- Setting a target of 450 regulated affordable housing units.
- Providing access to nature for a variety of housing types, including apartments.
- Allowing or requiring commercial development to provide community members access to goods and services as well as entrepreneurship opportunities. Commercial opportunities are provided in two mixed-use zones and through allowing small-scale commercial uses in some locations in the Cooper Mountain – Residential Mixed zone.
- Ensuring access to parks was widely distributed in Cooper Mountain.
- Ensuring land uses and transportation corridors can support transit in the future.

- Protecting and connecting the area’s most important natural resources while providing a variety of housing types near those natural elements.

HOUSING

GOAL 2: Provide new housing in a variety of housing types and for all income levels

The Community Plan's housing goal aims to:

- Create a community of inclusive and walkable neighborhoods
- Provide diverse housing choices
- Require housing variety in every neighborhood
- Integrate housing types in every neighborhood
- Provide 450 regulated affordable housing units
- Plan housing as a good neighbor to green spaces and so all housing types have access to nature and parks

CREATE A COMMUNITY OF INCLUSIVE AND WALKABLE NEIGHBORHOODS

A community plan that focuses on land use, development, and infrastructure provision can play its part in promoting an inclusive and walkable community.

Inclusion means everyone feels welcomed, valued, and encouraged to fully participate and belong. An inclusive neighborhood includes people of all races and ethnicities, LGBTQ+ people, people of varied physical abilities; households experiencing a variety of income levels, neurodiverse people, people living in a variety of housing types, and people with other identities, body types, or living situations.

A walkable community of people who live or work in Cooper Mountain or visit Cooper Mountain have non-automobile options to access destinations, such as shops, restaurants, recreation, nature, and their neighbors, friends, and families.



PROVIDE DIVERSE HOUSING CHOICES IN EVERY NEIGHBORHOOD

All housing types — multi-dwellings, middle housing, and single-detached dwellings — are allowed in all Cooper Mountain neighborhoods.

The Community Plan anticipates at least 4,500 homes, with about 5,000 likely because of flexible rules that allow middle housing throughout the Residential Mixed areas shown on the Concept Map. This will help address the shortage of housing in the region, make efficient use of Cooper Mountain’s limited developable land supply, and help spread the infrastructure costs for development of this area among more households.

Single-detached dwelling



Duplex



Sixplex



Townhouses



Cottage Clusters



Multi-dwellings

Of these 5,000 dwellings, the housing mix is estimated to be:

- 43 percent single-detached dwellings
- 24 percent middle housing and small multi-dwellings (with 5 or 6 units)
- 33 percent multi-dwellings with at least 7 units.

These values are based on the Cooper Mountain Community Plan Concept Map, draft zoning approaches, and anticipated development outcomes in those areas. The actual outcomes could be different based decisions property owners make about what housing types to build on their properties consistent with development rules.

REQUIRE HOUSING VARIETY IN EVERY NEIGHBORHOOD

In all neighborhoods, the city will require a minimum amount of middle housing and/or five- or six-plexes to ensure a variety of housing types are available for households with different needs. A greater mix of housing provides more options for a wider variety of people and contributes to the creation of inclusive neighborhoods.

INTEGRATE HOUSING TYPES IN EVERY NEIGHBORHOOD

Integrating different housing types within neighborhoods was identified by community members as an equitable outcome that would enable people of varied incomes and housing needs to live near each other. Although new housing tends to be more expensive, housing variety can mean rental units for people who do not have the resources for home ownership, smaller units for people who cannot afford large homes, and plexes that might allow a family to pool its resources to own several units on one lot. Housing variety provides more opportunities for income diversity than zoning that allows all single-detached homes



Villebois, Wilsonville, Oregon, a neighborhood with integrated housing types

BUILD REGULATED AFFORDABLE HOUSING

The Community Plan's goal is to provide at least 450 regulated affordable housing units, including a mix of homes for rent and homes to own. Affordable housing, where feasible, should be dispersed across all neighborhoods. Provision of affordable housing development is dependent on future funding and will likely require the city to partner with private and non-profit developers.



Nesika Illahe, an affordable housing development that prioritizes the needs of Native Americans that belong to federally recognized tribes

PLAN HOUSING AS A GOOD NEIGHBOR TO GREEN SPACES AND SO ALL HOUSING TYPES HAVE ACCESS TO NATURE AND PARKS

The Cooper Mountain Community Plan Concept Map shows housing focused in the most buildable areas of Cooper Mountain, generally away from the highest quality habitat areas and steepest slopes. To minimize impacts on resource areas, the implementation of a Significant Natural Resource Area development rules as well as tree preservation, tree protection, and tree planting rules will be designed to achieve an overall outcome of planning housing as a “good neighbor” to adjacent green spaces. In addition, the plan provides a variety of housing types near natural areas, so people with different housing needs experiencing different household income levels can have access to and enjoy nature and parks.

NATURAL RESOURCES

Goal 3: Preserve, incorporate, connect, and enhance natural resources

The Community Plan’s key outcomes for natural resources are to:

- Implement a green framework
- Preserve and protect significant natural resource areas
- Protect Cooper Mountain Nature Park
- Preserve trees and expand tree canopy
- Protect and enhance wildlife corridors
- Integrate best practice stormwater management
- Establish the McKernan Creek Greenway

IMPLEMENT A GREEN FRAMEWORK

The Community Plan calls for a green framework anchored by Cooper Mountain Nature Park, McKernan Creek, and its tributary areas. Natural resources include streams, wetlands, riparian areas, upland habitat areas, and wildlife corridors.

Cooper Mountain Nature Park covers 230 acres of high-quality habitat (120 acres within the Plan area). Approximately 8 miles of mapped streams include tributaries to McKernan Creek and Summer Creek. Wetlands and probable wetlands cover an estimated 23 acres. Riparian habitat areas adjacent to streams and wetlands provide important habitat and water quality functions. Upland habitat areas extend outside of the riparian area, including much of Cooper Mountain Nature Park. Wildlife corridors support movement of large mammals and other species.

Together, these areas are Cooper Mountain’s natural area heritage that the Community Plan seeks to preserve, connect, and enhance as the community develops.

The Community Plan aims to focus development outside of the green framework. The resultant buildable areas comprise the neighborhoods where residential, commercial, and public land uses will be located. The transportation connections of the plan are designed to connect neighborhoods, while minimizing impacts and providing access to natural resources.

Cooper Mountain Nature Park



Upland Habitat



Wildlife



Scenic Views

PRESERVE AND PROTECT SIGNIFICANT NATURAL RESOURCES

The Natural Resources Report identifies the significant natural resources within the planning area. The Resource Overlay implements protections for those resources, while allowing limited development. The intent is to balance environmental protections with the reasonable economic use of a property.

For the Community Plan, the significant natural resources include Riparian Habitat (Class 1 and 2), Upland Habitat (Class A and B), and the Cooper Mountain Nature Park. The procedures and criteria for inventorying and evaluating natural resources in Cooper Mountain comply with Oregon Statewide Planning Goal 5 and associated Metro Titles 3 and 13 and are documented in the Natural Resource Report.

Generally, Statewide Planning Goal 5 requires local governments to adopt programs that will protect natural resources for present and future generations. Establishing these programs is also known as the Goal 5 process. This process includes three main steps:

1. Evaluate and determine the significance of natural resources in a planning area.
2. Identify and analyze conflicting uses that exist, or could occur, in significant Goal 5 resource sites and surrounding impact areas.
3. Develop a program to determine whether to allow, limit, or prohibit identified conflicting uses in significant natural resource areas.

Beaverton's Goal 5 program includes updates to Comprehensive Plan policies and Development Code rules that establish and implement the intent of the Significant Natural

Resource Area designation, which includes identifying the areas and activities subject to regulations; establishing rules that limit disturbance areas; providing exemptions/exceptions for some uses, such as nature trails and utility crossings; providing flexibility to avoid or reduce development impacts; and requiring mitigation, such as new tree plantings, in response to development impacts.

PROTECT COOPER MOUNTAIN NATURE PARK

Cooper Mountain Nature Park is a regional park with significant habitat at the north end of the planning area. The nature park provides more than 200 acres of contiguous natural habitat, including headwater streams for McKernan Creek. The Natural Resources Report identifies an impact area around the nature park where increased habitat protections should be applied.

PRESERVE TREES AND EXPAND TREE CANOPY

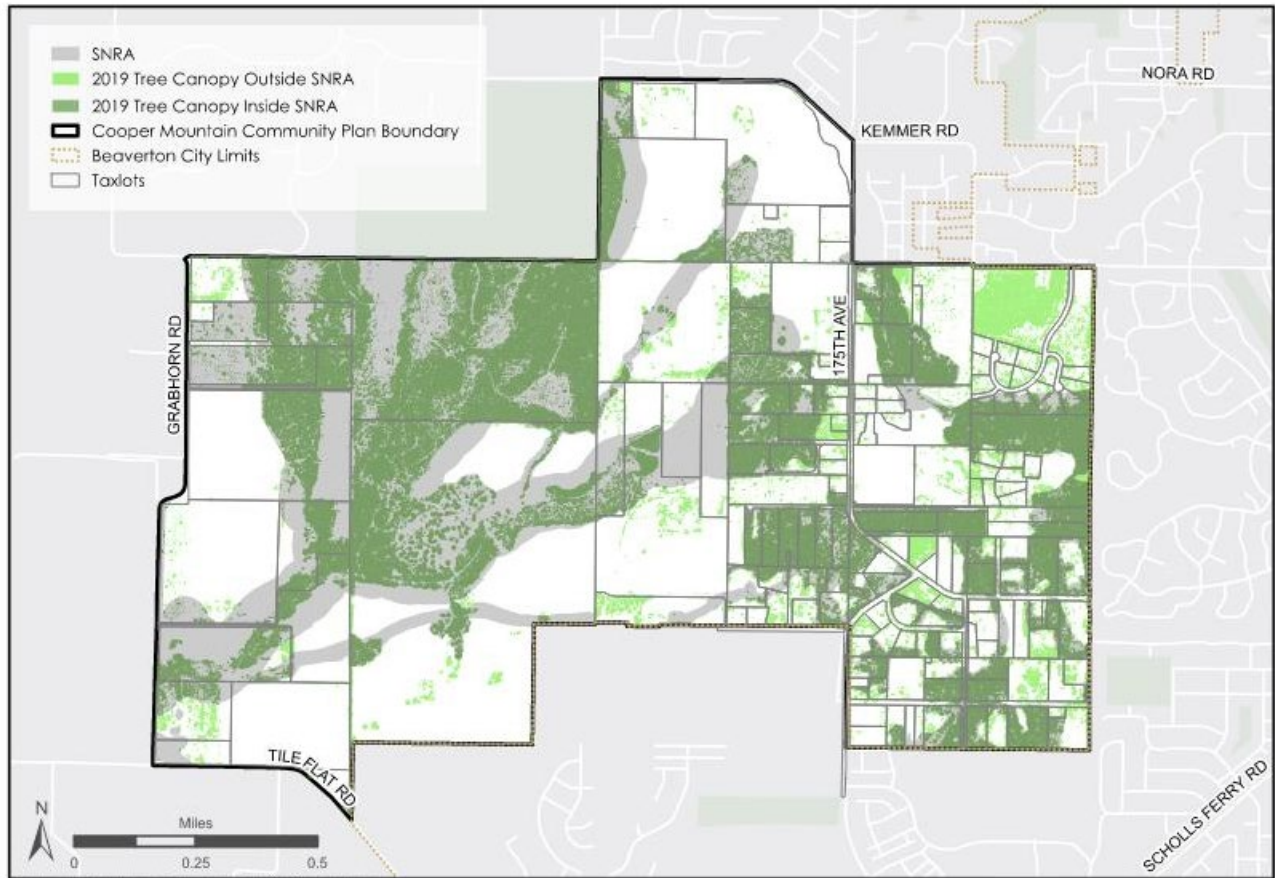
Trees and tree canopy are important parts of Cooper Mountain's natural resources that provide many benefits, such as shade, wildlife habitat, stormwater management, pollutant removal, and carbon absorption.

Although riparian corridors and upland habitat areas are subject to the Goal 5 process, trees are not considered Goal 5 resources subject to inventory and analysis. However, cities and counties may still choose to implement tree protections that advance community goals.

For Cooper Mountain, the Community Plan includes goals and policies that aim to protect Cooper Mountain's existing trees and expand the tree canopy, where possible. For example, the tree policies promote preserving existing trees on site, set minimum tree canopy goals, require mitigation in some situations when trees are removed from a site, and promote new plantings of native and drought-tolerant trees. The policies also support flexibility on sites encumbered by trees so some housing development can occur on those sites.

Figure 3 shows the tree canopy in 2019, at the time the area was added to the UGB. The plan calls for higher tree protections inside significant natural resource areas.

Figure 3: Tree canopy with resource area comparison

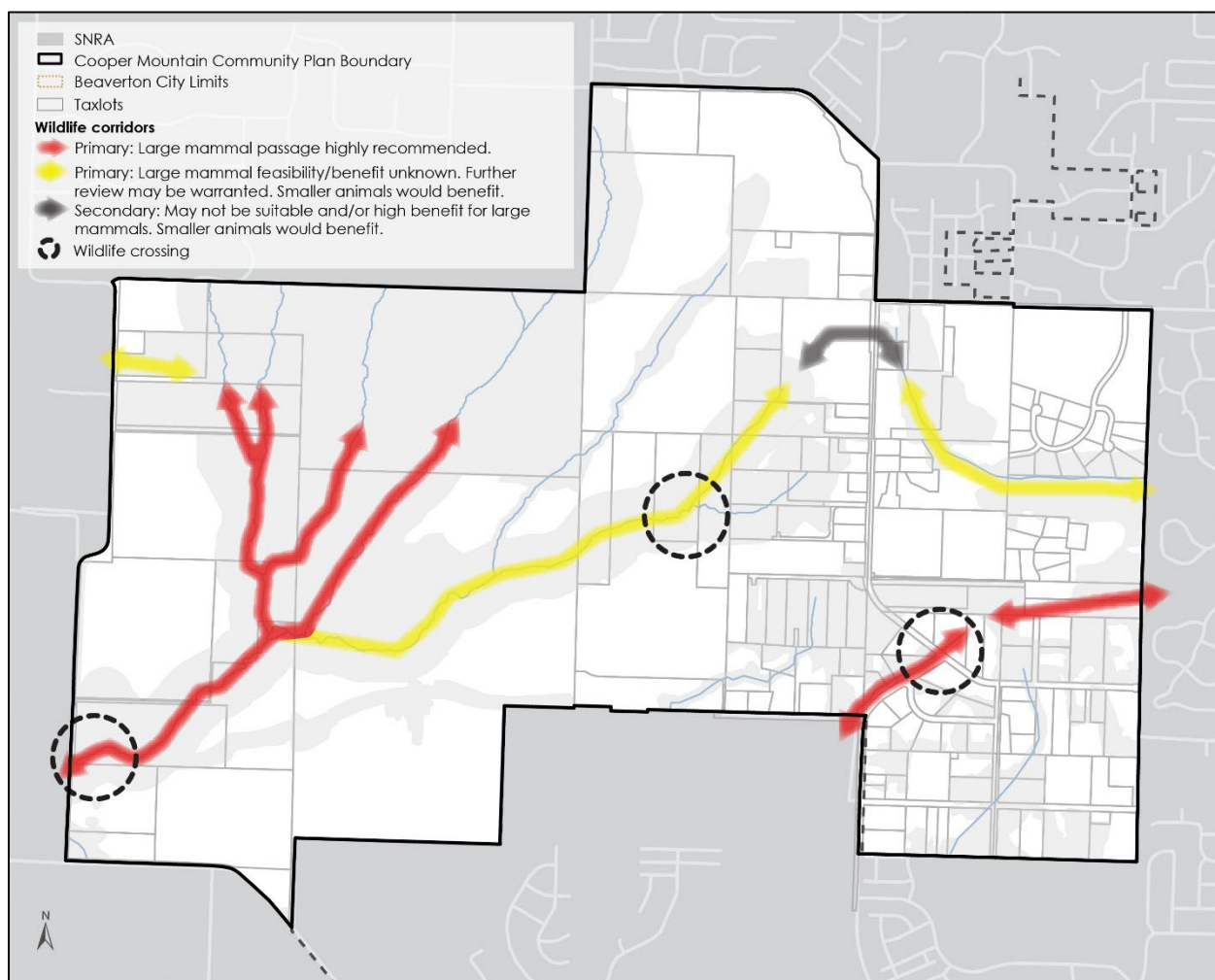


PROTECT AND ENHANCE WILDLIFE CORRIDORS

The wildlife corridors of Cooper Mountain follow the tributaries of McKernan Creek and Summer Creek. The corridors connect areas of high-quality habitat, linking the diverse habitats in Cooper Mountain Nature Park to the lower wetland areas of McKernan Creek.

Figure 4 shows Cooper Mountain’s wildlife corridors. Primary wildlife corridors are routes that would benefit from corridor protections to provide safe passage for birds, large mammals, and amphibians. Secondary wildlife corridors may not be suitable for large mammal protections but would still provide benefit from corridor protections for smaller mammals.

Figure 4: Wildlife corridors



The Community Plan aims to protect the highest quality corridors, and where possible, enhance other corridors for continued wildlife use as development occurs over time. Protecting significant natural resources and expanding tree protections collectively protect and enhance wildlife corridors. Other tools and strategies include integrating stormwater management with natural systems, such as planting stormwater facilities with wildlife-friendly landscaping to provide additional habitat; promoting restoration of streams and tributary areas; limiting infrastructure crossings of primary corridors; installing wildlife-friendly culverts or bridges where stream crossings are required; and requiring wildlife-friendly fencing and lighting adjacent to corridors, where possible.

INTEGRATE BEST PRACTICES FOR STORMWATER MANAGEMENT

The Community Plan incorporates stormwater management recommendations from the Cooper Mountain Utility Plan. This includes providing stormwater management facilities for all developing areas to improve water quality and protect downstream areas from negative impacts due to upstream development. Stormwater management facilities may be located within significant resource areas, particularly when those facilities do not require extensive tree removal and are planted with native vegetation to enhance upland habitat areas.

Throughout the planning area, the existing creeks and tributaries provide natural stormwater conveyance channels. The utility plan recommends areas for stream enhancement to dissipate energy from high streamflow events and preserve or restore natural floodplain, stream, and riparian functions. An enhanced stream corridor may ultimately provide numerous social and ecosystem benefits, such as reduced stream incision and erosion, improved flood storage, improved water quality, and accessible natural streams for residents to enjoy.

MCKERNAN CREEK GREENWAY

The McKernan Creek Greenway will be a central and defining feature of the Cooper Mountain area. It is planned as a 2-mile-long regional trail and greenway, open to all. The greenway follows the alignment of the McKernan Creek Regional Trail from the top of Cooper Mountain to the lower floodplain area near the proposed community park. It will integrate public access, trails, natural resources, and stormwater management to support both the ecological and community health of the area.

The greenway will be an active transportation corridor within a short distance of six Cooper Mountain neighborhoods. It will connect visitors and the local community to Cooper Mountain's natural heritage, with opportunities for environmental education and stewardship.

COMMUNITY RESILIENCE

Goal 4: Improve community resilience to climate change and hazards

Climate resilience is the ability of a community to mitigate and adapt to climate change and hazards, both natural and manmade. Mitigation involves taking actions to reduce or slow down the effects of climate change, such as providing active transportation options that reduce greenhouse gas emissions associated with car travel. Adaptation refers to changing rules or behaviors to survive in a new or different environment. This might include requiring a variety of different tree species to be planted for larger sites to ensure all trees on a site are not threatened by a disease, pests, or climate change.

Tool and strategies that aim to improve community resilience include, but are not limited to:

- Opportunities for small and attached dwellings, which promotes energy efficiency in residential development.
- Policies, plans, and code standards that will reduce transportation-related greenhouse gas emissions through walkable neighborhoods and bicycle and pedestrian facilities that connect neighborhoods and key destinations.
- Protection of the Cooper Mountain’s natural systems and integration of them into future neighborhoods.
- Tree canopy goals and requirements that will help reduce heat island effects from urban development.
- Stormwater approaches to minimize and mitigate flooding and erosion, enhance water quality, and provide flexibility to manage increasing rainfall and larger storm events.
- Opportunities to provide purple pipe water infrastructure (a system that collects and treats stormwater to be reused for non-potable uses, such as irrigation for lawns and landscaping) where feasible to reduce the use of treated drinking water and recharge groundwater.
- A transportation network with pedestrian and vehicular connectivity that allows first responders to provide emergency response to the Community Plan area.

PUBLIC FACILITIES & INFRASTRUCTURE

Goal 5: Provide public facilities and infrastructure needed for safe, healthy communities

The Community Plan’s public facilities goal will be implemented through the following strategies:

- Provide a range of parks and community gathering spaces
- Support expansion of Cooper Mountain Nature Park
- Coordinate and implement utility plans
- Establish McKernan Creek Regional Trail

PROVIDE A RANGE OF PARKS AND COMMUNITY GATHERING SPACES

The Cooper Mountain Community Plan identifies a range of park types and uses that will be incorporated across the Community Plan area. Conceptual park locations were identified in close coordination with the Tualatin Hills Park & Recreation District and other stakeholders where parks would be easily accessible to the largest number of future residents and visitors. In addition to the Cooper Mountain Nature Park, a special use regional park, the Community Plan area is expected to have community parks and neighborhood parks.

Community parks

The Community Plan area includes one community park, Winkelman Park. A new community park is proposed in the Cooper Lowlands neighborhood, adjacent to McKernan Creek and the neighborhood center along Tile Flat. This location provides a larger park amenity near the intersection of important green spaces, higher density residential development, and good transportation access for a variety of travel modes.

As a larger park, the new community park could serve the entire Cooper Mountain area and beyond and provide sports fields and active recreation, activities which typically require more space.

Neighborhood parks

Neighborhood parks are proposed in eight neighborhoods where a neighborhood park is feasible given the terrain. (High Hill is less suitable because it has steep slopes, natural resources, and smaller lots.) The goal is that all homes are served by parks within a half-mile walkable area and the park network is connected by trails to natural resource areas and the regional trail system.

THPRD neighborhood parks standards indicate the size and amenities that will meet the needs of surrounding neighborhoods.

[Table 2](#) lists the eight new neighborhood parks planned for Cooper Mountain and opportunities for siting the parks to serve the needs of each neighborhood. Some sites could serve nearby high-density housing, and others could provide public access to high-quality viewpoints and/or views of natural resource areas.

Table 1: Neighborhood parks planned for Cooper Mountain

Neighborhood	Park Acreage	Opportunities
Cooper Lowlands	2 acres	Adjacent to a multi-dwelling areas and along a Neighborhood Route for easy accessibility
Horse Tale	2 acres	Adjacent to multi-dwelling area and a trail;
Skyline	2 acres	Adjacent to multi-dwelling area; adjacent to trail; accessible from Collector road
McKernan	2 acres	Good viewpoints; adjacent to trail and natural resources; site serves both McKernan and Hilltop neighborhoods
Hilltop	3 acres	Good viewpoints; near areas that allow commercial and multi-dwellings
Weir	2 acres	Serves neighborhoods north and south of Weir Road
Siler Ridge	3 acres	Adjacent to multi-dwelling and mixed-use area; adjacent to trail
Grabhorn Meadow	3 acres	Good viewpoints; adjacent to mixed use and multi-dwelling areas
TOTAL	19 acres	

Urban plazas

The Community Plan indicates the benefits of urban plazas in each neighborhood center to support community gatherings. Per THPRD standards, such plazas are intended for urban settings with higher density development and would ideally be incorporated into commercial/mixed use areas. The plazas should be designed as public gathering spaces that foster community interaction and civic pride. Urban plazas would be incorporated into the development of the commercial areas in the Cooper Lowlands and Hilltop neighborhoods.

Trailhead parks

Small trailhead parks should be located at key entry points to the trail network, such as at an entrance to the Cooper Mountain Nature Park and at access points to the McKernan Creek Regional Trail. Trailhead parks are not shown on the Concept Plan Map because the locations will be identified as neighborhoods and trails are designed. Trailhead parks may include amenities such as wayfinding, restrooms, play equipment, and seating for trail users.

SUPPORT EXPANSION OF COOPER MOUNTAIN NATURE PARK

Cooper Mountain Nature Park is the crown jewel park and greenspace on Cooper Mountain. It is 230 acres in total, and the southern portion (140 acres) is within the Community Plan

area. The Community Plan identifies the park as a significant natural resource and calls for the park to be protected from development through a natural resource overlay and landscape buffers.

The expansion of Cooper Mountain Nature Park, likely to the south, has been explored for many years. Such expansion was strongly supported by the community during the Community Plan process. The City of Beaverton supports the expansion of the Nature Park and coordination related to that effort with Metro, Tualatin Hills Park & Recreation District, property owners, and others as expansion possibilities are discussed.

COORDINATE AND IMPLEMENT UTILITY PLANS

The city intends for utility infrastructure – water (potable and non-potable), sewer, and stormwater management – to be implemented in the plan area in conjunction with development. The Cooper Mountain Utility Plan was prepared in conjunction with this Community Plan. The housing goals and planned commercial areas will require significant expansion of the public facilities. The utility plan outlined a framework of required public utility services that are needed to support growth of Cooper Mountain.

The utility plan includes locations of existing and potential water reservoirs, pump stations and transmission lines to increase service capacity and improve resiliency across the city's water system. The plan also recommends where non-potable (purple pipe) water reuse systems could be extended from South Cooper Mountain into the Cooper Mountain area.

Where feasible, water service and sewer trunklines will be co-located with transportation corridors (roads or trails) to provide better maintenance access. Clean Water Services will construct a new sanitary sewer pump station to provide service across many planned neighborhoods.

Stormwater management will be integrated with other public uses. Examples include locating low impact development approaches for water quality treatment within right-of-way, landscaped stormwater treatment facilities in parks and urban plazas, or larger facilities planted with native vegetation incorporated into natural areas. The Utility Plan outlines a regional stormwater strategy for the McKernan Creek subbasin that considers opportunities to restore degraded natural resources and convey stormwater through enhanced and restored stream corridors.

The city's intended outcome is to work with development and public agency partners to deliver the utility systems needed to support the growth of Cooper Mountain.



An existing water reservoir on SW Kemmer Road

ESTABLISH MCKERNAN CREEK REGIONAL TRAIL

The Community Plan includes strategies to protect natural resources across Cooper Mountain, including the greenway along McKernan Creek. This plan places a high value on connecting neighborhoods to natural areas. The concept map shows the preferred location of a new regional trail along McKernan Creek, with connections to the existing THPRD trail network. The alignment follows the Route 1 corridor (see Figure 5) across the upper portion of Cooper Mountain. Starting at the corner of SW 175th and Weir Road, the alignment extends west to upper McKernan Creek, then follows the creek to its lower floodplain area at the future Community Park and SW Grabhorn Road undercrossing. It is planned as a two-mile long regional trail, open to all.

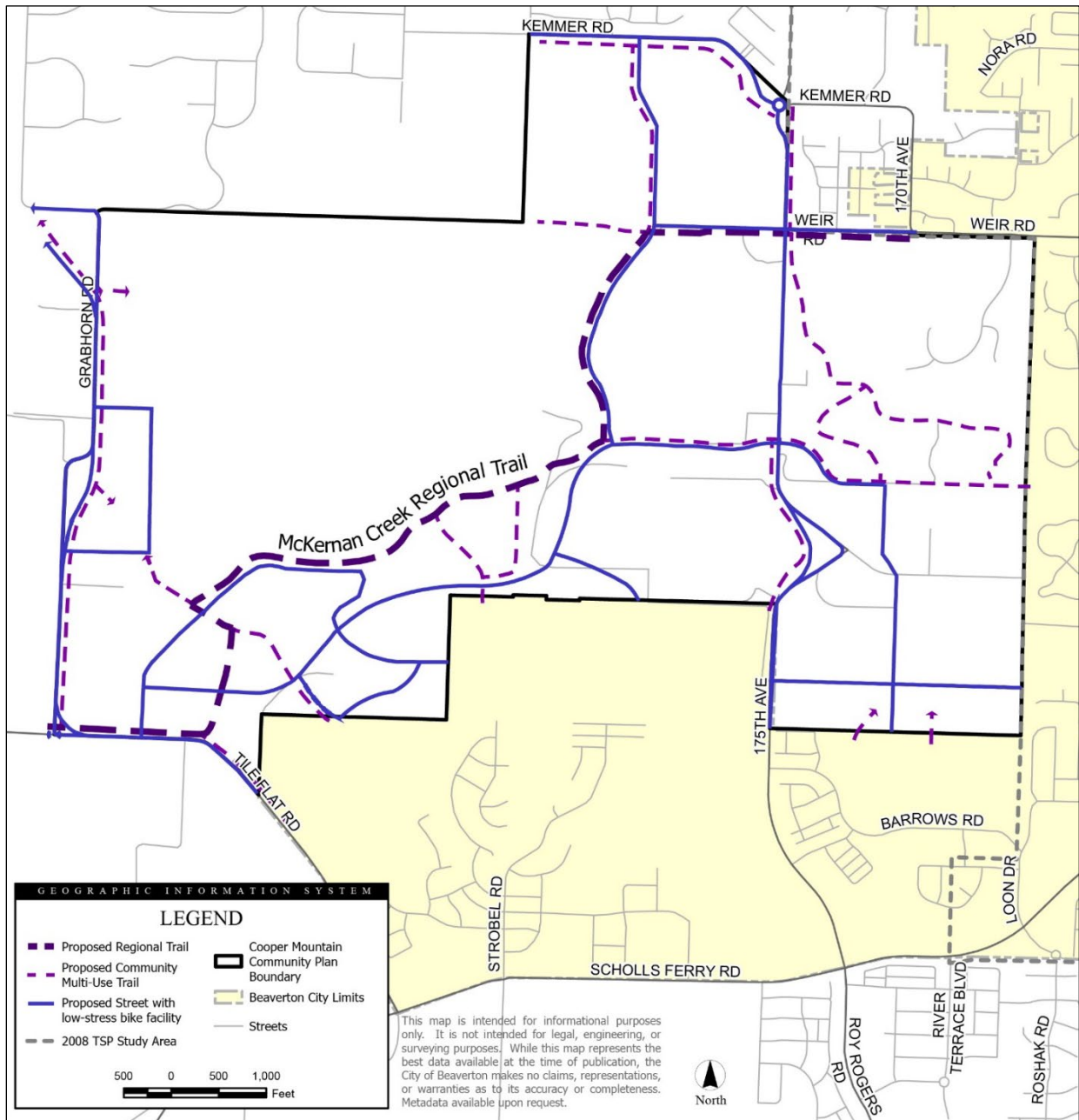
The regional trail provides access and viewpoints to natural areas, while protecting the natural resources that are a defining feature of Cooper Mountain. Connecting trails will provide walkable access between the regional trail and most Cooper Mountain neighborhoods, Winkelman Park, and Cooper Mountain Nature Park.

SCHOOLS

The Beaverton School District and Hillsboro School district each has about half of Cooper Mountain, with Hillsboro on the west side and Beaverton on the east side. Both schools have long-term school plans that would accommodate serving students within the Cooper Mountain area.

The border between the districts runs north-south parallel to the eastern boundary of the Cooper Mountain Nature Park. Beaverton School District has 55 percent of the area within its boundary, and Hillsboro has the remainder.

Figure 6: Planned Bicycle and Pedestrian Network



COMPLETE STREETS

Beaverton’s Complete Streets Policy says Beaverton’s streets should be designed to be safe and feel safe for everyone. They are designed for speeds that reduce the chance of death or serious injury and give priority to the needs of those who are most vulnerable.

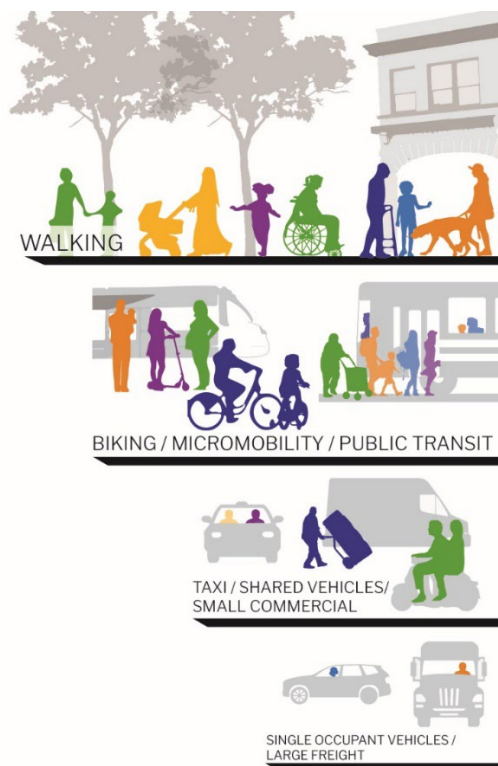
Complete streets make it easier and safer for people to move along and across the street. They are designed for people moving in many ways: walking¹, biking, using micromobility² devices, taking public transit, driving a car, transporting goods, or delivering services.

Complete streets connect communities and get people, goods, and services to the places they need to go. They clean the water and air and advance the city toward its greenhouse gas emission reduction goals.

The Complete Streets policy prioritizes public use of the street in the following order, as shown in Figure 7:

1. Walking
2. Biking / Micromobility / Public Transit
3. Taxi / Shared Vehicles / Small Commercial Service and Delivery Vehicles
4. Single Occupant Vehicles and Large Freight Vehicles

Figure 7: A multi-modal hierarchy for complete streets design



Cooper Mountain design and transportation investment decisions will be consistent with the Complete Streets policy and its guiding principles.

- Design for safer, slower speeds with the goal of eliminating fatalities and severe injury crashes on streets in Beaverton.

¹ Walking is an inclusive physical activity term that includes people using assistive mobility devices.

² Small, low-speed, human- or electric-powered transportation device, including bicycles, scooters, electric-assist bicycles, electric scooters (e-scooters), and other small, lightweight, wheeled conveyances.

- Give priority and protection to street users who face the most risk of death or serious injury – those outside of a vehicle and moving at the slowest speed – through the design and operation of intersections.
- Create pedestrian-scaled places and streetscapes that are interesting, enjoyable, and engaging for people, no matter which mode of travel they choose.
- Use design elements like lighting, culturally relevant public art, and other elements to create an environment where people of all races, ethnicities, genders, ages, and abilities feel welcome and safe from crime and harassment while using the street.
- Design streets to be responsive to current and planned neighborhood context by addressing the scale and type of activities in the area such as retail and entertainment, employment, residential, parks, and industrial uses.
- Design streets to function as enjoyable public spaces that foster social connection and enhance the health and well-being of the community.
- Design streets to work for all people and center people who have been most impacted by past policy choices or are most vulnerable in our current system, including Black, Indigenous and communities of color, children and their caregivers, seniors, and people with disabilities.
- Design streets to provide equitable access to housing, jobs, recreation, services, retail, and other opportunities, regardless of race, income, English language proficiency, or vehicular access.
- Use trees, plants, rain gardens, green infrastructure, and other design features that define the character of the street to shade and cool people walking, reduce energy consumption, and absorb and clean stormwater runoff.
- Use interim, quick-build techniques and materials when resources are scarce and/or where a street may benefit from a faster or more iterative process and solution to reach desired community outcomes.
- Use data, analysis, and performance monitoring to support decision-making, and learn from peer cities applying a Complete Streets approach.
- Encourage the provision of street designs that quickens the community’s transition to e-bikes, other forms of electric micromobility, and electric vehicles, while adhering to the modal hierarchy.

ACTIVE TRANSPORTATION

Consistent with the Complete Streets Policy, the active transportation network in Cooper Mountain will serve all ages and abilities with the streets, sidewalks, trails, bike facilities and other infrastructure they need to safely walk, bike, and roll to their destinations. The layout and design of transportation corridors connect neighborhoods and key destinations.

Cooper Mountain’s pedestrian facilities, bikeways, and trails will serve many users: pedestrians moving through neighborhoods; students traveling to schools; people biking from one neighborhood to another; people traveling to parks and commercial areas; and more.

Safety will be prioritized through multiple strategies. The planned multi-use paths, McKernan Creek Regional Trail, collector routes, and neighborhood routes will have low-stress, comfortable bike and pedestrian facilities. Slower speeds will be an important safety measure for all new streets and major improvements.

Cooper Mountain’s trail system includes the McKernan Creek Regional Trail, community trails, and nature trails. The city will work with THPRD and Metro to implement this planned system of trails.



A protected bike lane in a mixed-use neighborhood

TRANSIT READINESS

The Community Plan’s land use and transportation network are planned to support future transit. The two neighborhood centers, mixed use areas, multi-dwelling housing locations, and complete street network provide walkable access to transit along key streets. The primary transit destinations in the area include:

- Hilltop Neighborhood Center with a commercial area and housing
- Siler Ridge mixed-use area
- Mountainside High School
- South Cooper Mountain Main Street
- Tile Flat Neighborhood Center with a commercial area and housing
- Winkelman Park and a planned Cooper Mountain community park
- Multi-dwelling areas along the collector road planned between Tile Flat and 175th.

Many of these destinations are along 175th Avenue or the planned collectors that connect Tile Flat and Kemmer and Tile Flat and 175th. These corridors are most likely to support transit because of the mix of uses and number of households along those corridors.

CONNECTED NETWORK

The following sections summarize the functions and intended outcomes for each street type in the Community Plan. All roads and streets will be designed as complete streets.

Arterial Streets

The arterials that serve Cooper Mountain — SW 175th, SW Tile Flat, and SW Grabhorn Road (and, in the future, SW Kemmer Road) — will be complete streets. Arterials will be regional routes for trips going through the Cooper Mountain area to other destinations.

Collector Streets

The collector streets — SW Weir, Route 1, and Route 3 — are the connecting routes between Cooper Mountain’s future neighborhoods.

- SW Weir Road connects Beaverton to Cooper Mountain, provides access to the Hilltop neighborhood center and areas west of SW 175th, and includes a portion of the McKernan Creek Regional Trail.
- Route 1: Provides a parallel alternative to SW 175th between SW Kemmer Road and Route 3 that also will be a safe and comfortable route for local trips. Includes a portion of the McKernan Creek Regional Trail and will feature a wildlife-friendly crossing of McKernan Creek.
- Route 3: East-west corridor connecting SW 175th and adjacent neighborhoods to central and western Cooper Mountain and SW Tile Flat Road; the Tile Flat commercial center; several multi-dwelling sites, and a proposed Community Park.

Neighborhood Routes

The Community Plan’s neighborhood routes provide connectivity within neighborhoods.

- Grabhorn Meadow: The neighborhood route provides two access points to SW Grabhorn Road.
- Cooper Lowlands: A neighborhood route is planned as the access to lands north of the Community Park. This neighborhood route would include the McKernan Creek Regional Trail and directly abut the natural resource area for the northern portion of its route so community members have at least visual access to natural spaces along the road and trail.
- High Hill: A future neighborhood route will be needed through the High Hill and Siler Ridge neighborhoods to connect Siler Ridge Road and South Cooper Mountain. This will provide an option besides 175th for short, local trips east of 175th.

Local streets

Potential locations for local street intersections with the above-described streets are shown on Figure 2. The actual local street network will be determined when development

occurs in compliance with the Development Code and Engineering Design Manual. The plan's goals for local streets are to:

- Create walkable blocks and neighborhoods;
- Extend the street pattern from South Cooper Mountain; and
- Provide direct and convenient routes to parks, trails, and other community destinations.

Wildlife crossings

New bridges (vehicular and pedestrian-bike) should be designed for safe passage of wildlife at four key locations:

- Where Route 1 crosses McKernan Creek
- The SW 175th "kink" realignment
- The pedestrian-bike bridge between Cooper Lowlands and Grabhorn Meadow
- The SW Grabhorn Road crossing of McKernan Creek

The City will work with agency partners and natural resource stakeholders to design these crossings and ensure wildlife connectivity is maintained.

Transfers between different travel methods

A connected system also benefits from the ability to transfer between different ways of moving around. These mobility hubs could be locations to transfer between transit, bicycle rentals, micromobility rentals, and commuter/rideshare drop-off locations. Potential locations for this could include commercial areas, schools, and areas with significant numbers of homes.

COMMERCIAL AREAS

Goal 7: Provide opportunities for viable commercial uses, including places to work and places to buy goods and services

The Community Plan’s key outcomes for commercial areas are:

- Promote commercial and entrepreneurial opportunities by creating two commercial centers
- Expand opportunities for commercial uses by incorporating mixed-use areas in Cooper Mountain
- Provide for small-scale commercial opportunities near where people live, such as in limited locations in Residential Mixed areas to provide better access to goods and services and more entrepreneurial opportunities,

TWO NEIGHBORHOOD COMMERCIAL CENTERS

The Community Plan identifies two new Neighborhood Center areas with commercial — in Hilltop and Cooper Lowlands. The neighborhood commercial areas will be pedestrian-oriented, mixed-use areas that are focal points for the community. They are planned for a mix of commercial and residential (largely middle housing and apartments) uses to create vibrant, walkable areas. They also would be good locations for civic uses, such as a library branch, and other community destinations.

The neighborhood centers should feature pedestrian-oriented design, including:

- Buildings next to or near the sidewalk with windows, interesting building faces, pedestrian-scale lighting, awnings, and signage
- Parking behind the buildings (rather than between the building and the street), under buildings, or in structures.
- Residential buildings with windows and doors facing the street
- Complete streets that provide high-quality space for people walking, using bicycles, using mobility devices, waiting for transit, or using other methods to move around or through Cooper Mountain
- An urban plaza and spaces for people to gather

MIXED USE SITES

Mixed Use areas are shown in Siler Ridge and Grabhorn Meadow to increase the opportunity for commercial uses outside the Neighborhood Center areas but near the north-south arterials. Commercial uses are allowed but not required in these areas. These designations are shown near parks and multi-family areas to provide commercial opportunities near recreational destinations and homes.

Mixed-Use Area



Small Grocery Store



SMALL-SCALE COMMERCIAL

Small-scale commercial uses will be allowed in the Residential Mixed areas to provide opportunities for residents to have walkable access to goods and services. Smaller commercial uses also provide entrepreneurship opportunities and places for people to gather with their neighbors. Examples include a coffee shop, a small grocery store, a hair salon, or a childcare facility. These areas would mostly likely be allowed near parks, Multi-unit Residential areas, and along neighborhood routes that connect homes to busier collector or arterial streets.

The design of these businesses should be small in scale, so the buildings and commercial operations are more consistent with the building sizes and activity levels of the residential areas.

FUNDING STRATEGIES

Goal 8. Identify feasible, responsible funding strategies to turn the vision into a reality.

Development of new homes and businesses is dependent on the extension of public infrastructure across the planning area. The Cooper Mountain Infrastructure Funding Plan provides recommendations for funding the projects needed to serve new neighborhoods in Cooper Mountain and estimates how development in Cooper Mountain is expected to contribute toward projects that offer broader benefits.

The Community Plan’s infrastructure funding goal will be implemented through the following strategies:

- Identify appropriate infrastructure funding to facilitate development
- Identify supplemental funding to close funding gaps for transportation and community parks
- Consider Impacts to housing affordability

INFRASTRUCTURE FUNDING TO FACILITATE DEVELOPMENT

As in most greenfield development, Cooper Mountain development will likely build and pay for much of the public infrastructure in the planning area. This includes local streets; local utility collection and distribution networks; and stormwater management systems for each development. Larger roads and pipes might also be built by development. The city or other public service providers may offer System Development Charge (SDC) credits for some road or utility construction costs, consistent with agencies’ credit policies.

Cooper Mountain development will also contribute to funding projects that provide broader system capacity. Regional and sub-regional infrastructure projects that impact larger areas or support multiple neighborhoods generally have a shared funding aspect, with funding coming from multiple sources. Shared funding sources could also contribute to investments needed to address safety and resilience on existing roads and utility corridors.

The Cooper Mountain Infrastructure Funding Plan identifies that existing funding mechanisms are likely sufficient for public utility infrastructure. Water, sanitary sewer, and stormwater systems investments are expected to be funded through a mix of development contributions, SDCs (for capacity-related costs), and utility rates (for non-capacity costs). The city may consider adding a local or citywide SDC to support capital project funding in the planning area or across the wider area. The funding plan identifies infrastructure projects that could impact the timing of development in different neighborhoods and identifies potential funding sources for those projects.

SUPPLEMENTAL FUNDING FOR TRANSPORTATION AND COMMUNITY PARKS

Existing transportation funding sources are likely inadequate to deliver key projects — a new funding source from Cooper Mountain is likely needed to close the gap. Without a new funding source, the funding plan estimates that there would be little or no revenue to pay for important public capital projects, including a roadway/utility crossing of McKernan

Creek and upgrades to 175th Avenue. The approach recommends new funding source(s) applicable to development in Cooper Mountain to pay for much of the cost of these projects. The extent of the supplemental transportation funding source will be determined through a separate study and would need to be adopted by City Council. Even with this new source, the city and County will need to identify funding to cover the costs of realigning the “kink” in 175th Avenue, which is primarily a safety project.

Implementing the number of parks and trails shown in the community plan will require tapping additional revenue sources. The preferred approach for the Community Plan includes more parks acreage than originally estimated for the area when Tualatin Hills Parks & Recreation District (THPRD) prepared the project list for their recently updated SDC. The existing SDC is more than sufficient to cover the cost of land for parks within Cooper Mountain. THPRD likely will need to identify funding sources besides SDCs generated within Cooper Mountain to support the build-out of the Community Park and trail amenities that serve the broader community.

HOUSING AFFORDABILITY

The strategies proposed in the Infrastructure Funding Plan will have limited impact on the ability to deliver a range of housing types and price points. The city has few opportunities to impact the market forces that drive the cost of housing. Both infrastructure and development costs in this area may be higher than in other areas due to topography, but the rates and charges proposed for development are consistent with other growth areas in Washington County. Where the city has control of development charges, it could consider how the charges are structured relative to unit size, density, and housing type.

To successfully achieve the city’s affordable housing goals in Cooper Mountain, the city should continue to explore the options and strategies that increase affordable housing production on a citywide basis. The city will implement strategies identified in the city’s Housing Production Strategy and support regional and state programs that could provide larger scale funding for affordable housing. The city will continue city investment (primarily staff resources) to identify and coordinate affordable housing partnerships and consider strategic property purchase, if funds are available, to acquire land early for affordable housing projects.

POLICIES

The Comprehensive Plan is a document that guides Beaverton’s future growth and development over the next 20 years. It has 10 chapters (or “elements”) to guide this work. Each chapter has goals and policies that provide more direction. Chapter 3 (Land Use) includes the land use map with land use designations organized in four categories: Mixed Use, Commercial, Residential Neighborhoods, and Employment/Industrial.

What is land use? Land use designations indicate what the land can be used for, such as housing, shops, restaurants, offices, schools, parks or industry. Regulating land use allows cities to combine activities that complement each other, such as housing and schools, and separate others that may be harmful, such as housing and heavy manufacturing.

Land use designations in the Comprehensive Plan have implementing zoning districts that provide rules for neighborhood development. The Land Use Policies related to the Cooper Mountain Community Plan are in Comprehensive Plan Chapter 3, the Land Use Element.

What is zoning? Zoning is the practice of establishing the appropriate mix of uses in different areas and setting site and building design expectations. Each zone may have different allowed land uses as well as minimum or maximum building height, setbacks and density.

EQUITY

GOAL 1: Create equitable outcomes for residents, including underserved and underrepresented communities

- Policy a)** Use a framework of equity to guide policy decisions and resource allocation.
- Policy b)** Create plans and policies to create a livable community for all.
- Policy c)** Support affordable housing and expand access for marginalized populations.
- Policy d)** Increase access to homeownership with a focus on eliminating disparities.
- Policy e)** Provide business development resources for underserved communities.

HOUSING

GOAL 2: Provide new housing in a variety of housing types and for all income levels

HOUSING POLICIES

- Policy a)** The city will promote housing consistent with the Housing Element, which is Volume 1 Chapter 4 of the Comprehensive Plan.
- Policy b)** The city will increase housing supply by establishing minimum densities as a tool to ensure the planned number of homes in the Community Plan is implemented.
- Policy c)** The city will promote affordable rental and home ownership housing choices in every neighborhood in a variety of housing types consistent with the city’s identified housing needs. The city should consider a target of at least 450 regulated affordable homes in Cooper Mountain.
- Policy d)** Include housing variety in neighborhoods and developments to provide choices that can accommodate a range of ages, incomes, abilities, and household sizes.
- Policy e)** Integrate housing types in neighborhoods and developments so many housing needs can be met throughout Cooper Mountain.
- Policy f)** Design housing development to enhance or reduce negative effects on natural resource areas and wildlife habitat while providing community access to views or access to nature.

NATURAL RESOURCES

Goal 3: Preserve, incorporate, connect, and enhance natural resources

GENERAL NATURAL RESOURCE POLICIES:

Policy a) Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community. Tools and strategies to accomplish this policy include:

- i. Protecting Significant Natural Resources
- ii. Protecting Cooper Mountain Nature Park
- iii. Tree protection and mitigation
- iv. Wildlife corridor identification
- v. Steep slope protections
- vi. Integrated stormwater management approaches
- vii. Encouraging development in areas that do not have significant natural resources.

Policy b) Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature. Tools include but are not limited to:

- i. Designing neighborhoods with direct public access to natural areas, such as with viewpoints, trails along natural areas, or entries to public natural areas when possible.
- ii. Providing trails adjacent to natural areas and, where impacts can be mitigated, alongside or into the Cooper Mountain Nature Park; and
- iii. Providing public open spaces and viewpoints in each neighborhood, where street rights of way or trail rights of way abut natural areas and parks.
- iv. The city will create Development Code provisions that promote equitable community member public access consistent with this policy.

SIGNIFICANT NATURAL RESOURCE AREA POLICIES:

Policy c) The city will encourage preservation of significant natural resources through development regulations. Significant natural resources include riparian habitat (Class 1 and 2), upland habitat (Class A and B), and the Cooper Mountain Nature Park. The purpose of development rules would be to:

- i. Provide protection and conservation of significant natural resources.
- ii. Balance conservation with economic use.
- iii. Guide development review.
- iv. Promote intergovernmental cooperation in natural resource management.
- v. Complement the city’s tree protection regulations.

Policy d) The city will develop regulations to:

- i. Identify the area of significant natural resources and activities that are subject to the regulations.
- ii. Provide development standards and guidelines as needed to preserve significant natural resources areas, protect wildlife habitat and mobility, and regulate tree canopy while:
 1. Allowing uses that the city determines will have minimum or positive impacts on natural resources, such as invasive tree removal, resource enhancement, or a wildlife observation area; and
 2. Allowing uses that are necessary for a public purpose, such as trails or utilities, with appropriate mitigation; and
 3. Allowing development to occur in limited disturbance areas with appropriate mitigation to provide reasonable use of a property; and
- iii. Promote mitigation for impacts to resources; and
- iv. Provide a method for reviewing and modifying natural resource designations and to respond to new information, such as a study or a technical report; and
- v. Establish design standards for features such as lighting, fencing, bridges, and utility corridors in the resource areas to reduce impacts on wildlife. For trails, the city will work with THPRD to implement design standards consistent with THPRD standards.

PROTECT COOPER MOUNTAIN NATURE PARK

Policy e) The city will include limit adverse impacts of development in the areas directly adjacent to Cooper Mountain Nature Park.

Policy f) The city will develop regulations to:

- i. Provide development standards and guidelines (such as limiting structures near the park border) as needed to protect adjacent significant natural resources areas and wildlife habitat and mobility while allowing uses that the city determines will have minimum or positive impacts on the habitat and natural resource areas within the nature park, such as invasive tree removal, resource enhancement, or a wildlife observation area. .Establish design standards for features such as lighting, fencing, trails, bridges and other utility features in to reduce impacts on wildlife.

TREE CANOPY POLICIES

Policy g) Encourage equitable access to the environmental and social benefits of trees by establish minimum tree canopy requirements that consider:

- i. Higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas.
- ii. Innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations.

- iii. Effective ways to reduce the urban heat island effect.
- iv. The benefits of diverse, mixed-age forests.

Policy h) Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.

Policy i) Provide options that allow the removal of hazardous trees or nuisance trees to minimize risks and support urban forest adaptation.

Policy j) Provide options that allow the removal of agricultural trees, without reforestation, to facilitate the transition from rural to urban land uses.

Policy k) Require mitigation for tree loss or removal in many cases, such as a requirement for the on-site replacement of trees, off-site plantings, or fee-in-lieu payments.

Policy l) Improve city standards that provide guidance on which trees are appropriate to plant in certain locations, such as riparian or upland habitat areas, parks, road rights of way, parking lots, and near sidewalks.

Policy m) Improve city standards that promote the longevity of newly planted and existing trees in a variety of locations, such as street trees and trees on private lots.

WILDLIFE CORRIDORS POLICIES

Policy n) Encourage the preservation and enhancement of primary wildlife corridors identified on the Wildlife Corridor Map (Figure 4) to support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.

Policy o) Design stream crossings of primary wildlife corridors, such as for roads and trails, so that they allow wildlife passage by large mammals. Other stream crossings should facilitate the crossing of smaller mammals.

Policy p) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

COMMUNITY RESILIENCE

Goal 4: Improve community resilience to climate change and hazards

COMMUNITY RESILIENCE POLICIES:

- Policy a)** Reduce greenhouse gas emissions through compact development and by providing and promoting, including through partnerships, walking, biking, transit, and other active transportation options.
- Policy b)** Incorporate neighborhood design that reduces people’s risk of hazards and provides safe access if evacuation is required.
- Policy c)** The city will develop code standards and guidelines that reduce risks to life and property in steeply sloped areas and in areas with identified geologic hazards, such as through identifying those areas, reducing density of homes in those areas, requiring necessary geotechnical studies; and providing additional requirements for developments that are affected by steeply sloped areas or areas with geologic hazards.
- Policy d)** Implement, where feasible, the city’s purple pipe water program that routes cleaned stormwater to irrigate green spaces like parks, school grounds, and yards and to provide additional water flows to streams in the drier months.
- Policy e)** Evaluate and monitor potential wildfire risk identified by the Department of Forestry, and if risk is moderate or higher, update Development Code regulations that prioritize safety and reduce potential damage from wildfires.
- Policy f)** Provide pedestrian and vehicular connectivity that will create access and egress consistent with city and Tualatin Valley Fire & Rescue (TVF&R) standards, which will allow TVF&R, Beaverton Police Department, and other first responders to provide emergency response to the Community Plan area.
- Policy g)** Design infrastructure and stormwater management systems to accommodate forecasted changes in rainfall patterns and stream flows associated with climate change.
- Policy h)** Apply actions and policies from the city’s Climate Action Plan and Emergency Management Program to Cooper Mountain, considering Cooper Mountain’s unique landscape, steep slopes, slide hazard areas, forests, and other features.

PUBLIC FACILITIES & INFRASTRUCTURE

Goal 5: Provide public facilities and infrastructure needed for safe, healthy communities

PARKS POLICIES

- Policy a)** The City supports the expansion of the Cooper Mountain Nature Park and will coordinate with Metro, THPRD, property owners, and others as expansion plans are evaluated and proposed.
- Policy b)** The city will work with THPRD and property owners to implement a Community Park, applying the following principles:
 - i. The preferred location is in the Cooper Lowlands neighborhood.
 - ii. The park will provide active and passive recreation as well as related amenities to accommodate a variety of visitors/users, including people living with disabilities, according to THPRD’s most recently approved Parks Functional Plan.
 - iii. The park design will follow THPRD’s most recently approved Parks Functional Plan and will seek to balance community recreation need with the ecological health of sensitive natural resources on site, while also considering compatibility and integration with adjacent land uses.
 - iv. The park will be accessible by the active transportation network.
- Policy c)** Provide Neighborhood Parks in each Community Plan neighborhood that contain sufficient developable acreage and meet minimum acreages in the following table:

Table 2: Neighborhood Parks

Neighborhood	Park Acreage
Cooper Lowlands	2 acres
Horse Tale	2 acres
Skyline	2 acres
McKernan	2 acres
Hilltop	3 acres
Weir	2 acres
Siler Ridge	3 acres
Grabhorn Meadow	3 acres
TOTAL	19 acres

- Policy d)** Establish Neighborhood Parks to be key features of neighborhood design by applying the following principles:
 - i. Accessible by walking and biking without significant barriers such as arterial streets and steep slopes.
 - ii. Geographically locate parks to serve the greatest anticipated population within a 15 minute walk to promote community gathering through proximity to trails, neighborhood or community

- transportation networks, and land uses such as commercial, mixed use, and multi-dwelling residential.
- iii. Prioritize sites with greater developable acreages, with a target of at least 75 percent developable acreage, to allow for active recreation on sites greater than one acre. Consider providing a nature park in the area east of 175th and south of Siler Ridge to accommodate park needs because the area has less flat, unconstrained land in which to build a neighborhood park.
- iv. Co-locate with other public uses.
- v. Provide visibility for the surrounding neighborhood and scenic viewpoints.

Policy e) Promote a plaza or plazas in each commercial area where commercial is required to provide community members gathering places.

Policy f) Provide Trailhead Parks consistent with THPRD standards at key entry points to the trail network

PUBLIC FACILITIES AND INFRASTRUCTURE POLICIES

Policy g) Locate land uses that promote social interaction and/or provide services to the community in or near commercial centers and/or regulated affordable housing sites

Policy h) Implement Active Transportation Policies – See Transportation section.

Policy i) Implement, where feasible, the city’s purple pipe water program

Policy j) Co-locate water service and sewer trunklines with transportation corridors (roads or trails) to provide maintenance access and long-term asset management.

Policy k) Plan, design, and implement utility corridors to protect natural resources, applying the following principles:

- i. Minimize impact to McKernan Creek, Summer Creek, and riparian habitat.
- ii. Provide passage for deer and other large mammals, such as by elevating bridges or designing culverts to allow animals to pass underneath or by burying utilities.
- iii. Work with natural resource stakeholders during the public facility design process.

Policy l) Coordinate with Clean Water Services to implement a regional stormwater strategy for the McKernan Creek subbasin and look for opportunities to restore degraded natural resources, especially creek channels and riparian areas.

Policy m) Promote low impact development approaches for stormwater management and other approaches to integrate stormwater facilities with parks, trails, and natural resource areas.

MCKERNAN CREEK REGIONAL TRAIL POLICIES

- Policy n)** Coordinate with THPRD to define and develop the McKernan Creek Regional Trail, in accordance with THPRD regional trail standards.
- Policy o)** Protect natural resources along the McKernan Creek Regional Trail in accordance with the policies listed in the Natural Resources section of this plan
- Policy p)** Evaluate and determine a trail alignment that generally follows the corridor along McKernan Creek identified in the Cooper Mountain Community Plan Concept Map, making a connection between the southwest and northeast parts of Cooper Mountain.
- Policy q)** Provide road or trail connections that allow people multiple opportunities to access the McKernan Creek Regional Trail from adjacent neighborhoods.
- Policy r)** Provide scenic viewpoints where people using the McKernan Creek Regional Trail can stop to enjoy scenic views, such as those of the Tualatin River Valley and the Chehalem Mountains.
- Policy s)** Coordinate with THPRD to provide equitable access to the McKernan Creek Regional Trail and amenities, where applicable, for different cultural, ethnic, and socioeconomic groups that historically have not benefited from access to natural areas due to physical, geographic, or transportation-related barriers.

TRANSPORTATION

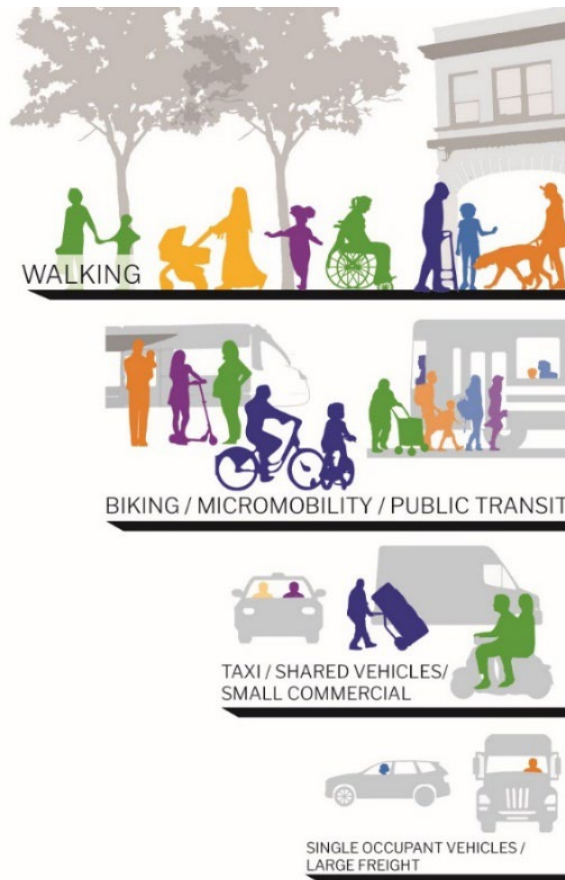
Goal 6: Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.

ACTIVE TRANSPORTATION POLICIES

- Policy a)** Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton's Active Transportation Plan. Classify new bike facilities consistent with Beaverton's Active Transportation Plan and in coordination with Tualatin Hills Park & Recreation District for facilities that covered in its Trails Functional Plan.

- Policy b)** The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. Streets in the Cooper Mountain Community Plan area shall:
 - i. Be designed with the goal of preventing all death and serious injuries.
 - ii. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.
 - iii. Provide easy, dignified, and affordable access to places for people who cannot drive, or choose not to drive, for the trip they need to make.
 - iv. Reflect the fact that everyone is a pedestrian and benefits from generous, attractive, and socially activated walking environments.
 - v. Make walking, biking, and transit a viable and desirable transportation option for people of all ages and abilities.
 - vi. Be designed to advance the city toward its goal of 100 percent greenhouse gas emissions reduction by 2050.
 - vii. Facilitate an equitable, communitywide transition from gas-powered vehicles to electric vehicles.
 - viii. Accommodate the movement of goods and services to sustain a vibrant local, regional, and state economy.
 - ix. Comply with federal, state, and regional regulations.
 - x. Be planned, designed, built, and maintained in accordance with the design principles and modal hierarchy in Beaverton's complete street policy below.

Complete street policy modal hierarchy



Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

Policy e) Coordinate with THPRD to implement Cooper Mountain’s trails, and with Metro for trails connecting to the Nature Park, as follows:

- i. Integrate the multi-use paths/trails planned for SW Kemmer, SW 175th, SW Tile Flat, and SW Grabhorn as part of street improvements.
- ii. Illuminate paved multi-use trails, where feasible, to provide safer nighttime travel routes for people walking and biking. Consider the use of “dark sky” lighting techniques or other strategies to reduce disturbance to wildlife.
- iii. Coordinate with THPRD on planning for the McKernan Creek Regional Trail.
- iv. Provide opportunities for scenic viewpoints and environmental education along the McKernan Creek Regional Trail.
- v. Coordinate the McKernan Creek Regional Trail with the Utility Plan when possible.

- vi. Extend community trails from South Cooper Mountain, consistent with the Active Transportation Concept Map and THPRD Trails Functional Plan.
- vii. Coordinate with THPRD and Metro on connecting active transportation facilities to the Nature Park's nature trails, where feasible, consistent with the Active Transportation Map and THPRD's Trails Functional Plan.

Policy f) In collaboration with THPRD, plan, design, and implement a pedestrian-bike bridge to connect the Cooper Lowlands and Grabhorn Meadow neighborhoods, applying the following principles:

- i. Minimize impact to McKernan Creek and riparian habitat.
- ii. Provide passage for deer and other large mammals, such as by elevating the bridge to allow animals to pass underneath.
- iii. Work with natural resource stakeholders during the design process.
- iv. Coordinate bridge design and construction with THPRD's Trails Functional Plan, and where feasible, with the Cooper Mountain Utility Plan.

Policy g) Integrate Americans with Disabilities Act standards and guidelines into the design and implementation of active transportation facilities, and for trails, meet THPRD standards established in THPRD's Trails Functional Plan that balance accessibility with prohibitive impacts that include harm to significant cultural or natural resources; requirements of construction methods that are against federal, state, or local regulations; or terrain characteristics that prevent compliance.

TRANSIT POLICIES

Policy h) Ensure the mix and intensity of uses, community destinations, street design, and other characteristics of the Community Plan area support the future provision of transit service to the area.

Policy i) Coordinate with TriMet regarding future fixed route transit service.

Policy j) Coordinate with Washington County regarding future on-demand, microtransit service.

Policy k) Coordinate with TriMet and other mobility providers to promote access to public transportation and private mobility services and the ability to transfer between those services easily and efficiently.

COMPLETE AND CONNECTED STREETS POLICIES

Policy l) Implement the city's Complete Streets Policy and tailor street designs to their land use context. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.

Policy m) Coordinate with Washington County on arterial planning, funding, improvements, and jurisdictional responsibilities.

Policy n) Design arterial streets consistent with the city’s Complete Streets Policy, Transportation System Plan (TSP), and the elements listed below.

- i. Realign the “kink” on SW 175th.
- ii. The cross-sections for Cooper Mountain arterials should include:
 1. Two general purpose travel lanes, one in each direction;
 2. Center turn lanes between the general purpose lanes as needed. When turn lanes are not required, median islands or similar treatments should be incorporated to promote speed management.
 3. Additional vehicle turn lanes at intersections to address safety needs of all users of the shared right of way that are designed to provide protection and priority to people of all ages and abilities walking, cycling, and taking transit.
 4. Arterials on the edge of the urban growth boundary shall have rural edges on the rural side and a separated multi-use path on the urban side.
 5. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
 6. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned³” user category.
 7. Wildlife-friendly crossing at the SW 175th “kink” realignment area and SW Grabhorn Road crossing of McKernan Creek.
 8. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.

Policy o) Design and build collector streets consistent with the city’s Complete Streets Policy, TSP, and the following:

- i. The cross-sections for Cooper Mountain collectors should include:
 1. Two general purpose travel lanes, one in each direction.
 2. Center turn lanes between the general purpose lanes as needed. When turn lanes are not required, median islands or

³ Interested but Concerned Bicyclists are the largest group identified by the research and have the lowest tolerance for traffic stress. Those who fit into this group tend to avoid bicycling except where they have access to networks of separated bikeways or very low-volume streets with safe roadway crossings. Source: U.S. Department of Transportation Federal Highway Administration Bikeway Selection Guide (2019)

similar treatments should be incorporated to promote speed management.

3. Additional vehicle turn lanes at intersections to address safety needs of all users of the shared right of way that are designed to provide protection and priority to people of all ages and abilities walking, cycling, and taking transit.
4. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
5. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned⁴” user category.
6. A wildlife-friendly crossing where Route 1 crosses McKernan Creek and where the pedestrian-bike bridge crosses McKernan Creek between Cooper Lowlands and Grabhorn Meadow.
7. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.
8. The McKernan Creek Trail continued on the south side of Weir Road.
9. The McKernan Creek Trail along portions of the “Route 1” north-south collector in a way that minimizes impacts to slopes and natural resources.

Policy p) Design and build neighborhood routes consistent with the city’s Complete Streets Policy, TSP, and the following:

- i. The cross-sections for Cooper Mountain neighborhood routes should include:
 1. Two general purpose travel lanes, one in each direction.
 2. Ten-foot general purpose travel lanes unless a transit route or truck route necessitates additional width along the neighborhood route.
 3. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.

⁴ Interested but Concerned Bicyclists are the largest group identified by the research and have the lowest tolerance for traffic stress. Those who fit into this group tend to avoid bicycling except where they have access to networks of separated bikeways or very low-volume streets with safe roadway crossings. Source: U.S. Department of Transportation Federal Highway Administration Bikeway Selection Guide (2019)

4. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned” user category.
5. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.
 - ii. The Cooper Lowlands Neighborhood Route south of and adjacent to McKernan Creek is planned as the access to lands north of the Community Park. The neighborhood route shall include the McKernan Creek Regional Trail where it is adjacent to natural resources area along McKernan Creek.
 - iii. The High Hill Neighborhood Route will connect Siler Ridge Road to South Cooper Mountain. As the road is designed, it should take into account topography, tree preservation, and existing homes.
 - iv. Incorporate street design elements that support vehicle speed and volume management such as roundabouts, curb extensions, and traffic diverters.

Policy q) Cooper Mountain streets shall connect to South Cooper Mountain streets and other abutting existing streets or streets planned for in the TSP except where the city concludes the connections are not feasible or desirable because of significant natural resources.

Policy r) Design bridges/culverts (vehicular and pedestrian-bike) for safe passage of deer and other large mammal in the following locations:

- i. Where Route 1 crosses McKernan Creek.
- ii. The realignment of SW 175th Avenue.
- iii. The pedestrian/bike bridge between the Cooper Lowlands and Grabhorn Meadow neighborhoods.
- iv. The SW Grabhorn Road crossing of McKernan Creek.

COMMERCIAL AREAS

Goal 7: Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.

COMMERCIAL AREAS POLICIES

Policy a) Ensure Cooper Mountain’s commercial areas are pedestrian-oriented, mixed-use areas that are focal points for the community. The centers will:

- i. Implement pedestrian-oriented design, consistent with, Goal 3.6.1, Policy d, of the Land Use Element:
 - 1. Commercial and mixed-use buildings placed next to the sidewalk with windows, interesting facades, and pedestrian-scale design features (e.g., lighting, awnings, and signage) along with the majority of parking behind, above, or beneath development.
 - 2. Residential buildings with windows and doors facing the street and privacy provided through landscaping, grade changes, and modest setbacks.
 - 3. Complete streets and sidewalks that provide high-quality space for pedestrians and protect pedestrians from traffic (by using physical barriers or buffers such as curbside parking, landscaping, trees, and street furniture).
- ii. Include areas for community gathering, including urban plazas consistent with THPRD standards.
- iii. Provide direct, convenient access to nearby housing and parks and trail connections to the McKernan Creek Regional Trail, a Metro-designated regional trail, and other nearby trails and bicycle facilities.

Policy b) Allow small-scale commercial activity within the Cooper Mountain Residential land use designation to provide opportunities for residents to have access to goods and services, provide entrepreneurship opportunities, support at-home work options that reduce automobile usage, and create potential places for people to see and meet with fellow neighbors.

Policy c) Regulate small-scale commercial uses in residential zones through zoning provisions that:

- i. Define allowed and conditional uses as well as prohibited uses
- ii. Limit the scale and configuration of commercial structures to be compatible with the scale of their residential context

FUNDING STRATEGIES

Goal 8: Identify feasible, responsible funding strategies to turn the vision into a reality.

FUNDING STRATEGIES POLICIES

- Policy a)** The Cooper Mountain Infrastructure Funding Plan shall inform the city's funding strategies for funding public infrastructure and affordable housing.
- Policy b)** The city will work with other service providers, including but not limited to Clean Water Services, Washington County, Metro, and Tualatin Hills Park & Recreation District, to implement and fund public infrastructure in Cooper Mountain.

APPENDIX A - Acknowledgements

Beaverton City Council

Lacey Beaty, Mayor

John Dugger

Ashley Hartmeier-Prigg

Nadia Hasan

Edward Kimmi

Kevin Teater

Allison Tivnon

Beaverton Planning Commission

Todd Adams

Sean Ellis

Stacey Glenewinkel

Terry Lawler

Chelsea McCann, Chair

Jennifer Nye

Scott Winter, Vice Chair

Cooper Mountain Community Advisory Committee

Ali Al Gafly, Community Member

Jabbar Craigwell, City Resident,
Five Oaks/ Triple Creek Neighborhood

Raymond Eck, Jr, Washington County
Community Participation Organization
(CPO 6) Member

Victoria Frankeny, Tualatin Riverkeepers

Dan Grimberg, Developer

Mike Irwin, David Weekley Homes

Roseann Johnson, Home Building
Association of Greater Portland

Sahar Khalifeh, Community Member

Natasha Kobbe, Cooper Mountain
Property Owner

Preston Korst, HBA

Priya Krishnan, Community Member

Desi Kurtz, Developer

Sam Louke, Cooper Mountain Property
Owner and Washington County CPO-6
Steering Committee Member

Manijeh Mehrnoosh, Community Member

Anthony (Tony) Merrill, Property Owner

Nancy Nagel, Property Owner

Atsuko Roghberg, Unincorporated
Washington County Resident

Ashley Short, Tualatin Riverkeepers

Balpreet (Preet) Singh, Community
Member

Lucia Ullauri, Community Member

Cooper Mountain Technical Advisory Committee

Glen Bolen, Oregon Department of Transportation (ODOT)	Kate McQuillan, City of Beaverton Planning Division
Andy Braun, Clean Water Services (CWS)	Michelle Miller, Washington County
Theresa Cherniak, Washington County	Tim O'Brien, Metro
Tammi Connolly, City of Beaverton Public Works	Andrew Parish, MIG APG
Joe Dills, MIG APG	Jessica Pelz, Washington County
Chris Faulkner, Clean Water Services (CWS)	Steve Regner, City of Beaverton Planning Division
Jana Fox, City of Beaverton Planning Division	Silas Shields, City of Beaverton Site Development Division
Glen Hamburg, Metro	James Smario, Tualatin Valley Fire & Rescue (TVF&R)
Geoff Hunsaker, City of Beaverton Public Works	Steven Sparks, Beaverton School District (BSD)
Gery Keck, Tualatin Hills Parks and Recreation District (THPRD)	Adam Stewart, Hillsboro School District (HSD)
Laura Kelly, Department of Land Conservation and Development (DLCD)	Janelle St. Pierre, Clean Water Services (CWS)
Jabra Khasho, City of Beaverton Public Works	Peter Swinton, Tualatin Hills Parks and Recreation District (THPRD)
Khoi Le, City of Beaverton Site Development Division	Dyami Valentine, Washington County
Kate Lyman, TriMet	Karen Vitkay, Metro
Brian Martin, City of Beaverton Planning Division	Casey Waletich, Hillsboro School District (HSD)
Alissa Maxwell, City of Beaverton Planning Division	Schuyler Warren, Tigard
Robert McCracken, Beaverton School District (BSD)	Katy Weil, Metro
	Rob Zoeller, City of Beaverton Planning Division

Beaverton Inclusive Housing Cohort

Eugenie Adamah-Tassah	Lorri ONeill
Ashlee Agtuca	Sara Onofre
Ammar Al Gayyim	Syed Qasim
Melinda Bell	Freedom Rajee
Esther Del Valle	Ana Robleto
Saray Flores	Napatchaya Rodrigez
Annaelizabeth Fuentes	Gloria Sánchez Keeth
Ferzon Gonzalez	Hugo Alejandro Saucedo-Avila
Nobuko Hoy	Maria Dolores Torres Diaz
Lynn James	Lucia Ullauri
Muneeb Kalenandi	Balen Younis
Griselda Malo	

City of Beaverton Cooper Mountain Planning Team

Brian Martin	Anna Slatinsky
Rob Zoeller	Cassera Phipps
Alissa Maxwell	Brittany Gada
Sarale Hickson	Lauren Russell

And many thanks to all city staff members who contributed to the effort

City of Beaverton Core Project Team

Tammi Connolly, Public Works	Alissa Maxwell, Planning Division
Brian Martin, Planning Division	Steve Regner, Planning Division
Rob Zoeller, Planning Division	Jana Fox, Planning Division
Geoff Hunsaker, Public Works	Jabra Khasho, Public Works
Khoi Le, Site Development Division	
Silas Shields, Public Works	
Kate McQuillan, Planning Division	

Consultant Team

Cascadia Partners

Conzor

David Evans and Associates

DKS Associates

ECONorthwest

MIG|APG

Tiberius Solutions

Todd Prager & Associates

Walker Macy

Wolf Water Resources

Thank you to the advisory committees.

Bicycle Advisory Committee

Beaverton Committee for Community Involvement

Climate Action Task Force

Community Participation Organization 6

Diversity Advisory Board

Housing Technical Advisory Board

Mayor's Youth Advisory Board

Neighbors Southwest Neighborhood Association

HBA Government Affairs Committee

Friends of Cooper Mountain Nature Park

Treekeepers of Washington County

Beaverton Student Advisory Council

American with Disabilities Technical Advisory Committee

Beaverton Committee on Aging

Washington County Board of Commissioners

Metro Policy Advisory Committee

Metro Technical Advisory Committee

Appendix B: Cooper Mountain Natural Resources Report

NATURAL RESOURCES REPORT

Final, August 2024

Prepared by:

David Evans and Associates, Inc.

MIG, Inc.



Executive Summary

This report provides a planning-level review of natural resources within the Cooper Mountain Community Plan (Community Plan) area. Specifically, this report covers wetlands and waterways, riparian areas, and upland wildlife habitats. The goal of this report is to provide project planners with the ecological context to support community plan development for the Community Plan area. A Local Wetland Inventory (LWI) has also been conducted for the Community Plan area. The detailed LWI documentation has been prepared as a separate report; however, the mapping results and general findings are included in this report.

The Community Plan area (see Figure 1) primarily consists of rural lands that are bordered to the east, north, and south by suburban development. The area to the west of the overall Community Plan area consists of rural landscape. The northern edge of the Community Plan area is situated along the top of Cooper Mountain, where topography is typically gently rolling, with slopes gradually steepening to the north and south to each side of the ridge top. In this area, vegetation consists of lawns, suburban landscaping, and remnant tree groves.

Slopes steepen to the south of the Community Plan area, with several drainages flowing generally from northeast to southwest. These drainages typically occur in steep, forested V-shaped ravines, including McKernan Creek, which is the principal drainage. The headwater of Summer Creek is located east of 175th Avenue and drains the easternmost portion of the Community Plan area. Moderately sloping terraces occur between the ravines. These land surfaces typically consist of pasture and more intensive agricultural production including annual crops, vineyards, and orchards. Some wood lots and native forest also occur on the terraced surfaces. The majority of the Cooper Mountain Nature Park (Nature Park) is located within the Community Plan area; however, a portion occurs just outside the area to the northwest. The park contains a host of native plant communities, including Douglas-fir (*Pseudotsuga menziesii*) forest, Oregon oak (*Arbutus menziesii*) and madrone woodlands, and prairie.

The Nature Park is a key natural resource feature within the Community Plan area. As noted above, the park contains a diverse mix of native habitats and considerable restoration work has been—and continues to be—carried out in the park. The park contains the regionally rare upland prairie and oak and madrone woodland habitat, which supports what may be the largest remaining population of the state endangered pale larkspur (*Delphinium leucophaeum*). Park habitats also support populations of sensitive species including meadow checkermallow (*Sidalcea campestris*), breeding populations of Northern red-legged frog (*Rana aurora aurora*), and Western gray squirrel (*Sciurus griseus*). Restoring and enhancing oak and prairie habitat is one of the primary management goals for the park. Additional management goals include improving riparian corridors, enhancing park access through land acquisition and securing trail connections between major publicly owned properties, and keeping important wildlife corridors and buffers intact.



Slopes in the southern third of the Community Plan area, particularly the southwest corner, tend to be gentler than elsewhere. In this portion of the Community Plan area, generally west of SW 175th Avenue, land use is predominantly agricultural and features a mix of annual crop production, pasture, orchards, and viticulture. However, an important partially forested riparian corridor along McKernan Creek extends through this area, with the creek eventually flowing under SW Grabhorn Road and outside the Community Plan area. As development occurs within the Community Plan and adjacent South Cooper Mountain Plan areas, this riparian corridor will be critical to fish and wildlife that may travel between the Nature Park and rural areas west of SW Grabhorn Road.

The Community Plan area east of SW 175th Avenue is associated with the headwaters of the Summer Creek watershed. This area consists of relatively steep terrain with a relatively high percent cover by native trees including Douglas-fir. In comparison to much of the area west of SW 175th Avenue, the area east of the roadway tends to have smaller lot sizes consisting of single-family residences and much less land devoted to agricultural uses.

Summary of Results

Waterways, Wetlands, and Riparian Areas

Roughly 7.83 miles of streams occur within the Community Plan area. All mapped drainages are assumed to be subject to state and federal regulations.

Based on a review of Oregon Department of Fish and Wildlife (ODFW) fish distribution maps, Community Plan area streams do not support populations of anadromous fish, such as salmon and steelhead trout. Likewise, there is limited habitat opportunity for native fish. Streams are fairly small (2 to 3 feet wide by 4 to 12 inches deep) and of relatively high gradient, and their upper reaches likely only flow seasonally. Portions of streams have also been rerouted, piped, and/or ditched. The lower reaches of McKernan Creek, within the Community Plan area, are likely to provide the greatest opportunity for native fish as a result of channel size and consistency of flows.

Although the Community Plan area streams may not provide much on-site habitat opportunity for native fish populations, they do likely provide other important functions. These include habitat for native amphibians, export of coarse organic matter to downstream fish-bearing waters, water source for native wildlife, and macroinvertebrate habitat.

The Community Plan area contains an estimated 23.18 acres of wetlands and probable wetlands. Wetland plant communities typically consist of the forested, scrub-shrub, or emergent classes according to the U.S. Fish and Wildlife Service (USFWS) wetland classification system (Cowardin 1979). Emergent wet prairie wetland is found within the Nature Park, but some portions of this wetland have been planted to create a scrub-shrub community. Agricultural wetlands are also present in areas of annual crop production. Some agricultural fields may use tile drains to reduce saturated soil conditions; use of tile drains results in either a reduction of wetland acreage or the complete removal of wetland conditions relative to historical conditions.



The steeper, forested riparian areas within the Community Plan area generally appear to have good vegetative cover, whereas riparian areas in flatter areas tend to have had greater disturbance to the natural vegetation. Development activities in riparian areas up to a certain distance from the water body are typically regulated and protected for water quality and/or habitat protection purposes by local codes.

Upland Habitats

Much of the high quality upland habitat in the Community Plan area occurs within the Nature Park; however, there is considerable coverage of high quality habitat in private ownership as well. Upland habitat on private land within the Community Plan area is not currently protected by local Washington County and Clean Water Services regulations. The Community Plan project will determine how to protect high quality upland habitat areas, such as through application of a new Natural Resource Overlay designation.



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Acronyms and Abbreviations

Corps	U.S. Army Corps of Engineers
CWS	Clean Water Services
DEA	David Evans and Associates, Inc.
DSL	Oregon Department of State Lands
ESRI	Environmental Systems Research Institute
GIS	Geographic Information System
GPS	Global Positioning System
HBA	Habitat Benefit Area
HGM	Hydrogeomorphic
LIDAR	Light Detection and Ranging
LWI	Local Wetland Inventory
NHD	National Hydrographic Database
NRCS	Natural Resources Conservation Service
OAR	Oregon Administrative Rule
ODFW	Oregon Department of Fish and Wildlife
OFWAM	Oregon Freshwater Assessment Method
RLIS	Regional Land Information System
SNR	Significant Natural Resource
SNRA	Significant Natural Resource Area
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey



Project Overview

The Cooper Mountain Community Plan (Community Plan), which covers an approximately 1,240-acre area, will establish a long-term vision for the area's growth and development to support livable, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection. The area is anticipated to provide at least 3,760 homes, including a mix of single-family and multifamily homes. Annexation and development are not expected to occur until after the planning process is complete.

The plan will be created with the community. Public engagement will intentionally include historically underserved and underrepresented communities to ensure that the plan incorporates a broad array of ideas and feedback.

Report Purpose

This report is intended to provide a planning-level review of natural resources within the Community Plan area. Specifically, this report covers wetlands and waterways, riparian areas, and upland wildlife habitats. The goal of this report is to provide project planners with the ecological context to support concept and community plan development for the Community Plan area. A Local Wetland Inventory (LWI) has also been conducted for the Community Plan. The detailed LWI documentation has been prepared as a separate report; however, the LWI mapping results and general findings are included in this report.

Documentation of natural resources is intended to support compliance with Oregon State Goal 5 and associated Metro Titles 3 and 13. Washington County (County) and City of Beaverton (City) planning codes have also been taken into consideration. The Regulatory Context section of this report discusses the regulatory considerations for the various habitat types that are part of this planning-level review.

Landscape Setting and Land Use

The Community Plan area, shown in Figure 1, primarily consists of rural lands that are bordered to the east, north, and south by suburban development. The area to the west of the Community Plan area consists of rural landscape. The northern edge of the Community Plan area is situated along the top of Cooper Mountain, where topography is typically gently rolling, with slopes gradually steepening to the north and south to each side of the ridge top. In this area, vegetation consists of lawns and suburban landscaping, and remnant tree groves.

Slopes steepen quickly to the south of the Community Plan area, with several drainages flowing generally from northeast to southwest. These drainages typically occur in steep, forested V-shaped ravines, including McKernan Creek, which is the principal drainage. The headwater of Summer Creek is located east of SW 175th Avenue and drains the easternmost portion of the Community Plan area. Moderately sloping terraces occur



between the ravines. These land surfaces typically consist of pasture and more intensive agricultural production including annual crops, vineyards, and orchards. Some wood lots and native forest also occur on the terraced surfaces. The majority of the Cooper Mountain Nature Park (Nature Park) is located within the Community Plan area; however, a portion occurs just outside the area to the northwest. The Nature Park contains a host of native plant communities, including Douglas-fir (*Pseudotsuga menziesii*) forest, Oregon oak (*Quercus garryana*) and madrone (*Arbutus menziesii*) woodlands, and prairie.

The Nature Park is a key natural resource feature within the Community Plan area. As noted above, the Nature Park contains a diverse mix of native habitats, and considerable restoration work has been—and continues to be—carried out. The Nature Park contains the regionally rare upland prairie and oak and madrone woodland habitat, which supports what may be the largest remaining population of the state endangered pale larkspur (*Delphinium leucophaeum*). Park habitats also support populations of sensitive species including meadow checkermallow (*Sidalcea campestris*), breeding populations of Northern red-legged frog (*Rana aurora aurora*), and Western gray squirrel (*Sciurus griseus*). Restoring and enhancing oak and prairie habitat is one of the primary management goals for the Nature Park. Additional management goals include improving riparian corridors, enhancing park access through land acquisition, securing trail connections between major publicly owned properties, and keeping important wildlife corridors and buffers intact.

Slopes in the southern third of the Community Plan area, particularly the southwest corner, tend to be gentler than elsewhere. In this portion of the Community Plan area, generally west of SW 175th Avenue, land use is predominantly agricultural, and includes a mix of annual crop production, pasture, orchards, and viticulture. However, an important partially forested riparian corridor along McKernan Creek extends through this area, and the creek eventually flows under SW Grabhorn Road and outside the Community Plan area. As development occurs within the Community Plan area and adjacent South Cooper Mountain Plan area, this corridor will be critical to fish and wildlife that may travel between the Nature Park and rural areas west of SW Grabhorn Road.

The Community Plan area east of SW 175th Avenue is associated with the headwaters of the Summer Creek watershed. This area consists of relatively steep terrain with a relatively high percentage of cover by native trees including Douglas-fir. In comparison to much of the area west of SW 175th Avenue, the area east of the roadway tends to have smaller lot sizes consisting of single-family residences and much less land devoted to agricultural uses.



Methods

Resource review included a review of Community Plan area background materials, and drive-by and on-site field reconnaissance visits. Field work was conducted during the week of April 20, 2020.

Preliminary Resource Review

Reference materials were reviewed prior to the field investigation to provide information regarding the possible presence of wetlands, water features, hydric soils, wetland hydrology, site topography, and habitat conditions. The materials reviewed included:

- Environmental Systems Research Institute (ESRI) National Geographic World Map for ArcGIS (2020a)
- ESRI ArcGIS OnlineWorld Imagery aerial photo imagery for ArcGIS (2020b)
- Metro Regional Land Information System (RLIS) Geographic Information System (GIS) wetlands layer, hydric soils layer, and GIS streams layer (2020)
- Metro RLIS Natural color orthorectified digital imagery for the Portland Metropolitan area (2019), captured in summer leaf-on conditions on June 29, July 20, 22, 25, 29 and August 5, 2019.
- Metro Technical Report for Fish and Wildlife Habitat (2005a)
- Metro Cooper Mountain Natural Resource Management Plan (2005b)
- NRCS Soil Survey Geographic Database for Washington County, Oregon (2020)
- Oregon Department of Fish and Wildlife (ODFW) Fish distribution GIS layers (2020)
- Shapiro & Associates, Inc. City of Beaverton Local Wetland Inventory and GIS data (2000)
- U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory Wetland Mapper (2020)
- U.S. Geological Survey (USGS) National Hydrographic Database (NHD) GIS high resolution streams layer (2020)
- City of Beaverton, January 2013, LIDAR (LIDAR stands for Light Detection and Ranging, a laser-based contour mapping technology) derived contours (2013)
- David Evans and Associates, Inc. (DEA) South Cooper Mountain Concept and Community Plans Natural Resources Memorandum (2013)
- DEA South Cooper Mountain Annexation Area Local Wetland Inventory (2016)

Resource-specific Methods

The methods used for mapping and evaluating waterways, wetlands, riparian and upland habitats, and wildlife habitat corridors are provided below.

Wetlands and Streams

A local wetland inventory, or LWI, was conducted for the Community Plan area in accordance with Oregon Department of State Lands (DSL) rules, specifically Oregon Administrative Rule (OAR) 141-086. Site access was requested for properties in the Community Plan area to support this inventory. A map of accessed properties can be found in the detailed LWI document. Where access was not granted, assessment from publicly accessible viewing areas and other data sources (e.g., hydric soils per County



soil survey maps) described below was used to evaluate the presence of wetlands. All wetlands 0.5 acre or larger were mapped as wetlands, while wetlands smaller than that were mapped as “probable wetlands.” Although DSL only requires that probable wetlands be mapped as point features (meaning that a single point would represent the wetland), for the Community Plan, these wetlands were mapped as polygons in locations where site access or clear indicators on aerial photographs allowed for a reasonably accurate level of mapping. This polygon mapping was conducted to aid the planning efforts, because these wetland features will likely need to be avoided or encroachment on them will likely need to be minimized. Mapping these features as polygons also enables the creation of buffers (such as Clean Water Services [CWS] “vegetated corridors”), which will also need to be avoided.

Where site access was available within the Community Plan area, sample plots documenting typical conditions for the respective wetlands were completed, and boundaries were mapped using Global Positioning System (GPS). Data collection and wetland boundary delineation followed the Level 2 Routine Delineation Method described in the U.S. Army Corps of Engineers (Corps) Wetlands Delineation Manual (Environmental Laboratory 1987) and further supported by the Western Mountains, Valleys, and Coast Region regional supplement (Supplement) (Corps 2010). This method requires the simultaneous presence of hydrophytic vegetation, hydric soils, and positive wetland hydrology to determine wetland delineations.

Mapping of LWI features was supported through use of high-resolution color aerial photography (ESRI 2020), the USGS NHD high resolution streams layer (USGS 2020), and LIDAR contour data provided by the City of Beaverton (2013). In-office review using aerial and LIDAR contours was conducted using GIS technology, which allowed for viewing information at various scales. Ground truthing occurred on tax lots where access was available and from publicly accessible viewing areas (i.e., roadway right of way).

Mapping of streams started with use of the USGS NHD high-resolution streams GIS layer, which matched very closely with LIDAR contours (City of Beaverton 2013). Stream lines were modified based on field observations where access was available. In other areas, were adjusted to better match topographic contours and aerial photo interpretation.

Wetland functions were evaluated for wetlands greater than 0.5 acre using the Oregon Freshwater Wetland Assessment Method (OFWAM). OFWAM results were used to determine whether any of the wetlands in the Community Plan area qualify as “locally significant wetlands” in accordance with criteria set forth in OAR 141-086-0350. Following DSL guidance, probable wetlands were not included in the evaluation of locally significant wetlands.

Riparian Habitats

In the context of this review, the term “riparian area” refers to the land surrounding wetlands, streams, and other water bodies. Typically, a buffer area of a certain distance from the water body is regulated and protected for water quality and/or habitat protection purposes. These buffer areas are typically determined through various land use codes, and the width of the buffer is determined by a mathematical formula that takes into account measures such as wetland size, stream type, drainage



basin area, and slopes. Beaverton, CWS (the water resources management utility in the area), and Metro all have regulations defining these areas. Generally speaking, the typical buffer width defined by these regulations is 50 feet, and this buffer width can extend to a maximum of 200 feet in areas of steep slopes (i.e., slopes of 25 percent or greater).

Riparian resources throughout the Community Plan area were mapped following CWS standards for determining buffer widths for vegetated corridors, as described in Design and Construction Standards for Sanitary Sewer and Surface Water Management (CWS 2007). However, CWS guidance requires that the determination of whether streams are perennial or intermittent occur during the summer dry season and that two site visits, one month apart, are required to confirm that a stream flows intermittently. Because site visits were conducted in April (i.e., still within the typical wet season rather than the dry season), a determination of perennial or intermittent for streams in the Community Plan area could not be accurately performed. As a result, all Community Plan area streams were assumed to be perennial for the purposes of determining the vegetated corridor. CWS currently does not have jurisdiction in the Community Plan area; however, CWS will have jurisdiction in the future if the Urban Growth Boundary is extended to include this area. Currently adopted Washington County Significant Natural Resource Areas (SNRAs) apply to these areas. CWS vegetated corridors are presumed to cover an equal or greater area than the County SNRAs.

An assessment of the quality of riparian corridors in the Community Plan area was based on Metro Title 13 habitat mapping, which was revised using a combination of site reconnaissance and aerial photo review. Metro's 2005 inventory of regionally significant riparian corridors and wildlife habitat provided the technical basis and starting point for this assessment. Starting with Metro's inventory allowed for the Community Plan natural resources review to incorporate and build on the extensive research, technical analysis, and public review that shaped Metro's regional inventory. DEA, the Community Plan project natural resource consultant, updated the riparian habitat boundaries as a result of changes to the underlying stream and wetland boundary mapping results from the LWI.

Metro classifies riparian habitats into Classes I, II, or III. Class I habitats are the highest quality habitats, and progressively lower quality habitat is provided by Classes II and III. According to the Metro method, these classifications are based on the ability of the riparian habitat to provide the following important ecological functions:

- Microclimate and shade
- Bank function and control of sediments, nutrients, and pollutants
- Streamflow moderation and flood storage
- Organic inputs and food web
- Large wood and channel dynamics
- Wildlife habitat/corridors

The following summarizes the mapping protocols/assumptions used for riparian habitat areas:



- **Riparian Corridor Width.** CWS rules used to determine riparian corridor widths, as follows:
 - 50 ft minimum along perennial flowing streams (all streams presumed perennial for this analysis)
 - 25 ft minimum adjacent to isolated wetlands less than 0.5 acres, 50 ft minimum adjacent to all other wetlands
 - Extension of minimum riparian width where slopes are greater than or equal to 25 percent slope, to a maximum of 200ft
- **Riparian Habitat Quality.** Riparian habitat quality classification within CWS buffers is determined as follows:
 - Forested and shrub habitats rated as Class I
 - More highly disturbed/developed areas (e.g. row crops, roads, residential landscaping, houses) typically rated as Class II.

Upland Habitats

DEA and MIG mapped upland wildlife habitat using Metro Title 13 habitat mapping. As with Metro's inventory, this mapping effort focused on forest vegetation, which provides critical functions for native wildlife in the Willamette Valley, including breeding, foraging, dispersal, and wintering habitat. Grassland and pasture habitats were included only if they were found to contain remnant native grassland or prairie (no such habitats were found outside the Nature Park). Orchards, hedgerows, and small patches of forested habitat were not included unless they were found to contain native oak habitat or to be especially valuable for wildlife migration (primarily due to location). Similar to the mapping for riparian habitats, upland habitat mapping was revised based on site reconnaissance and aerial photo review. Forested areas that had been harvested as of December 13, 2018, which is the date of the area's inclusion in the Metro UGB, were removed from mapping, as were areas where recent residential development had occurred. Evaluating whether areas were forested prior to the area's inclusion in the Metro UGB was determined by analyzing aerial photography captured in summer leaf-on conditions between June 29, 2019, and August 5, 2019. Aerial photography is available through Metro's Regional Land Inventory System (RLIS).

Title 13 upland habitat mapping was based on the following assumptions:

- Large habitat patches are more valuable than small patches.
- Interior habitat is more important to at-risk wildlife species than edge habitat.
- Connectivity and proximity to other habitat patches are important.
- Connectivity and proximity to water are important.
- Unique or at-risk habitats deserve special consideration.

Based on these assumptions, Metro classifies upland habitats into Classes A, B, or C. Class A habitats are the highest quality habitats (those that best meet the above assumptions), and progressively lower quality habitat is provided by Classes B and C (as measured against other habitat patches region-wide).



The following methodology was used to update Title 13 mapping for the Cooper Mountain area:

- **Upland Habitat Locations.** 300' buffers along stream corridors (outside of the stream, wetland, and riparian habitats described above) are included as upland habitat, along with Metro property associated with the Nature Park. Upland habitat outside this buffer that was identified in Title 13 mapping was refined to remove areas no longer forested as of 2019 using aerial photograph review.
- **Upland Habitat Classification.** Areas identified as Upland Habitat were classified as follows for the Cooper Mountain area:
 - All Metro properties were rated as Class A due to their management as protected natural area.
 - Lands within a 300' buffer of a stream or LWI feature was rated as Class A where they contain forested/native habitat, and Class C where they are occupied by agricultural lands, grasslands, or residential development as of 2019 using aerial photograph review, with the exception of Priority Streams discussed below.
 - Priority Streams include McKernan Creek and its tributaries MK4, MK4a, MK4b, MK4ab, and MK5. These streams are of greater habitat value because they provide habitat connection from the Cooper Mountain Nature Park and Winkleman Park areas to lands west of SW Grabhorn that will remain rural for the foreseeable future. Although some upland areas adjacent to Priority Streams lack quality habitat today, they provide important wildlife corridor function, particularly associated with the nature park, that will become increasingly important as the area becomes developed. Land within a 300' buffer of Priority Streams was rated as Class A where they contain forest cover/native habitat and Class B where occupied by agricultural lands, grasslands, or residential development as of 2019 using aerial photograph review.
 - Large patches of forested upland areas outside of this 300' buffer were mapped by Metro as part of the Title 13 adoption process. Where these lands contained forest cover/native habitat as of 2019, they were rated Class B.

Following Metro mapping methods, all areas within 300 feet of streams or wetlands also were mapped, whether they currently contain forested/native habitat (Class A or B), or they are occupied by agricultural lands, grasslands, or residential development (Class C).



Regulatory Context

Streams, Water Bodies, and Wetlands

All mapped drainages, including in-line ponds,¹ are assumed to be regulated by the Corps and U.S. Environmental Protection Agency under Section 404 of the Clean Water Act, and by the DSL under state Removal-Fill law. Mapped wetlands would also be regulated by these agencies; however, the Corps does not take jurisdiction over isolated wetlands, such as some of the small depressional wetlands not connected to streams. Small irrigation or stock water ponds clearly dug from uplands and not connected to jurisdictional waters may be exempt from the jurisdiction of both the DSL and the Corps. Local agencies, including CWS, the City, and the County, also have land use codes that protect streams, water bodies, and wetland resources. In general, regulations give first priority to avoiding these resources. Unavoidable impacts to these resources typically require mitigation.

Riparian Habitats

For the purpose of this natural resources review, riparian area boundaries have been defined in accordance with the methods for determining CWS vegetated corridor widths. As properties are annexed into the City and CWS district, CWS will have jurisdiction, and mapped vegetated corridors in the Community Plan area are assumed to be jurisdictional resources that have development restrictions. CWS requires all degraded vegetated corridors on a parcel to be improved as a condition of issuing development permits regardless of whether the vegetated corridor is impacted. In addition, CWS typically requires mitigation for unavoidable impacts.

CWS vegetated corridors mapped in Community Plan area are for general planning purposes, because as noted above, they currently do not carry CWS development restrictions. However, currently adopted County SNR regulations do apply. County mapping does not specifically show mapping of riparian communities in the Community Plan area; however, it does show a “Water areas, wetlands, and fish and wildlife habitat” SNR mapped along the various stream corridors. This County SNR mapping appears to be limited to the ravine bottoms and does not extend up the slopes as the CWS vegetated corridor mapping does.

In the early 2000s, both the County and the City were partners in the Tualatin Basin Natural Resource Coordinating Committee. Using Metro habitat mapping, this committee developed a voluntary program to protect, conserve, and restore Class I and II Riparian Habitats and Class A Upland Habitats, referred to as Habitat Benefit Areas (HBAs).

¹ An in-line pond is created by blocking flows within the stream channel.



Upland Habitats

The City protects upland habitats through the designation of high-quality areas, typically native forest, as an SNRA. The City's tree and vegetation protections also support protection of forested upland habitats. These protections would apply to the Community Plan area. The City's Resource Overlay will be further developed as a part of the Community Plan project.

As of this writing in December 2023, the County also protects upland habitats through designation of SNRs. However, no SNRs covering upland resources are mapped for the Community Plan area in the County's adopted SNR mapping.

As noted in the discussion of riparian habitats, above, Class A Upland HBAs are currently protected through voluntary means. These voluntary means include habitat-friendly development practices, but they do not necessarily include complete avoidance of impacts to these resources.



Existing Conditions

Drainage Basins and Streams

Roughly 7.83 miles of streams occur within the Community Plan area. The breakdown of the two stream types (perennial versus intermittent) is currently unknown, and because the field work occurred during the spring (not the dry season) and because of limited site access, determination of stream types in the Community Plan area was not conducted. However, many of the streams in the Community Plan area, particularly the upper reaches of these streams, are likely to be intermittent, whereas as the lower reaches likely to flow perennially. Table 1 provides a summary of Community Plan area drainage basins and associated streams. These are also displayed in Figure 2.

Based on a review of ODFW fish distribution maps, Community Plan area streams do not support populations of anadromous fish, such as salmon (*Oncorhynchus* sp.) and steelhead trout (*Oncorhynchus mykiss*). Likewise, there is limited habitat opportunity for native fish. Streams are fairly small (2 to 3 feet wide by 4 to 12 inches deep) and of relatively high gradient, and their upper reaches likely only flow seasonally. Portions of streams have also been rerouted, piped, and/or ditched. The lower reaches of McKernan Creek, within the Community Plan area, are likely to provide the greatest opportunity for native fish, because of their relatively larger channel size and consistent flows.

Although Community Plan area streams may not provide much on-site habitat opportunity for native fish populations, for the reasons described above, they likely do provide other important functions. These include habitat for native amphibians, export of coarse organic matter to downstream fish-bearing waters, water source for native wildlife, and macroinvertebrate habitat.

Those streams with the most intact riparian corridors are likely to be in the best condition. For example, the habitat within McKernan Creek, which primarily flows through a deep, forested ravine, should have greater bank and sediment stability, greater recruitment of woody debris and coarse organic materials, and greater overall habitat complexity than stream channels that have been notably altered and that run through agricultural fields or adjacent to roadways (such as Stream MK-2, which is an altered drainage that has been relocated into a roadside ditch between the edge of a field and the east side of SW Grabhorn Road).

Table 1. Drainage Basins and Streams

Clean Water Services Stream Shed ¹	Clean Water Services Basin ID ²	Water Body ³	Water Body ID ³
Jackson/Lindow	LW	McKernan Creek	MK
	LW	Unnamed tributary to McKernan Creek-1	MK-1
	LW	Unnamed tributary to McKernan Creek-2	MK-2
	LW	Unnamed tributary to	MK-3



Clean Water Services Stream Shed ¹	Clean Water Services Basin ID ²	Water Body ³	Water Body ID ³
		McKernan Creek-3	
	LW	Unnamed tributary to McKernan Creek-4	MK-4
	LW	Unnamed tributary to MK-4ab	MK-4a
	LW	Unnamed tributary to MK-4ab	MK-4b
	LW	Unnamed tributary to MK-4ab	MK-4ab
	LW	Unnamed tributary to McKernan Creek-5	MK-5
	LW	Unnamed tributary to McKernan Creek-6	MK-6
Summer Creek	SM7W4	Summer Creek	SM
	SM7W4	Unnamed tributary to Summer Creek	SM-1
Unnamed Tributary to Tualatin River	SMC	*Unnamed tributary to SMC	SMC
	TR06.5	*Unnamed tributary to Tualatin River	TR-1
	TR06.5	*Unnamed tributary to TR-1	TR-1a
Johnson Creek South	JSBS	No streams mapped in Community Plan area	--
	JSE	No streams mapped in Community Plan area	--
	JSCS	No streams mapped in Community Plan area	--

¹ Data from "CWS_SmallSubBasins" GIS shapefile, "STREAMSHED" data field.

² Data from "CWS_SmallSubBasins" GIS shapefile, "IDALL" data field.

³ Water body IDs assigned by Cooper Mountain Community Plan project.

Wetlands

Table 2 provides a summary of wetlands identified during LWI mapping for the Community Plan project. These are displayed in Figure 2. The Community Plan area contains an estimated 23.6 acres of wetlands and probable wetlands. Table 2 provides a list of individual wetlands, their sizes, and their hydrogeomorphic (HGM) and Cowardin wetland classifications. For the wetland acreage totals provided in Table 2, a wetland size was available only for probable wetlands that have a polygon associated



with them, not for those mapped as a point (entries in the table that are shown as having “0.002” acres.)²

Table 2. LWI Wetland Summary Results for the Community Plan area

Wetland ID ¹	Cowardin ²	HGM	Acres ⁴
PW-MK-1-a	PEM1B	Slope	0.07
PW-MK-4a-a	PEM1B	Depressional	0.002
PW-MK-a	PEM1B	Depressional	0.06
PW-MK-b	PEM1B	Depressional	0.04
PW-MK-c	PSS1B	Slope	0.22
PW-MK-e	PSS1B	Slope	0.48
PW-MK-f	PSS1B	Slope	0.38
PW-MK-g	PSS1B	Slope	0.41
PW-MK-h	PSS1B	Depressional	0.002
PW-SM-a	PEM1B	Slope	0.002
PW-SM-b	PEM1B	Slope	0.13
PW-SM-d	PSS1B	Riverine	0.12
PW-SMC-a	PSS1B	Slope	0.002
PW-TR-1-a	PSS1B	Riverine	0.17
PW-TR-1a-a	PEM1B	Slope	0.002
PW-TR-1a-b	PEM1B	Slope	0.08
PW-TR-1a-c	PEM1B	Slope	0.09
PW-TR-1a-d	PEM1B	Depressional	0.002
W-MK-1	PEM2Bf	Slope	4.01
W-MK-1	PEM1B	Slope	1.10

² The data in Table 2 is based on the draft Local Wetland Inventory submitted to the Department of State Lands in May 2024 and is currently under review as of the date of this report (August 2024).



Wetland ID ¹	Cowardin ²	HGM	Acres ⁴
W-MK-1	PFO1B	Slope	7.26
W-MK-1-1	PEM1B	Slope	1.31
W-MK-4-1	PEM1B	Slope	1.14
W-MK-4-a³	PEM1B	Depressional	0.37
W-MK-4-b³	PSS1B	Depressional	0.002
W-MK-6-1	PSS1B	Slope	1.79
W-MK-6-1	PEM2Bf	Slope	3.21
W-MK-6-1	PFO1B	Slope	1.05
W-SM-c³	PEM1B	Slope	
Probable Wetland Acreage			2.26
Wetland Acreage			21.35
Grand Total			23.62

¹ "W" = wetland, "PW" = probable wetland

² PEM2Bf= Palustrine Emergent, Nonpersistent, Seasonally Saturated, Farmed

PEM1B = Palustrine Emergent, Persistent, Seasonally Saturated

PSS1B= Palustrine Scrub-shrub, Broad-leaved Deciduous, Seasonally Saturated

PFO1B= Palustrine Forested, Broad-leaved Deciduous, Seasonally Saturated

³ Feature has been mapped as a wetland instead of a probable wetland despite being less than 0.5 acres. This is because the feature was part of a past wetland delineation that received DSL concurrence.

⁴ Probable wetlands with acreage of 0.002 are rough estimates of very small features that may be wetlands.

Only four wetlands larger than 0.5 acre occur in the Community Plan area. These tend to be relatively long and linear-shaped wetlands that follow along the McKernan Creek riparian corridors. These wetlands contain a patchwork of palustrine emergent wetlands that are dominated by non-native grasses (e.g., meadow foxtail [*Alopecurus pratensis*]) or are in agricultural production, as well as forested and scrub-shrub wetlands typically dominated by native plant species. One relatively large palustrine emergent wetland area occurs within the Nature Park and contains a relatively diverse native plant community as a result of active management.

Most wetlands were considered to be slope wetlands, because the dominant source of hydrology is likely hillside seepage or shallow subsurface flow. However, several small probable wetlands appear to be fed primarily by precipitation and a small amount of runoff, and had no outlet—these are classified as depressional. Two probable wetlands are fed primarily by flows from small streams rather than mainly groundwater and are classified as riverine.

Table 3 summarizes the functional assessment results for wetlands that are 0.5 acre or more in size. Wetland W-MK-1 meets locally significant wetland criteria (which means at least one of the four functions evaluated rated highly). Wetlands W-MK-1-1, W-MK-4-1,



and W-MK-6-1 do not meet locally significant wetland criteria, primarily because they do not provide fish habitat support and are fed by groundwater rather than river flows because of their positions that are much higher in the watershed than that of Wetland W-MK-1. However, it should be noted that the forested portions of both Wetland W-MK-6-1 and Wetland W-MK-1 meet the criteria for wetlands of Special Interest for Protection, because they are mapped Goal 5 resources.

Table 3. Wetland Functional Assessment Results

Wetland ID	Wildlife Habitat	Fish Habitat	Water Quality	Hydrologic Control	Meets Locally Significant Criteria
W-MK-1	Diverse	Intact	Degraded	Intact	Yes
W-MK-1-1	Degraded	Degraded	Degraded	Degraded	No
W-MK-4-1	Degraded	Degraded	Degraded	Degraded	No
W-MK-6-1	Degraded	Not applicable	Not present	Not present	No

Wetland plant communities typically consist of the forested, scrub-shrub, and emergent classes according to the USFWS classification system (Cowardin 1979). Emergent wet prairie wetland is found within the Nature Park, with portions having been planted to establish a scrub-shrub community. Agricultural wetlands are also present and occur in areas of annual crop production. Some agricultural fields may use tile drains to reduce saturated soil conditions, which results in either a reduction of wetland acreage or the complete removal of wetland conditions relative to historical conditions. The following sections provide additional details about the wetland plant communities.

Forested and Scrub-Shrub Wetland Habitat

The forested wetland habitat is typically dominated by Oregon ash (*Fraxinus latifolia*), red-osier dogwood (*Cornus stolonifera*), Pacific willow (*Salix lucida*), slough sedge (*Carex obnupta*), and reed canarygrass (*Phalaris arundinacea*). The same species, with the exception of Oregon ash, were found within the scrub-shrub wetland habitat.

Emergent Wetland Habitat

Emergent wetland habitats tend to be dominated by non-native pasture grasses. Dominant species typically included meadow foxtail (*Alopecurus pratensis*), tall fescue (*Schedonorus phoenix*), Kentucky bluegrass (*Poa pratensis*), and reed canarygrass.

Riparian Habitats

Aerial photo review reveals that the characteristics of the riparian areas in the Community Plan area correspond to their topographic settings. The steeper, forested riparian areas within the Community Plan area generally appear to have good vegetative cover, whereas riparian areas in flatter portions of the Community Plan area tend to have had greater disturbance to natural vegetation. This pattern is visible in



Figures 3 and 4. The steep ravine side slopes appear to have protected the forest within the riparian zones along these stream reaches. The Nature Park also provides important protection of riparian corridors in the Community Plan area. Table 4 provides a breakdown of riparian habitat classes in the Community Plan area.

Table 4. Title 13 Riparian Habitats in the Community Plan area

Title 13 Riparian Habitats (acres)	
Class I	Class II
135.14	47.68

Plant communities found within designated riparian areas in the Community Plan area include both true riparian plant communities (i.e., those typical of moist soil conditions) as well as those typically considered to be upland communities (i.e., relatively dry conditions). A description of the typical riparian plant community that is adapted to moist soil is provided below. Those plant communities that are adapted to relatively dry conditions and that may occur in the riparian or upland locations in the Community Plan area are described in the Upland Habitat section of this report, below.

Riparian Forest (Class I)

This habitat is dominated by a fairly open canopy of red alder (*Alnus rubra*), big leaf maple (*Acer macrophyllum*), black cottonwood (*Populus trichocarpa*), Douglas-fir, and western red cedar (*Thuja plicata*). The understory includes sword fern (*Polystichum munitum*), snowberry (*Symphoricarpos albus*), Indian plum (*Oemleria cerasiformis*), and tall Oregon grape (*Mahonia nervosa*), among others.

Upland Habitats

Much of the high quality upland habitat in the Community Plan area occurs within the Nature Park; however, there is considerable coverage of high quality habitat in private ownership as well. Table 5 provides a breakdown of upland habitat acreage by habitat class within the Community Plan area.

In addition, although not classified as Class A habitat, the numerous small groves of large conifer trees scattered among the residential units in the Community Plan area do provide valuable habitat, particularly for bird species.

Table 5. Title 13 Upland Habitats in the Community Plan area

Title 13 Upland Habitats (acres)		
Class A	Class B	Class C
243.18	152.38	149.15

Typical wildlife that may occur within upland areas includes numerous mammal species such as raccoon (*Procyon lotor*), black-tailed deer (*Odocoileus hemionus columbianus*), bobcat (*Lynx rufus fasciatus*), coyote (*Canis latrans*), Mazama pocket gopher (*Thomomys mazama*), and little brown bat (*Myotis lucifugus*), among others.



Birds heard during the site visits, including during the South Cooper Mountain Concept Plan site visits in 2013, include numerous songbirds, such as red-breasted nuthatch (*Sitta canadensis*), black-capped chickadee (*Poecile atricapillus*), Bewick's wren (*Thryomanes bewickii*), orange-crowned warbler (*Leiothlypis celata*), yellow-breasted chat (*Icteria virens*), and many others, and may include great horned owl (*Bubo virginianus*), sharp-shinned (*Accipiter striatus*) or Cooper's hawk (*Accipiter cooperii*), and hairy and downy woodpeckers (*Dryobates villosus* and *pubescens*), among others.

The following sections describe habitats outside of the Nature Park. Habitats within the Nature Park are described in detail in the Washington County Master Plan & Management Recommendations (2005). Where these habitats fall within the calculated CWS vegetated corridor, they are classified as riparian communities.

Mixed Forest (Upland Habitat Class A or Riparian Habitat Class I)

In the Community Plan area, forested areas are generally mid-seral to late seral (mid-seral refers to medium-sized trees generally 15 to 19 inches in diameter, and late seral refers to larger-sized trees generally larger than 20 inches in diameter). Overstory vegetation consists primarily of Douglas-fir and red alder, with smaller amounts of Oregon ash and Oregon white oak (*Quercus garryana*). Shrub cover ranges from sparse to dense and is dominated by snowberry, Indian plum, cluster rose (*Rosa pisocarpa*), beaked hazelnut (*Corylus cornuta*), Pacific madrone (*Arbutus menziesii*), poison oak (*Toxicodendron diversilobum*), and oceanspray (*Holodiscus discolorh*). Ground cover consists primarily of sword fern, native trailing blackberry (*Rubus ursinus*), salal (*Gaultheria shallon*), tall Oregon grape, and youth on age (*Tolmeia menziesii*). In densely forested areas, there tends to be minimal invasion of exotic species because of the closed forest canopy, although Himalayan blackberry (*Rubus armeniacus*) is present in places. However, where this habitat mixes with rural and semisuburban residences and roads, understory diversity has been reduced.

Oak Forest (Upland Habitat Class A or Riparian Habitat Class I)

Very little oak forest was present in areas with access, other than the Nature Park. Species in oak forest are similar to those described for mixed forest, but with greater cover by Oregon white oak, Pacific madrone, and poison oak. A few remnant individual oak trees or small oak groves are still present beyond the park boundaries. However, the relatively large grove of oak trees mapped by the Oakquest database north and east of SW Horse Tale Drive is no longer present (see Figure 3).

Young Forest and Mixed Shrub Areas (Upland Habitat Class B or C and Riparian Habitat Class II)

This habitat occurs in relatively unmaintained areas that were clear cut and have not been replanted with trees. Non-native grasses such as tall fescue and Kentucky bluegrass are being succeeded by Himalayan blackberry, trailing blackberry, and young trees. These habitat types were typically assigned to Upland Habitat Class C. Due to the relatively low functions. However, where these habitat types occurred along the main McKernan Creek corridor and McKernan Creek tributary confluence area, these habitat types were assigned to the Upland Habitat Class B category to acknowledge the important wildlife corridor functions they provide.



Agricultural Areas (Upland Habitat Class B or C)

These agricultural areas include fields planted with non-native grasses such as tall fescue and Kentucky bluegrass for pasture and grazing, as well as grape orchards with non-native grasses beneath. These habitat types were typically assigned to Upland Habitat Class C, due to the relatively low functions. However, where these habitat types occurred along the main McKernan Creek corridor and McKernan Creek tributary confluence area, these habitat types were assigned to the Upland Habitat Class B category to acknowledge the important wildlife corridor functions they provide.

Wildlife Corridors

Wildlife habitat areas in Cooper Mountain have been mapped.³ These include creeks, wetlands, and many forested areas. Discussions with natural resource stakeholders and community members during the Cooper Mountain Community Plan process identified several key strategies to protect and enhance habitat areas, which may be implemented by the City, private landowners and developers, and other agencies such as Metro and the Tualatin Hills Park & Recreation District (THPRD). These include the following:

- Strategies to connect significant habitats:
 - Focus conservation efforts to create a large habitat area that includes McKernan Creek, its tributaries, and Cooper Mountain Nature Park.
 - Protect and enhance wildlife corridors connecting “the creeks” to areas to the southwest, north, and east.
- Conservation Strategies:
 - Clustering new housing away from habitat areas.
 - Incentives for property owners and developers to protect habitat areas.
 - Wildlife crossings as part of the transportation network.
 - Linking habitat areas as part of neighborhood design.
 - Trails and public areas to provide access and habitat conservation.
 - Updating natural resource inventories to increase the accuracy of habitat maps.

In the Cooper Mountain area, all jurisdictional waterways, wetlands, and associated buffers will be protected to a degree via federal, state, and local land use regulations. These protected drainageways will provide the primary opportunity for wildlife movement. The wildlife corridors proposed within this section highlight key areas for wildlife movement that would benefit from specific acknowledgment, potential increased protection and/or planning and design guidance.

³ Mapping was based on a preliminary assessment of potential wildlife corridors data conducted in April 2022 and updated based on feedback during a Natural Resource Listening Session for the Cooper Mountain Community Plan conducted on April 12, 2022.



Corridor 1(a - d): This corridor indicates a connection from rural areas west of Grabhorn Road to the Cooper Mountain Nature Park. As the Cooper Mountain area develops, this corridor will become increasingly important to allow large mammals (e.g., deer, coyote) to move between the park and nearby rural areas. This corridor follows McKernan Creek (Corridor 1a) and its tributaries (Corridors 1b -d) and should allow for large mammal passage. This should benefit the local wildlife as well as reduce the risk for vehicle/wildlife interactions.

Corridor 2 (a - c): This corridor connects Corridor 1 to the Summer Creek drainage and associated habitats. Corridor 2a follows McKernan Creek to the east and connects with public lands owned/managed by Metro and Tualatin Hills Park and Recreation District (Winkelman Park area). Corridor 2b continues eastward from Winkelman Park to Summer Creek, crossing SW 175th Avenue. Based on input from the Natural Resource Listening Session it was determined that planned road improvements for SW 175th would likely be unable to provide large mammal passage; however, upland culverts for small animal passage (e.g., raccoons, possums) could still potentially be of benefit. Corridor 2c provides passage from the lower reaches of Summer Creek, located outside of the Cooper Mountain Community Plan, to upper reaches within the Plan area.

Corridor 3 (a - b): This corridor connects the Summer Creek drainage to an unnamed tributary of the Tualatin River that runs through South Cooper Mountain. The future realignment of SW 175th (at High Hill Lane) may provide opportunity for large mammal passage, though it is uncertain how much benefit this would provide due to the expected development in the Cooper Mountain area. However, small animals would still benefit from the creation of a habitat corridor connection.

Corridor 4: This corridor would connect upland habitats at Cooper Mountain Nature Park to upland habitats west of SW Grabhorn Road. Future realignment of Grabhorn Road design efforts in this general area should be reviewed to evaluate whether large mammal passage would be both feasible and beneficial to wildlife and vehicular safety.



Determination of Significance

Statewide Planning Goal 5 requires a determination of significance in order to enact land use regulations to protect an inventoried resource. The resources in this Cooper Mountain Natural Resources Report are determined to be significant or not significant, as follows:

- **Wetlands.** The Cooper Mountain Community Plan area's wetlands are documented in the Local Wetland Inventory (LWI), which follows the Department of State Lands requirements. Wetlands inventoried in the LWI are presumed to be subject to regulation by Clean Water Services and the Department of State Lands (contingent upon further site-specific delineations by property owners) and are therefore determined to be significant for the purposes of City's Goal 5 regulations.
- **Riparian Habitat Areas.** Riparian Habitat Areas (Class I and Class II in the Cooper Mountain area) are acknowledged Goal 5 resources and protected through the Tualatin Basin Plan, implemented by Clean Water Services. They provide valuable ecological services for the local flora and fauna and have environmentally beneficial impacts much further downstream. Therefore, Riparian Class I and Class II Habitat Areas are a significant regional resource.
- **Upland Habitat Areas.** In the Cooper Mountain area, upland habitat class A and Class B represent land with substantial ecological value today or potentially substantial ecological value in the future if protected through land use regulations. These areas were identified by Metro as regionally significant resources when occurring on lands added to the Urban Growth Boundary after December 28, 2005. Upland Class C in the Cooper Mountain area is significantly degraded through development or agricultural use, and not along priority drainages. Therefore, Upland Habitat Class A and Class B resources in the Cooper Mountain Community Plan area are determined to be significant.
- **Wildlife Corridors.** As described in the "Wildlife Corridors" section of this inventory report, the wildlife corridors in the Cooper Mountain area are generally coincident with riparian and upland habitat and will be subject to land use regulation and environmental protection through federal, state, and local law. The limited number of habitat connections that lie outside of protected Riparian/Upland Habitat areas are not specific to an individual location but represent focus areas for further study. For this reason, those wildlife corridors outside of inventoried riparian/upland habitat areas are not determined to be significant resources for the purposes of Statewide Planning Goal 5.



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Figure 1. Cooper Mountain Community Plan Area

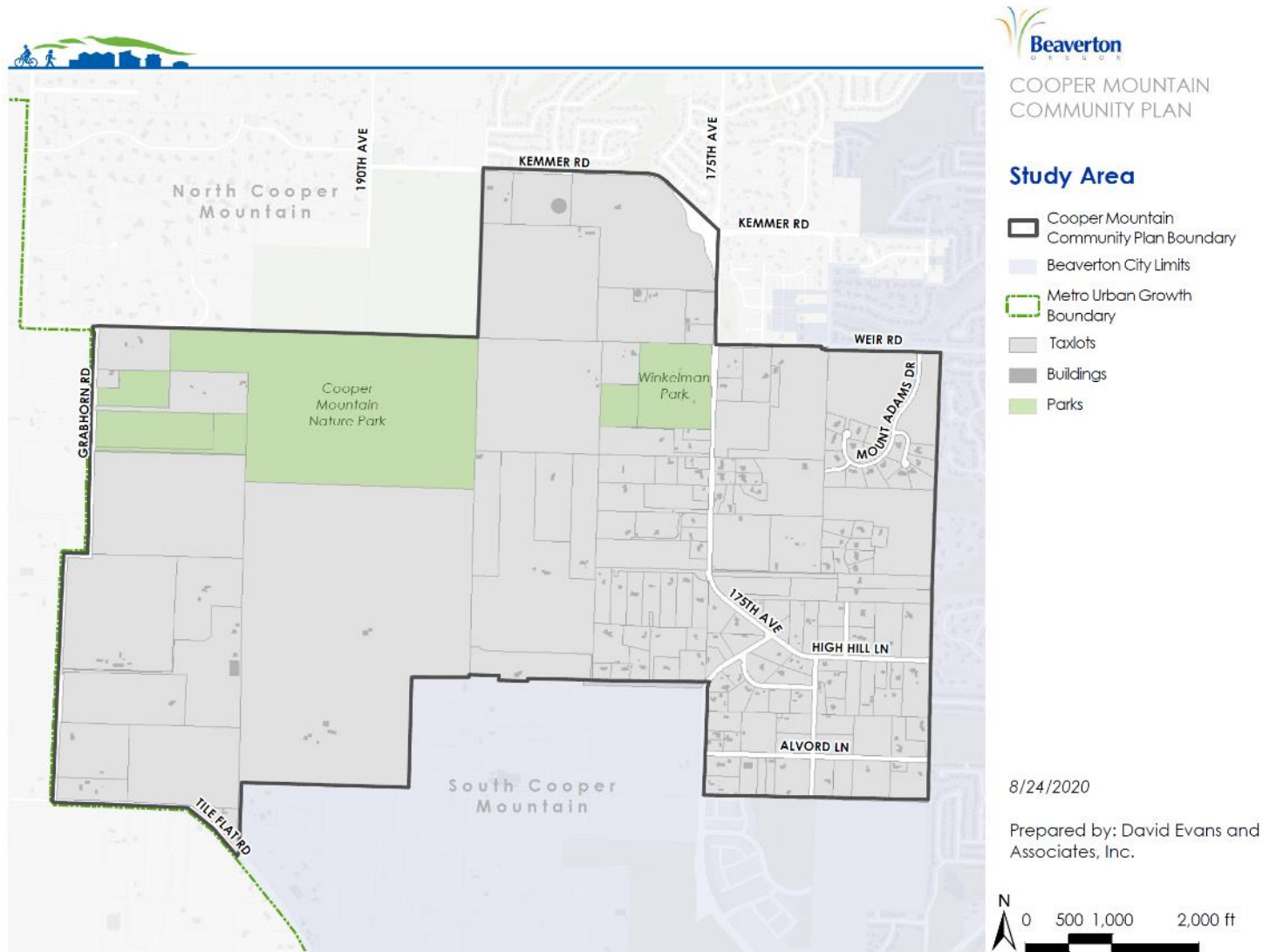


Figure 2. 2019 Aerial Imagery and Cooper Mountain Taxlots

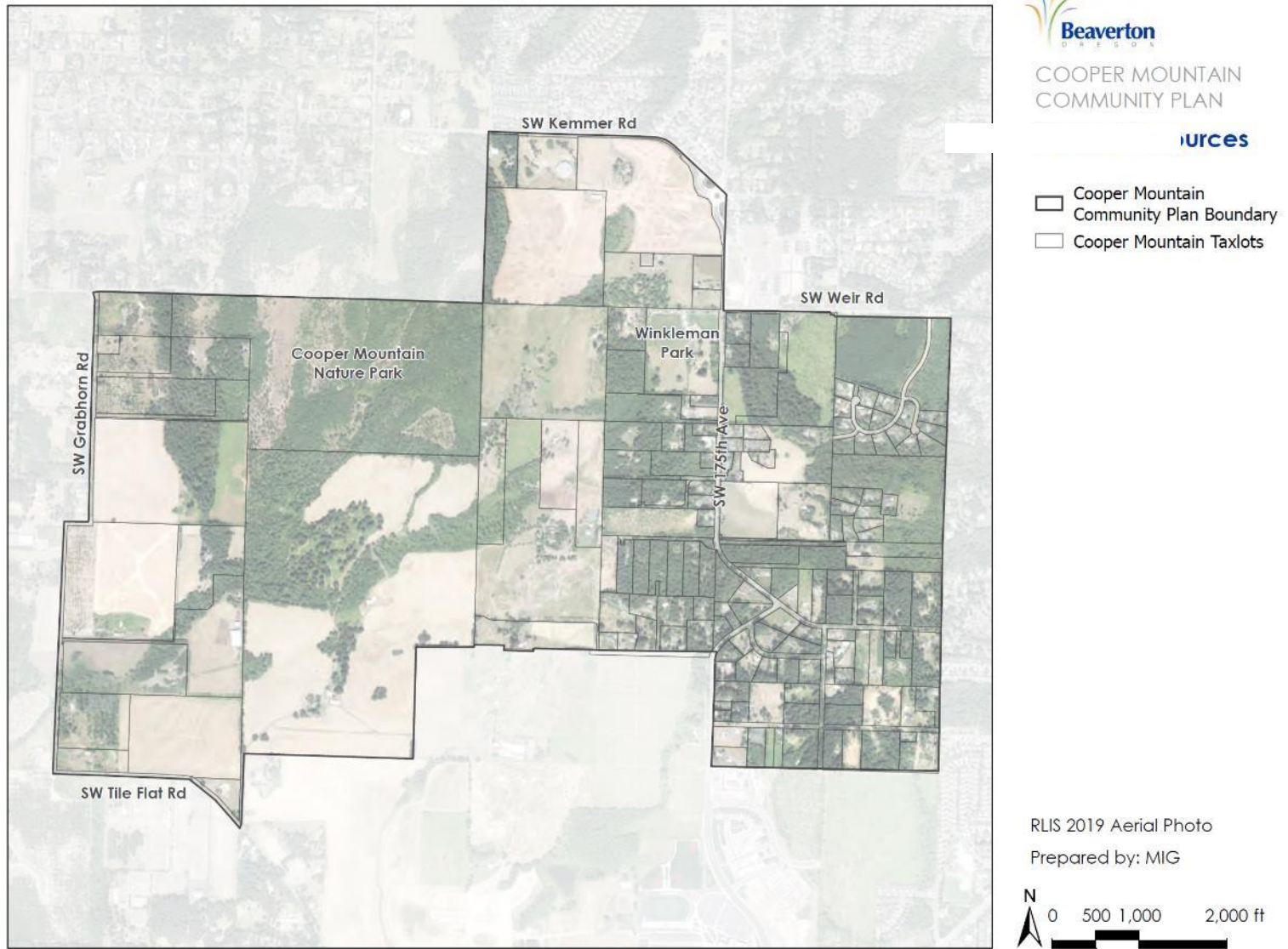


Figure 3. Drainage Basins, Streams, and Wetlands

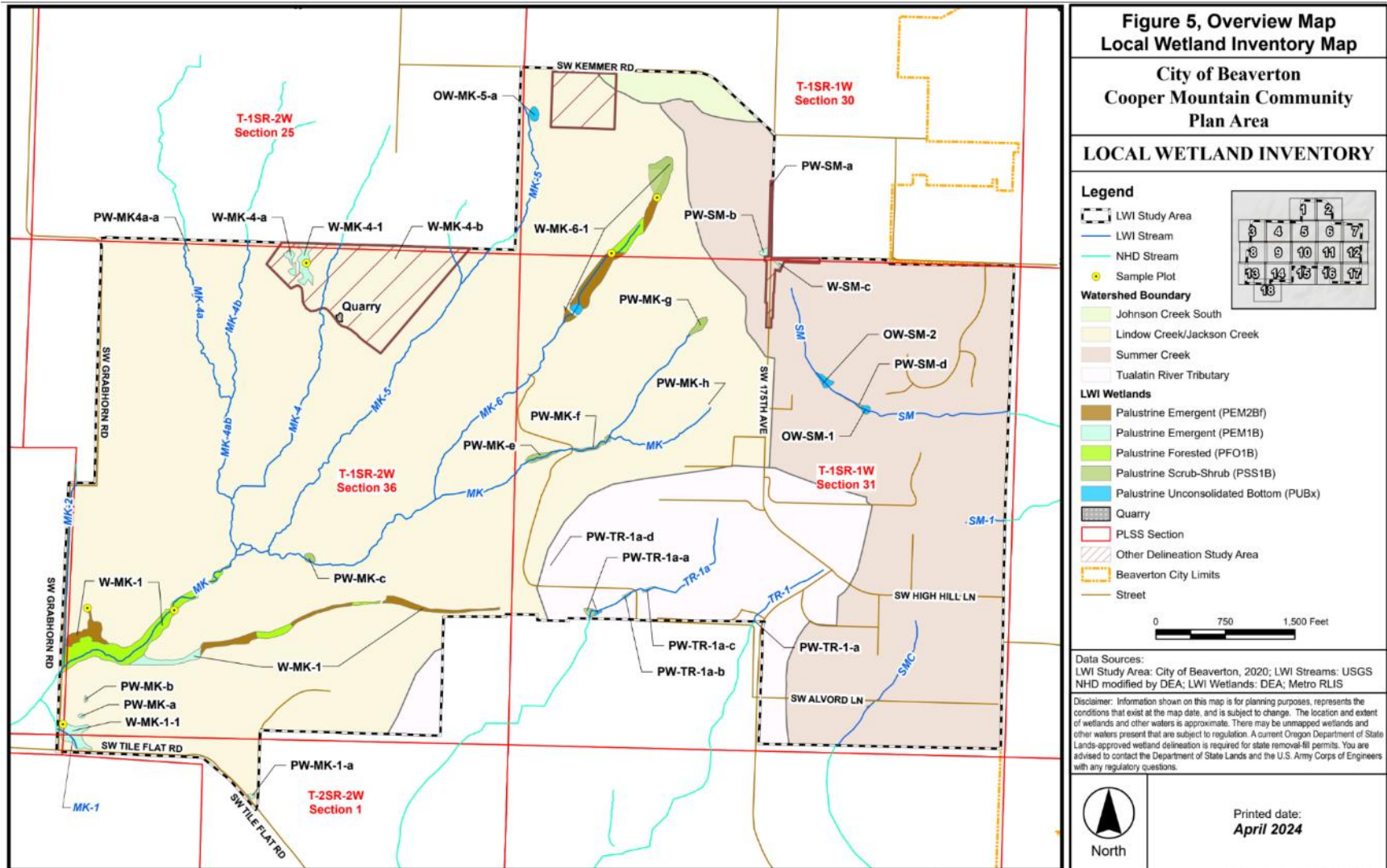


Figure 4. Tree Canopy/Height

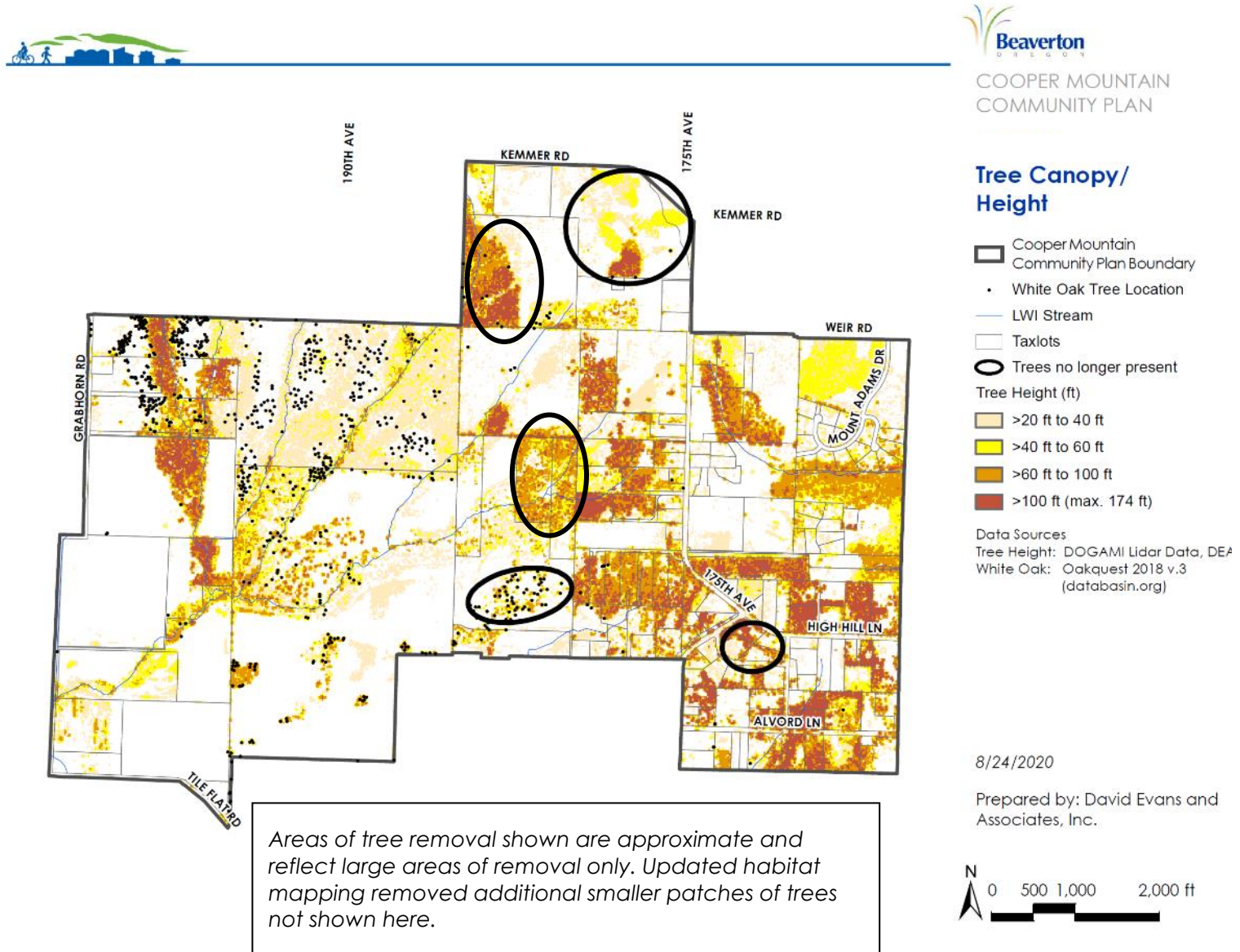


Figure 5. Streams, Local Wetland Inventory (LWI) Features, and Stream Buffers

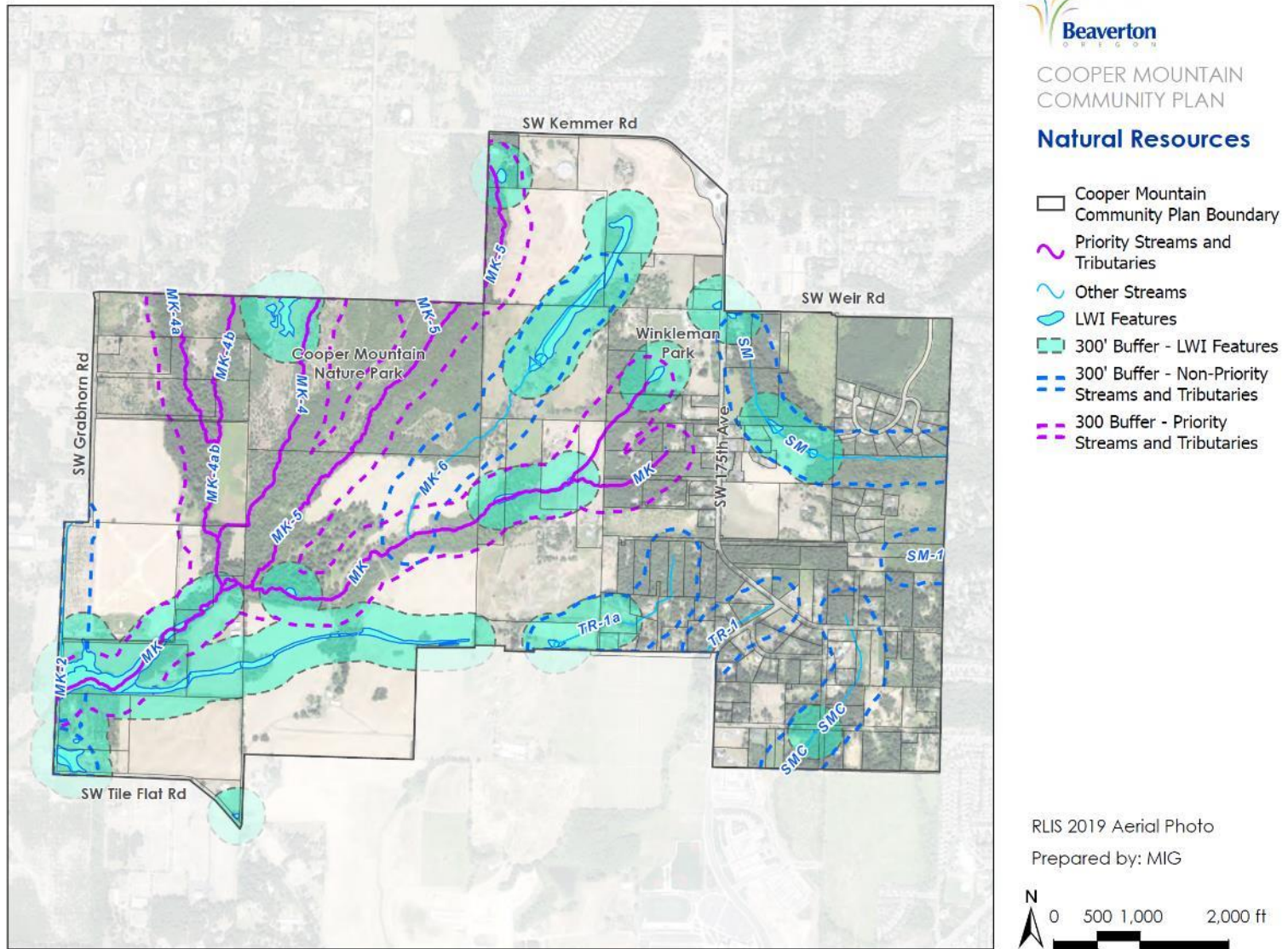


Figure 6. Riparian and Upland Habitats

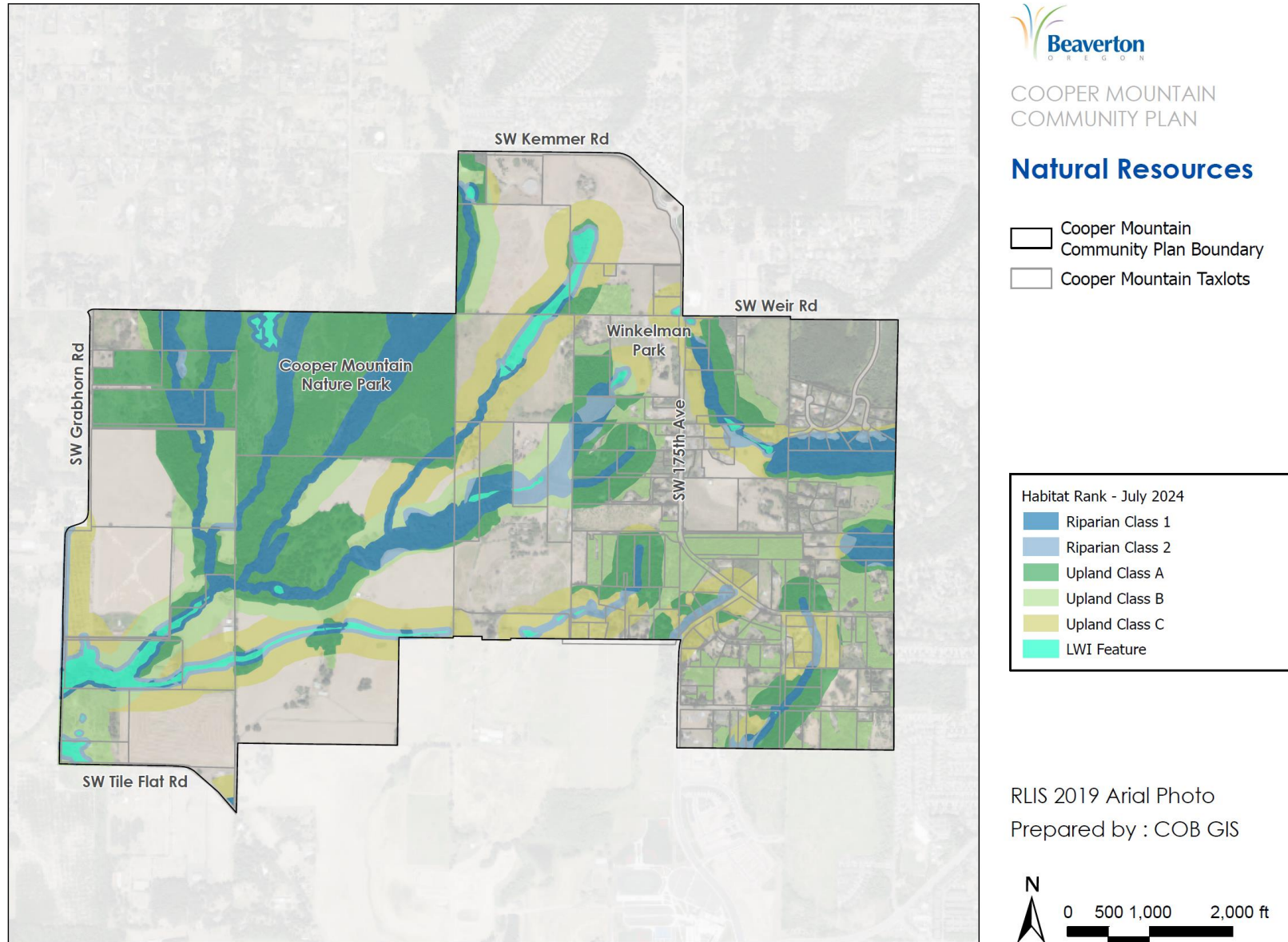


Figure 7. Cooper Mountain Natural Resources Inventory Buffers compared to 2005 Metro Title 13 Inventory

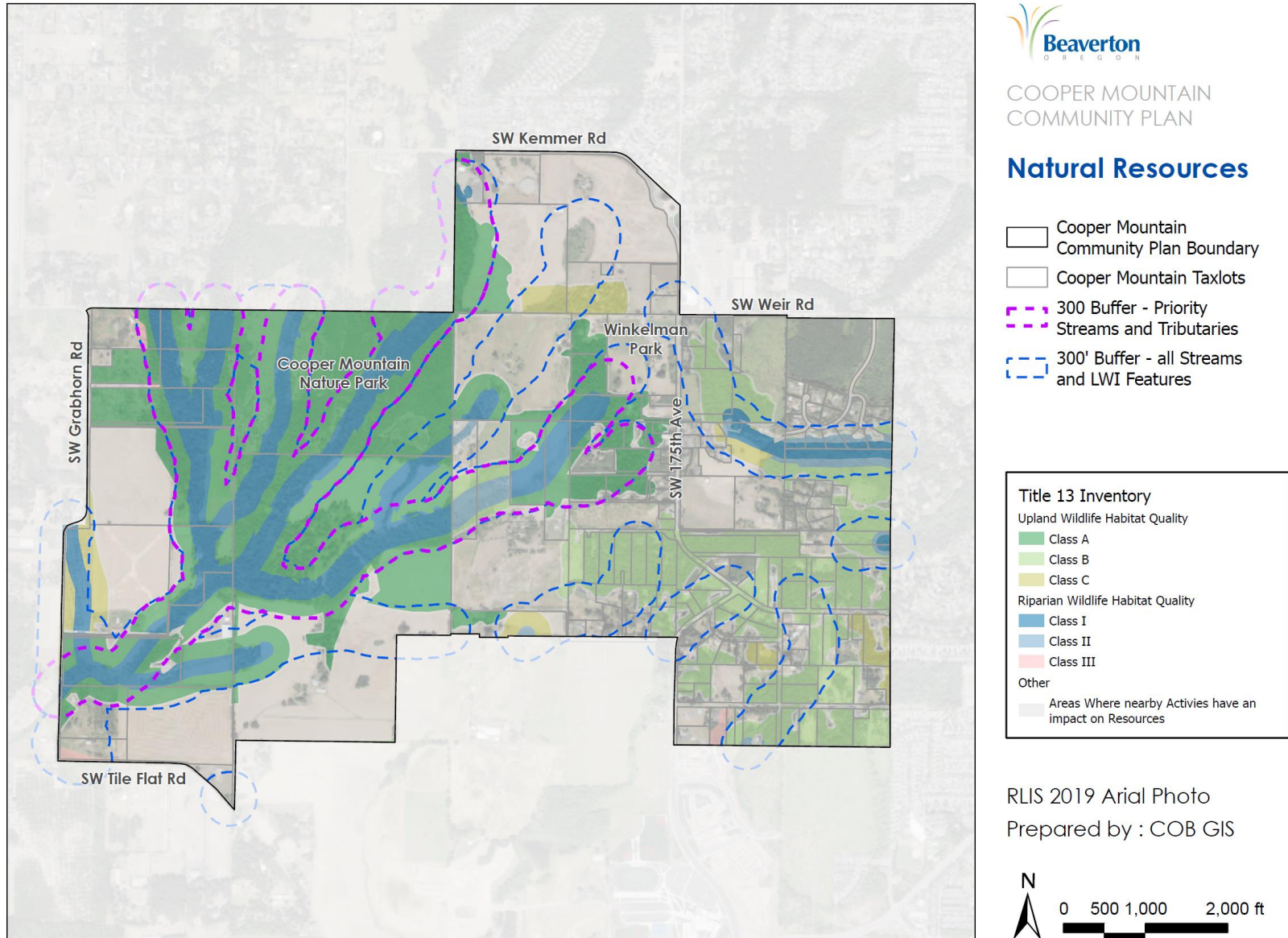
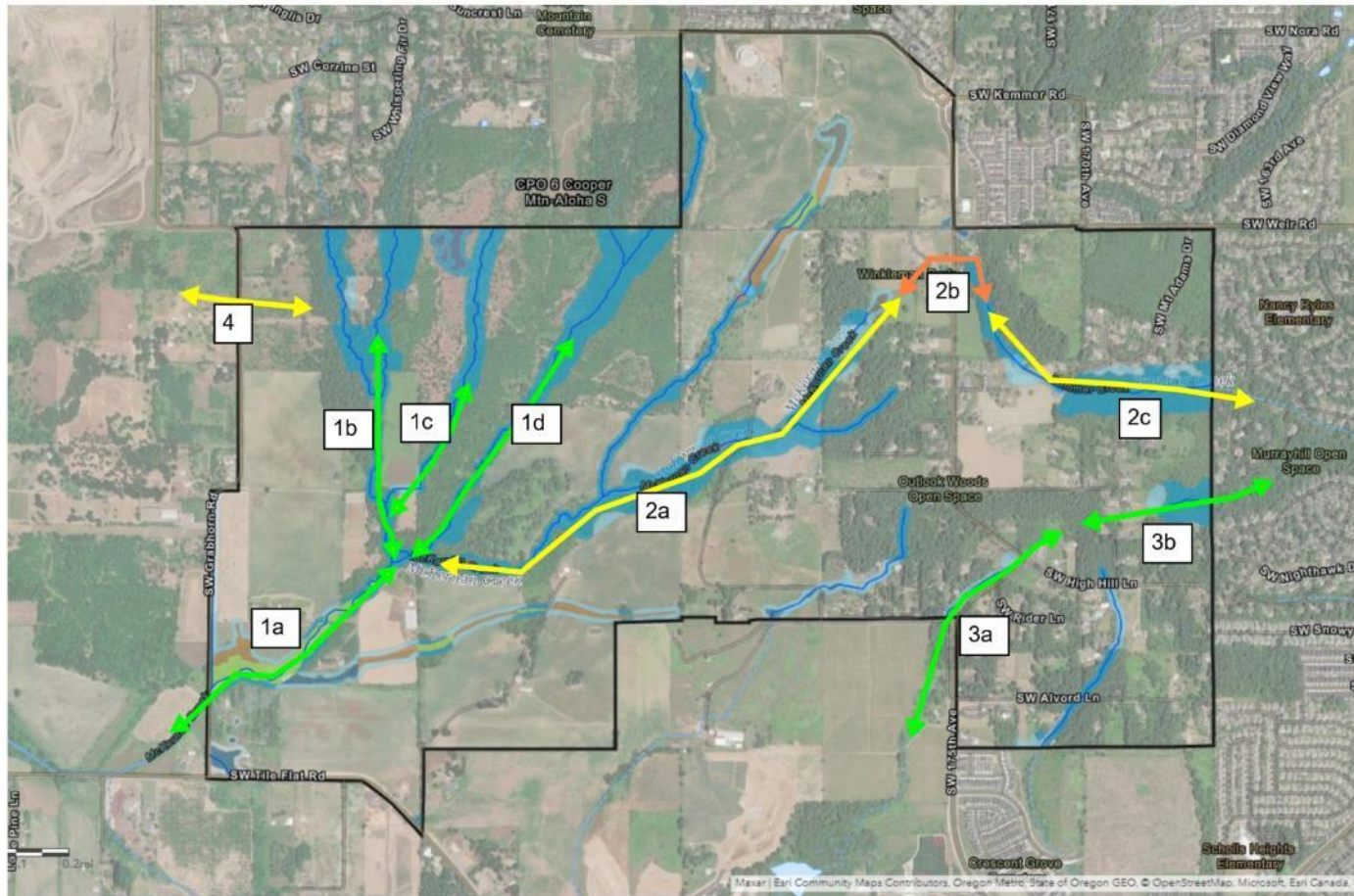


Figure 8. Wildlife Corridor Assessment



Cooper Mountain Proposed Wildlife Corridors (5/4/2022): See page 2 for additional information.

- Green = Primary wildlife corridor. Large mammal passage (e.g., deer, coyote) is highly recommended
- Yellow = Primary wildlife corridor. Large mammal passage feasibility/benefit unknown, but further review may be warranted. Smaller animals would still benefit.
- Orange = Secondary wildlife corridor. May not be suitable and/or of high benefit for large mammals, but may still be beneficial to smaller animals.



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

MEMORANDUM

TO: Project File

FROM: Alisa Maxwell, Capital Planning Project Manager

DATE: September 27, 2024

SUBJECT: Addendum to Cooper Mountain Community Plan, Natural Resources Report

On September 19, 2024, the Oregon Department of State Lands (DSL) approved the Cooper Mountain Community Plan, Local Wetlands Inventory (LWI). The approved LWI includes minor changes from the April 2024 LWI that was used to develop this Natural Resources Report.

The final approved LWI includes updates to naming and classification of wetland features. Specifically, wetland features previously classified as “open water” in the April 2024 LWI report have been classified as “probable wetland” and are included in LWI Wetland Summary Results Tables. As such, the following information in the Cooper Mountain Community Plan, Natural Resources Report (Final, August 2024) superseded by the following:

- Page iii – The Community Plan area contains an estimated 24.415 acres of wetlands and probable wetlands.
- Page 11 - The Community Plan area contains an estimated 24.415 acres of wetlands and probable wetlands.
- Table 2 is superseded by the table below.
- Figure 3 is superseded by the figure below from the approved LWI, dated September 2024.

The locations and sizes of wetland features used in the Natural Resources Inventory are unchanged. The open water features were previously included in the mapping of wetland features for the purposes of identifying riparian and upland habitat areas. The conclusions and recommendations throughout the Natural Resources Report are unchanged. The map of Riparian and Upland Habitat Areas (Figure 6) is unchanged and continues to serve as the Goal 5 inventory for the Cooper Mountain Community Plan area.

Table 1. LWI Wetland Summary Results for the Community Plan area

Wetland ID¹	Cowardin²	HGM	Acres⁴
PW-MK-1-a	PEM1B	Slope	0.07
PW-MK-4a-a	PEM1B	Depressional	0.002
PW-MK-a	PEM1B	Depressional	0.06
PW-MK-5-a	PUBx	Depressional	0.30
PW-MK-b	PEM1B	Depressional	0.04
PW-MK-c	PSS1B	Slope	0.22
PW-MK-e	PSS1B	Slope	0.48
PW-MK-f	PSS1B	Slope	0.38
PW-MK-g	PSS1B	Slope	0.41
PW-MK-h	PSS1B	Depressional	0.002
PW-SM-a	PEM1B	Slope	0.002
PW-SM-b	PEM1B	Slope	0.13
PW-SM-d	PSS1B	Riverine	0.12
PW-SM-d	PUBx	Depressional	0.17
PW-SM-e	PUBx	Depressional	0.33
PW-SMC-a	PSS1B	Slope	0.002
PW-TR-1-a	PSS1B	Riverine	0.17
PW-TR-1a-a	PEM1B	Slope	0.002
PW-TR-1a-b	PEM1B	Slope	0.08
PW-TR-1a-c	PEM1B	Slope	0.09
PW-TR-1a-d	PEM1B	Depressional	0.002
W-MK-1	PEM2Bf	Slope	4.01
W-MK-1	PEM1B	Slope	1.10
W-MK-1	PFO1B	Slope	7.26
W-MK-1-1	PEM1B	Slope	1.31
W-MK-4-1	PEM1B	Slope	1.14
³W-MK-4-a	PEM1B	Depressional	0.37
³W-MK-4-b	PSS1B	Depressional	0.003

Wetland ID ¹	Cowardin ²	HGM	Acres ⁴
W-MK-6-1	PSS1B	Slope	1.79
W-MK-6-1	PEM2Bf	Slope	3.21
W-MK-6-1	PFO1B	Slope	1.05
W-SM-c	PEM1B	Slope	0.11
Probable Wetland Acreage			3.062
Wetland Acreage			21.353
Grand Total			24.415

¹ "W" = wetland, "PW" = probable wetland

² PEM2Bf= Palustrine Emergent, Nonpersistent, Seasonally Saturated, Farmed

PEM1B = Palustrine Emergent, Persistent, Seasonally Saturated

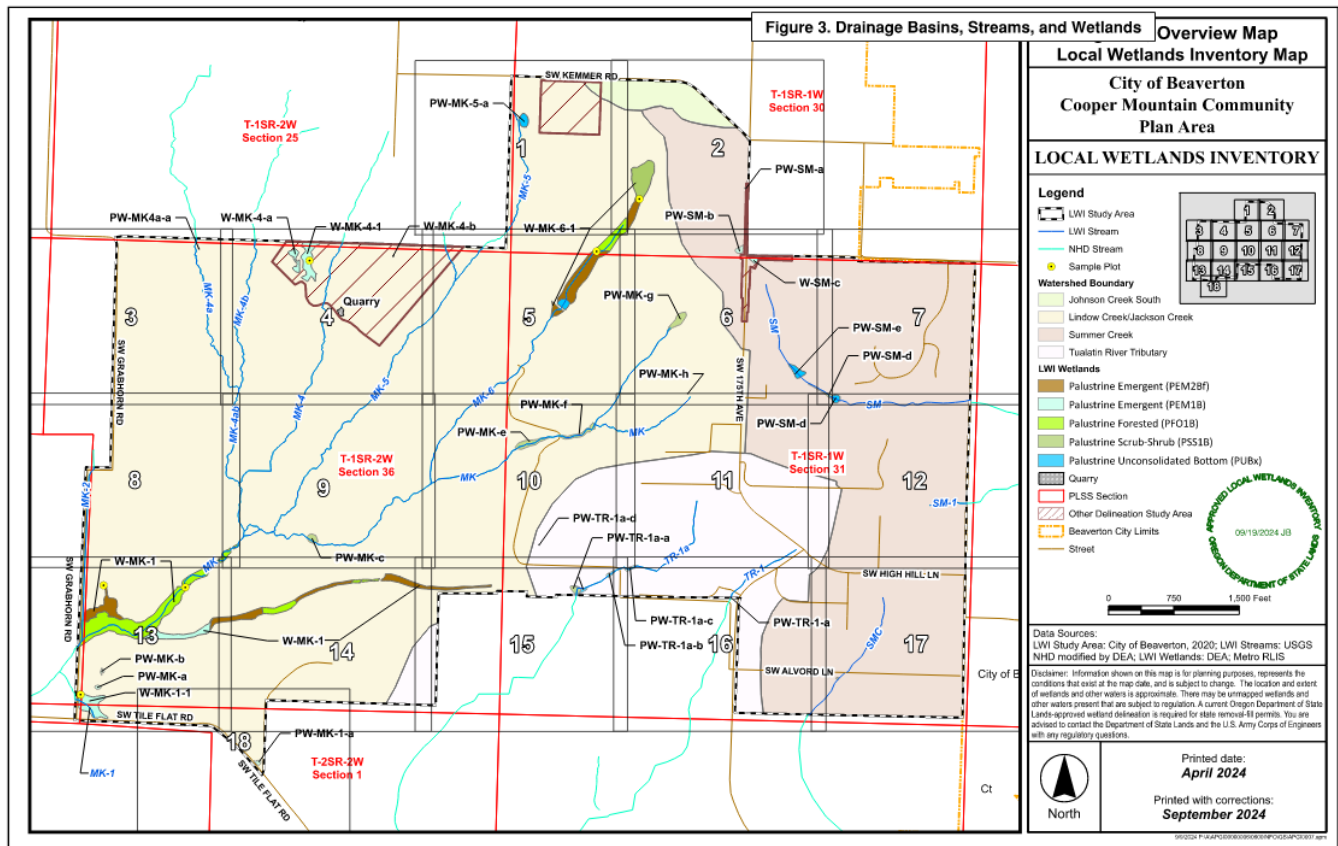
PSS1B= Palustrine Scrub-shrub, Broad-leaved Deciduous, Seasonally Saturated

PFO1B= Palustrine Forested, Broad-leaved Deciduous, Seasonally Saturated

PUBx= Palustrine Unconsolidated Bottom, Excavated

³ Feature has been mapped as a wetland instead of a probable wetland despite being less than 0.5 acres. This is because the feature was part of a past wetland delineation that received DSL concurrence.

⁴ Probable wetlands with acreage of 0.002 are rough estimates of very small features that may be wetlands.



Appendix A: Cooper Mountain Funding Plan



COOPER MOUNTAIN
COMMUNITY PLAN

COOPER MOUNTAIN INFRASTRUCTURE FUNDING PLAN

Final Report | June 27, 2024



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Executive Summary

The Cooper Mountain Community Plan is planning for new walkable neighborhoods with close to 5,000 future housing units. Investments in transportation, water, wastewater, stormwater, parks, and trail systems are needed to support and connect these new neighborhoods. Infrastructure plans for Cooper Mountain address:

- **Projects needed to serve new development in Cooper Mountain** (such as the new roads, pedestrian facilities, and public utility conveyance infrastructure within Cooper Mountain);
- **Projects to increase broader system capacity** to accommodate growth in Cooper Mountain and other areas (such as upgrades to intersections outside Cooper Mountain and pump station construction for water or sewer); and
- **Projects that increase capacity and address other issues**, and are planned to be located within Cooper Mountain (such as water system improvements to increase resiliency, or safety improvements to existing roads).

This infrastructure funding plan provides recommendations for funding projects needed to serve new neighborhoods in Cooper Mountain and estimates how development in Cooper Mountain is expected to contribute toward projects that offer broader benefits.¹

The Funding Plan, like the rest of the Community Plan, is guided by the project's goals, which call for realistically delivering needed infrastructure and supporting equitable outcomes and housing variety to create inclusive new neighborhoods. It builds on years of work to develop the preferred land use approach, identify needed infrastructure improvements, and evaluate a range of potential funding tools. Partner agencies, developers, and other stakeholders have informed this draft plan, and are invited to share additional feedback and perspectives before it becomes final.

Key elements of the funding plan are summarized below.

- **Cooper Mountain development will fund projects needed to serve this area and contribute to funding broader system capacity.** As in most greenfield development, developers will build and pay for much of the infrastructure that will serve the new development, including local streets, local utility collection and distribution networks, and on-site stormwater management systems. Many larger roads and pipes will also be built by developers with cost-sharing mechanisms for the cost of oversizing roads or utility systems relative to local facilities. Larger projects and those that impact properties with little development potential will generally be built by the public sector service provider. However, the funding for cost-sharing and public-sector projects associated with increasing capacity will largely come from fees paid by

¹ Generally, based on legal limitations, development can only be required to pay a roughly proportionate share of growth-related costs for infrastructure. Costs to address existing deficiencies generally cannot be imposed on development.

development: System Development Charges (SDCs) and the Transportation Development Tax (TDT).

- **Other funding sources will contribute to investments needed to address other issues (safety, resilience, etc.).** This could include utility fees, grants, earmarks, or other local sources not imposed on development. Service providers may also choose to use these sources to pay for growth-related costs if appropriate (e.g., for timing reasons).
- **Existing transportation funding sources are likely inadequate to deliver key projects—a new source is proposed for Cooper Mountain to close the gap.** Without a new funding source, nearly all the expected TDT from development in Cooper Mountain would be applied to credits for the oversizing costs of developer-constructed major roads. This would leave little or no revenue from this area to pay for key public capital projects, including a crossing of McKernan Creek and upgrades to 175th Avenue. While the city and County could still prioritize TDT revenues from other areas to pay for these projects, there are many other projects competing for available TDT revenues at any given time. The recommended funding approach includes implementing a new funding source applicable to development in Cooper Mountain to pay for much of the cost of these critical public projects and reduce the need for TDT credits to go toward developer-constructed Collector roads within Cooper Mountain. Even with this new source, the city and County will need to partner to identify funding that does not come from development to cover the non-capacity-related costs of realigning the “kink” in 175th Avenue.
- **Existing funding mechanisms are likely sufficient for public utility infrastructure, though timing may be a challenge for upper elevation neighborhoods.** Under current structures, water, sanitary sewer, and stormwater systems investments are funded through a mix of SDCs (for capacity-related costs) and utility rates (for non-capacity costs). While this plan identifies no funding gaps, as the area develops it is possible that current levels of SDCs and SDC credit mechanisms may fall short. Additionally, development in several of the future neighborhoods in upper elevations is dependent on key utility projects (a potable water booster pump and a key sewer main) that may be challenging for individual developers to deliver on their own. The potable water booster pump will be built by the city, but other capital financing priorities may prevent the city from allocating money to this project before 2030. The sewer main, constructed by Clean Water Services, will need to extend through much of the Community Plan area and cross McKernan Creek. Combining the utility crossing with the future roadway crossing would create cost efficiencies, but would tie sewer availability (and the opportunity to develop in upper elevation neighborhoods) to the timing of this roadway crossing being funded and constructed.
- **Future park plans will require tapping revenue from other areas.** The preferred approach for the Community Plan includes more parks acreage than originally estimated for the area when Tualatin Hills Park & Recreation District (THPRD) prepared the project list for their recently updated SDC. This change creates a funding gap relative to parks SDCs charged by THPRD. However, at the time this plan was written, the existing SDC is estimated to be more than sufficient to cover the cost

of land for parks within Cooper Mountain. THPRD has the ability to consider using SDCs from other areas (or other district-wide sources as applicable) to support the build-out of the Community Park and trail amenities that serve the broader community.

- **The Infrastructure Funding Plan will have limited impacts on the ability to deliver a range of housing types and price points; complementary measures may be needed.** Both infrastructure and development costs in the Cooper Mountain Planning area may be higher than in other urban growth areas due to the steep terrain and requirements for natural resources crossings. Those conditions (along with market forces) are likely to be a driving factor in determining housing types and price points. The additional cost to development associated with the recommended new transportation funding source is likely similar to the supplemental transportation SDC in South Cooper Mountain or other urban growth boundary expansion areas. The city controls few of the existing SDCs applicable to this area, but it should consider how costs for any new sources are allocated relative to unit size, density, and housing type. Additional measures to support housing variety and affordability are discussed in a separate memorandum.

1. Introduction

1.1. Purpose

The Infrastructure Funding Plan identifies funding strategies for the necessary infrastructure to support the goals and preferred approach of the Cooper Mountain Community Plan. The Funding Plan covers not just city infrastructure, but also infrastructure provided by Washington County, Clean Water Services, and Tualatin Hills Park & Recreation District, addressing transportation, potable water, non-potable water, sewer, stormwater, and parks and trails. These infrastructure providers have existing authority to assess charges on new development. This plan does not address private utilities (e.g., electricity, natural gas); other public services such as fire, police, schools, and libraries for which capital facilities are typically funded by general obligation bonds; or funding for affordable housing (which is addressed in a separate document). The Infrastructure Funding Plan will be adopted as part of the Community Plan. The funding strategies envisioned by this plan are generally options that require future consideration and action by the city or partner agencies for the strategy to be implemented. Future work that may be required includes follow-up efforts, such as putting new funding sources in place, updating project lists, or applying for grants.

1.2. Background

Cooper Mountain is a 1,200-acre expansion area that was added to the urban growth boundary in 2018. The Community Plan is planning for new neighborhoods that will bring close to 5,000 new housing units to Cooper Mountain at full buildout. The ultimate vision of the Community Plan is to “create a community of walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection.”²

The Community Plan identifies regulations and funding tools to guide and support this growth and align it with the city's goals for the area. Annexation and development are not anticipated to occur until after the community plan process is complete.

1.3. Guiding Principles

The Funding Plan must align with the goals of the Community Plan:

1. Create equitable outcomes for residents, including underserved and underrepresented communities.
2. Provide new housing in a variety of housing types and for all income levels.
3. Preserve, incorporate, connect, and enhance natural resources.

² City of Beaverton, [Cooper Mountain Community Plan \(DRAFT\)](#), June 14, 2023.

4. Improve community resilience to climate change and hazards.
5. Provide public facilities and infrastructure needed for safe, healthy communities.
6. Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.
7. Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.
8. Identify feasible, responsible funding strategies to turn the vision into a reality.

These principles call for an Infrastructure Funding Plan that both realistically delivers needed infrastructure and supports equitable outcomes and housing variety that can help create inclusive new neighborhoods. These principles have informed the approach to closing funding gaps and the identification of appropriate funding strategies for this area. In addition, the city is considering possible exemptions or reduced cost share for certain housing types.

1.4. Inputs to the Funding Plan

1.4.1. Funding Options Assessment

The Infrastructure Funding Plan builds on the Cooper Mountain Funding Options Assessment (FOA) completed in 2021 by ECOnorthwest in collaboration with Tiberius Solutions, Angelo Planning Group, consultants working on the infrastructure analysis, and city staff. The FOA took a preliminary look at key infrastructure needs and potential funding challenges for the Community Plan area; summarized existing funding mechanisms and cost-sharing policies in use by the city and the other service providers for the area (e.g., Washington County, Tualatin Hills Park & Recreation District (THPRD), and Clean Water Services (CWS)); and discussed potential new funding tools to consider in Cooper Mountain, including equity and fairness considerations. The FOA also included a review of prior work on infrastructure funding for South Cooper Mountain to understand what strategies the city might continue or change for this plan.

1.4.2. Infrastructure Planning

The Infrastructure Funding Plan draws on infrastructure planning and analysis work for the Community Plan, including:

- Transportation impact analysis (DKS Associates)
- Cooper Mountain Utility Plan for water (potable and non-potable), sewer, and stormwater (Conсор)
- Parks and trails planning (MIG)

This infrastructure planning and analysis generated the project lists and cost estimates included in this Infrastructure Funding Plan.

1.4.3. Land Use Assumptions

The land use assumptions that informed revenue estimates are based on the Preferred Approach for the Community Plan as of June 2023.

Exhibit 1: Estimated Housing Units in Cooper Mountain at Buildout

Source: DRAFT Cooper Mountain Community Plan, June 2023, Table 1

Neighborhood	Single-Detached Dwellings	Middle Housing and five- and six-plexes	Multi-dwellings (at least 7 units)	Total
Cooper Lowlands	420	280	440	1,140
Grabhorn Meadow	270	180	100	550
High Hill	350	230	90	670
Hilltop	270	180	250	700
Horse Tale	170	110	170	450
McKernan	230	150	0	380
Siler Ridge	170	110	190	470
Skyline	100	70	100	270
Weir	210	140	0	350
TOTAL	2,190 (44%)	1,450 (29%)	1,340 (27%)	4,980 (100%)

In addition, the Preferred Approach includes two commercial areas at roughly 5 acres each plus opportunities for additional commercial development in other areas. ECONorthwest estimated the potential commercial development at between roughly 96,000 and 167,000 square feet.

1.4.4. Engagement

The Cooper Mountain Community Plan strives for equitable outcomes for residents, including underserved and underrepresented communities. The project team actively sought public input from a broad, diverse audience at key project milestones. The city provided opportunities for community members, technical specialists, and decision-makers to share ideas and provide input throughout the project using a range of outreach activities.³ Activities that specifically informed the Funding Plan include:

³ Documentation of Community Plan engagement activities is available through the City of Beaverton's [Cooper Mountain project website](#).

- **Community Plan Technical Advisory Committee:** The Technical Advisory Committee was convened to discuss the infrastructure elements related to different planning concepts. The Committee met nine times between 2021 and 2023.
- **Funding Options Assessment:** The Funding Options Assessment (FOA) discussed above was published in February 2021. The FOA was posted online for public comment and has supported staff conversations with residents, property owners, and potential developers since 2021.
- **Funding Work Group:** In 2022, the city convened a funding work group that included staff representatives from the City, Washington County, Clean Water Services, Tualatin Hills Park & Recreation District, and members of the Funding Plan consultant team (ECONorthwest, Tiberius Solutions, and Angelo Planning Group). The work group reviewed the FOA and laid out a path to collaborating on an agency-to-agency basis to refine the funding analysis and strategies.
- **Partner Agencies:** Staff met individually with partner agencies, including Washington County, Clean Water Services, and Tualatin Hills Park & Recreation District, in November and December 2023 to review up-to-date project cost estimates and preliminary funding strategy approaches.
- **Private Developers:** Staff met one-on-one with interested developers in January and February 2024 to discuss funding approaches, including the public-private split of project costs across infrastructure types. Developers will also have opportunities to provide public comment on preliminary funding strategies presented by city staff at City Council work sessions in early 2024.

2. Funding Plan

2.1. Funding Sources Overview

Key sources to fund infrastructure for greenfield development in Oregon are summarized in brief below. This section provides an introduction to the terminology and basic concepts for sources that are broadly applicable across the Community Plan area; each of these are discussed in greater depth in relation to specific infrastructure systems and projects later in the plan. See also [Appendix C](#) for a more detailed description of these funding sources, as well as additional mechanisms not included in this plan.

- **System Development Charges (SDCs):** SDCs are one-time fees paid by new development (or, in some cases, re-development) at the time of development. They are intended to capture an equitable share of the cost of “system” capacity—large backbone facilities that provide service system-wide or to a portion of the service area, with extra capacity beyond an individual development’s needs. They can be based on the value of existing facility capacity available to serve growth and/or the cost of building future facilities to provide additional capacity to serve growth.⁴
 - SDCs can be applied uniformly throughout a service providers’ district, or rates can be differentiated in different geographies. This can include establishing a **Supplemental SDC** that only applies within a defined geographic area for SDC-eligible capital projects that increase capacity and benefit/serve the defined area.⁵
 - When SDCs are established based on a project list that covers a broad service area (e.g., citywide), revenues from all development in the jurisdiction are generally combined and allocated toward eligible projects based on when projects are needed. There is no requirement that revenues collected in a specific growth area must be used on projects within that area. However, supplemental SDCs are typically tied to a specific subarea and a narrower project list to serve that subarea. This restriction can create phasing and timing challenges in implementing larger infrastructure projects.
 - Developers are often required as a condition of approval to build infrastructure components that are larger or have more capacity than is needed to serve the development itself—these are known as “qualified public improvements.” **SDC credits** provide a mechanism to recognize the additional cost of the over-sized infrastructure built by the developer, by crediting future payments of SDCs. The City of Beaverton applies credits

⁴ ECOnorthwest, Galardi Rothstein Group, and FCS Group, [Oregon System Development Charges Study: Why SDCs Matter and How they Affect Housing](#), 2022, p.1.

⁵ Note that a similar outcome can be achieved through area-specific fees established through development agreements at time of annexation.

against the SDCs owed by infrastructure category, which means those charges are not collected.⁶

- Transportation Development Tax (TDT) is a voter-approved source in Washington County that functions as a transportation SDC. The Plan discusses TDT in more detail in the [Transportation](#) section.
- **Developer Contributions:** Developer contributions are payments or in-kind work by developers for infrastructure needed to develop their properties. This can include facilities developers build and turn over to the public sector (e.g., local roads and water/sewer distribution lines), exactions required as a condition of development (e.g., contributions of land for a park or sidewalk), and sometimes negotiated developer contributions for infrastructure or public amenities through a development agreement.
- **Utility Rates:** Water, sewer and storm water utility rates are charged on an on-going basis (e.g., monthly) to all customers connected to a given system. In the Community Plan area, all area service providers that charge on-going rates also charge SDCs for new development, and SDCs are the primary source of revenue for projects to serve new development. However, rates can supplement SDCs and fund infrastructure that also serves existing customers.
- **Local Improvement District (LID):** An LID is a special assessment district in which a group of property owners within a specific area share the cost of a capital project or infrastructure improvement that benefits them. Each property's assessment is proportional to its share of benefits. The assessment is due when the project costs are finalized, and places a lien on the property until paid, but property owners can choose to pay in installments over up to 20 years. For properties within an LID, the payment obligations are due regardless of whether the property is ready to pursue new development. Creating an LID requires many steps, including a public hearing and support from a majority of affected property owners.⁷
- **Reimbursement District:** A reimbursement district is a cost sharing mechanism, typically initiated by a developer, though it can be initiated by the local government.⁸ It provides a reimbursement method to the party who initially pays and builds an infrastructure improvement that will benefit others, through fees paid by property owners at the time the property benefits from the improvement, generally when building permits or other permits are issued.

⁶ Some jurisdictions require developers to pay SDCs when development plans are approved and issue credits as reimbursements after the facilities are completed. See Oregon System Development Charges Study, p. 126.

⁷ State law specifies the steps to form a LID. The City of Beaverton enables LID formation in the municipal code for a variety of infrastructure types and has specific provisions for the use of LIDs for newly developing areas. See Chapter 3.02: Local Improvement Procedures.
<https://www.codepublishing.com/OR/Beaverton/html/Beaverton03/Beaverton0302.html>

⁸ Reimbursement districts can be both a funding source (if they pay for infrastructure that would not otherwise be funded) and a financing mechanism (in that they allow one party to lay claim to future developer contributions).

- **Grants, Loans, Appropriations:** There are federal, state, and regional funding and financing programs for infrastructure that local governments can apply for or request. These programs may provide grants, loans, or appropriations ("earmarks") for specific projects.
 - Grants do not need to be repaid, though they typically require local matching funds for a certain percentage of total project costs. Grants are more common for transportation and parks than for water resource infrastructure. They are often competitive, though eligibility criteria, funding priorities, and competitiveness vary by program.
 - Loans to governmental entities for major infrastructure projects generally offer lower interest rates or other favorable financing terms compared to bonds or other debt. Loans (often structured as revolving loan funds) to governmental entities are much more common for water resources infrastructure than for transportation or parks, because they are typically repaid with revenue from utility rates, which are relatively consistent and predictable over time. Thus, they are not truly a source of additional funding, but rather a low-cost financing mechanism to frontload utility rate revenue to pay for capital projects.
 - Appropriations or earmarks are funds allocated to specific projects by a legislative body (e.g., state or U.S. legislature). There are no explicit criteria for such appropriations, but they are generally reserved for projects that align with legislative priorities and offer compelling benefits to the region or state.

2.2. Key Concepts

There are several important considerations in evaluating infrastructure funding options. This section describes these in brief; see the Cooper Mountain Funding Options Assessment for a longer discussion of these key concepts.

Who Pays?

Different funding tools draw revenue from different parties. However, the person who pays a tax or fee may not be the same person who ultimately bears the burden of that cost. Identifying who ultimately bears the cost of a tax or fee is known as "incidence." This is particularly relevant for costs imposed on new development.

Developers pay for SDCs and other fees and costs imposed on development, but developers generally absorb little or none of this cost themselves. Home prices, and most rents, are market-driven. In a strong market, these fees and costs of development are passed on to homebuyers and renters, especially if the new housing offers compelling amenities or housing supply is tight. If vacant land has no amenities on it, the initial property owner typically absorbs at least a portion of the costs to develop through a reduced sales price for the land, depending on the availability of

comparable developable land. Overall, the distribution of costs will vary based on market conditions and a variety of other factors.⁹

Is the Funding Option Fair?

The concepts of fairness and equity in public finance have several dimensions that consider who benefits, who has the ability to pay, how the mechanism may change behavior, or how it may achieve redistributive goals. The relative importance of each of these considerations will vary based on context.

For an infrastructure Funding Plan for a new growth area, specific fairness and equity considerations include:

- How much growth should be asked to pay for itself?
- How can funding mechanisms be designed to support goals related to housing affordability and inclusive neighborhoods?
- How are costs shared geographically relative to benefits?

Funding plans for new growth areas generally try to avoid imposing costs on, or diverting funds from, other areas unless the infrastructure investments will benefit the residents of those other areas as well. However, there is no requirement that infrastructure needed to serve a growth area be fully paid for by development in that area, nor that all revenue generated within a growth area from sources that apply more broadly be directed toward infrastructure in that area.

Equity Considerations for Infrastructure Funding

Pursuing racial equity in an Infrastructure Funding Plan requires acknowledging the history of racially discriminatory development policies in the United States and in Oregon, specifically. Federally-subsidized suburban growth in the postwar era—including in Beaverton and other Washington County suburbs—often included racially-restrictive covenants that excluded people of color from buying homes in the new suburban neighborhoods.¹⁰ The city seeks to ensure future development in Cooper Mountain is inclusive of individuals and families from a variety of backgrounds and income levels and that infrastructure funding choices do not interfere with that goal.

Rising development costs can hinder development of lower-priced, market-rate housing and increase the need for subsidies for affordable housing. There is also evidence that the type of costs considered in the Funding Plan can be passed on to future homebuyers or renters in some circumstances. However, a large share of the total cost of greenfield development, including the cost of building infrastructure specific to

⁹ EConorthwest, Galardi Rothstein Group, and FCS Group, *Oregon System Development Charges Study*, 2022, p. 10–13.

¹⁰ EConorthwest, Galardi Rothstein Group, and FCS Group, *Oregon System Development Charges Study*, 2022, p. 18–19.

one property or one subdivision development, is outside the purview of this Funding Plan, and none of the broadly based strategies for funding system-wide infrastructure can guarantee the delivery of specific types of housing at specific levels of affordability.

In addition, reducing infrastructure costs for development in growth areas by contributing more funding from non-growth sources can shift the burden to the broader population, and draw resources from high-priority, pre-planned projects. This shift may also burden a greater share of lower-income or disadvantaged households than the new growth area. This Funding Plan balances these realities by considering how and to what extent the available options can support or hinder development of a range of housing types and price points within Cooper Mountain and seeking to fund projects with broader benefits through broadly based funding tools, that capture the benefits provided to the community at large.

Funding Timing Considerations

The terms "funding" and "financing" are often used interchangeably, but there is an important difference between the two. Funding describes the ultimate sources of revenue to pay for infrastructure costs. Financing describes borrowing mechanisms to secure immediate funds that are repaid over time. Financing is important to address timing challenges inherent in some funding sources, and some sources lend themselves to financing more than others.

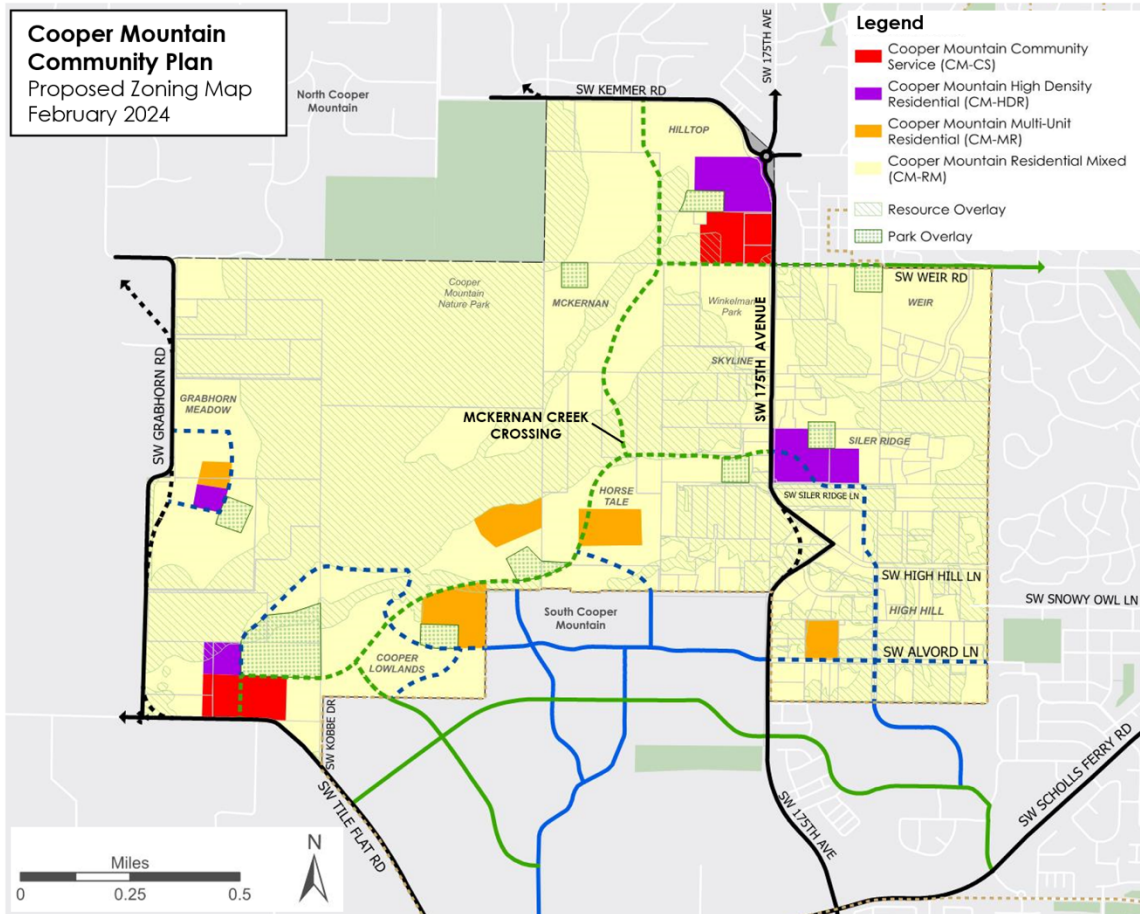
2.3. Transportation

2.3.1. Projects and Costs

In the Community Plan preferred approach, the future transportation system will include Neighborhood Routes (blue), Collector roads (green), and Arterial roadways owned by Washington County (black), as shown in Exhibit 2. Local streets will be added as neighborhoods develop.

Exhibit 2. Community Plan Zoning Map, Transportation Improvements

Source: City of Beaverton



The Cooper Mountain Transportation Impact Analysis identified 29 potential projects that are needed to serve projected growth or are impacted by development across Cooper Mountain, as shown in Exhibit 3. The project list includes constructing the onsite network of Neighborhood Routes and Collectors, including a bridge/culvert crossing of Mckernan Creek to provide a continuous Collector route through the area. The project list also includes upgrades to existing County Arterial roads through the area (175th Avenue, Tile Flat Road, Grabhorn Road, and Kemmer Road) and intersection improvements both within Cooper Mountain and at offsite intersections impacted by future traffic from Cooper Mountain. All roadway projects will provide bike and pedestrian connectivity. Local roads are not included in the project list below or

addressed in this Funding Plan, as developers are responsible for constructing them, with no expectation of public cost-sharing.

Exhibit 3. Transportation System Improvements

Source: City of Beaverton

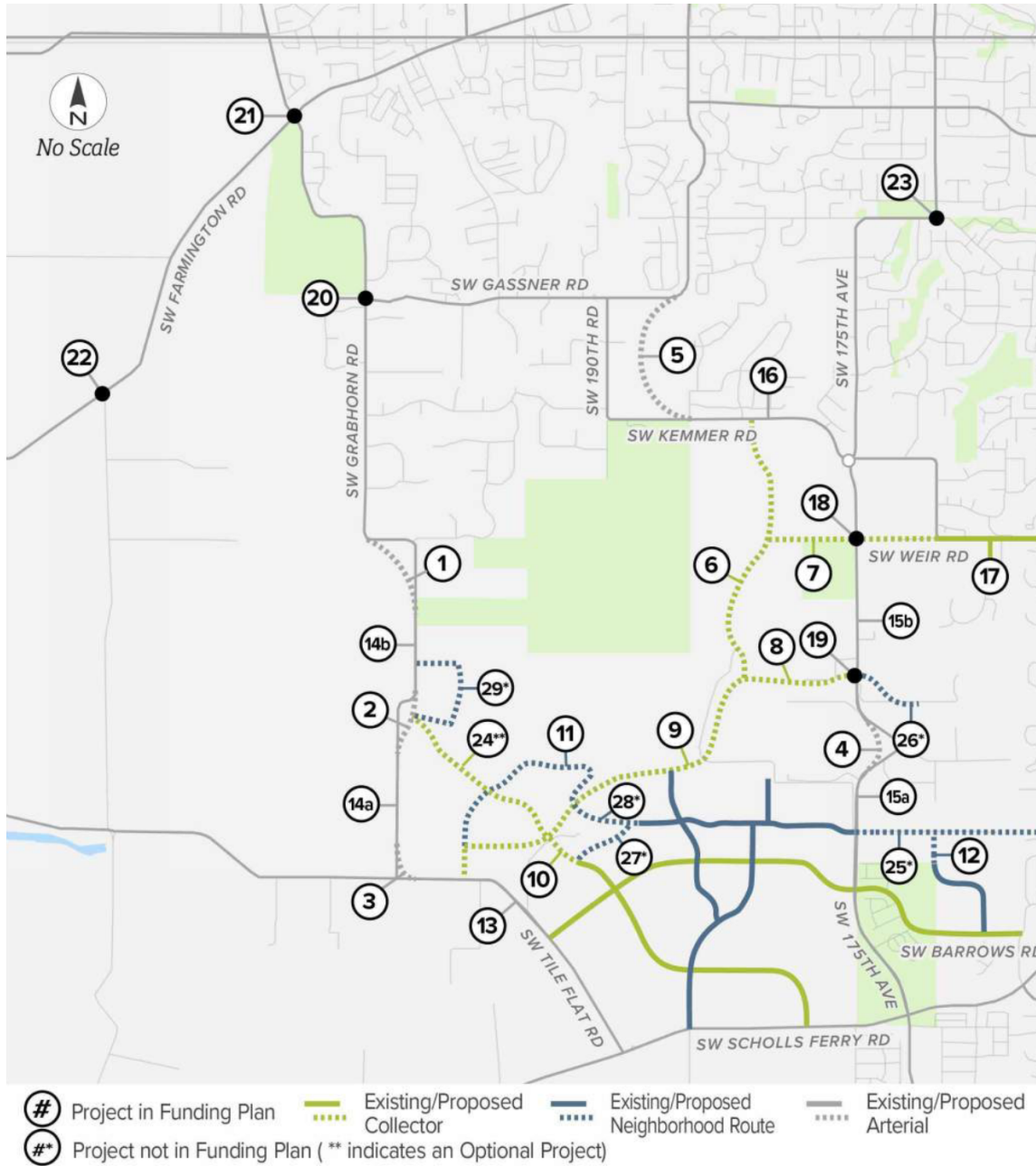


Exhibit 4. Projects and Cost Estimates, Transportation

Source: EConorthwest, City of Beaverton, DKS

Project Type	Description	Estimated Cost
Cooper Mountain Neighborhood Routes	New roads to provide circulation through and among new neighborhoods.	\$31.3 million
Cooper Mountain Collectors	New roads that provide circulation across the area and connections to adjacent areas and major roads, including a key central spine that crosses McKernan Creek.	\$80.7 million
Cooper Mountain Arterials	Intersection improvements, urban upgrades (e.g., adding sidewalk, bike lanes, and center turn lanes), and realignments of major through roads managed by Washington County that are within or on the edge of Cooper Mountain (175th Avenue, Tile Flat Road, Grabhorn Road, Kemmer Road, and Tile Flat Road). Includes realignment of the 175th Avenue “kink” and sharp corners on Grabhorn Road.	\$49.2 million
Regional Projects	Major intersection improvements, future road extensions, and realignments outside Cooper Mountain that are anticipated to be impacted by traffic from Cooper Mountain as well as development in other areas.	\$34.0 million
Total		\$195.2 million

Costs do not include local street network.

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Project Delivery and Phasing

Many of the new roadways and transportation improvements included in this Funding Plan that are needed to serve development will be constructed by private developers, as development occurs, with cost-sharing through the County’s Transportation Development Tax (TDT) credits as described below (local roads are excluded from this plan). This includes new Collector roads and Neighborhood Routes as well as urban upgrades to Arterial roads that abut larger tracts of developable property (e.g., sections of Grabhorn Road and Kemmer Road).

However, several important projects within or adjacent to Cooper Mountain are unlikely to be constructed by development due to their cost, complexity, and/or location. This includes:

- A **crossing of McKernan Creek** will likely be too costly to link to an individual development, and it passes through the undevelopable riparian corridor of McKernan Creek. The transportation connection is important for multimodal connectivity between northern and southern portions of Cooper Mountain and surrounding areas, but the facility also plays an important role in carrying utilities (e.g., water and sewer pipes) across the stream (see additional discussion in the [Potable Water](#) and [Sewer](#) sections). This makes its timing more important to enabling

development than it would be from a transportation perspective alone. Options and opportunities for funding this project are discussed in the funding options section below.

- **Urban upgrades to 175th Avenue**, including realignment of the “kink,” will likely need to be public capital projects given fragmented ownership patterns along 175th and the need for right-of-way acquisition to realign the roadway. These projects are not critical to enable development to begin in Cooper Mountain, but they are important for regional connectivity and needed to improve both safety and capacity as development occurs in Cooper Mountain. Options and opportunities for funding this project are discussed in the funding options section below.

In addition, off-site intersection improvements may be constructed by the County as conditions warrant.

2.3.2. Baseline Funding Evaluation

Existing Revenue Sources

Overview

Washington County's voter-approved **Transportation Development Tax (TDT)** is a key existing funding source for transportation improvements in greenfield areas. TDT is conceptually similar to an SDC, but was voter-approved and is imposed on all development throughout Washington County. The city collects TDT and retains the funds to apply to projects within Beaverton city limits that are indicated on the TDT project list. This project list is jointly developed between the County and the cities, and disbursements are subject to County approval to ensure compliance with TDT guidelines. TDT also plays a critical role as a cost-sharing mechanism for developer-constructed projects through TDT credits. Similar to SDCs for other infrastructure categories, if developers build or improve Collector or Arterial roads on or abutting their property that increases capacity, the cost that exceeds the cost of a local road is eligible for cost-sharing through TDT credits, even if the project is not on the TDT list. However, projects that are on the TDT list are eligible for more credits than those that are not on the list:

- For projects on the TDT list, 100% of costs that exceed the cost of a local road are eligible for credits.
- For projects that are not on the TDT list, only 50% (for Collectors) or 75% (for Arterials) of the costs exceeding the cost of a local street are eligible for TDT credits.¹¹

Developer contributions also play an important role in covering the costs of transportation improvements. Developer contributions can take several forms and may include cost-sharing arrangements or reimbursement districts so that a given

¹¹ Per Washington County's existing TDT policies for projects that are contiguous to the development and required as a condition of approval. Jurisdictions may designate “High Priority Collectors” (with approval from the County), making these eligible for TDT credits on 75% of the non-local portion of project costs even if they are not on the TDT project list.

development is paying roughly its proportionate share of the cost of the projects constructed with that development.

- Developers are generally required to build Neighborhood Routes if mapped on their property in the city's Transportation System Plan. Neighborhood Routes are similar to local streets in design and dimensions. As a result, they are generally not eligible for any cost-sharing, and are fully covered by developer contributions.
- Developers are required to build the local street network. As such, these costs are not included in the Funding Plan.
- As noted above, developers are typically responsible for the share of the cost of Collector and Arterial improvements on or abutting the development that are equivalent to the cost of building local roads.
- If a development has a measurable impact on an intersection or other facility further away from the development that will not be improved as part of the development, the development is sometimes required to pay a proportionate share of the estimated costs to improve the facility (e.g., based on the developments' projected share of traffic through that facility).

Revenue Estimates from Existing Sources

Projected TDT Revenue

Exhibit 5 shows the total estimated TDT revenue from Cooper Mountain based on existing TDT rates and the estimated residential and commercial development at buildout in Cooper Mountain under the preferred land use approach. See Appendix B for details on revenue estimates.

Note that when the city issues TDT credits to developers that build projects that qualify for TDT credits as discussed below, the developers may redeem those TDT credits instead of paying the TDT for a particular lot. Therefore, the TDT credit process may result in less TDT revenue collected by the city. This is an estimate of the potential TDT owed by development in the Community Plan area, regardless of whether the developer incurs this obligation with credits or cash.

Exhibit 5. TDT Estimated Revenue at Buildout (2023 dollars), Cooper Mountain

Source: EConorthwest analysis based on data from City of Beaverton and Washington County

Development Type	Estimated TDT Revenue
Residential Development	\$41.7 million
Commercial Development	\$1.4 million
Total	\$43.1 million

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Developer Contributions

As noted above, developers are expected to pay the full cost of building Neighborhood Routes and local street networks. Where Collector and Arterial projects will be delivered by the private sector, developers will be expected to pay at least the

share of the cost that is equivalent to the cost of building a local road. The estimated developer share of Collector and Arterial projects assumed to be built by development is shown in Exhibit 6, below.

In addition, the proportionate share contribution to off-site intersection improvements (collectively, across all development in Cooper Mountain) was estimated based on the forecast share of traffic coming from Cooper Mountain at the affected intersections. The estimate in Exhibit 6 is preliminary, and it is a rough approximation of the total amount that developers in Cooper Mountain might be asked to contribute to these cumulative projects for purposes of this Funding Plan only. The actual amount of any required contributions will be determined based on traffic impact assessments for each development during the land use review and approval process.

Exhibit 6. Estimated Developer Contributions (Excluding TDT) by Project Type (2023 dollars), Cooper Mountain

Source: EConorthwest analysis with input from City of Beaverton

Project Type	Estimated Cost	Estimated Developer Contributions (Excluding TDT)
Cooper Mountain Neighborhood Routes	\$31.3 million	\$31.3 million
Cooper Mountain Collectors	\$80.7 million	\$45.3 million or more*
Cooper Mountain Arterials	\$49.2 million	\$13.4 million or more*
Cooper Mountain Project Total	\$161.2 million	\$90.0 million or more*
Regional Projects	\$34.0 million	\$5.6 million
Community Plan Total	\$195.2 million	\$95.6 million or more*

Values are presented in constant 2023 dollars and rounded to the hundred thousand.
 * These estimates reflect only the estimated share of project costs that are equivalent to the cost of a local road, assuming that projects are "on-site" to the development that is required to construct them. The developer contribution on Collector and Arterial projects built by developers may be higher depending on the cost-sharing approach and TDT credit eligibility, as discussed below.

Baseline Funding Assessment

Cooper Mountain Transportation Projects

Developer contributions for the "local" share of Cooper Mountain Neighborhood Routes, Collectors, and Arterials (roughly \$90.0 million) plus the roughly \$43.1 million in estimated TDT from Cooper Mountain development would cover most, but not all, of the cost for transportation projects within and abutting Cooper Mountain (roughly \$161.2 million). This leaves a **gap of roughly \$28.1 million for Cooper Mountain transportation projects**. Most of this gap (roughly \$22.3 million) is for growth- and capacity-related costs, but it also includes non-capacity costs associated with realigning the "kink" in 175th Avenue that cannot be funded through capacity programs (such as TDT).

Closing this gap with only the existing funding sources would mean increasing costs for developers and/or adding Cooper Mountain Collector and Arterial roads to the TDT list,

making them eligible for TDT credits to cover the full share of costs above the “local” share. The analysis that follows illustrates the consequences of relying on the TDT alone to close the funding gap. The consequences of requiring developers to absorb the additional costs (if the City could show they were roughly proportional to the development) would be higher development costs for certain properties, and the potential for these costs to create economic barriers to development.

Regional Transportation Projects

Cooper Mountain development is estimated to contribute roughly \$5.6 million of the \$34.0 million needed for broader regional projects, through offsite impact fees charged by Washington County. The remaining \$28.4 million will need to come from other sources. Because the identified regional projects are needed to accommodate growth from multiple areas and are not specifically tied to development in Cooper Mountain, this funding plan does not explore funding solutions for these projects in detail. Washington County will need to identify funding for these projects over time, potentially including developer contributions from outside Cooper Mountain, grants, earmarks, and/or countywide sources. The timeline for regional projects is uncertain and would be identified through Washington County's project prioritization processes.

Summary

Exhibit 7 summarizes the funding assumptions by project type and delivery (public vs. private) if the City were relying on existing sources to close the funding gap. Exhibit 7 shows how the project costs identified in Exhibit 4 would be allocated under this set of assumptions. An assessment of the gaps and challenges presented by this set of assumptions follows Exhibit 8.

Exhibit 7: Existing Sources Funding Assumption for Transportation by Project Type and Delivery

Project Type	Delivery	Existing Sources Funding Assumption
Cooper Mountain Neighborhood Routes	Private	Developer Direct
	Public	TDT revenue
Cooper Mountain Collectors	Private	On TDT List: Developer Direct (local costs) + TDT credits (100% of costs exceeding local costs) ¹
	Public	TDT revenue + other County sources ¹ (non-capacity costs)
Cooper Mountain Arterials	Private	On TDT List: Developer Direct (local costs) + TDT credits (100% of costs exceeding local costs) ¹
	Public	Developer contributions (proportionate share) + other County sources ² (remaining costs)

¹ Assumes Collector and Arterial projects within Cooper Mountain are added to the TDT project list and eligible for credits for 100% of the cost that exceeds the cost of a local street.

² Other County Sources could include developer contributions from outside Cooper Mountain as well as potential grants, earmarks, and/or countywide local sources other than TDT.

Exhibit 8. Funding Sources and Amounts by Project Type, Existing Sources Funding Assessment

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by DKS Associates

Project Type	Delivery	Developer Contributions	TDT Credits	TDT Revenue	Other County Sources	Total
Cooper Mountain Neighborhood Routes	Private	\$31.3 million				\$31.3 million
Cooper Mountain Collectors¹	Public (McKernan Crossing)			\$10.9 million		\$10.9 million
	Private (All Others)	\$45.3 million	\$24.4 million			\$69.8 million
Cooper Mountain Arterials	Public (175 th Avenue ²)			\$13.7 million	\$5.7 million	\$19.4 million
	Private (All Others)	\$13.4 million	\$16.4 million			\$29.8 million
Regional Projects	Public	\$5.6 million ³			\$28.4 million	\$34.0 million
Total		\$95.6 million	\$40.8 million	\$24.6 million	\$34.1 million	\$195.2 million

¹ Assumes Collector and Arterial projects within Cooper Mountain are added to the TDT project list and eligible for credits for 100% of the cost that exceeds the cost of a local street. Other options are discussed in the following section.

² Cost is for 175th upgrades, including widening and realigning the “kink.”

³ Developer contributions are estimated for the Community Plan area as a whole based on the share of traffic through the intersections in question that comes from the Community Plan area.

Values are presented in constant 2023 dollars and rounded to the hundred thousand. Project type subtotals may not sum to total due to rounding.

Gaps and Challenges

TDT-Eligible Costs Exceed TDT Revenue: The baseline funding assessment shows that nearly all the expected TDT revenue from development in Cooper Mountain could be paid for by developers redeeming TDT credits for developer-constructed Arterials and Collectors, assuming these projects were added to the TDT project list. These Arterials and Collectors would benefit existing and future users both within and outside Cooper Mountain. However, very little money would be collected by the city to fund projects that would need to be built by the public sector inside or outside Cooper Mountain.¹² This assessment assumes that the McKernan Creek Crossing and upgrades to 175th (including widening and realigning the kink) would require capital project funding. However, if developers pay the TDT charges by redeeming TDT credits, there would not be enough TDT cash revenue to cover the cost of the needed capital projects. As a result, the public agencies would need to use TDT revenues from other parts of the city or County to fund these projects, or find other funding sources to complete needed improvements.

Ability to Redeem TDT Credits: As an additional challenge, because many of the transportation improvements in this area would be eligible to receive TDT credits, developers of properties that build higher-cost infrastructure projects may end up with excess credits that they would need to apply to future phases of their development or transfer to other development in the area.¹³ Because the TDT-eligible construction costs are expected to be high compared to the number of lots subject to the TDT in this area, if there is not sufficient development within the 10-year period that TDT credits are valid, developers may have credits that are not redeemed. This could become a barrier for properties where a substantial investment must be made up-front.

Securing Funding for 175th Avenue: While realigning the “kink” in 175th Avenue is already on Washington County’s TDT project list, making the capacity-related share of costs eligible for TDT funding,¹⁴ there is no guarantee that the County would allocate TDT funding to move this project forward within any specific time horizon, as there are many other County projects competing for available TDT revenues at any given time. The city could choose to allocate TDT revenues it collects from other areas toward this project (with County approval), but the city also has competing project needs in other areas of the city and very limited TDT funds. In addition, the non-capacity-related costs for realigning and completing safety improvements at the kink do not yet have other funding sources identified.

¹² Developer contributions to impacted off-site intersections may still result in some monetary contributions from this area toward off-site projects, but not in the form of TDT revenue that the city would control.

¹³ Washington County’s TDT credit policies allow for transfer of TDT credits under limited circumstances that generally mean the transfer must be to other properties in the same area. When credits are “sold” to another developer, the original developer may or may not receive the full face-value of the credit—the County does not regulate or participate in the “resale pricing” of TDT credits.

¹⁴ According to the TDT project list, this project is 25% related to capacity. Remaining project costs would need to be funded by another source that is not development-derived.

2.3.3. Funding Options

Alternative Funding Scenarios

The project team evaluated two alternative scenarios for funding transportation projects in Cooper Mountain to address some of the gaps and challenges identified above.

The two funding scenarios both include a new funding source from Cooper Mountain properties (such as a supplemental transportation SDC and/or a local improvement district) to fund specific transportation projects that are particularly important for the area's development, and shift some costs away from TDT to help ensure adequate funding would be available. The scenarios differ in which projects would be funded by the new source and how much the new source would be set to raise. In brief, Scenario A would add a new funding source only for the McKernan Creek crossing, while in Scenario B a new source would fund this crossing plus a share of costs for Collectors and 175th Avenue. The specific funding assumptions for the two scenarios are summarized in comparison to the baseline in Exhibit 9.

Exhibit 10 and Exhibit 11 show how the project costs identified in Exhibit 4 would be allocated under these alternative sets of assumptions.

Exhibit 9: Funding Assumptions for Transportation by Project Type and Delivery for Alternative Funding Scenarios

Project Type	Delivery	Existing Sources	Scenario A	Scenario B
On-Site Neighborhood Routes	Private	Developer Direct	Developer Direct	Developer Direct
	Public (McKernan Crossing)	TDT revenue	New Source	New Source
On-Site Collectors	Private (All Others)	On TDT List: Developer Direct (local costs) + TDT credits (100% of costs exceeding local costs) ¹	Not on TDT list: Developer Direct (local costs + 50% of costs exceeding local costs) + TDT credits (50% of costs exceeding local costs)	Not on TDT list, on list for new source: Developer Direct (local costs) + TDT credits (50% of costs exceeding local costs) + new source (50% of costs exceeding local costs)
	Public (175 th Avenue)	TDT revenue collected by city + other County sources (non-capacity costs for "kink")	TDT revenue collected by city + other County sources (non-capacity costs for "kink")	TDT revenue collected by city (capacity costs for "kink") + other County sources (non-capacity costs for "kink") + new source (costs for widening north and south of "kink")
On-Site Arterials	Private (All Others)	On TDT List: Developer Direct (local costs) + TDT credits (100% of costs exceeding local costs) ¹	On TDT List: Developer Direct (local costs) + TDT credits (100% of costs exceeding local costs)	On TDT List: Developer Direct (local costs) + TDT credits (100% of costs exceeding local costs)
	Public	Developer contributions (proportionate share) + other County sources ² (remaining costs)	Developer contributions (proportionate share) + other County sources ¹ (remaining costs)	Developer contributions (proportionate share) + other County sources ¹ (remaining costs)

¹ Assumes Collector and Arterial projects within Cooper Mountain are added to the TDT project list and eligible for credits for 100% of the cost that exceeds the cost of a local street.

² Other County Sources includes potential grants or earmarks as well as Countywide local sources other than TDT. Key differences from the baseline are highlighted in **bold** font.

Exhibit 10. Funding Sources and Amounts by Project Type and Delivery, Scenario A

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by DKS Associates

Project Type	Delivery	Developer Contributions	TDT Credits	TDT Revenue	New CM Source	Other County Sources	Total
On-Site Neighborhood Routes	Private	\$31.3 million					\$31.3 million
On-Site Collectors¹	Public (McKernan Crossing)				\$10.9 million		\$10.9 million
	Private (All Others)	\$57.5 million	\$12.2 million				\$69.8 million
On-Site Arterials	Public (175 th Avenue)			\$13.7 million		\$5.7 million	\$19.4 million
	Private (All Others)	\$13.4 million	\$16.4 million				\$29.8 million
Off-Site/Regional Projects	Public	\$5.6 million				\$28.4 million	\$34.0 million
Total	Private	\$107.8 million	\$28.6 million	\$13.7 million	\$10.9 million	\$34.1 million	\$195.2 million

Exhibit 11. Funding Sources and Amounts by Project Type and Delivery, Scenario B

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by DKS Associates

Project Type	Delivery	Developer Direct	TDT Credits	TDT Revenue	New CM Source	Other County Sources	Total
On-Site Neighborhood Routes	Private	\$31.3 million					\$31.3 million
On-Site Collectors¹	Public (McKernan Crossing)				\$10.9 million		\$10.9 million
	Private (All Others)	\$45.3 million	\$12.2 million		\$12.2 million		\$69.8 million
On-Site Arterials	Public (175 th Avenue)			\$1.9 million	\$11.8 million	\$5.7 million	\$19.4 million
	Private (All Others)	\$13.4 million	\$16.4 million				\$29.8 million
Off-Site/Regional Projects	Public	\$5.6 million				\$28.4 million	\$34.0 million
Total	Private	\$95.6 million	\$28.6 million	\$1.9 million	\$34.9 million	\$34.1 million	\$195.2 million

¹ Assumes Collector and Arterial projects within Cooper Mountain are added to the TDT project list and eligible for credits for 100% of the cost that exceeds the cost of a local street. Other options are discussed in the following section.

² Cost is for 175th upgrades, including widening and realigning the “kink.”

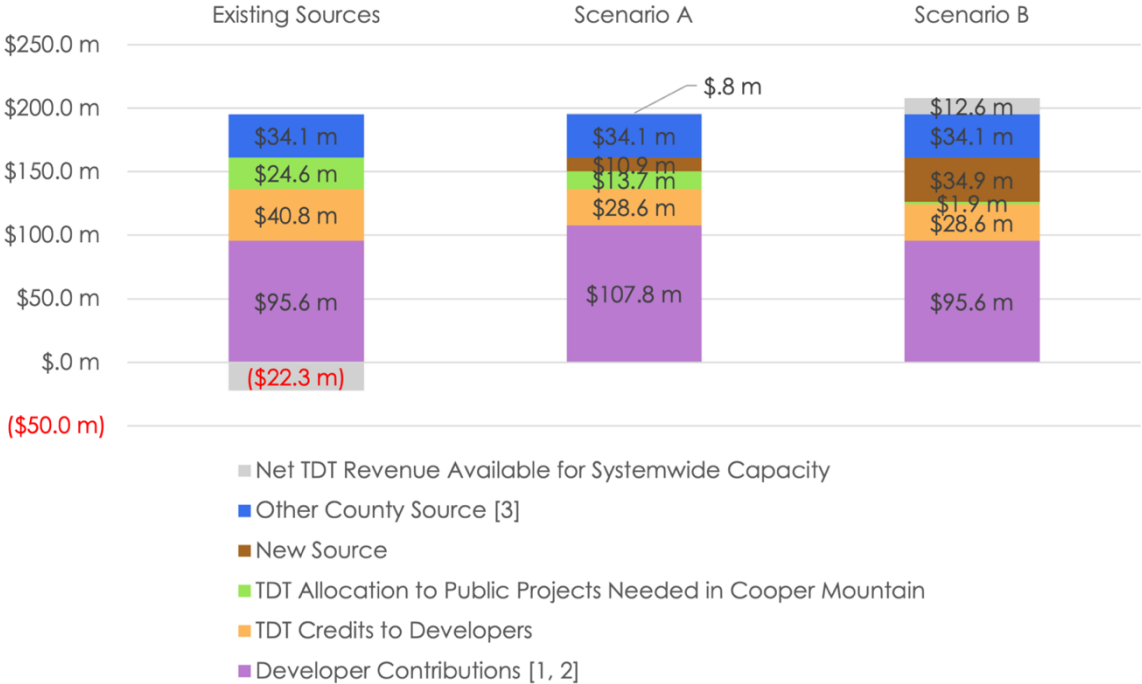
Values are presented in constant 2023 dollars and rounded to the hundred thousand. Project type subtotals may not sum to total due to rounding.

Likely Outcomes for Alternative Funding Scenarios

Exhibit 12 provides a summary of funding by source for each scenario.

Exhibit 12: Summary of Funding from Alternative Transportation Funding Scenarios

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by DKS Associates



¹ Local street costs are not included.

² Includes direct costs and proportional contributions for offsite projects.

³ County funding sources are uncertain. This represents the share of costs for off-site projects that exceeds Cooper Mountain’s proportionate contributions and the non-capacity portion of costs for realigning the “kink” in 175th Avenue.

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Scenario A: New Area-Specific Source for McKernan Creek Crossing

- Creates dedicated funding for the McKernan Creek crossing rather than relying on TDT allocation; however, if the new funding source is paid at time of development, sufficient revenue would not be available until the area is fully built out, which would create challenges given the need for this crossing to connect utilities within the area. The new source would require a financing solution to allow the project to be built before all revenue was received from the new source (see additional discussion in next section).
- Cooper Mountain TDT revenue at build out would roughly match the anticipated TDT-eligible costs for on-site projects (revenue neutral for TDT). The city may eventually collect enough TDT in monetary form from this area to contribute to a public project on a County Arterial, such as urban upgrades for 175th Avenue. However, TDT credits would likely account for roughly two thirds of developer TDT payment obligations. Depending on development phasing and whether developers

sell/transfer credits within the area, this could mean that many of the largest properties would be built out before the city would receive TDT cash payments because developers would be redeeming credits instead.

- Development along new Collector roads would incur higher “out of pocket” costs (by approximately \$12.2 million) compared to the existing sources scenario or Scenario B due to reduced TDT credit issuance for Collectors that are not on the TDT list. This estimate of developer contributions reflects the current status of the TDT list, which does not include Cooper Mountain Collector roads.
- If the new funding source were spread across all units in Cooper Mountain, the per-unit cost would be approximately \$2,600.¹⁵ However, based on timing considerations, the new source might need to be applied in a way that would not apply to all development within the Community Plan area (see additional discussion below). This could result in a higher per-unit cost for the impacted areas.

Scenario B: New Area-Specific Source for McKernan Creek Crossing, Cooper Mountain Collectors, and 175th Widening

- Creates dedicated funding for the McKernan Creek crossing and widening 175th Avenue, rather than relying on TDT allocation.
- Surplus TDT (estimated at roughly \$13 million at build out) generated in this area could be used for off-site capacity-increasing transportation projects.
- Increases the share of funding coming from development in Cooper Mountain compared to the existing sources scenario. However, if the new funding source were spread across all units in Cooper Mountain, the per-unit cost would be approximately \$8,200.¹⁶
- Because the new Cooper Mountain source would fund multiple projects, if it were charged at time of development, it would not require the area to fully build out before sufficient revenue would be available to fund the McKernan Creek crossing. However, this would mean that the other public projects funded this way (widening 175th Avenue) would not have sufficient revenue until full build out of the area.

Potential Additional Funding Sources and Tools

New Area-Specific Funding Tools

The city has several options for how to implement a new area-specific funding tool, including:

- Supplemental SDC
- Local Improvement District (LID)
- Reimbursement District

¹⁵ Housing types may pay more or less than this per-unit average, depending on the methodology and approach of the new source.

¹⁶ Housing types may pay more or less than this per-unit average, depending on the methodology and approach of the new source.

- Infrastructure fee applied through development agreements at time of annexation

Of these options, only an LID allows the project to be constructed before funds are collected rather than after, which is a crucial consideration for the McKernan Creek crossing. However, it also requires affirmative property owner support and imposes costs on property owners prior to development, which may be a major barrier. These and other key considerations associated with these alternatives are summarized in Exhibit 13 below. (See overview of these tools in the [Funding Sources Overview](#) section).

Exhibit 13: Key Considerations for New Area-Specific Funding Tool Options

Key: **orange text** = disadvantage, **green text** = advantage.

	Supplemental SDC	LID	Reimbursement District	Infrastructure Fee
When Due	At time of development (may be financed).	When costs are estimated in detail or upon project completion (may be financed).	At time of development.	At annexation / development ¹⁷
Certainty and Suitability for Bond Repayment	Not eligible to secure a bond but can be used to pay debt service.	Can be used to secure a bond.	Not eligible to secure a bond but can be used to pay debt service.	Not eligible to secure a bond but can be used to pay debt service.
Expiration	Remains in place indefinitely, but credits expire after 10 years.	Closed when all assessments are paid in full (20 years maximum if financed).	Limited duration: 10 years, can be extended up to 10 additional years.	Remains in place indefinitely.
Project Suitability	Private-sector delivery (with credits) or public-sector delivery (for non-time-sensitive projects). Generally multiple projects of one infrastructure type.	Public-sector delivery. Generally a single project or a few projects benefitting the same properties. Could potentially include multiple infrastructure types.	Private-sector delivery (if costs are low enough to be front-loaded by developers) or public-sector delivery. Generally a single project.	Public-sector delivery. Single or multiple projects, can include multiple infrastructure types.
Administrative & Legal Considerations	City has experience implementing.	Requires support from a majority of affected property owners.	City adopted regulations to enable	City has not used this approach to date.

¹⁷ Jurisdictions that use the approach generally establish the development agreement at time of annexation, but may defer collection of the fees until the time a building permit is issued.

	Supplemental SDC	LID	Reimbursement District	Infrastructure Fee
	Must be adopted by Council.	Special requirements apply for use in greenfield areas to reduce city's financial risk. ¹⁸	reimbursement districts. City has not used this approach to date.	Development agreements are governed by state law, and other Oregon jurisdictions have used this approach. ¹⁹
Equity & Housing Cost Considerations	Can be scaled by unit type / size if appropriate. Paid by developers; may affect prices of future housing to some extent. ²⁰	Apportionment method should align with distribution of benefits. Could burden those who do not want to develop near-term. Can be passed on directly to future buyers.²¹ May affect prices for future housing to some extent.²⁰	Apportionment method should align with distribution of benefits. Paid by developers; may affect prices of future housing to some extent. ²⁰	Apportionment method should align with distribution of benefits. Paid by developers; may affect prices of future housing to some extent. ²⁰

Given the considerations above, **Scenario A lends itself to an LID or reimbursement district** (if the city can finance the project secured by other sources and repay those sources with revenue from the LID or reimbursement district over time) because it is focused on funding a single project that is needed to allow development in a large portion of the area to occur. An LID or reimbursement district does not necessarily need to apply to all

¹⁸ State law specifies the steps to form a LID. The City of Beaverton enables LID formation in the municipal code for a variety of infrastructure types and has specific provisions for the use of LIDs for newly developing areas. See Chapter 3.02: Local Improvement Procedures. <https://www.codepublishing.com/OR/Beaverton/html/Beaverton03/Beaverton0302.html>

¹⁹ Development agreements are governed by ORS 94.504, which describes the allowable terms, required documentation, and maximum duration of agreements.

²⁰ All development costs, including the costs of infrastructure-related fees, must be covered by future home sales prices or rents in order for private developers to build housing. The extent to which an incremental increase in development costs translates to an increase in sales prices or rents depends on how tight the housing market is and whether the developer has the opportunity for cost-savings elsewhere (e.g., through negotiating a lower land purchase price). For additional discussion, see the *Oregon System Development Charges Study* by EConorthwest, Galardi Rothstein Group, and FCS Group, 2022.

²¹ When the assessment is financed by the developer, the lien associated with the assessment generally must be paid off as part of closing to allow the buyer to get a mortgage.

properties in the Community Plan area—it could be focused on the neighborhoods that require the bridge for sewer service, or more broadly on the neighborhoods west of 175th that would connect directly onto the future Collector road that will cross McKernan Creek. This approach would recognize that these areas are both more likely to develop in the near-term and more directly benefitted by the bridge for utility service and/or transportation connectivity. An LID requires property owner support and may not be politically achievable.

Scenario B is best suited to a supplemental SDC because it would fund a mix of publicly-built and privately-built transportation projects. This option would partially resolve the revenue timing/financing issues associated with building the McKernan Creek crossing if enough development happens at lower elevations and in areas east of 175th to generate supplemental SDC revenue that must be spent in Cooper Mountain. To expedite the project timing, the city could consider financing the McKernan Creek crossing project secured by other sources and repay those sources with supplemental SDC revenue over time. A supplemental SDC would likely be appropriate to apply across all of the Community Plan area because it would fund portions of the Collector network within the Community Plan area that provides connectivity through and between all neighborhoods and nearby services. The TSDC in Scenario B would also fund capacity improvements to the portions of SW 175th Avenue that are in the planning area.

Potential Additional Sources for City and/or County Shares

Regional, State, and Federal Grants and Allocations

The city has been working to identify potential grant opportunities, particularly for roadway connectivity and safety projects, such as the McKernan Creek Crossing. However, those grants are very competitive and often only available for a small portion of the project cost. This Funding Plan does not include the assumption that grant funds will be available for any onsite or adjacent projects. If grant funding were to be secured, that could lower the city's obligation to specific projects. The result could be a lower TSDC rate or the shifting of city resources to accomplish other priorities.

Major Streets Transportation Improvement Program

Washington County has historically allocated a share of County property tax revenue to its **Major Streets Transportation Improvement Program (MSTIP)** to fund major transportation improvements across the county. Eligible projects: (1) improve safety; (2) improve traffic flow/relieve congestion; (3) are located on a major road used by many residents; and (4) address demands for cars, trucks, bicycles, pedestrians, and/or transit. MSTIP projects are chosen by the Board of County Commissioners based on recommendations from city and County officials, public input, and consideration of geographic balance to ensure all parts of the county benefit from the projects. However, on-going funding to this program, like other County transportation funding sources, is uncertain.

Citywide Funding Measures

The city will be updating its Transportation System Plan (TSP) over the next few years, and may identify other high-priority projects with broad benefits that lack a clear path to funding. If the city were to explore a general obligation bond or other citywide funding measure in the future, the city could consider including high priority transportation project projects in this area as part of a larger funding package.

2.3.4. Recommended Transportation Funding Strategy

- Add on-site Arterial upgrade projects most likely to be delivered by developers to the TDT list to maximize TDT credit availability. In Exhibit 3, this includes projects 2, 13, 14a, 14b, 16, 18, and 19.
- Do not add planned Cooper Mountain Collector roads to the TDT project list to avoid consuming all TDT from the area into TDT credits for building these roads.
- Establish a new funding source to cover the cost of the McKernan Creek crossing, a share of the cost²² of Cooper Mountain Collector roads, and the widening of 175th Avenue. This includes projects 6, 7, 8, 9, 10, 15a, 15b, and 17. A supplemental transportation SDC is likely the most appropriate form for this new funding source; however, the city may need to consider additional or alternative tools if there has not been enough TSDC revenue collected by the time the crossing needs to be built.
- Work with Washington County to prioritize funding for the needed realignment of 175th Avenue (project 4) in the County and city's capital project planning.
- Work with Washington County to identify funding for the non-TDT-eligible portion of the costs to realign the 175th Avenue "kink", including seeking out transportation safety grant opportunities.
- Continue to rely on the County's existing system to require proportional contributions to off-site intersection upgrades as determined through development-specific Transportation Impact Assessments. This includes projects 1, 3, 5, 20, 21, 22, and 23.

Inclusive Development Considerations

The recommended approach adds as little additional cost to development as possible while ensuring that all projects needed to enable development across Cooper Mountain have a potential pathway to being funded and built. It also ensures that development in Cooper Mountain roughly pays for the costs of the transportation projects needed in the area rather than spreading that cost across the broader city.

In setting the cost allocation or apportionment methodology for a supplemental TSDC, future LID, or other new funding source, the city should explore taking unit size, density, or other housing characteristics into consideration as a factor that can impact trip generation rates. (Note that Washington County's TDT rates do not differentiate by unit

²² The new source would cover 50% of the non-local portion of the project costs, with the other 50% covered by TDT credits, and the local portion covered by developers.

size or density, but updates to Washington County's TDT methodology are outside the scope of this Funding Plan.)

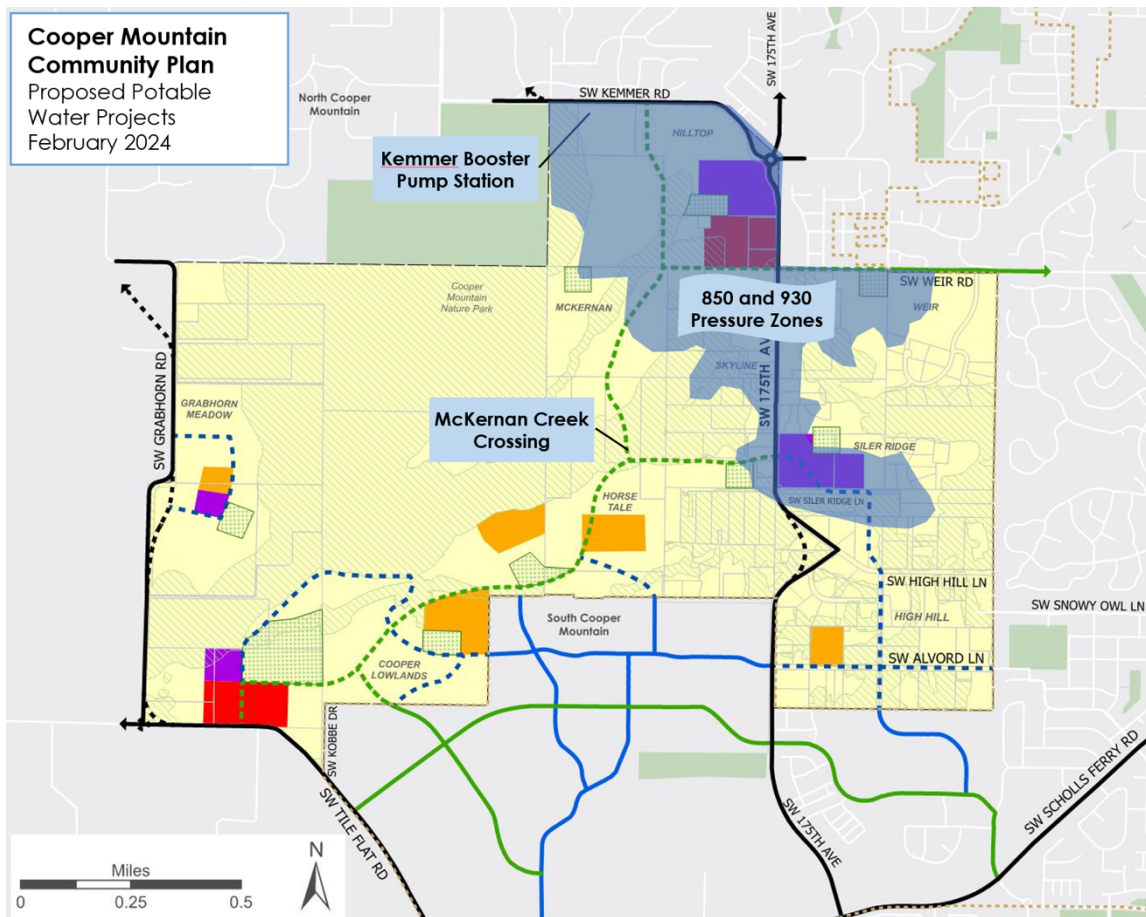
2.4. Potable Water

2.4.1. Projects and Costs

The city expects to be the water service provider for areas that annex to the city and develop, though existing residents could continue to be served by Tualatin Valley Water District unless they annex. The city has planned for adequate system capacity to serve new development in Cooper Mountain with potable water, but the area requires conveyance systems to provide service to future neighborhoods, as shown in Exhibit 14. Conveyance systems to distribute potable water *within* each neighborhood will be constructed as neighborhoods develop. These local projects are not included in this Funding Plan, and will be built and paid for by private developers.

Exhibit 14. Community Plan Zoning Map, Potable Water Improvements

Source: City of Beaverton



Lower elevation neighborhoods (Grabhorn, Cooper Lowlands, Horse Tale) can be served from existing potable water pressure zones. Upper elevation neighborhoods

(McKernan, Hilltop, Skyline and Siler Ridge) will require a new booster pump station to provide adequate water pressure.

The city also has projects planned for locations within Cooper Mountain that will contribute to citywide system resiliency and capacity and provide connections to regional water systems (Willamette Water Supply) but are not necessary to provide potable water service to the area. The cost of these projects is identified below in Exhibit 15, but because they are not directly related to development in the Community Plan area, this Funding Plan does not provide a detailed evaluation of funding sources for these projects.

Exhibit 15. Projects and Cost Estimates, Potable Water

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by Consor

Project Type	Description	Estimated Cost
Cooper Mountain Conveyance Systems	Drinking water conveyance system to connect new neighborhoods to water service, including pressure reducing valves and riparian crossings	\$89.4 million
	Trunkline connections between South Cooper and Kemmer Reservoir	
Pump Station	Booster pump station at Kemmer Reservoir	\$3.0 million
System Needs	Future Tile Flat pump station and CM3 reservoir and ASR for increased citywide resiliency and capacity	\$64.7 million
Total		\$157.1 million

Costs do not include connections from individual properties to the conveyance system. Values are presented in constant 2023 dollars and rounded to the hundred thousand. Project type subtotals may not sum to total due to rounding.

Project Delivery and Phasing

The majority of the new water lines needed to serve development will be constructed by private developers, as development occurs, though the city will be responsible for a share of the construction costs for larger pipes as discussed below.

A new pump station at Kemmer Reservoir is required to provide adequate water pressure to enable development of higher elevation areas of Cooper Mountain. This pump station must be built before development can occur in the portions of the McKernan, Hilltop, Skyline and Siler Ridge neighborhoods. Because of this phasing consideration, the city intends to build the new Kemmer Reservoir pump station. Lower elevation neighborhoods—Grabhorn, Cooper Lowlands, and Horse Tale—can be served from existing pressure zones.

In the long term, the city also plans to build additional booster pump stations, a reservoir, and Aquifer Storage and Recovery (ASR) facility in the Community Plan area to help expand capacity and resilience in the citywide potable water system.

2.4.2. Baseline Funding Evaluation

Existing Revenue Sources

Overview

The city has two primary sources of revenue to fund improvements to the potable water system: water SDCs and water utility rates. As noted in the [Funding Sources Overview section](#), by law, water SDCs must be used for projects that expand system capacity to accommodate growth. Utility rate revenues can be used to pay debt service for major capital improvements that require funding beyond the capacity of SDC balances. These revenues are, however, primarily dedicated to operating, maintaining, and updating the water treatment plant, transmission, distribution, and storage systems for the city's potable water.

In addition, developer contributions will play an important role in covering the cost of the potable water distribution system. The public-private split of potable water distribution system costs is determined by the diameter of the pipe. Pipes that are 12 inches or less in diameter are the responsibility of private developers. Pipes larger than 12 inches are jointly paid for by the private and public sectors. These costs are allocated proportionally, with the public sector paying for the portion of the cost of pipe larger than 12 inches through SDC credits.

Revenue Estimates from Existing Sources

Exhibit 16 shows the total estimated water SDC revenues from development in Cooper Mountain. Because utility rates are not primarily intended to fund growth-related costs, we do not include an estimate of those revenues. See Appendix B for details on revenue estimates.

Note that when the city issues SDC credits to developers that build projects that qualify for SDC credits as discussed below, the developers may redeem those SDC credits instead of paying the SDC for a particular lot. Therefore, the SDC credit process may result in less SDC revenue collected by the city. This is an estimate of the potential SDCs owed by development in the Community Plan area, regardless of whether the developer pays this obligation with credits or cash.

Exhibit 16. Water SDC Estimated Revenue (2023 dollars), Cooper Mountain, 2023–2043

Source: EConorthwest, City of Beaverton

Development Type	Estimated SDC Revenue
Residential Development	\$40.9 million
Commercial Development	\$52,000
Total	\$41.0 million

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Developer contributions as direct costs are estimated at \$68 million as shown in Exhibit 17 based on the anticipated share of costs of the Cooper Mountain conveyance system that would be developer responsibility.

Baseline Funding Approach

Exhibit 17 shows the potable water projects and estimated costs by the sector that will deliver the project—private or public—and the expected funding sources. These costs include the estimated public share of privately constructed conveyance lines, based on the amount of pipe larger than 12-inches in diameter included in these projects, as described above. See Appendix A for details on project costs.

Exhibit 17. Projects and Cost Estimates by Delivery Type, Potable Water

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by Consor

Project Type	Description	Delivery Type	Estimated Cost	Funding Sources
Cooper Mountain Conveyance Systems	Conveyance system (≤12-inch)	Private Development	\$79.1 million	Developer contributions
	Conveyance system (>12-inch)	Private Development – Public Share	\$10.2 million	SDC credits
Pump Station	Booster pump station at Kemmer Reservoir needed for Cooper Mountain	Public Project	\$3.0 million	SDCs, grants ¹
System Needs	Future Tile Flat Pump station and CM3 reservoir and ASR for increased citywide resiliency and capacity	Public Project	\$64.7 million	SDCs, utility fees, grants
Total			\$157.1 million	

¹ Subsequent to development of this plan, the city received a \$3.0 million grant from the State of Oregon to support construction of the pump station at the Kemmer Reservoir.

Costs do not include connections from individual properties to the conveyance system.

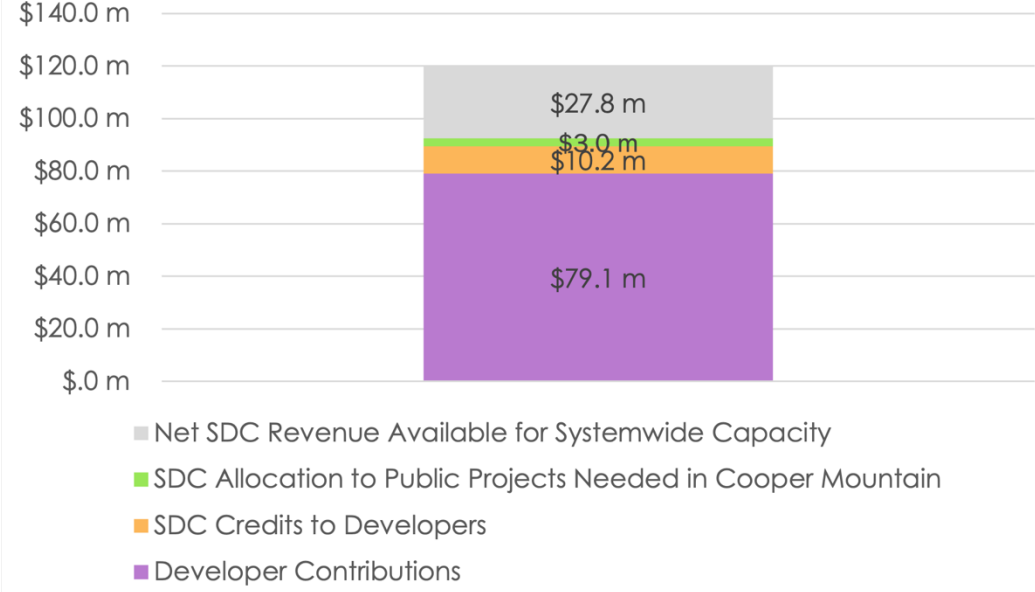
Values are presented in constant 2023 dollars and rounded to the hundred thousand. Project type subtotals may not sum to total due to rounding.

Expected water SDC revenues from Cooper Mountain (estimated at \$41 million) are higher than the total SDC-eligible costs for potable water projects directly related to development in the Community Plan area (estimated at \$13.2 million). Roughly \$27.8 million in water SDC revenue from the Community Plan area (at buildout) may be available to fund system-wide capacity increasing projects across the city's potable water system, as shown in Exhibit 18. The growth-related (and hence SDC-eligible) share of the \$64.7 million estimated for broader system needs is not subject to this Funding Plan, and because these projects are not tied specifically to development in the Community Plan area, these system needs are not included in the comparison of revenues to costs in Exhibit 18 below. However, the city's water SDC rates are based upon an extensive capital improvement list that anticipated the general needs of this area. The water SDCs generated in excess of the Cooper Mountain-specific needs are to fund growth-related projects currently being built out but financed through an extensive debt program. Projects include the Willamette Water Supply system, the Cooper Mountain Reservoir and associated infrastructure, and the North Transmission Line Intertie project to fully utilize capacity from the Joint Water Commission. Non-

growth-related system improvements are expected to be funded by utility fees and/or grants through the capital improvement program.

Exhibit 18. Comparison of Expected Revenues to Development-Driven Project Costs, Potable Water

Source: EConorthwest analysis based on input from City of Beaverton, and costs provided by Consor



Values are presented in constant 2023 dollars and rounded to the hundred thousand.

The city has previously invested in potable water supply projects to bring water to the Cooper Mountain area. This work includes the new reservoirs at Kemmer, which have been funded through a federal loan through the Water Infrastructure Financing and Investment Act (WIFIA) program, backed by citywide water utility rates. Repayment of that loan will begin in 2027. The city can use available SDC revenue from this area (or other areas) to help pay down this loan, reducing the burden on utility rates.

Gaps and Challenges

While SDC revenues are expected to be sufficient to cover development-driven project costs, the city will need to program SDC revenues from early development in Cooper Mountain or secure funding from other sources to fund construction of the pump station at the Kemmer Reservoir so that development in higher-elevation neighborhoods can proceed.²³

2.4.3. Recommended Potable Water Funding Strategy

- Rely on the city's existing water SDCs, credit policies, and developer contributions to cover the costs for development-driven potable water projects within the Community Plan area.

²³ Subsequent to development of this plan, the city received a \$3.0 million grant from the State of Oregon to support construction of the pump station at the Kemmer Reservoir.

- Program SDC revenue and pursue outside funding (such as grants related to housing production) to cover the cost of the pump station at the Kemmer Reservoir in the near- to mid-term to support development in higher-elevation neighborhoods.
- Apply additional SDC revenue from this area beyond what is needed for the development-driven on-site costs to support broader systemwide capacity increases over the longer term and/or pay down loans used to pay for previous water supply projects that benefit this area.
- Use broader-based funding sources (e.g., water utility rates) for the non-growth-related share of projects located within the Community Plan area that serve the broader city.

Inclusive Development Considerations

The plan does not ask rate payers across the city to supplement the cost of distribution in Cooper Mountain. Instead, the Community Plan area will contribute to funding a portion of projects that increase capacity for the city's potable water system on a larger scale and projects that were built previously that now serve this area. At the same time, the plan does not ask development in the Community Plan area to fully pay for the cost of facilities that will serve the broader city, and which are only partly intended to increase system capacity. Given their broader benefits, these projects will also receive funding through SDC revenues collected citywide or, for non-capacity projects, through utility rates.

2.5. Non-Potable Water

2.5.1. Projects and Costs

There are opportunities to expand the city's non-potable water system (purple pipe) into lower elevations of Cooper Mountain. Based on technical evaluation, staff recommends limiting the non-potable water system expansion to new neighborhoods near Tile Flat and Grabhorn Road, as shown in Exhibit 19. It is cost prohibitive to extend the purple pipe system to higher elevations, which would require a new network of pump stations beyond what is required for potable water.

The proposed areas for non-potable water service are those neighborhoods that can be served through extension of the conveyance system in the South Cooper Mountain area. No additional pump stations or large transmission lines would be required. Conveyance systems for non-potable water within each neighborhood with purple pipe will be constructed as neighborhoods develop. The local conveyance lines, all of which are less than 12" inches in diameter, are not included in this Funding Plan, and will be built and paid for by private developers.

Exhibit 19. Community Plan Zoning Map, Non-Potable Water Improvements

Source: City of Beaverton

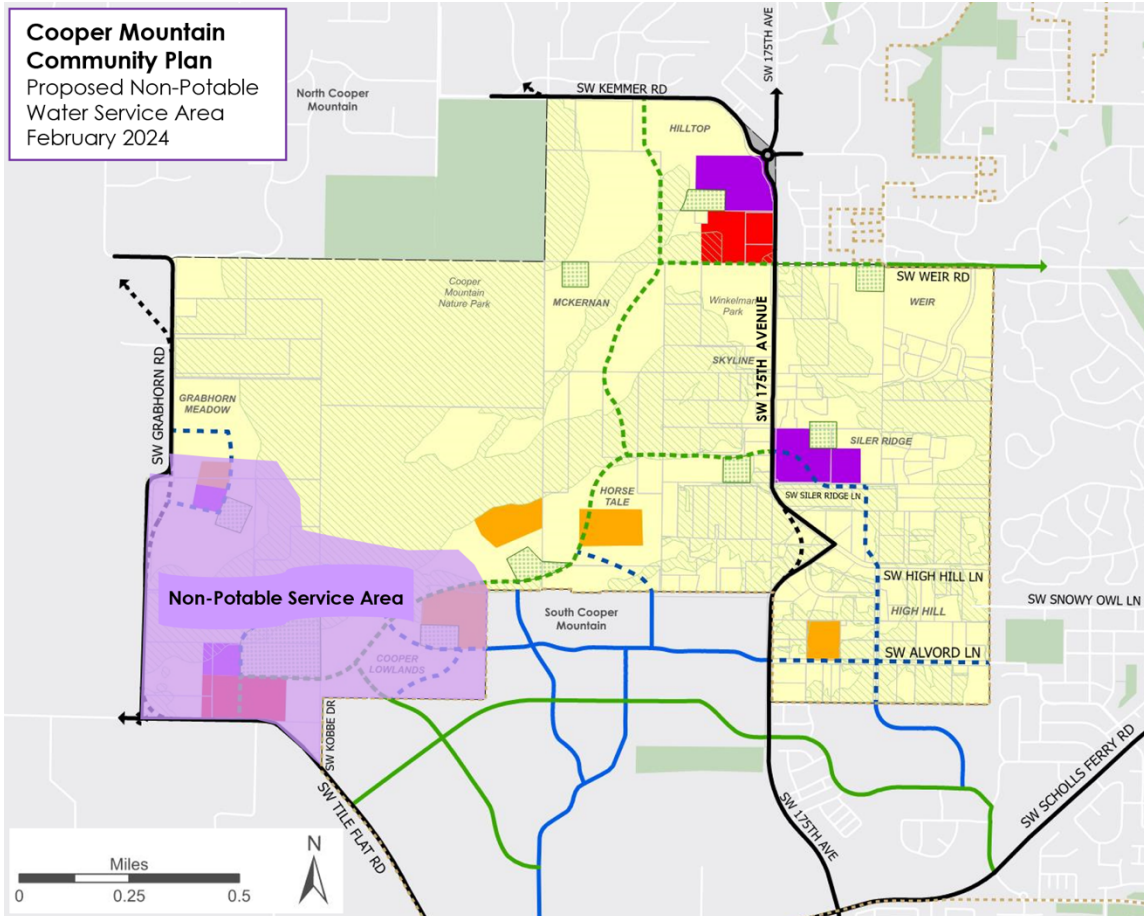


Exhibit 20. Projects and Cost Estimates, Non-Potable Water

Source: EConorthwest, City of Beaverton, Consor

Project Type	Description	Estimated Cost
Conveyance Lines	Purple pipe conveyance system to bring non-potable water to new neighborhoods	\$19.2 million
System Needs	Additional stormwater treatment and ASR to increase non-potable water supply	Not Available
Total		\$19.2 million

Costs do not include connections from individual properties to the conveyance system. Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Project Delivery and Phasing

All new non-potable water lines that are needed to serve development in the Tile Flat and Grabhorn areas will be constructed by private developers, as development occurs.

In the long term, the city may also consider opportunities to build additional stormwater treatment facilities and/or an Aquifer Storage and Recovery (ASR) facilities in Cooper Mountain to help increase the city's supply of non-potable water.

2.5.2. Baseline Funding Evaluation

Baseline Funding Approach

Developer contributions will play an important role in covering the cost of the non-potable water distribution system. The identified project costs for non-potable water are limited to distribution systems within the new neighborhoods, which are paid for directly by developers and are not eligible for SDC credits. If the city were to consider additional stormwater treatment facilities and additional Aquifer Storage and Recovery (ASR) facilities in Cooper Mountain to help increase the city's supply for non-potable water, those projects would serve the broader system and would require a broader funding source (such as SDCs, utility rates, or outside grant funding). However, those projects are not currently identified in the utility plan and are therefore not included in this funding plan.

Gaps and Challenges

The city plans to evaluate separate non-potable water rates and charges in the future that may possibly provide a dedicated funding stream for expansion, operations, and maintenance of the non-potable system; however, that is not in place today.

2.5.3. Recommended Non-Potable Water Funding Strategy

- Rely on development contributions to cover the cost of the planned conveyance lines for non-potable water in the Community Plan area, given that they are equivalent to potable distribution systems that are typically paid for directly by developers and are limited to the areas that can be served most cost-effectively.
- If the city establishes a non-potable water SDC and separate utility rates in the future, consider using those sources to expand the purple pipe system within the Community Plan area and for the city as a whole.

Inclusive Development Considerations

Limiting purple pipe infrastructure to lower elevation areas (Tile Flat and Grabhorn) addresses city goals to decrease the use of potable water for irrigation without imposing substantial additional development costs (such as a new pump station for non-potable water) that may have to be absorbed by future residents.

While the cost of the non-potable water distribution system is anticipated to be comparable to the cost of building local water lines, this additional cost is applicable only within certain portions of the Community Plan area, which incrementally increases development costs in the lower elevation areas. However, other areas may face their own additional costs for their own specific infrastructure needs (such as providing a booster pump station to bring potable water to upper elevation neighborhoods), which could even out total infrastructure costs across the area.

2.6. Sanitary Sewer

2.6.1. Projects And Costs

Cooper Mountain neighborhoods will be connected to the sanitary sewer network, with wastewater treatment provided by the regional sewer provider, Clean Water Services (CWS). Development across the Community Plan area west of 175th is dependent on the construction of the proposed Cooper Mountain Sanitary Pump Station and force main. These facilities will be funded and constructed by CWS. Providing sanitary sewer service to northern neighborhoods (McKernan and Hilltop) will require sanitary sewer crossing of McKernan Creek, as shown in Exhibit 21. Developing areas east of 175th will have connections to the existing Summer Creek system, which may require construction of sanitary sewer conveyance lines through riparian areas or acquisition of easements across neighboring properties.

Exhibit 21. Community Plan Zoning Map, Sewer Improvements

Source: City of Beaverton

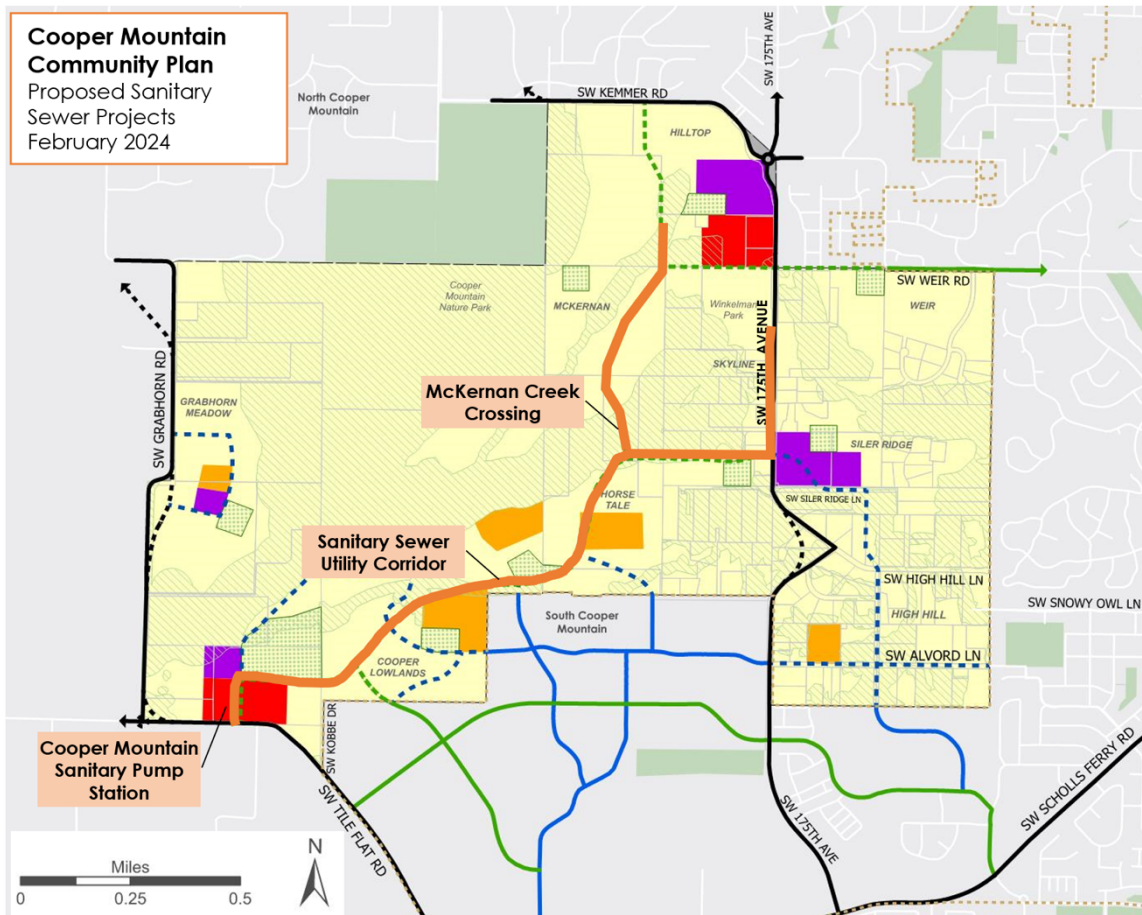


Exhibit 22. Projects and Cost Estimates, Sanitary Sewer

Source: ECOnorthwest analysis based on input from City of Beaverton and CWS, and costs provided by Consor

Project Type	Description	Estimated Cost
Conveyance Lines	Extension of sewer lines from new neighborhoods to downstream connections or pump stations, and associated road repair and riparian restoration	\$37.1 million
Regional Needs	Cooper Mountain Sanitary Pump Station, force main, large diameter sewer, and treatment plant upgrades	\$6.4 million
Total		\$43.5 million

Costs do not include connections from individual properties to the conveyance system. Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Project Delivery and Phasing

The majority of the sewer lines needed to serve development will be constructed by private developers, as development occurs, though CWS will be responsible for constructing the regional pump station and associated force main. In addition, the city and CWS may be responsible for a share of the construction costs for larger conveyance pipes as discussed below.

Building the sewer connection across McKernan Creek is essential to enabling development of the upper elevation neighborhoods (McKernan and Hilltop) and may be combined with the planned transportation facility discussed in the [Transportation section](#). At this time, the estimated size of the sewer connection across McKernan Creek is under 12 inches. However, the size of the sewer connection across McKernan Creek will determine the funding partners. CWS is responsible for funding sewer connections 12 inches or larger, using their SDC revenues or through issuing SDC credits. A multi-utility facility at McKernan Creek could potentially lower the costs for private developers to extend individual utilities through the nondevelopable riparian zone.

The Cooper Mountain Sanitary Pump Station and associated force main needed to serve much of the area west of 175th Avenue will be constructed by CWS. Because this project was identified as a need in the 2014 Cooper Mountain Concept Plan, CWS already has this project on its Capital Improvement Plan (CIP) project list, and it is expected to be operational in 2026.

In the long term, CWS also plans to make upgrades to wastewater treatment facilities to support overall system operations.

2.6.2. Baseline Funding Evaluation

Existing Revenue Sources

Overview

CWS has two primary sources of revenue to fund improvements to the sewer system: sewer SDCs and sewer utility rates. The City of Beaverton collects sewer SDCs on behalf of CWS. Under the current intergovernmental agreement with CWS, the city retains 4% of these revenues and remits 96% to CWS. As noted in the [Funding Sources Overview section](#), by law, sanitary sewer SDCs must be used for projects that expand system capacity to accommodate growth (such as the proposed Cooper Mountain Sanitary Pump Station). Utility rate revenues can be used to pay debt service for major capital improvements that require funding beyond the capacity of SDC balances. While CWS had adequate sewer rate revenues to issue debt, the city does not. Sewer utility revenues are primarily dedicated to operating, maintaining, and updating the wastewater infrastructure, including the treatment plants and other existing components of the wastewater system.

In addition, developer contributions will play an important role in covering the cost of the sanitary sewer system. The public-private split of sewer system costs is determined by the diameter of the pipe. Pipes that are 8 inches or less in diameter are the responsibility of private developers. Currently, the city is responsible for pipes larger than 8 inches and less than 12 inches, while CWS is responsible for pipes 12 inches and larger, in addition to pumps and the wastewater treatment plants.

Revenue Estimates from Existing Sources

Exhibit 23 shows the total estimated sewer SDC revenues from development in Cooper Mountain. As noted, these revenues are split between the city and CWS, with the city retaining 4% and CWS receiving 96% of the SDCs. Because utility rates are not primarily intended to fund growth-related costs, we do not include an estimate of those revenues. See Appendix B for details on revenue estimates.

Note that when the city or CWS issues SDC credits to developers that build projects that qualify for SDC credits as discussed below, the developers may redeem those SDC credits instead of paying the SDC for a particular lot. Therefore, the SDC credit process may result in less SDC revenue collected by the city and CWS. This is an estimate of the potential SDCs owed by development in the Community Plan area, regardless of whether the developer pays this obligation with credits or cash, and irrespective of the split of revenues between the city and CWS.

Exhibit 23. Sewer SDC Estimated Revenue (2023 dollars), Cooper Mountain, 2023–2043

Source: EConorthwest, City of Beaverton.

Development Type	Estimated SDC Revenue	City Share of SDCs
Residential Development	\$34.0 million	\$1.4 million
Commercial Development	\$20,000	\$820

Development Type	Estimated SDC Revenue	City Share of SDCs
Total	\$34.0 million	\$1.4 million

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Baseline Funding Approach

Exhibit 24 shows the sewer projects and estimated costs by the sector that will deliver the project—private or public—and the expected funding sources. These costs include the estimated public share of privately constructed conveyance lines, based on the amount of pipe larger than 8 inches in diameter included in these projects, as described above. See Appendix A for details on project costs.

Exhibit 24. Projects and Cost Estimates by Delivery Type, Sanitary Sewer

Source: EConorthwest, City of Beaverton, Consor

Project Type	Description	Delivery Type	Estimated Cost	Funding Sources
Conveyance System	Gravity mains (≤8-inch)	Private Development	\$34.4 million	Developer contributions
	Gravity mains (>8-inch)	Private Development – Public Share	\$2.7 million	City share of SDC credits, CWS share of SDC credits ¹
	Cooper Mountain Sanitary Pump Station & Force main	Public Project	\$6.4 million	CWS share of SDCs
Regional Needs	Treatment plant upgrades – needed for increased capacity generally	Public Project	Not Available	CWS share of SDCs, utility fees, grants
Total			\$43.5 million	

¹ Under the cost-sharing agreement with CWS, the city is responsible for the public share of pipes ≤12 inches, which is less than \$150,000 of these costs.

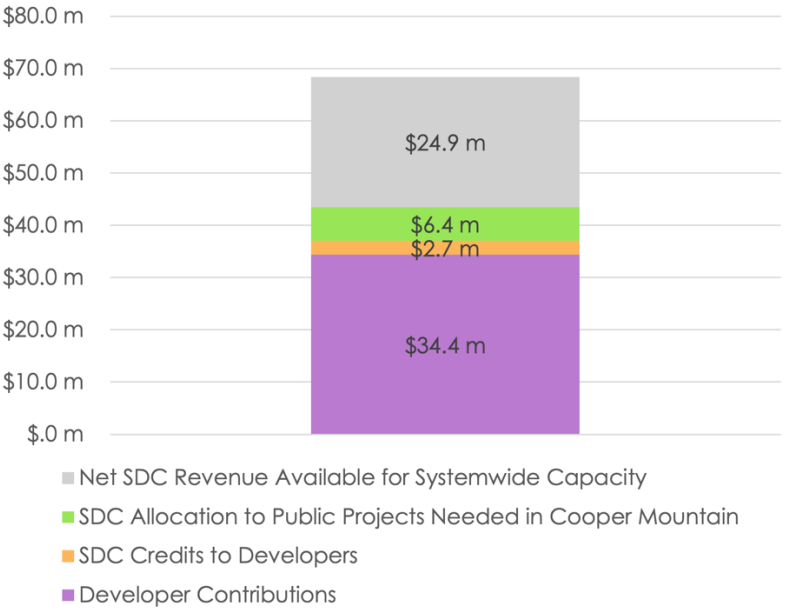
Costs do not include connections from individual properties to the conveyance system.

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Expected sanitary sewer SDC revenues from Cooper Mountain (estimated at \$34.0 million) are higher than the total SDC credit-eligible costs for sewer projects directly related to development in the Community Plan area (estimated at \$9.1 million). These projections do not account for the 96%/4% revenue split between CWS and the city. Roughly \$24.9 million in sanitary sewer SDC revenue from the Community Plan area (at buildout) may be available to fund system-wide capacity increasing projects across the regional sewer system, as shown in Exhibit 25. The growth-related (and hence SDC-eligible) share of the broader system needs are the responsibility of CWS. Because these projects are not tied specifically to development in the Community Plan area, these system needs are not included in the comparison of revenues to costs in Exhibit 25 below. Non-growth-related system improvements are expected to be funded by utility fees and/or grants.

Exhibit 25. Comparison of Expected Revenues to Development-Driven Project Costs, Sanitary Sewer

Source: EConorthwest, City of Beaverton, Consor



Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Gaps and Challenges

When viewed as a system, no funding gaps are expected anticipated; However, as development progresses and neighborhoods are built out, the 4% of the sewer SDC revenue retained by the city will be monitored for sufficiency. Additionally, the dependency of upper elevation neighborhoods on gravity line extensions through the central neighborhoods and across McKernan Creek with the future roadway crossing creates a phasing and delivery challenge that could impact development timing for these upper elevation neighborhoods.

2.6.3. Recommended Sanitary Sewer Funding Strategy

- Rely on the existing sewer SDCs, credit policies, and developer contributions to cover the costs for development-driven sewer projects within the Community Plan area.
- Rely on CWS to apply additional SDC revenue from this area beyond what is needed for the development-driven on-site costs to support broader systemwide capacity increases over the longer term.
- CWS should continue to make decisions about the use of broader-based funding sources (e.g., CWS sewer utility rates and SDCs) for treatment plant upgrade projects that serve the broader region.
- Partner with CWS to address timing of funding availability for the McKernan Creek crossing to allow development of upper elevation neighborhoods to move forward once lower neighborhoods have completed sanitary sewer infrastructure that will connect to the upper elevation neighborhoods to the planned Cooper Mountain Sanitary Pump Station (see [Recommended Funding Strategy](#) for transportation).

Inclusive Development Considerations

Because the SDC revenue from this area, 96% of which belongs to CWS, is expected to be more than sufficient to cover the area-specific infrastructure needs, sewer projects in this area will not increase the burden on rate-payers district-wide to fund infrastructure. However, because CWS's sets the SDC rates and uses a flat rate for all housing units regardless of size or housing type, they are more likely to impact the feasibility of developing lower-priced market-rate housing under their existing rate structure.²⁴ Updates to CWS's SDC methodology are outside the scope of this Funding Plan.

2.7. Stormwater

2.7.1. Projects and Costs

Development in Cooper Mountain will provide on-site stormwater management facilities at the neighborhood or project site scale. These stormwater facilities are expected to provide adequate stormwater retention and treatment and will not be connected to any larger stormwater conveyance network operated by CWS. Conveyance systems to deliver stormwater runoff to the stormwater management facilities will be constructed as neighborhoods develop. These local conveyance pipes are not included in this Funding Plan, and will be built and paid for by private developers.

The Cooper Mountain utility plan studied an alternative "resilient stream corridor" approach. However, it was determined that the resilient stream corridors would be an expensive and redundant requirement that required significant up-front construction by a public agency. The city and CWS may still pursue projects to enhance and restore stream channels, particularly along McKernan Creek, to better manage the potential change in flows from development in the basin. The city is coordinating with CWS to identify these projects, but they are not yet developed enough to estimate costs or identify appropriate funding sources.

Exhibit 26. Projects and Cost Estimates, Stormwater

Source: City of Beaverton, costs provided by Consor

Project Type	Description	Estimated Cost
Stormwater Management Facilities	Stormwater management facilities at a neighborhood scale and outfalls to streams	\$70.0 million
Stream Restoration	Potential stream enhancement or habitat restoration efforts for McKernan Creek or tributaries	Not Available
Total		\$70.0 million

Costs do not include connections from individual properties to the conveyance system. Values are presented in constant 2023 dollars and rounded to the hundred thousand.

²⁴ ECONorthwest, Galardi Rothstein Group, and FCS Group, *Oregon System Development Charges Study*, 2022, p. 79.

Project Delivery

New stormwater collection, treatment and storage facilities needed to serve development be constructed by private developers, as development occurs.

In the long term, CWS may deliver improvements to stream channel facilities through culvert upgrades, replacing existing pipe, or restoring vegetated corridors. Additionally, the city may contribute to small capital projects such as riparian planting and preventing erosion around culverts. These public projects are not yet identified, so the details are not included in this Funding Plan. However, such projects could be funded through water quality or conveyance SDCs, depending on the type of project proposed.

2.7.2. Baseline Funding Evaluation

Existing Revenue Sources

Overview

The City of Beaverton collects two stormwater SDCs to pay for the public portion of stormwater infrastructure. One stormwater SDC is set by CWS, and the other is set by the city. Under the current intergovernmental agreement with CWS, the city retains 100% of revenues generated from the stormwater conveyance SDC. Stormwater conveyance SDCs are the primary source of revenue for the City of Beaverton to fund improvements to the stormwater management system. As noted in the [Funding Sources Overview section](#), by law, stormwater SDCs must be used for projects that expand system capacity to accommodate growth. The city collects stormwater conveyance SDCs from all development. Projects that do not build on-site stormwater management must pay a fee-in-lieu (which is divided into water quality and water quantity components). This plan assumes that all development in the Community Plan area will install on-site stormwater management systems and therefore no SDC revenue is projected for the stormwater management fees set by CWS.

Revenue Estimates from Existing Sources

Exhibit 27. Stormwater SDC Estimated Revenue (2023 dollars), Cooper Mountain, 2023–2043

Source: EConorthwest analysis of data from City of Beaverton

Development Type	Estimated SDC Revenue	Estimated Quality Fees	Estimated Quantity Fees
Residential Development	\$5.6 million	–	–
Commercial Development	\$32,000	–	–
Total	\$5.6 million	–	–

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Baseline Funding Approach

The identified project costs for stormwater improvements are limited to collection, treatment, and storage systems within the new neighborhoods, which are paid for directly by developers and are not eligible for SDC credits.

Future projects may be identified for capacity or water quality improvements along the McKernan Creek corridor or in other riparian areas. Those projects could be constructed based on the funds available from the city's stormwater conveyance SDCs, water quality fees collected in the Community Plan area, or from development in other parts of the city. Using a "pay as you go" approach, the city could work with CWS to identify potential projects based on the available funds.

Gaps and Challenges

This plan has not identified any funding gaps related to stormwater. The required stormwater management facilities should be constructed and funded during development. The city will need to coordinate with CWS to identify and implement any larger conveyance or stream enhancement projects. There may be challenges in obtaining property access and implementing projects, but those issues are beyond the scope of this Funding Plan.

2.7.3. Recommended Stormwater Funding Strategy

- Rely on developer contributions to cover the costs for development-driven stormwater management facilities within the Community Plan area.
- Continue to work with CWS to identify conveyance related projects to enhance the McKernan Creek corridor and/or other riparian corridors, using funds collected from stormwater SDCs.

Inclusive Development Considerations

Because stormwater facilities are expected to be constructed and paid for by development, stormwater projects in this area will not increase the burden on rate-payers to fund infrastructure. System improvement projects within the Community Plan area, such as enhancing riparian corridors will be planned to align with the expected Cooper Mountain stormwater SDC revenues. However, because the city's stormwater SDCs use a similar rate for all housing units regardless of size or housing type, they are more likely to impact the feasibility of developing lower-priced market-rate housing under their existing rate structure.²⁵ Updates to the SDC methodology are outside the scope of this Funding Plan.

²⁵ ECONorthwest, Galardi Rothstein Group, and FCS Group, *Oregon System Development Charges Study*, 2022, p. 79.

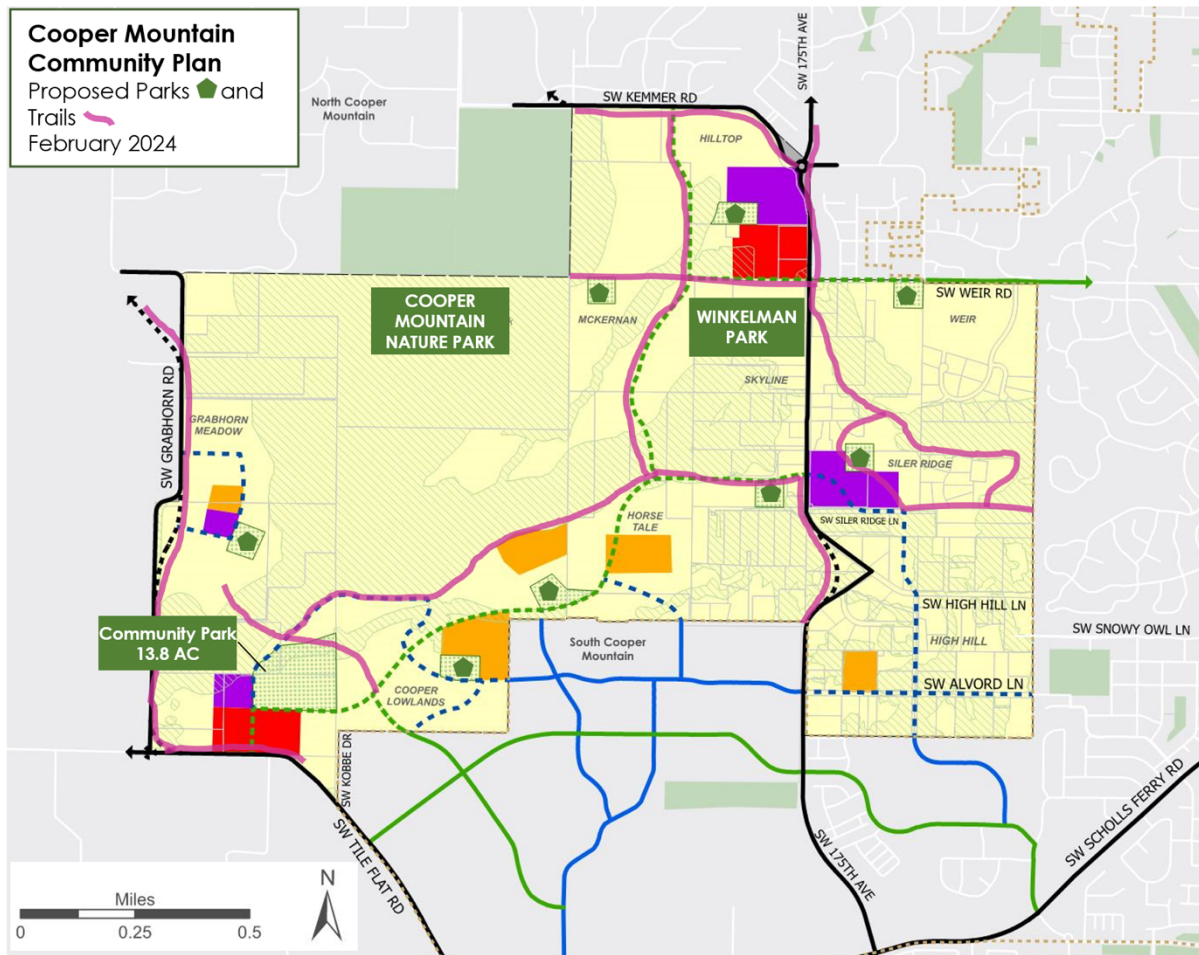
2.8. Parks & Trails

2.8.1. Projects And Costs

In the Community Plan preferred approach, parks and trails improvements include neighborhood parks, a community park, and multiuse trails, as shown in Exhibit 28. Tualatin Hills Park & Recreation District (THPRD) is responsible for providing park and trail infrastructure in Cooper Mountain.

Exhibit 28. Community Plan Zoning Map, Parks and Trails Improvements

Source: City of Beaverton



Park project costs include acquiring land and constructing park amenities, as described in Exhibit 29. Land costs vary depending on the development potential of the land, with higher costs per acre in areas where residential or commercial is allowed and lower costs in areas where development is restricted due to environmental constraints. Specialized amenities planned for some parks, such as water features and synthetic turf fields, have additional costs beyond the standard per-acre development costs. When new parks are developed in undeveloped areas, there is often a cost associated with improving the adjacent street frontage as well, including curbs, sidewalks, and partial road pavement. For this Funding Plan, frontage improvements for Collector roads

adjacent to parks are assumed to be funded as roadway projects described in the Transportation section. Other neighborhood parks are assumed to be located in neighborhoods where the frontages are local streets that will be constructed as part of land development to provide access and connectivity to new housing.

It is important to note that this Community Plan has a goal to establish more park acreage than has been assumed in THPRD's past planning documents. This plan identifies 21 acres of neighborhood parks and a large Community Park, whereas THPRD has previously anticipated 8 acres of parks in this planning area. This plan identifies the potential funding gaps and strategies to fund acquisition and development of a larger acreage of parks in this planning area.

The trail project costs in this section represent the cost of constructing multiuse trails that are independent from existing or planned roadways. When the Community Plan preferred approach includes shared use paths alongside roadways, those costs are included and budgeted with the relevant roadway projects described in the Transportation section of this plan.

Exhibit 29. Projects and Cost Estimates, Parks and Trails

Source: EConorthwest analysis based on input and costs from City of Beaverton and THPRD

Project Category	Description	Estimated Costs
Neighborhood Parks – Property Acquisition	21 acres for nine parks	\$13.7 million
Neighborhood Parks – Amenities	Design and construction for nine parks	\$29.2 million
Community Park – Property Acquisition	13.8 acres for one park ¹	\$7.1 million
Community Park – Amenities²	Design and construction for one park and amenities ¹	\$18.4 million
Trails	Design and construction for 3.6 miles of trails that are not linked to road corridors	\$16.0 million
Total		\$84.4 million

¹ The planned Community Park in Cooper Mountain is intended to serve existing and future residents both within Cooper Mountain and beyond.

² Cost estimate includes synthetic turf sports field and splash pad feature; actual park amenities to be determined during the planning and development process.

Values are presented in constant 2023 dollars and rounded to the hundred thousand. Project type subtotals may not sum to total due to rounding.

In addition to the park projects discussed in this plan, future development in Cooper Mountain may include additional parks, including an urban plaza in the commercial area and trailhead parks at some trail access points. An urban plaza and trailhead parks may be delivered by the public or private sectors.

Metro may consider options to expand the existing Cooper Mountain Nature Park. The nature park is a regional priority that serves the broader community (independent of future development in Cooper Mountain). As such, it is not included in this Funding Plan.

Similarly, THPRD already owns and operates Winkelman Park within the Community Plan planning area. Capital improvements to that facility are already planned by THPRD, regardless of future development in the Community Plan area, so are not included in this Funding Plan.

Project Delivery and Phasing

THPRD has collaborated with private sector developers in other similar development areas to deliver park and trail projects and expects to do the same in Cooper Mountain. One option is for developers to dedicate undeveloped land for parks or easements for trails to THPRD in exchange for SDC credits; THPRD then leads the development of the park. Another option is for private developers to fully build out the park amenities in collaboration with THPRD, in exchange for additional SDC credits. Land dedication and development of neighborhood parks will happen in phases, as development occurs.

THPRD plans to lead the development of the 14-acre community park. The planned community park site includes land split between three different property owners. While this plan reduces the required land dedication from any single property owner, there may be a longer timeline to negotiate acquisition from multiple parties.

2.8.2. Baseline Funding Evaluation

Existing Revenue Sources

The primary source of funding for park and trail improvements to serve new development is parks SDCs, collected by the city on behalf of THPRD. SDC revenue must be used for projects that are on THPRD's SDC-CIP project list. Exhibit 30 shows the total estimated parks SDC revenues from development in Cooper Mountain. See [Appendix B](#) for details on revenue estimates.

Note that when SDC credits are issued to developers that build projects that qualify for SDC credits as discussed below, the developers may redeem those SDC credits instead of paying the SDC for a particular lot. Therefore, the SDC credit process may result in less SDC revenue collected by THPRD. This is an estimate of the potential SDCs owed by development in the Community Plan area, regardless of whether the developer pays this obligation with credits or cash.

Exhibit 30. Parks SDC Estimated Revenue (2023 dollars), Cooper Mountain, 2023–2043

Source: EConorthwest analysis of data from THPRD

Development Type	Estimated SDC Revenue
Residential Development	\$56.1 million
Commercial Development	\$14,000
Total	\$56.1 million

Values are presented in constant 2023 dollars and rounded to the hundred thousand.

Baseline Funding Approach

Exhibit 31 shows the park and trail projects and estimated costs, and the expected funding sources. See [Appendix A](#) for details on project costs.

Exhibit 31. Projects, Cost Estimates, and Potential Funding Sources, Parks and Trails

Source: EConorthwest analysis based on input and costs from City of Beaverton and THPRD

Project Category	Description	Estimated Costs	Funding Sources
Neighborhood Parks – Property Acquisition	21 acres for nine parks	\$13.7 million	SDC credits
Neighborhood Parks – Amenities	Design and construction for nine parks	\$29.2 million	SDCs / SDC credits
Community Park – Property Acquisition	13.8 acres for one park	\$7.1 million	SDCs / SDC credits
Community Park – Amenities	Design and construction for one park and amenities ¹	\$18.4 million	SDCs, grants
Trails	Design and construction for 3.6 miles of trails	\$16.0 million	SDCs, grants, bonds
Total		\$84.4 million	

¹ Potential cost of amenities, such as a synthetic field, splash pad, and other features. Specific park amenities will be determined through the planning and design process.

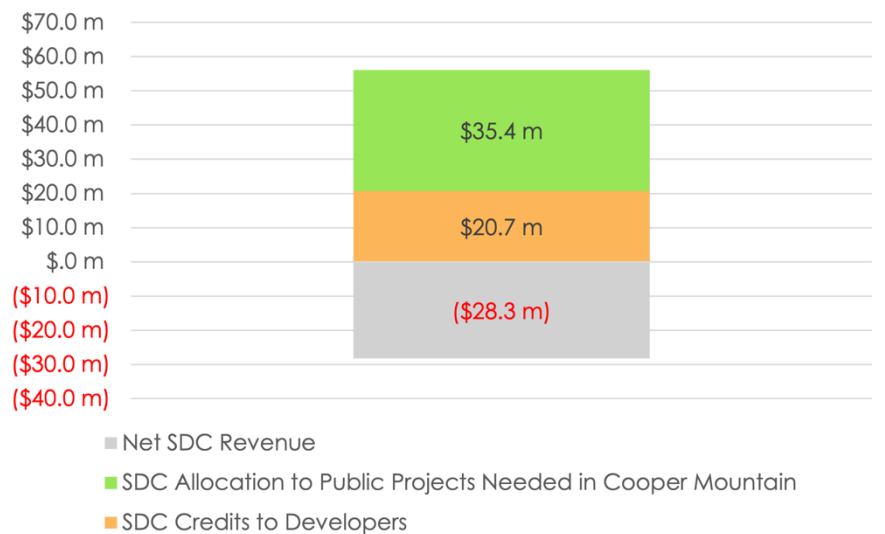
Values are presented in constant 2023 dollars and rounded to the hundred thousand. Project type subtotals may not sum to total due to rounding.

Gaps and Challenges

This plan has more park acreage than anticipated when THPRD set its SDCs in 2020. Therefore expected SDC revenues from Cooper Mountain are lower than the total cost of parks and trails projects planned for the area, for a total gap of approximately \$28.3 million, as shown in Exhibit 32.

Exhibit 32. Comparison of Expected Revenues to Development-Driven Project Costs, Parks and Trails

Source: EConorthwest, City of Beaverton, THPRD



Values are presented in constant 2023 dollars and rounded to the hundred thousand.

The Community Plan preferred approach has more parks than are accounted for in THPRD’s SDC-CIP project list, which is the basis for THPRD’s SDC rates. The SDC-CIP project list includes only eight acres of neighborhood parks in Cooper Mountain, while the Community Plan plans for 21 acres.²⁶ This difference is one reason for the projected revenue shortfall. THPRD reassesses its SDC methodology and SDC-CIP project list every five years and will have an opportunity to consider the Cooper Mountain planning area goals in the next SDC evaluation.

THPRD’s SDC-CIP project list includes 15 acres for a community park, which accommodates the Community Plan’s 13.8-acre park. The planned Community Park in Cooper Mountain is intended to serve a broader area, not just development within Cooper Mountain. It is appropriate for SDC revenue from a larger area to help pay for the costs of this facility.

THPRD may need to consider how much SDC revenue is available (from Cooper Mountain or other areas) early in the development of Cooper Mountain if it seeks to acquire land for neighborhood parks when acquisition costs exceed the amount of SDCs owed by the development that is dedicating the property.

2.8.3. Funding Options

The policy around parks SDCs and SDC credits is set by THPRD, including decisions about which properties and park projects would be eligible for credits, the process for

²⁶ See Appendix C in Parks System Development Charges Methodology Report, September 2020, included as attachment in the [meeting materials](#) for THPRD Board Meeting, November 12, 2020. Per-acre development costs have also increased since the most recent SDC-CIP project list was approved in 2020. However, SDC rates are indexed based on increases in construction and land costs to account for this, even though the costs shown in the SDC-CIP project list are not escalated directly.

claiming credits, and options to transfer credits between projects.²⁷ THPRD is able to use SDCs collected systemwide to fund projects that have broader benefits. THPRD has also implemented area-specific SDC rates in the past in certain areas (e.g., North Bethany) to account for higher costs. Other options, if needed, would include a local bond, funding allocations from a regional Metro bond, or grants, though these sources are typically directed toward projects that are not growth-related and cannot be funded by SDCs.

2.8.4. Recommended Parks and Trails Funding Strategy

- Rely on THPRD to execute parks plan with their existing tools, including parks SDCs. SDCs from the Community Plan area are expected to cover the full cost of land acquisition and much, but not all, of the cost of building out the parks included in the Community Plan. THPRD may draw on SDCs from other areas, or other district-wide sources as applicable, to support the build-out of the Community Park and trail amenities that serve the broader community.

Inclusive Development Considerations

Supplementing the cost of parks in the Community Plan area with SDC revenue from other areas avoids a further increase to development costs in this area. THPRD's fees are already scaled with unit size and discounted or waived for affordable housing development, which reduces their impact on housing costs.²⁸

²⁷ THPRD is currently working on revising the SDC Administrative Procedures Guide, which may update the current credit policies.

²⁸ EConorthwest, Galardi Rothstein Group, and FCS Group, *Oregon System Development Charges Study*, 2022, p. 79.

3. Conclusions and Implications

3.1. Summary

As in most greenfield development, developers will build and pay for much of the infrastructure that will serve the new development, including all of the local streets and the utilities collection and distribution networks, as well as on-site stormwater management systems. Larger roads and pipes that will connect utilities between neighborhoods or to the broader system are assumed to be mostly built by developers with cost-sharing mechanisms (generally SDC credits) for the cost of oversizing roads or utility systems relative to local facilities. Larger projects and those that impact properties with little development potential will generally be built by the public sector service provider, with funding largely coming from SDCs for costs associated with increasing capacity, and from other sources (generally grants or utility fees) for project elements serving other purposes (safety, resilience, etc.).

The existing systems and funding methods are expected to be adequate to deliver needed infrastructure in most cases. However, there are funding gaps for transportation, and there are several important projects that require special attention to timing. These issues are summarized below.

3.2. Key Funding and Financing Issues

3.2.1. Funding for McKernan Creek Crossing

Key Issue

The new Collector road system in Cooper Mountain will need a \$10.9 million crossing of McKernan Creek. The crossing will likely be too costly to link to an individual development, and it passes through the undevelopable riparian corridor of McKernan Creek. The transportation connection is important for multimodal connectivity between northern and southern portions of Cooper Mountain and surrounding areas, but the facility also plays an important role in carrying utilities (e.g., water and sewer pipes) across the stream. This makes its timing more important to enabling development than it would be from a transportation perspective alone.

Proposed Solution

Establish a new funding source to cover the cost of the McKernan Creek crossing, such as an LID, supplemental SDC, reimbursement district, or infrastructure fee.

Next Steps

- Explore support for an LID among property owners in the Hilltop, McKernan, Horse Tale, Skyline, and Cooper Lowlands neighborhoods. If there is sufficient support among a group of property owners, consider how costs would be allocated and potential costs per future dwelling unit under this arrangement. Explore potential to combine other water/sewer projects needed to serve the same areas into a single LID.

- Explore potential to use water and sewer SDC revenue to contribute to the utility-related costs of this project, given its importance across multiple infrastructure systems and the potential for stream restoration.

3.2.2. Infrastructure Phasing for Higher Elevation Neighborhoods

Key Issue

Development in several of the future neighborhoods in upper elevations is dependent on specific utility projects that may be challenging for individual developers to deliver on their own:

- McKernan, Hilltop, Skyline and Siler Ridge neighborhoods (or portions of these areas) need a water booster pump station at Kemmer to provide adequate pressure to new potable water pressure zones. This project will be located on existing public property and is estimated at \$3.0 million. The cost of this project is not a concern relative to funding in the long-term, but the timing of the need relative city's ability to allocate funding to this project creates a potential challenge.
- The Hilltop and McKernan neighborhoods also need the sewer line extension from the future CWS Cooper Mountain Sanitary Pump Station near Grabhorn/Tile Flat Road. The sewer line must extend through central neighborhoods, and across McKernan Creek. The sewer line and water distribution lines will likely be carried across McKernan Creek at the future roadway crossing. This is the most cost-effective method for crossing McKernan Creek, but makes these utilities dependent on construction of that road project.

Proposed Solution

- The city has plans to put the water booster pump station on a capital project list, though the earliest available timeline would be 2030 or later. This timing is reasonable, based on the development phasing that requires a bridge/sewer crossing of McKernan creek to access many of these neighborhoods.
- As an alternative, there is potential for one or more developers to fund the pump station earlier and establish a reimbursement district for all properties that are going to be in the new pressure zones, or to add this water booster pump station to an LID related to the McKernan Creek crossing (if that is the preferred strategy) as it would benefit a similar area.
- Continue pursuing grant funding or direct allocations from state and federal sources for the booster pump station project, based on its relevance to supporting housing production.²⁹

²⁹ In 2024, the city received grant funding from the state legislature to accelerate the schedule of the booster pump station. Construction is expected in 2025 for completion in 2026.

Next Steps

- Discuss timing and options with property owners and developers in areas that require the booster pump station to determine whether there is a desire for alternative solutions that could accelerate the timeline to build this facility.

3.2.3. Safety Improvements for 175th Avenue

Key Issue

The “Kink” along 175th Avenue requires redesign and realignment to improve safety for all road users. This project has been known as a necessary regional improvement for over 10 years, since it was identified in the infrastructure Funding Plan for South Cooper Mountain. This project is not essential to complete prior to development in Cooper Mountain, but the increased traffic on 175th as Cooper Mountain builds out will exacerbate an already undesirable situation. In addition to its importance to Cooper Mountain, 175th Avenue carries regional traffic from several rapidly developing areas, including South Cooper Mountain in Beaverton and River Terrace in Tigard. In addition, 175th Avenue is a potential transit corridor but cannot function in that capacity with the current alignment and safety concerns.

The project is on Washington County’s TDT list; however, it is competing for funds with many other projects and not currently identified in the priority capital project list. In addition, only 25% of the cost of the project (the estimated capacity-related share of costs) is eligible for TDT funding, while the rest must come from other sources. It is less appropriate to have Cooper Mountain development fund the gap, because the remaining costs are due to addressing the existing safety issues and would benefit all users of 175th Avenue. Funding for non-growth-related transportation capital projects is even more challenging.

Proposed Solution

- Include the cost of urban upgrades north and south of the “kink” in a Cooper Mountain-specific transportation funding source to provide dedicated funding for this portion of the project, and to free up TDT funding from this area to fund the capacity-related portions of the cost of realigning the “kink” on 175th Avenue.
- Work with Washington County to establish a higher priority for improvements for 175th Avenue.
- Rely on Washington County to deliver the project and fund the non-capacity-related portion of costs of realigning the “kink” with other sources, as resources allow.

Next Steps

- Establish Cooper Mountain-specific funding source.
- Work with Washington County to prioritize TDT funds and other County transportation funding for the 175th Avenue upgrades in the mid-term.
- Work with the County to apply for safety-related transportation grants to help cover the non-TDT-eligible costs of realigning the “kink.”

- Support the County, as they develop a comprehensive CIP prioritization process and explore funding strategies to increase the County's capacity to deliver priority transportation projects.

3.2.4. Expanded Parks and Trails Plan

Key Issue

- When building its SDC-CIP project list, THPRD planned for approximately 8 acres of neighborhood parks in the Community Plan Area. The Community Plan proposed approximately 21 acres of neighborhood parks and new community park of approximately 14 acres, resulting in a funding gap relative to parks SDCs.

Proposed Solution

- Rely on THPRD's existing parks SDCs to cover the cost of acquiring park properties and building out park amenities to the level available.
- Draw on SDCs from other areas (or other district-wide sources as applicable) to support the build-out of the Community Park and trail amenities that serve the broader community.
- Support THPRD in updating its SDC-CIP list to include the parks goals outlined in the Community Plan.

Next Steps

- No further actions needed from city.

3.3. Inclusive Development Considerations

Under the proposed Funding Plan, growth-related costs are not expected to be funded by sources that impact existing residents or businesses. All growth-related costs are expected to be funded by sources linked to development, though the service providers have flexibility to use other sources as needed in some cases based on timing considerations, availability of grants or other funds, or other considerations.

The proposed Funding Plan also relies largely on existing funding sources. This plan indicates that only the transportation infrastructure category carries additional costs to implement the needed projects. The transportation funding strategy has the potential to impose additional costs on development in this area that is not part of the baseline funding scenario is for selected transportation projects. Both infrastructure and development costs in this area may be higher than in other areas due to topography, but this is not an issue the Funding Plan can address.

This suggests that the recommended Funding Plan is unlikely to substantially impact the ability to deliver a range of housing types and price points within Cooper Mountain. However, the baseline cost of building the infrastructure needed to serve new neighborhoods means delivering on the goal of inclusive neighborhoods is likely to remain a challenge.

Because the city controls few of the SDC rates applicable to development in this area, there are limited opportunities for the city to adjust rate structures or exemption policies

to lessen the impact on smaller, lower-priced homes or on affordable housing. However, the city may be able to use other funding sources or incentives to support these types of development (as discussed further in a separate memorandum) and can encourage partner agencies to consider these factors if and when they update their SDC methodologies in the future. If the city does implement a new funding source for this area, careful consideration should be given to how the costs are allocated to ensure that any relationship between demand/impact and unit size, density, and housing type are accounted for in developing the methodology.

Appendix A. Cooper Mountain Infrastructure Project Costs – PRELIMINARY DRAFT November 2023

Note: Final project estimates will be updated when the Cooper Mountain Utility Plan is finalized in 2024.

Transportation

Source: EConorthwest analysis of cost figures from DKS Associates

Project	Description	Project Category	Total Estimated Cost (2023)	Delivery	On TDT List?	Cooper Share (% of traffic)	Remainder
1	Realign the curve along SW Grabhorn Road near SW Stone Creek Drive, as a 3-lane County arterial with a shared-use path.	Off-site / Regional Projects	\$6,900,000	public	N	\$1,035,000	\$5,865,000
2	Realign the curve along SW Grabhorn Road north of SW Tile Flat Road, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$3,610,000	private	N	\$555,000	\$3,055,000
3B	Improve the SW Grabhorn Road intersection with SW Tile Flat Road by installing a roundabout.	Off-site / Regional Projects	\$5,880,000	public	N	\$960,000	\$4,920,000
4	Realign SW 175th Avenue between SW Outlook Lane and Cooper Mountain Lane, as a 3-lane County arterial with a shared-use path.	On-Site Arterial Projects	\$7,630,000	public	Y (1011, 25% capacity/growth)	\$1,665,000	\$5,965,000
5	Extend SW 185th Avenue from Gassner Road to Kemmer Road as a 3-lane County arterial with a shared-use path.	Off-site / Regional Projects	\$10,290,000	public	N	\$2,025,000	\$8,265,000
6a	Create a new 2-lane City collector street between SW Kemmer Road and the bridge across McKernan Creek.	Collectors	\$13,050,000	private	N	\$6,550,000	\$6,500,000
6b	Create a new bridge crossing with 2-lane City collector street to extend the collector to the SW Siler Ridge Lane extension.	Collectors	\$10,910,000	public	N	\$5,475,000	\$5,435,000
7	Extend SW Weir Road from SW 170th Avenue to the new north-to-south collector street, as a 3-lane City collector street with a shared-use path.	Collectors	\$8,250,000	private	N	\$3,750,000	\$4,500,000
8	Extend SW Siler Ridge Lane from SW 175th Avenue to the new north-to-south collector street, as a 3-lane City collector street with a shared-use path.	Collectors	\$10,900,000	private	N	\$5,830,000	\$5,070,000
9	Extend SW Siler Ridge Lane from the new north-to-south collector street to SW Tile Flat Road, as a 3-lane City collector street.	Collectors	\$31,380,000	private	N	\$16,790,000	\$14,590,000

Project	Description	Project Category	Total Estimated Cost (2023)	Delivery	On TDT List?	Cooper Share (% of traffic)	Remainder
10	Extend SW Mountainside Way to the SW Siler Ridge Lane extension, as a 3-lane City collector street with a shared-use path.	Collectors	\$2,110,000	private	N	\$1,180,000	\$930,000
11	Create a new 2-lane City neighborhood route between the SW Siler Ridge Lane extension and SW Alvord Lane extension with a shared-use path.	Neighborhood Routes	\$10,390,000	private	N/A	\$5,820,000	\$4,570,000
12	Extend SW Bittern Lane to SW Alvord Lane, as a 2-lane City neighborhood route.	Neighborhood Routes	\$1,510,000	private	N/A	\$845,000	\$665,000
13	Improve SW Tile Flat Road from SW Scholls Ferry Road to SW Grabhorn Road, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$6,170,000	private	N	\$805,000	\$5,365,000
14a	Improve SW Grabhorn Road north of SW Tile Flat Road, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$4,030,000	private	N	\$640,000	\$3,390,000
14b	Improve SW Grabhorn Road south of SW Stonecreek Drive, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$3,770,000	private	N	\$565,000	\$3,205,000
15A	Improve SW 175th Avenue from SW Barrows Road to SW Cooper Mountain Lane, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$3,750,000	public	N	\$865,000	\$2,885,000
15B	Improve SW 175th Avenue from SW Outlook Lane to SW Kemmer Road, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$8,060,000	public	N	\$1,945,000	\$6,115,000
16	Improve SW Kemmer Road from SW 175th Avenue to the SW 185th Avenue extension, as a 3-lane County arterial with a shared-use path.	Arterial Projects	\$9,240,000	private	N	\$2,010,000	\$7,230,000
17	Improve SW Weir Road from SW 170th Avenue to SW Mt Adams Drive, as a 3-lane City collector street.	Collectors	\$4,060,000	private	Y (2067, 100% growth/capacity)	\$1,435,000	\$2,625,000
18	Improve the SW 175th Avenue intersection with SW Weir Road by installing a traffic signal (when warrants are met).	Arterial Projects	\$1,490,000	private	N	\$560,000	\$930,000

Project	Description	Project Category	Total Estimated Cost (2023)	Delivery	On TDT List?	Cooper Share (% of traffic)	Remainder
19	Improve the SW 175th Avenue intersection with SW Siler Ridge Lane by installing a traffic signal (when warrants are met).	Arterial Projects	\$1,490,000	private	N	\$515,000	\$975,000
20	Improve the SW Grabhorn Road intersection with SW Gassner Road by adding southbound and westbound left-turn lanes.	Off-site / Regional Projects	\$1,400,000	public	N	\$240,000	\$1,160,000
21	Improve the SW Farmington Road intersection with SW Grabhorn Road by extending the 5-lane widening of SW 209th Avenue to just south of Farmington Road.	Off-site / Regional Projects	\$2,270,000	public	Y (3076, 100% growth/capacity)	\$190,000	\$2,080,000
22	Improve the SW Farmington Road intersection with SW Clark Hill Road by adding a westbound left-turn lane.	Off-site / Regional Projects	\$700,000	public	N	\$15,000	\$685,000
23	Improve the SW 170th Avenue intersection with SW Rigert Road by installing a roundabout.	Off-site / Regional Projects	\$6,520,000	public	N	\$1,090,000	\$5,430,000
25	Improve/Extend SW Alvord Lane from SW 175th Avenue to SW Siskin Terrace, as a 2-lane City neighborhood route.	Neighborhood Routes	\$5,540,000	private	N/A	\$3,100,000	\$2,440,000
26	Improve SW Siler Ridge Lane east of SW 175th Avenue, as a 2-lane City neighborhood route.	Neighborhood Routes	\$2,640,000	private	N/A	\$1,480,000	\$1,160,000
27	Create a new 2-lane City neighborhood route between the SW Alvord Lane extension and the SW Mountainside Way extension.	Neighborhood Routes	\$2,650,000	private	N/A	\$1,380,000	\$1,270,000
28	Extend SW Alvord Lane to the SW Siler Ridge Lane extension, as a 2-lane City neighborhood route.	Neighborhood Routes	\$3,010,000	private	N/A	\$1,685,000	\$1,325,000
29	Create a new 2-lane City neighborhood route loop connecting to SW Grabhorn Road.	Neighborhood Routes	\$5,600,000	private	N/A	\$3,135,000	\$2,465,000
		Total	\$195,200,000				

Potable Water

Source: EConorthwest analysis of cost data from Consor

Project	Cost Type	Project Size (units)	Total Project Cost	Private Dev Total	Public Dev Total	SDC Credit Share of Cost	SDC Eligible Project Size	SDC Credit (\$)	Developer Direct Cost
930 Zone				\$ 11,800,000				\$ 467,000	\$ 11,333,000
	18-inch pipe	1,100	\$ 1,400,000			33%	367		
	12-inch pipe	7,900	\$ 8,200,000						
	Arterial Road Repair	5,200	\$ 2,200,000						
850 Zone				\$ 8,780,000				\$ -	\$ 8,780,000
	12-inch pipe	6,100	\$ 6,290,000						
	PRV Station	3	\$ 1,110,000						
	Arterial Road Repair	3,300	\$ 1,380,000						
Upper BPS	Upper BPS	1	\$ 3,000,000		\$ 3,000,000				
Upper Zones Total			\$ 23,580,000	\$ 20,580,000	\$ 3,000,000			\$ 467,000	\$ 20,113,000
794 Zone				\$ 16,970,000				\$ 2,573,000	\$ 14,397,000
	24-inch pipe	3,200	\$ 4,580,000			50%	1,600		
	18-inch pipe	700	\$ 850,000			33%	233		
	12-inch pipe	9,000	\$ 9,280,000						
	PRV Station	3	\$ 1,110,000						
	Bridge Crossing	300	\$ 300,000						
	Arterial Road Repair	4,100	\$ 850,000						
750 Zone				\$ 2,080,000				\$ -	\$ 2,080,000
	12-inch pipe	1,200	\$ 1,260,000						
	PRV Station	2	\$ 740,000						
	Local Road Repair	300	\$ 80,000						
675 Zone				\$ 14,140,000					\$ 14,140,000
	12-inch pipe	12,500	\$ 12,890,000						
	PRV Station	2	\$ 740,000						
	Local Road Repair	2,400	\$ 510,000						
CM3 BPS	CM3 BPS		\$ 5,160,000		\$ 5,160,000				
Middle Zones Total			\$ 38,350,000	\$ 33,190,000	\$ 5,160,000			\$ 2,573,000	\$ 30,617,000
550 Zone				\$ 19,490,000				\$ 5,687,000	\$ 13,803,000
	24-inch pipe	7,400	\$ 10,560,000			50%	3,700		
	18-inch pipe	1,000	\$ 1,220,000			33%	333		
	12-inch pipe	5,900	\$ 6,080,000						
	PRV Station	2	\$ 740,000						
	Arterial Road Repair	1,000	\$ 420,000						
	Local Road Repair	2,200	\$ 470,000						
470 Zone				\$ 16,100,000				\$ 1,490,000	\$ 14,610,000
	18-inch pipe	3,700	\$ 4,470,000			33%	1,233		
	12-inch pipe	7,300	\$ 7,550,000						
	PRV Station	2	\$ 740,000						
	Bore Pit/Receiving Pit Based on 20 ft deep	2	\$ 300,000						
	Trenchless Pipe up to 24-inch Based on 20 ft deep	350	\$ 1,040,000						
	Vegetated Corridor Permitting and Restoration	2	\$ 140,000						
	Arterial Road Repair	4,200	\$ 1,760,000						
	Local Road Repair	400	\$ 100,000						
West BPS					\$ 5,220,000				
	Construction		\$ 4,790,000						
	Property Acquisition		\$ 430,000						
Lower Zones Total			\$ 40,810,000	\$ 35,590,000	\$ 5,220,000			\$ 7,177,000	\$ 28,413,000

Project	Cost Type	Project Size (units)	Total Project Cost	Private Dev Total	Public Dev Total	SDC Credit Share of Cost	SDC Eligible Project Size	SDC Credit (\$)	Developer Direct Cost
CMR3 Reservoir	Construction		\$ 24,930,000		\$ 29,200,000				
	Property Acquisition		\$ 4,270,000						
CMR3 Site ASR			\$ 13,050,000		\$ 13,050,000				
Tile Flat BPS					\$ 5,650,000				
	Construction		\$ 5,220,000						
	Property Acquisition		\$ 430,000						
ASR 7A (CMR 1&2 Site)			\$ 6,412,000		\$ 6,412,000				
Citywide Capacity and Storage Total			\$ 54,312,000	\$ -	\$ 54,312,000			\$ -	\$ -
Total Potable Projects			\$ 157,052,000	\$ 89,360,000	\$ 67,692,000			\$ 10,217,000	\$ 79,143,000
	Growth-related costs		\$ 92,360,000						

Non-Potable Water

Source: Consor

Project		Quantity	Total Project Cost
NP 520 Zone			
	8-inch Pipe	5,500	\$4,920,000
	6-inch Pipe	1,100	\$900,000
	Potable Intertie	1	\$470,000
Subtotal			\$6,290,000
NP 410 Zone			
	8-inch Pipe	2,700	\$2,150,000
	6-inch Pipe	7,700	\$6,840,000
	Bore Pit/Receiving Pit Based on 20 ft deep	2	\$290,000
	Trenchless Pipe up to 24-inch Based on 20 ft deep	350	\$1,030,000
	Vegetated Corridor Permitting and Restoration	2	\$140,000
	PRV	2	\$740,000
	Arterial Road Repair	4,200	\$1,760,000
Subtotal			\$12,950,000
Total Non-Potable Cost			\$19,240,000

Sanitary Sewer

Source: EConorthwest analysis of cost data from Consor and CWS

Project		Quantity	Total Project Cost	SDC Credit Share of Cost	SDC Eligible Project Size	SDC Credit (\$)	Developer Direct Cost
CMSPS1							
	8 inch PVC pipe up to 10 ft deep	1,087	\$559,795	0%	0.0	\$0	\$559,795
	8 inch PVC pipe 10-20 ft deep	1,414	\$975,582	0%	0.0	\$0	\$975,582
	10 inch PVC pipe up to 10 ft deep	357	\$229,633	20%	71.4	\$45,927	\$183,706
	10 inch PVC pipe 10-20 ft deep	123	\$112,810	20%	24.6	\$22,562	\$90,248
	15 inch PVC pipe up to 10 ft deep	330	\$242,635	47%	154.0	\$113,230	\$129,405
	15 inch PVC pipe 10-20 ft deep	873	\$909,296	47%	407.4	\$424,338	\$484,958
	Bore Pit/Receiving Pit Based on 20 ft deep	1	\$138,000	0%	0.0	\$0	\$138,000
	Trenchless Pipe up to 24 inches Based on 20 ft deep	250	\$724,500	67%	166.7	\$483,000	\$241,500
	Riparian Zone Permitting and Restoration	1	\$70,000	0%	0.0	\$0	\$70,000
	Standard 4 ft manhole up to 10 ft deep	8	\$147,200	0%	0.0	\$0	\$147,200
	Standard 4 ft manhole 10-20 ft deep	13	\$358,800	0%	0.0	\$0	\$358,800
	Arterial Road Repair	2,980	\$1,239,258	0%	0.0	\$0	\$1,239,258
CMSPS2							
	15 inch PVC pipe 10-20 ft deep	899	\$935,873	47%	419.5	\$436,741	\$499,132
	18 inch PVC pipe 10-20 ft deep	226	\$187,045	56%	125.6	\$103,914	\$83,131
	18 inch PVC greater than 20 ft deep	627	\$691,865	56%	348.3	\$384,369	\$307,496
	Standard 4 ft manhole up to 10 ft deep	4	\$73,600	0%	0	\$0	\$73,600
	Standard 4 ft manhole 10-20 ft deep	3	\$82,800	0%	0	\$0	\$82,800
	Arterial Road Repair	220	\$91,303	0%	0	\$0	\$91,303
CMSPS2A							
	8 inch PVC pipe up to 10 ft deep	1,876	\$966,398	0%	0	\$0	\$966,398
	8 inch PVC pipe 10-20 ft deep	81	\$55,666	0%	0	\$0	\$55,666
	Standard 4 ft manhole up to 10 ft deep	7	\$128,800	0%	0	\$0	\$128,800
CMSPS2B							
	8 inch PVC pipe up to 10 ft deep	922	\$475,014	0%	0	\$0	\$475,014
	8 inch PVC pipe 10-20 ft deep	198	\$136,620	0%	0	\$0	\$136,620
	Standard 4 ft manhole up to 10 ft deep	4	\$73,600	0%	0	\$0	\$73,600
	Arterial Road Repair	1,120	\$465,741	0%	0	\$0	\$465,741
CMSPS3							
	8 inch PVC pipe up to 10 ft deep	3,530	\$1,818,656	0%	0	\$0	\$1,818,656
	8 inch PVC pipe 10-20 ft deep	2,186	\$1,508,340	0%	0	\$0	\$1,508,340
	10 inch PVC pipe 10-20 ft deep	398	\$364,695	20%	79.6	\$72,939	\$291,756
	Standard 4 ft manhole up to 10 ft deep	13	\$239,200	0%	0	\$0	\$239,200
	Standard 4 ft manhole 10-20 ft deep	7	\$193,200	0%	0	\$0	\$193,200
CMSPS3A							
	8 inch PVC pipe up to 10 ft deep	533	\$274,602	0%	0	\$0	\$274,602
	Standard 4 ft manhole up to 10 ft deep	2	\$36,800	0%	0	\$0	\$36,800
CMSPS4							
	8 inch PVC pipe 10-20 ft deep	4,088	\$2,820,720	0%	0	\$0	\$2,820,720
	Standard 4 ft manhole 10-20 ft deep	13	\$358,800	0%	0	\$0	\$358,800
	Bore Pit/Receiving Pit Based on 20 FT deep	1	\$138,000	0%	0	\$0	\$138,000
	Trenchless Pipe up to 24 inches Based on 20 ft deep	200	\$579,600	67%	133.3	\$386,400	\$193,200
	Riparian Zone Permitting and Restoration	1	\$70,000	0%	0	\$0	\$70,000

Project		Quantity	Total Project Cost	SDC Credit Share of Cost	SDC Eligible Project Size	SDC Credit (\$)	Developer Direct Cost
CMSPS5							
	8 inch PVC pipe up to 10 ft deep	864	\$445,133	0%	0	\$0	\$445,133
	8 inch PVC pipe 10-20 ft deep	810	\$558,900	0%	0	\$0	\$558,900
	8 inch PVC pipe greater than 20 ft deep	138	\$120,612	0%	0	\$0	\$120,612
	Standard 4 ft manhole up to 10 ft deep	3	\$55,200	0%	0	\$0	\$55,200
	Standard 4 ft manhole 10-20 ft deep	3	\$82,800	0%	0	\$0	\$82,800
	Standard 4 ft manhole greater than 20 ft deep	1	\$46,000	0%	0	\$0	\$46,000
CMSPS6							
	8 inch PVC pipe up to 10 ft deep	2,536	\$1,306,547	0%	0	\$0	\$1,306,547
	8 inch PVC pipe greater than 20 ft deep	1,780	\$1,555,720	0%	0	\$0	\$1,555,720
	Standard 4 ft manhole up to 10 ft deep	18	\$331,200	0%	0	\$0	\$331,200
	Standard 4 ft manhole greater than 20 ft deep	6	\$276,000	0%	0	\$0	\$276,000
	Arterial Road Repair	4,316	\$1,794,765	0%	0	\$0	\$1,794,765
SSMH0004981							
	8 inch PVC pipe up to 10 ft deep	294	\$151,701	0%	0	\$0	\$151,701
	8 inch PVC pipe 10-20 ft deep	294	\$203,171	0%	0	\$0	\$203,171
	Standard 4 ft manhole up to 10 ft deep	1	\$18,400	0%	0	\$0	\$18,400
	Standard 4 ft manhole 10-20 ft deep	1	\$27,600	0%	0	\$0	\$27,600
	Clearing and Grubbing	0.34	\$1,564	0%	0	\$0	\$1,564
	Riparian Zone Permitting and Restoration	1	\$70,000	0%	0	\$0	\$70,000
SSMH0005288							
	8 inch PVC pipe up to 10 ft deep	592	\$304,998	0%	0	\$0	\$304,998
	8 inch PVC pipe 10-20 ft deep	1,549	\$1,068,810	0%	0	\$0	\$1,068,810
	Standard 4 ft manhole up to 10 ft deep	2	\$36,800	0%	0	\$0	\$36,800
	Standard 4 ft manhole 10-20 ft deep	8	\$220,800	0%	0	\$0	\$220,800
	Arterial Road Repair	2,141	\$890,313	0%	0	\$0	\$890,313
SSMH0004814							
	8 inch PVC pipe up to 10 ft deep	392	\$201,958	0%	0	\$0	\$201,958
	8 inch PVC pipe 10-20 ft deep	2,147	\$1,481,430	0%	0	\$0	\$1,481,430
	Bore Pit/Receiving Pit Based on 20 ft deep	1	\$138,000		0	\$0	\$138,000
	Trenchless Pipe up to 24 inches Based on 20 ft deep	100	\$289,800	67%	66.7	\$193,200	\$96,600
	Standard 4 ft manhole up to 10 ft deep	1	\$18,400	0%	0	\$0	\$18,400
	Standard 4 ft manhole 10-20 ft deep	7	\$193,200	0%	0	\$0	\$193,200
	Clearing and Grubbing	0.61	\$2,806	0%	0	\$0	\$2,806
	Riparian Zone Permitting and Restoration	1	\$70,000	0%	0	\$0	\$70,000
SSMH0004844							
	8 inch PVC pipe up to 10 ft deep	907	\$467,286	0%	0	\$0	\$467,286
	8 inch PVC pipe 10-20 ft deep	981	\$676,890	0%	0	\$0	\$676,890
	Standard 4 ft manhole up to 10 ft deep	4	\$73,600	0%	0	\$0	\$73,600
	Standard 4 ft manhole 10-20 ft deep	3	\$82,800	0%	0	\$0	\$82,800
	Clearing and Grubbing	0.15	\$690	0%	0	\$0	\$690
	Local Road Repair	1,618	\$175,650	0%	0	\$0	\$175,650

Project		Quantity	Total Project Cost	SDC Credit Share of Cost	SDC Eligible Project Size	SDC Credit (\$)	Developer Direct Cost
SSCO0000551							
	8 inch PVC pipe up to 10 ft deep	249	\$128,285	0%	0	\$0	\$128,285
	8 inch PVC pipe 10-20 ft deep	249	\$171,810	0%	0	\$0	\$171,810
	Standard 4 ft manhole up to 10 ft deep	1	\$18,400	0%	0	\$0	\$18,400
	Standard 4 ft manhole 10-20 ft deep	1	\$27,600	0%	0	\$0	\$27,600
	Clearing and Grubbing	0.29	\$1,334	0%	0	\$0	\$1,334
SSMH0008718							
	8 inch PVC pipe up to 10 ft deep	1,026	\$528,595	0%	0	\$0	\$528,595
	8 inch PVC pipe 10-20 ft deep	131	\$90,390	0%	0	\$0	\$90,390
	Standard 4 ft manhole up to 10 ft deep	4	\$73,600	0%	0	\$0	\$73,600
	Clearing and Grubbing	0.3	\$1,380	0%	0	\$0	\$1,380
	Local Road Repair	634	\$68,827	0%	0	\$0	\$68,827
SSMH0008365							
	8 inch PVC pipe up to 10 ft deep	2,692	\$1,386,918	0%	0	\$0	\$1,386,918
	8 inch PVC pipe 10-20 ft deep	1,231	\$849,390	0%	0	\$0	\$849,390
	Standard 4 ft manhole up to 10 ft deep	12	\$220,800	0%	0	\$0	\$220,800
	Standard 4 ft manhole 10-20 ft deep	4	\$110,400	0%	0	\$0	\$110,400
	Arterial Road Repair	1,360	\$565,542	0%	0	\$0	\$565,542
	Local Road Repair	836	\$90,756	0%	0	\$0	\$90,756
SCM_West							
	8 inch PVC pipe up to 10 ft deep	1,292	\$665,638	0%	0	\$0	\$665,638
	Standard 4 ft manhole up to 10 ft deep	7	\$128,800	0%	0	\$0	\$128,800
CWS credits	Additional planned system projects		\$6,392,000			\$6,392,000	
Total Sewer Projects			\$43,434,000			\$9,058,619	\$34,375,837

Parks & Trails

Source: EConorthwest analysis of cost data from THPRD, with input from City of Beaverton

Project	Project Size (acres)	Acquisition Cost	Development Cost	Total Estimated Cost
Neighborhood Parks				
Hilltop	3.0	\$1,950,000	\$4,170,000	\$6,120,000
McKernan	2.0	\$1,300,000	\$2,780,000	\$4,080,000
Weir	2.0	\$1,300,000	\$2,780,000	\$4,080,000
Siler Ridge	3.0	\$1,950,000	\$4,170,000	\$6,120,000
Skyline	2.0	\$1,300,000	\$2,780,000	\$4,080,000
Grabhorn Meadow	3.0	\$1,950,000	\$4,170,000	\$6,120,000
Horse Tale	2.0	\$1,300,000	\$2,780,000	\$4,080,000
Cooper Lowlands	2.0	\$1,300,000	\$2,780,000	\$4,080,000
High Hill Natural Area	2.0	\$1,300,000	\$2,780,000	\$1,800,000
Subtotal Neighborhood Parks	21.0	\$13,650,000	\$29,190,000	\$40,560,000
Community Park				
Cooper Lowlands Natural Area	3.0	\$45,000	\$750,000	\$795,000
Cooper Lowlands	10.8	\$7,020,000	\$15,012,000	\$22,032,000
Cooper Lowlands Amenities	–	–	\$2,600,000*	\$2,600,000
Subtotal Community Park	13.8	\$7,065,000	\$18,362,000	\$25,427,000
Total Parks	34.8	\$20,715,000	\$47,552,000	\$68,267,000
Trails	3.6	–	\$16,000,000	\$16,000,000
Total Parks & Trails		\$22,620,000	\$63,552,000	\$84,267,000

* Potential cost of amenities, such as a synthetic field, splash pad, and other features. Specific park amenities will be determined through the planning and design process.

Appendix B. Cooper Mountain Land Use and Revenue Assumption Details

Land Use Assumptions

The land use assumptions that informed revenue estimates are based on the Preferred Approach for the Community Plan as of June 2023, summarized in Exhibit 33. The Preferred Approach includes two commercial areas at roughly 5 acres each plus opportunities for additional commercial development in other areas. EConorthwest estimated the potential commercial development at between roughly 96,000 and 167,000 square feet.

Exhibit 33. Residential and Commercial Land Use Assumptions at Build Out, Cooper Mountain

Source: EConorthwest, City of Beaverton/MIG | APG

Land Use Assumptions	Scenario 1 (Low)	Scenario 2 (High)
Residential		
Single-Family Detached Units	2,190	2,190
Attached Units	1,450	1,450
Multifamily Units	1,340	1,340
Commercial		
Commercial SF	95,832	167,270
Employees – Low	21	43
Employees – High	50	100
Equivalent Dwelling Unit	3	5
Average Annual Production over 20 Years		
Single-Family Units	182	182
Multifamily Units	67	67
Share of Single Family Detached	60%	60%
Share of Single Family Attached	40%	40%

For the purposes of calculating SDCs that are scaled by unit size, EConorthwest assumed a distribution of unit sizes shown in Exhibit 34. These assumptions are based on observed development patterns in South Cooper Mountain.

Exhibit 34. Dwelling Unit Size Assumptions

Source: EConorthwest

Dwelling Unit Size Assumptions	Share	Count
Single-Family Detached Units		
<1500 SF	5%	109
1500–2500 SF	80%	1,752
2501-3500 SF	15%	328
>3501 SF	0%	

Dwelling Unit Size Assumptions	Share	Count
ADU	0%	
Attached Units		
<1500 SF	10%	145
1500–2500 SF	90%	1,305
2501-3500 SF	0%	
>3501 SF	0%	
ADU	0%	

Revenue Assumptions

Transportation

The City of Beaverton collects a voter-approved Transportation Development Tax (TDT) on behalf of Washington County. Rates (effective September 1, 2023) vary by dwelling unit type and commercial development use:

- Single-family Detached: \$10,559
- Single-family Attached: \$6,340
- Multi-family Unit: \$6,935
- Retail: \$14,556 per thousand square feet of gross floor area

Potable Water

The City of Beaverton currently collects a water SDC in its service area. Rates (effective September 1, 2023) vary by meter size:

- Meter size of 5/8-inch: \$10,329
- Meter size of 3/4-inch: \$15,493
- Meter size of 1-inch: \$25,821
- Meter size of 1.5-inch: \$51,643
- Meter size of 2-inches or larger: Variable; determined based on the number of Equivalent Dwelling Units (EDUs) estimated based on projected water demand.

For multi-family units, ECONorthwest gathered data on SDC payments from recent developments in Beaverton to derive an average SDC of \$2,476 per unit.

Additionally, the city charges a \$499 connection fee per meter.

Non-Potable Water

The City of Beaverton does not currently collect a separate SDC for the non-potable water system.

Sewer

The City of Beaverton collects a sewer SDC, of which 96% is remitted to Clean Water Services as the service provider for wastewater. Rates (effective September 1, 2023) are \$6,824 per dwelling unit or equivalent dwelling unit (for non-residential development).

Stormwater

The City of Beaverton collects stormwater SDCs to pay for the public portion of stormwater infrastructure. Under the current intergovernmental agreement with CWS, the city retains 100% of stormwater revenues. Rates (effective September 1, 2023) per unit vary by development type:

- Single-family Unit (1–2 units): \$1,384
- Multifamily Unit: \$1,252
- Commercial Development: \$1,252

For multifamily and commercial development, Equivalent Surface Units (ESU) are calculated using assumptions about impervious surface area for those development types. One ESU is 2,640 square feet of impervious area. Multifamily developments are assumed to have 800 square feet of impervious area per unit. Commercial development is assumed to have 70% of the total site area as impervious surface, based on similar assumptions for South Cooper Mountain.

In addition, CWS charges Storm Water Quality and Storm Water Quantity fees of \$238 and \$291 per ESU. These fees are normally waived if an on-site Quantity or Quality system is provided.

Parks & Trails

The City of Beaverton currently collects a parks SDC on behalf of Tualatin Hills Park & Recreation District (THPRD). Rates (effective September 1, 2023) vary by the size and type of dwelling unit or based on an estimated number of employees for different types of commercial development:

- Dwelling unit < 1,500 square feet: \$10,665
- Dwelling unit 1,501–2,500 square feet: \$12,577
- Dwelling unit 2,501–3,500 square feet: \$14,338
- Dwelling unit >3,500 square feet: \$15,344
- Accessory Dwelling Unit (ADU): \$5,484
- Multifamily units: \$10,112
- Commercial development, per employee: \$631

THPRD instructs the City of Beaverton to apply the multifamily SDC rate to attached dwelling units. For the purpose of this Funding Plan, ECONorthwest assumed the “low” scenario for development of 96,000-square feet of retail in Cooper Mountain, with an estimate of 21 employees.

Appendix C. Funding Options Assessment, January 2021



FUNDING OPTIONS ASSESSMENT

Final Report | January 29, 2021



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Acronyms and Abbreviations

CIP	Capital Improvement Plan
CPR	Changed Property Ratio
CWS	Clean Water Services
EMP	Employees
FOA	Funding Options Assessment
GO	General Obligation
LID	Local Improvement District
MSTIP	Major Streets Transportation Improvement Program
SCM	South Cooper Mountain
SDC	System Development Charge
TDT	Transportation Development Tax
THPRD	Tualatin Hills Park & Recreation District
TSDC	Transportation System Development Charge
TUF	Transportation Utility Fee
UGB	Urban Growth Boundary



Executive Summary

Purpose

The purpose of this Funding Options Assessment (FOA) is to:

- Evaluate likely funding needs to build the “backbone” infrastructure that will serve and enable future development in Beaverton’s Cooper Mountain Community Plan area;
- Document existing funding sources for this infrastructure and provide preliminary revenue projections from those sources;
- Identify potential new funding sources to consider;
- Summarize what has and hasn’t worked well for infrastructure funding in other newly developing areas; and
- Lay out other considerations in evaluating funding options for inclusion in the Funding Plan.

This document is a stepping-stone in the process of producing an Infrastructure Funding Plan—the document that will set the direction for funding the infrastructure needed for development in the Cooper Mountain Community Plan area. The Infrastructure Funding Plan will be produced and adopted as part of the Community Plan, when there is more information about infrastructure costs and following input from Council and stakeholders regarding the considerations and options laid out in this document.

Key Findings and Opportunities

1. While collector roads, trails, and neighborhood parks may be delivered through private development, a number of key infrastructure projects will need to be public-sector led.

Private-sector led infrastructure is generally required as a condition of development, with cost-sharing (e.g., System Development Charge (SDC) credits) to cover the difference between the individual developer’s share of the cost and the full cost of the project. (Local roads and utility lines to serve a given development are typically built by development as well but are not included as part of the “backbone” infrastructure addressed in an Infrastructure Funding Plan.) This approach has worked reasonably well for certain kinds of on-site infrastructure where costs are reasonable, credits/cost-sharing are calibrated appropriately, and the facility can be built in phases. In the case of Cooper Mountain, collector roads and community and regional trails are good candidates for a private-sector led approach. Neighborhood parks may be private-sector led if cost-sharing issues can be resolved through the Funding Plan.

Public-sector led infrastructure projects are generally programmed into a capital improvement plan and may draw on a mix of funding sources, including some that are derived from development (e.g., SDCs). The Cooper Mountain Community Plan will include a number of important projects that will likely need to be public-sector led, such as the realignment of 175th Avenue at “the kink”, realignment of Grabhorn Road, a



segment of a new north-south neighborhood route / collector road across McKernon Creek, a community park, major sanitary sewer lines, a sanitary sewer pump station at Tile Flat Road, and a proposed “Resilient Stream Corridors” concept being explored by the project team. These projects require a public-sector led approach because they have benefits that extend beyond any individual development, are too costly for a private-sector led approach, will likely be built prior to development, require property acquisition across properties that may not develop right away, and / or cannot be built in segments or phases.

2. Existing funding sources that are already in use in Beaverton and Washington County will generate substantial revenue.

The existing sources that could fund needed infrastructure in Cooper Mountain include System Development Charges (SDCs) for parks, water, sanitary sewer, and storm sewer; Transportation Development Tax (TDT) and Washington County’s Major Streets Transportation Improvement Program (MSTIP) for transportation; utility rates for water, sanitary sewer, and stormwater; and developer contributions. Based on the anticipated development in Cooper Mountain and existing rates, future development in Cooper Mountain could generate roughly:

- \$43m in parks SDCs
- \$28-29m in water SDCs
- \$21-22m in sanitary sewer SDCs
- \$3-4m in storm sewer SDCs
- \$28-32m in TDT

New development in Cooper Mountain will also generate new property tax revenue as well as new utility ratepayers, which will increase revenue to existing funding sources that may be available to Cooper Mountain infrastructure: MSTIP (which is an allocation of Washington County’s property tax revenue) and water, sewer, and stormwater utility rates (which are also used to maintain levels of service and ongoing maintenance).

3. Existing funding sources may be sufficient for some infrastructure types, though challenges remain.

Costs of needed improvements are not yet known for most infrastructure systems, but initial indications provide a foundation for identifying areas that are likely to need the most attention in the eventual Funding Plan. To date, the project team has learned that:

- Existing funding sources and financing tools may be sufficient for **water** infrastructure.
- For **sewer**, where responsibilities are shared between Clean Water Services (CWS) and the City, existing funding sources are likely sufficient for CWS’s responsibilities, but not for City responsibilities given current cost-sharing arrangements.
- For **parks**, SDC funding through Tualatin Hills Parks and Recreation District (THPRD) will likely be sufficient, over the long term, given that the parks SDC rates and project list are being updated at present and will include parks needed within Cooper Mountain. However, the key challenge for parks is timing: land



acquisition needs to occur prior to or concurrent with development, and park improvements should not lag too far behind. Financing strategies may be needed by THPRD to address challenges related to the timing of available funding.

- **Stormwater management**, particularly if addressed through a novel Resilient Stream Corridors approach, is likely to need solutions in the Funding Plan.

4. New funding sources will likely be needed for transportation.

Initial cost estimates for new transportation facilities and improvements are available, but there is more work to do to determine which projects are necessary to enable development in Cooper Mountain. Until that information is available, an assessment of the funding gap would oversimplify the transportation funding needs and not be helpful. However, based on other infrastructure funding plans for similar areas, transportation is likely to be the system with the greatest funding gaps.

Some of the biggest public-sector led transportation projects may be able to obtain partial funding from MSTIP or regional/state/federal grants, if there is enough consensus around their importance. Existing funding sources will cover a portion of transportation project costs. However, additional funding sources are likely to be needed, such as a supplemental transportation SDC or Local Improvement District. Initial estimates for these tools suggest that with costs similar to those imposed in other growth areas, they could generate \$27-41m through a supplemental transportation SDC and perhaps \$10-20m for a Local Improvement District (LID; this would likely need to replace some of the transportation SDC costs and revenue to avoid potentially imposing too high a cost on development if the LID is placed prior to the property being sold to the consumer). Between these two options, the LID offers greater potential for accelerating funding for key projects, though it can be much more complex to administer. The Funding Plan should consider the use of these tools (and others if needed) to fund critical transportation projects. It should also consider the potential role of reimbursement districts to address timing issues with paying for shared infrastructure. For transportation, in particular, the Funding Plan should identify recommended funding sources for specific projects or groups of projects and take SDC/TDT credit policies into consideration.

5. Simply matching new and existing funding sources to projects is insufficient to achieve the goals of the Community Plan; the City must also consider equity, development feasibility, and housing affordability.

Selecting the mix of sources and pairing them to infrastructure projects will require careful consideration. Given the City's racial equity goals and intent to create an inclusive community in Cooper Mountain, the City will need to go beyond an evaluation of when funds will be available and the legal constraints and limitations on the use of funds. It will need to consider who will ultimately bear those costs and the implications on development outcomes and community development goals.

While infrastructure costs are only directly passed on to future renters and homebuyers to a limited degree (they are typically absorbed in large part by the landowners through lower land prices), they do influence the type and price-points of housing that



are financially viable for development. This can limit the range of housing options produced in a new growth area. Allowing more density can help spread fixed costs and reduce costs per unit to some extent, but additional interventions will be needed to support development of lower-cost housing options that can help create a more inclusive community.

This suggests an approach that includes:

- Development-derived sources for projects that primarily serve Cooper Mountain, with rate structures that offer savings to lower cost housing types and regulated affordable housing to the extent that they create less demand on the system in question (e.g., due to lower vehicle ownership);
- Contributions from other (non-development-derived) City-/County-/region-wide sources for projects that offer broad benefits to existing residents and/or businesses beyond Cooper Mountain;
- Limiting reliance on flat utility rates that tend to be regressive and can disproportionately impact lower-income households (usage charges tend to be less regressive); and
- Targeted funding contributions from other (non-development-derived) existing or new sources to reduce costs for affordable housing and potentially other development that supports the City's equity goals.

In preparing the Funding Plan, the City should also continue to work with developers and other public-sector partners to identify creative solutions, focus on strategies to deliver core projects in a timely manner, and maintain flexibility to respond to changing conditions.



Introduction

About the Funding Options Assessment

The Cooper Mountain Community Plan will refine planned land uses, infrastructure needs, and policies for the Cooper Mountain planning area shown in Exhibit 1. The final Community Plan will include an Infrastructure Funding Plan that lays out how major needed infrastructure improvements will be paid for. As an interim step in the process of developing the Infrastructure Funding Plan, the project team (ECONorthwest, in collaboration with Tiberius Solutions, Angelo Planning Group, consultants working on the infrastructure analysis, and City staff) prepared a Funding Options Assessment (FOA) that will inform the eventual Funding Plan.

The FOA documents detail funding mechanisms and cost-sharing policies currently in use by the City as well as the many overlapping service providers that will be involved in providing infrastructure to the area (e.g., Washington County, Tualatin Hills Park & Recreation District (THPRD), and Clean Water Services (CWS)) and identifies potential new funding tools to consider in Cooper Mountain. It also includes a review of the team's prior work on infrastructure funding for South Cooper Mountain to understand what the City of Beaverton would like to do differently this time.

The FOA includes:

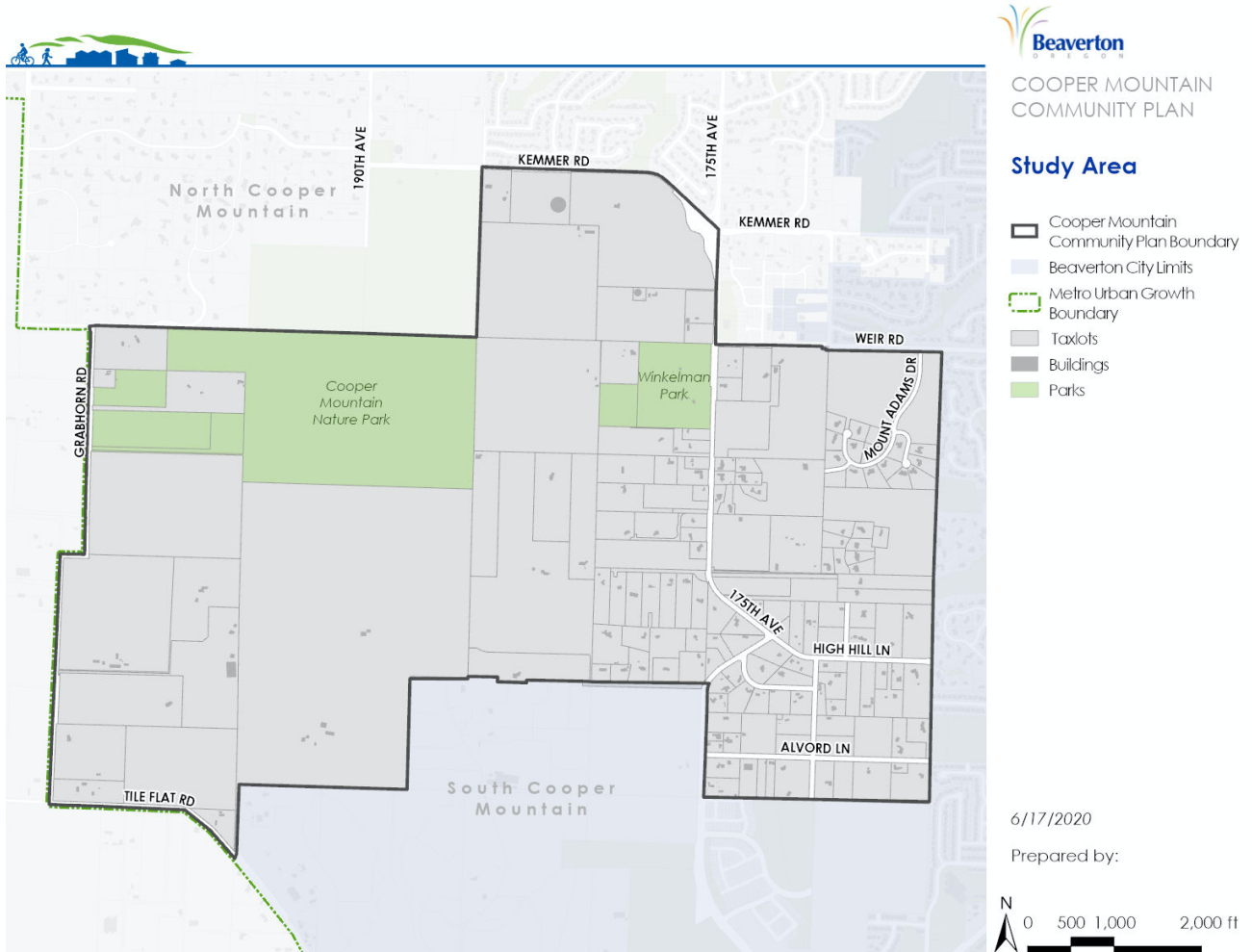
- **Lessons Learned:** A summary of what has and has not worked well in past infrastructure funding plans and in the delivery of planned infrastructure, including in South Cooper Mountain.
- **Known Infrastructure Projects and Infrastructure Funding Needs:** An outline of the infrastructure projects needed to unlock new development in South Cooper Mountain, organized by infrastructure type. This section also includes initial estimates of transportation project costs to understand the order of magnitude funding gap that will need to be overcome.
- **Existing Funding Sources and Revenue Projections:** A description of funding sources currently available to fund infrastructure in Cooper Mountain as well as an initial projection of revenue from these sources.
- **Most Promising New Funding Sources for Further Exploration:** An overview of the tools with the best potential to address the preliminary funding gap for transportation along with timing challenges in generating needed funds for infrastructure investments.
- **Funding Options Evaluation:** An evaluation of the existing and most promising funding sources identified in the FOA across several evaluation criteria.
- **Appendix A: Lessons Learned:** More details describing what has and has not worked well in past infrastructure funding plans and in the delivery of planned infrastructure.
- **Appendix B: Revenue Projection Details:** Detailed revenue projections and documentation of funding assumptions for existing revenue sources.
- **Appendix C: Broader List of Infrastructure Funding Tools:** A discussion of a range of sources that other jurisdictions have used to pay for infrastructure. This appendix documents the funding sources that were not short-listed for further exploration in the FOA.



- **Appendix D: Initial Transportation Project List:** An initial list of transportation projects in and around Cooper Mountain based on transportation planning work to date.

Exhibit 1. Cooper Mountain Planning Area

Source: City of Beaverton.





Overview: Infrastructure Delivery Approaches

This document (and the later Infrastructure Funding Plan) are focused on infrastructure that serves multiple developments, as local roads and the local infrastructure systems to serve individual developments are the responsibility of the land developers.

Infrastructure that serves multiple developments can include:

- **Streets:** neighborhood routes, collectors, and arterials
- **Water and sewer:** trunk lines, pump stations, etc.
- **Stormwater:** regional detention facilities, resilient stream improvements with integrated stormwater management (developers are responsible for water quality facilities and/or Low Impact Development approaches for their developments)

At the most basic level, there are two high-level approaches to delivering infrastructure that serves multiple developments:

- **Private-sector led:** Require land developers to build the infrastructure, and offer cost-sharing approaches (e.g., System Development Charge credits or reimbursement districts) to cover the difference between the individual developer's share of the cost and the full cost of the project. The availability and amount of credits depend on several factors, including:
 - **Location** (on-site vs off-site)
 - **Typology** (e.g., arterial, collector, or local street)
 - **Inclusion on the relevant project list** (e.g., listed on the Systems Development Charge (SDC) and/or Transportation Development Tax (TDT) project list)
 - **Credit policies** of the service provider for the SDC (or TDT)
- **Public-sector led:** Using funds from whatever sources are available and applicable (often including sources derived from development, such as System Development Charges), the public sector (City, County, or service providers) designs and builds the needed facilities.

Certain infrastructure funding tools and strategies are better suited to a private-led approach than a public-led approach, and vice versa. Thus, understanding which infrastructure projects are likely to be private-sector led versus public-sector led is an important early step developing the Infrastructure Funding Plan.



Lessons Learned

South Cooper Mountain and other recent urbanizing areas have many similarities and some differences in how they have funded and delivered shared infrastructure. This section identifies what has and has not worked well in past infrastructure funding plans and in the delivery of planned infrastructure.

Successes and Challenges: Private-Sector Led Infrastructure Funding and Delivery

Certain types of infrastructure have been successfully delivered through a private-sector led approach in South Cooper Mountain as well as other developing areas. This approach works best where:

- **Projects can be phased:** Developers often only deliver a portion of an infrastructure project needed to serve development on their site specifically. For some facilities, it is either impossible or undesirable to deliver the project in pieces, so allowing developers to build as they develop is not an option. Larger facilities that serve multiple developments and those that must be built at one time can be too costly for a single developer to construct, or may extend beyond the boundaries of the development, requiring land that the developer does not control.
- **Costs are within developers' ability to pay and aligned appropriately with credit amounts:** When up-front costs are significant or when the credit formula does not cover a high enough share of the project costs, developers may be unwilling to build the infrastructure, or may be unwilling to move forward with the development at all. Conversely, when credits account for much of what developers owe in SDCs (or TDT), this can leave little to pay for other projects, such as larger off-site infrastructure needs.

Examples where this has been largely successful include:

- In South Cooper Mountain, development has been or will be required (as a condition of approval) to build many of the on-site collector roads, with TSDC and TDT credits covering most of those costs.

Examples of issues with this approach include:

- The TSDC in South Cooper Mountain, while it has contributed to successful developer-led infrastructure delivery, has mostly been allocated to credits, leaving little available for public-sector led projects.
- In South Cooper Mountain, there were instances where developers wanted to develop property that would require extending infrastructure across a property that was not yet developed in the development process, creating phasing challenges.
- Contractors sometimes installed non-approved components and "asked for forgiveness" later, putting the City in a difficult position of having to decide whether to force the developer to remove and replace those components.
- In Pleasant Valley, the Gresham city council worked out an infrastructure agreement with several developers in 2007 in which developers would pay up front for



infrastructure and be reimbursed through SDC credits. However, the Great Recession stalled development as key developers filed bankruptcy, and the City had to revisit its funding plan, potentially moving to a public-sector led approach.¹

Successes and Challenges: Public-Sector Led Infrastructure Funding and Delivery

Public-sector led projects must typically compete for limited funding resources. In most cases, the public sector will seek to leverage or maximize federal, state, and regional funds; however, these resources are highly competitive. Common local sources include TDT, Major Streets Transportation Improvement Program (MSTIP) funds, SDC revenues, and revenue from ratepayers. Funding public-sector led projects with existing sources that are not dedicated to the specific area requires prioritizing them over competing projects.

An alternative to relying on existing local sources is to implement new, area-specific dedicated funding sources. Building public-sector projects with area-specific dedicated funding sources can also be a challenge because of the increased costs of development, and a potential mismatch between timing of funding availability relative to when infrastructure is needed to catalyze development.

Examples of where a public-sector led approach has been largely successful include:

- Prioritizing funds from existing sources: In South Cooper Mountain and River Terrace, widening of SW 175th Avenue and Roy Rogers Road was funded through the MSTIP program, and was built prior to much of the development in South Cooper Mountain and River Terrace taking place.
- New, area-specific funding source: The City of Hillsboro implemented a Local Improvement District for transportation improvements in South Hillsboro that land developers could opt into in exchange for reduced supplemental transportation SDCs. Several major developments opted in and agreed to fund four key transportation projects totaling over \$26m needed to enable development in the area.² While administration has been complex, this approach succeeded in delivering back-bone infrastructure earlier than would have been possible with supplemental SDC funding alone.

¹ City of Hillsboro, "Development Activity in UGB Expansion Areas," report for Metro, 4/26/2016. <https://www.oregonmetro.gov/sites/default/files/2016/04/26/UGB%20Report%20for%20Metro%20FINAL%20-%20combined%2004%2026%202016.pdf>

² South Hillsboro Local Improvement District Frequently Asked Questions, Version 1, 1/1/2018. <https://www.hillsboro-oregon.gov/home/showdocument?id=22897>; Letter to South Hillsboro property owners: "South Hillsboro Finance Plan update, Petition to form a Local Improvement District," January 8, 2016. <https://www.hillsboro-oregon.gov/home/showdocument?id=8693>



Examples of issues with this approach include:

- **Prioritizing funds from existing sources:** For South Cooper Mountain, the City of Beaverton had hoped that Washington County would include realigning SW 175th Avenue at “the kink” in the MSTIP-funded projects, but the project was not prioritized by the County at that time, illustrating the competitive nature of this funding source and the uncertainty of securing funding even for potentially eligible projects.
- **New, area-specific funding source:** In North Bethany, Washington County adopted a special service district for roads with an additional assessment to fund public-sector led transportation infrastructure improvements, along with a supplemental transportation SDC and use of MSTIP and TDT. While the new assessment district is generating funds, they are accruing slowly even with much development complete, and have made limited contributions to funding public-sector led transportation projects. The supplemental TSDC and other sources have made a larger contribution, and many key projects have been private-sector led.³

Keys to Developing a Successful Infrastructure Funding Plan

The project team summarized the following takeaways based on comments from listening sessions with City of Beaverton staff and with developers as well as content analysis of existing funding plans developed for new urban areas in the region.

- **Leverage City of Beaverton staff and developer expertise to find creative solutions.** The City of Beaverton should leverage their relationships with partners, continuing to provide a channel for open communication. Bringing diverse perspectives to the table can prompt innovative ideas and air concerns that will enable stronger solutions. Further, creative solutions require buy-in to safeguard long-term support for strategies documented in the plan.
- **Emphasize the importance of implementation.** Any strategy documented in the Cooper Mountain Funding Plan should strive to get core infrastructure projects delivered in a timely manner. Existing revenue and new funding mechanisms should prioritize key projects needed at the front end and backbone infrastructure needed to unlock development. If new funding tools are needed to address funding gaps, the analysis must consider *when* those tools would produce needed revenue. Funding options that enable projects to get built up front (and paid back over time) may become a key strategy in the Funding Plan.

³ Washington County Land Use & Transportation website, “North Bethany Funding,” accessed 12/2/2020.

North Bethany County Service District for Roads, Presentation for NBCSDR Budget Subcommittee Meeting Nov. 9, 2018, “Project Status Updates and FY 19-20 Recommendations,” <https://www.co.washington.or.us/LUT/upload/North-Bethany-CSD-Subcommittee-Pres-11-09-18.pdf>



- **Maintain flexibility to account for uncertain, future conditions.** Over the planning period, financial and economic conditions could change—new revenues from grants could become available, new tools requiring a public vote could fail, and/or Council action / policy intervention (not anticipated in this Plan) could alter the course of needed development. The Cooper Mountain Funding Plan should be designed to be implemented flexibly.

Appendix A presents additional lessons learned from South Cooper Mountain and other communities.



Infrastructure Projects & Infrastructure Funding Needs

This section identifies infrastructure project needs, by infrastructure type, based on the infrastructure analysis conducted through the end of October 2020 and project team discussions to date.

Roads

Transportation projects are anticipated to represent the most costly infrastructure project category in Cooper Mountain. Several projects have been identified that are likely to be public-sector led, including:

- **175th Avenue “kink” and urban arterial upgrades** (3-lane arterial with bicycle/pedestrian facilities)
- **Grabhorn Road realignments and urban arterial upgrades** (3-lane arterial with bicycle/pedestrian facilities)
- **Creek crossing and middle segment of “road corridor 1”** (portion of a new, planned collector road where there is unlikely to be adjacent development, and costs will be higher due to a creek crossing)

Other projects, including new neighborhood routes and collector roads through developable areas, are assumed to be private-sector led. See Appendix D for a table of projects and preliminary cost estimates.

Preliminary estimates for the cost of transportation projects (excluding shared-use paths) within Cooper Mountain add up to approximately \$103m.

Trails

The project team anticipates the following categories of trail projects in Cooper Mountain:

- Regional trails
- Community trails
- Nature trails

The trail system in South Cooper Mountain and other newly urbanizing areas has been largely built through a private-sector led approach. All trails in Cooper Mountain are identified in the updated THPRD SDC project list. While only about 40% of the cost of trails are SDC credit eligible overall, THPRD applies this limit as a district average, and allows for SDC credits for the full cost of trails built with new development. In fact, private-sector led delivery is so important to THPRD in this context that THPRD has offered SDC credits based on public-sector costs—typically 25-35% more than what the project costs the developer. One possible exception to the reliance on private-sector led delivery is that nature trails in stream corridors may need to be public-sector led due to lack of adjacent development and need for coordination with other agencies around stream corridor improvements.



Two planned shared-use paths in within Cooper Mountain included in the preliminary transportation cost estimates total roughly \$3m. Cost estimates for other trails are not yet available.

Parks

The project team anticipates two categories of park projects in Cooper Mountain, as outlined below. Parks in Cooper Mountain are planned to be included in the updated THPRD SDC project list.

- **Community park:** THPRD is planning for one community park, about 20 acres in size, consisting of mostly open spaces (although not necessarily fields). Funding and delivery are anticipated to be public-sector led. The project is included on the preliminary parks SDC project list for the current update process at an estimated cost of just over \$27m.⁴
- **Neighborhood parks:** Four neighborhood parks in the Cooper Mountain area are included in the preliminary THPRD SDC project list for the current update process at a total cost of roughly \$14.5m.⁵ THPRD prefers for neighborhood parks to be delivered in cooperation with development through a private-sector led approach. However, the cost of building out these parks has been an issue with this approach, even with generous SDC credit policies. This issue will need additional work in the Funding Plan.

Preliminary estimates for the cost of park projects in Cooper Mountain add up to \$41.5m.

Stormwater

The project team is developing a sub-basin strategy that considers use of resilient stream corridors for stormwater management. This approach would include habitat restoration, stream restoration, integrated stormwater management, and trails. This type of project may need to be public-sector led as it would need to be delivered top to bottom of the stream corridor, not built incrementally. While it would ideally precede development to address enhanced stormwater management and resilience practices and allow developers to build smaller individual stormwater management systems, it may be easier to implement after developers have set aside vegetated corridors in open space tracts or easements. Potential public sector partners include CWS and THPRD as well as Metro who has interest in acquiring stream corridors to extend its Nature Park.

⁴ Appendix B, SDC Project List. <http://www.thprd.org/pdfs2/document4510.pdf>

⁵ Appendix B, SDC Project List. <http://www.thprd.org/pdfs2/document4510.pdf>



Preliminary estimates for the cost of stormwater projects in Cooper Mountain are not available at this time, but an additional funding mechanism is likely to be needed for any shared stormwater facilities.

Sewer

Anticipated sanitary sewer projects include:

- **Sewer trunk lines:** The area generally west of 175th Avenue will require major gravity lines down the hill to a pump station; a force main will bring sewer flows back up to tie into existing sewer lines. Under current cost-sharing policies, developers pay for sewer pipes that are 8" diameter or less, the City covers the cost of upsizing from 8" to 12", and CWS covers the costs for pipes larger than 12".
- **Tile Flat Pump Station and Force Main:** The pump station and force main will be needed to serve much of the development west of 175th Avenue. CWS has this project on its Capital Improvement Plan (CIP) project list, with funding anticipated in FY 2023-2024.
- **Existing sewer line upsizing:** Areas that drain to the Summer Creek basin may necessitate the upsizing of sewer lines downstream that were never sized for this UGB expansion. This cost will likely be the City's responsibility rather than CWS based on existing sewer line sizes.

Preliminary estimates for the cost of sewer trunk lines in Cooper Mountain are not available at this time, but the cost of the pump station and force main are estimated at \$3.8m in the CIP and anticipated to be funded by CWS with existing sources.

Water

Major new water lines will be needed to serve development, but funding is not expected to be a primary issue. It is anticipated that water infrastructure will be public-sector led, with infrastructure funded with water rates and financed through bonds. The City is anticipated to be the water service provider for areas that annex to the City and develop, though existing residents would continue to be served by TVWD unless they annex. Preliminary estimates for the cost of water projects in Cooper Mountain are not available at this time.

In addition, the City of Beaverton has been investing in a "purple pipe" non-potable water distribution system in the South Cooper Mountain area. The City has not developed a specific purple pipe expansion program for the Cooper Mountain area outside SCM, but future purple pipe system expansion could potentially deliver non-potable irrigation supplies in areas of future development on Cooper Mountain. While some non-potable system components were recently added to the water SDC project list, cost-sharing policies may need to be addressed if the distribution system is expanded.



Existing Funding Sources & Revenue Projections

The infrastructure funding options documented in this section include revenue sources that are *currently* available to fund infrastructure projects in Cooper Mountain. These existing sources derive from the City of Beaverton and relevant service providers.

This evaluation considers only funding sources that pay for infrastructure that adds capacity to support new growth and that serves a specific area. It is also focused on infrastructure that serves multiple developments, as the onsite infrastructure needs for a single development (e.g., local roads, water and sewer lines that serve only one property) are typically paid for in full by the developer.

Existing Funding Sources Overview

The primary existing sources of funding for infrastructure needed to support new development across most infrastructure categories in Beaverton are outlined below. These are described generally below, with details of their use for specific infrastructure funding categories following.

- **System Development Charges (SDC).** SDCs are fees paid by land developers and are intended to reflect the increased capital costs incurred by a municipality or utility as a result of a development. Existing SDCs from service providers who will serve Cooper Mountain include:
 - THPRD Parks SDC
 - City of Beaverton Water SDC
 - CWS/City of Beaverton Sanitary Sewer SDC (City retains 4 percent)
 - CWS/City of Beaverton Storm Sewer SDC⁶
- **Transportation Development Tax (TDT).** TDT is conceptually similar to an SDC but was voter approved and imposed on all development countywide.
- **Major Streets Transportation Improvement Program (MSTIP).** MSTIP is a cost-sharing program that uses property tax revenues received by the County to fund major transportation improvements across the county. Eligible projects are those that: (1) improve safety; (2) improve traffic flow/relieve congestion; (3) are located on a major road used by many residents; and (4) address demands for cars, trucks, bicycles, pedestrians, and/or transit. MSTIP projects are chosen by the Board of County Commissioners based on recommendations from city and county officials, public input, and consideration of geographic balance to ensure all parts of the county benefit from the projects.

⁶ There is also a Storm Water Quality Fee-In-Lieu and Stormwater Quantity/Hydromodification Fee-In-Lieu if on-site facilities are not provided, but these are not SDCs. They are typically not applicable for new greenfield development, though that could change if the resilient stream corridors concept is implemented, as discussed further below.



- **Developer Contributions:** Developer contributions are payments or in-kind work paid by land developers to fund infrastructure that is needed to develop their properties. No specific dollar amount is projected for this source, but it typically makes up the non-credit-eligible portion of private-sector led projects. In addition to exactions required as a condition of development, development agreements can be used in some situations to establish public-private partnerships that include negotiated developer contributions for infrastructure or public amenities.
- **Utility Rates.** Water, Sewer and Storm water utility rates are generally charged to all customers connected to a given system. All area service providers that charge on-going rates also charge SDCs for new development, and SDCs are the primary source of revenue for projects to serve new development. However, rates can supplement SDCs and fund infrastructure that also serves existing customers. Existing utility rates include:
 - **Water rates.** Water rates consist of a fixed fee in addition to consumption charges that vary with usage. The City of Beaverton bills for water each month while TVWD bills every-other month. Revenues are used to operate, maintain and update the water treatment plant, transmission and distribution systems, including repair and installation of water mains, maintenance of individual water services and meters, and construction and upkeep of reservoir and well sites, in addition to paying debt service for major capital improvements that require funding beyond the capacity of SDC balances.
 - **Sewer rates.** Sewer rates consist of fixed fees and volume charges imposed by both Clean Water Services (CWS) and the City of Beaverton. Revenues are used to process wastewater, maintain the wastewater treatment plants and the sewer conveyance and distribution systems. The sewer rates are split between a regional portion and a local portion, with 84% representing the regional portion, transmitted to CWS, to pay for regional assets such as the treatment plants, and 16% for the local portion. In addition, the City of Beaverton adds a \$2 surcharge to the local portion for local needs.
 - **Surface Water Management Rates.** Clean Water Services imposes a surface water management fee to maintain storm runoff facilities (including ditches, street drains, and catch basins), to provide street sweeping services, and to help clean various streams and rivers in the area. Similar to sewer rates, these rates are split between regional responsibility and local responsibility: 25% of the monthly fee is the regional portion, transmitted to CWS, and 75% is to fund local needs. In addition, the City of Beaverton adds \$2 to this monthly fee to fund local needs.

Revenue Potential from Existing Sources: Initial Estimates

This section summarizes initial estimates of how much new funding development in Cooper Mountain is likely to generate given current funding tools, existing rates, and estimated future development.



Development Scenarios

To estimate financial capacity, the FOA relies on two primarily development scenarios (see



Exhibit 2). Scenarios are based on findings from the Cooper Mountain Market Study, completed as part of the broader Community Plan project. Both scenarios assume the same number of housing units will be developed in Cooper Mountain (based on the target number established by Metro as a condition of the UGB expansion), but Scenario 1 assumes a larger share of those units will be attached single-family, and multifamily units, compared to Scenario 2. Additionally, Scenario 2 assumes more retail development than Scenario 1.

Revenue projections, in upcoming sections, will be presented as a range based on the scenarios. Scenario 1 informs the low estimate and Scenario 2 informs the high estimate.

**Exhibit 2. Primary Development Scenarios, Cooper Mountain**

Source: Market Analysis for the Cooper Mountain Community Plan, draft September 2020.

	Scenario 1 (Low)	Scenario 2 (High)
Residential Development		
Single-family detached units	1,880	2,632
Attached units ⁷	1,128	564
Multifamily units	752	564
Commercial Development		
Retail center square feet	15,000	30,000

⁷ The Cooper Mountain market analysis identified a need for a limited number of duplexes, triplexes, and quadplexes (about 1% of total units in Scenario 1 and 0% in Scenario 2). The estimates for these housing types (in Scenario 1) were combined with the attached housing category.



Funding Estimates

Based on development assumptions highlighted in



Exhibit 2 and the City's / other service providers' existing fee schedules, Exhibit 3 presents a summary of financial capacity of existing revenue sources that are primarily used to pay for capital improvements needed for new development (excluding developer contributions, which are more variable)—utility rate revenue projections are not included here. Note that not all of these funds are likely to be allocated to fund infrastructure projects within Cooper Mountain; some will likely be allocated to projects elsewhere in the jurisdiction that collected the revenue.

For more details about these projections, see Appendix B.

Exhibit 3. Revenue Projections for Existing Sources of Revenue (2020 dollars), Cooper Mountain, 2021-2041

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars and rounded to the thousand.

	Financial Capacity Estimate (Low)	Financial Capacity Estimate (High)
Parks SDC (THPRD rate)	\$43,005,000	\$43,469,000
Water SDC (updated rates, Feb. 2021)	\$28,254,000	\$29,439,000
Sanitary Sewer SDC (total to CWS and City)	\$21,825,400	\$21,837,000
Storm Water SDC	\$4,056,000	\$4,225,000
TDT	\$28,377,000	\$31,932,000
MSTIP*	\$4,718,000	\$4,913,000

* MSTIP estimates reflect 25% of the additional property tax revenue to Washington County over 20 years from new development in Cooper Mountain, assuming a linear phase-in of residential development over that period and commercial development in roughly year 15. This is an estimate based on past funding allocations, but the allocation is set by the Board of County Commissioners and there is no guarantee that any particular amount will be allocated to MSTIP or to projects in this area.



Most Promising New Funding Sources for Further Exploration

This section describes new funding mechanisms that the City of Beaverton (or other parties) could use to pay for infrastructure investments in the study area. These tools are considered “new” because they are not existing citywide tools that would apply to Cooper Mountain by default; they would need to be specifically established for use in Cooper Mountain by the City Council.

While there is a long list of potential funding sources (see Appendix B), this section focuses on a short list of tools that are most applicable to Cooper Mountain. This analysis selected the following tools for evaluation because they have the most promise for generating a substantial amount of funding in a relatively short timeline and have relatively few legal and administrative challenges for implementation.

- **Supplemental System Development Charge (SDC).** A supplemental SDC is an additional one-time fee that is typically paid at the time of building permit issuance. These fees are layered on top of a City-wide SDC. These fees are paid by new development within a defined geographic area. Supplemental SDC funds may be used for SDC-eligible capital projects that increase capacity and benefit/serve the defined area. A supplemental SDC can be implemented without a public vote. The City of Beaverton imposes supplemental transportation SDCs, based on trip generation, in South Cooper Mountain.⁸ (Note that a similar outcome can be achieved through area-specific fees established through development agreements at time of annexation.)
- **Local Improvement District (LID).** An LID enables a group of property owners to share the cost of a capital project or infrastructure improvement. It is a type of special assessment district where property owners within a specific area are assessed a fee to pay investments that benefit them. The amount of the assessment must be proportional to the share of benefits that a property receives. Through the LID process, cities can offer property owners the option to finance the assessment over a longer period of time by making annual payments (typically concurrent with property taxes). A lien is placed on each benefitting property that is assessed. To implement an LID, the City must adopt an ordinance through a public hearing process and the ordinance must be supported by a majority of affected property owners. State law specifies the steps to form a LID. The City of Beaverton enables LID formation in the municipal code for a variety of infrastructure types, and has specific provisions for the use of LIDs for newly developing areas.⁹
- **Reimbursement District.** A reimbursement district is a cost sharing mechanism, typically initiated by a developer, though it can be initiated by the local

⁸ Rates (effective 7/1/19) are \$8,968 for single-family detached homes, \$5,364 for single-family attached homes, \$5,875 for multifamily units, and variable rates for commercial development.

⁹ See Chapter 3.02: Local Improvement Procedures.
<https://www.codepublishing.com/OR/Beaverton/html/Beaverton03/Beaverton0302.html>



government.¹⁰ It provides a reimbursement method to the party who pays to build an infrastructure improvement that will benefit others, through fees paid by property owners at the time the property benefits from the improvement. A developer can typically apply to create a reimbursement district by demonstrating benefit to properties beyond their own. In addition, the size of the improvement must be measurably greater than would otherwise be ordinarily required for the improvement. The City is working to develop code language to enable reimbursement districts, which is expected to be adopted in 2021. CWS has an existing ordinance addressing reimbursement districts for sanitary sewer and stormwater improvements. CWS also has a specific version of a reimbursement district that allows the agency to recoup costs for publicly-funded regional stormwater facilities that serve multiple developments as development occurs that connects to the facilities.

¹⁰ Reimbursement districts can be both a funding source (if they pay for infrastructure that would not otherwise be funded) and a financing mechanism (in that they allow one party to lay claim to future developer contributions).



Funding Tools Evaluation

This section provides a more detailed evaluation of the existing funding sources, and most promising new funding sources that may be used to fund infrastructure in Cooper Mountain.

Overview

Key Concepts

There are several important considerations in evaluating whether a given funding option is appropriate to the situation. These include:

- Who pays, and is that fair, appropriate, and aligned with City goals for racial equity?
- When are funds available?
- What are the legal constraints and limitations on how funds can be used?

This section provides context for evaluation of potential funding tools for each of these criteria.

Who Pays?

Different funding tools draw revenue from different parties. However, the person who pays a tax or fee may not be the same person who ultimately bears the burden of that cost. Identifying who ultimately bears the cost of a tax is known as “tax incidence.” This is particularly relevant for costs imposed on new development, as discussed below.

For example, are paid by developers, property taxes are paid by property owners, ongoing utility rates are paid by users of that utility, and gas taxes are paid by motorists.

Developers pay for system development charges (SDCs) and other fees and costs imposed on development, but generally absorb little or none of that cost themselves.

Rather, they typically factor infrastructure funding obligations and other anticipated land development costs, along with the amount of development they expect to be able to build and the expected value and marketability of that development, into the amount they are willing to pay for land. They typically are not willing or able to accept a lower rate of return¹¹ to develop in an area with higher infrastructure costs unless those higher costs are mitigated by greater certainty (reduced risk). If the expected financial returns do not justify the risks of the investment in the development, the

¹¹Sometimes, developers use financing or financial equity sources that require a particular rate of return, which limits their ability to negotiate changes in cost structure. However, the public sector often does not have reliable information about particular developers' required or projected rate of return or their specific financial assumptions to independently evaluate whether a given cost will push returns below an acceptable threshold.



development generally doesn't move forward. Once they have purchased land based on their expected costs of development, it is challenging for developers to pay more for infrastructure without affecting their rates of return, unless they believe they can reduce costs or increase revenues (through higher sales or rental prices or more development – see next) from other aspects of their development. Thus, when costs increase unexpectedly, development sometimes stalls until market conditions can support the higher costs.

Future homebuyers and renters may absorb some of the costs if the new housing offers compelling amenities or supply is tight. People are generally unwilling to pay more to live in an area simply because it costs more to build there; however, they often will pay more if the higher cost translates to a material improvement in the quality of the housing or the neighborhood relative to suitable lower-cost options, or if there are few other suitable choices available. In the case of greenfield development, developers may anticipate being able to charge a premium to some degree if the new area offers homes or neighborhoods with particular features or amenities that make it more attractive to prospective homebuyers or renters than other existing neighborhoods, or if there is a tight market with few alternatives for prospective buyers or renters. That premium (whether due to location, amenity, or supply constraints) can help cover some increase in development costs to build in the greenfield location, and, in that sense, a portion of the cost can be passed on to future buyers or renters, but only to the degree that the market can bear.¹² Infrastructure costs can also affect the housing options available to future homebuyers and renters by constraining the range of housing types and price-points that are financially feasible. This can make housing at lower price-points (for that type of housing) more difficult to build. However, for large, fixed costs, spreading the costs across more development means that even a small premium on a per-unit basis will cover more of the total costs. This can lead developers to emphasize higher density development, such as small-lot detached housing and townhomes, which tend to be somewhat less expensive than larger-lot detached housing.

The initial property owner typically absorbs at least a portion of the costs to develop through a reduced sales price for the land, because, as noted above, the developer attempts to account for the infrastructure funding costs in establishing an appropriate purchase price. This is especially true if there is other buildable land with lower infrastructure costs within the same market area. If the property owner is unwilling to accept the price for the land, they may choose to hold the land in anticipation of a higher price later, and no development would occur. In this situation, reduced development activity could translate to reduced housing supply, which could then drive up the price for housing in the region.

¹² If the additional costs are so high that they exceed developers' perceptions of future homebuyers' willingness to pay, the financial feasibility of the development project could be at risk.



Overall, the distribution of costs will vary based on market conditions and a variety of other factors. However, when total infrastructure costs imposed on development are too high, development simply will not occur.

Funding Fairness and Equity Considerations

The concepts of fairness and equity in public finance have several dimensions, as summarized below. The relative importance of each of these considerations above will vary based on the context.

- **Benefit-Based:** linking the fee or assessment to the benefits received. Where a public good or service provides specific private benefits, this can be appropriate, but because resources are not evenly distributed, this approach can disproportionately impact those with less resources.
- **Behavior-Based:** using taxes and fees to influence behavior (e.g., imposing a cost on an undesirable action). This can be an appropriate way to address externalities (the unintended impacts that one's actions have on others), provided the goal is defensible and the tax is clearly linked to the goal.
- **Ability to Pay:** linking the amount charged to the user's financial resources and ability to pay. This can help ensure that the costs of government goods or services "bear as nearly as possible with the same pressure upon all."¹³ This is an important consideration for all funding tools, but particularly for allocating costs of goods and services that have broad benefits. However, it can be difficult to measure ability to pay (annual household income is a common proxy, but variations in what are considered essential household costs add complexity), and it does not necessarily address broader concepts of justice.
- **Distributive Justice:** structuring taxes or fees to achieve a particular redistributive goal (e.g., maximizing social welfare, minimizing the impacts of undeserved good or bad fortune, or correcting for past injustices). This may go beyond ability to pay in terms of current income to consider generational effects (e.g., wealth transfers).¹⁴

For purposes of this document, we group the benefit-based and behavior-based considerations as "funding fairness" and the ability to pay and distributive justice considerations as "funding equity".

In the context of an infrastructure funding plan for a new growth area, specific fairness and equity considerations include:

¹³ Mill, J. S. (1970) *Principles of Political Economy*. London: Penguin Books, p. 155 [Book V, Chapter. II, Section. 2]. Quoted in David G Duff, *Tax Fairness and the Tax Mix* (Oxford: The Foundation for Law, Justice and Society, 2008).

¹⁴ David G Duff, *Tax Fairness and the Tax Mix* (Oxford: The Foundation for Law, Justice and Society, 2008). Available online at: https://commons.allard.ubc.ca/cgi/viewcontent.cgi?article=1103&context=fac_pubs



- How much growth should be asked to pay for itself? (Are current residents in a city “held harmless” in paying for the infrastructure needed for future residents?)
- How can funding mechanisms be designed to support goals related to housing affordability and inclusive neighborhoods? (For example, does imposing special assessments on new housing make it unaffordable for low- and moderate-income households?)
- How costs are shared geographically relative to benefits? (For example, are those with homes immediately adjacent to a park asked to pay more to support park development or maintenance? If a collector is needed to allow development in a particular area or neighborhood, should development only within that area pay?)

Pursuing racial equity means that the history of racially discriminatory development and housing policies in this country (including in Oregon) cannot be ignored in funding conversations. In the post-war era, the federal government subsidized infrastructure to spur suburban development across the country. Home loans in those new suburban neighborhoods were limited to white households due to redlining and discriminatory housing practices. This federally-subsidized suburban growth—including in Beaverton and other Washington County suburbs¹⁵—fueled racial segregation that benefited white people and hurt people of color.

Federal funding for smaller, local development projects has been challenging to come by, leaving local governments to find ways to fund infrastructure, and increasing reliance on variations of impact fees – such as SDCs – where development (growth) bears more of the cost of infrastructure. As the cost of development increases (due to multiple factors, including paying more for infrastructure), it is less likely that the market will deliver lower-cost housing options, increasing the need for subsidies or other interventions to achieve mixed income, inclusive neighborhoods.

However, reducing the infrastructure costs borne by development means either those costs must be paid by others—such as the broader population of the city or region as a whole (e.g., via city-wide taxes and fees or TDT/MSTIP)—or funding fewer projects. If the population that would absorb the costs is, on balance, less well-off than the population that will live in the new development, shifting costs to the broader population or reducing funding for projects to serve other areas would raise its own equity concerns. Thus, there are tradeoffs to consider when collecting revenues narrowly (from a specific geographic area) or widely (across a large area) and determining how much funding should come from development.

¹⁵ Federally funded, large infrastructure projects have benefited Beaverton and Washington County – one specific example is Scoggins Dam. This Bureau of Reclamation project was 85% funded by the federal government, with the balance funded by local partners, including Beaverton. Scoggins Dam creates Henry Hagg Lake, which the area uses for summer-time water supply. Beaverton residents have received the benefit of this federal project in terms of having adequate water supply in the dry summer months without having to pay the full cost of the infrastructure.



Addressing racial equity is a top priority in the Cooper Mountain Community Plan, and, therefore, the funding strategies should reflect this priority and be integrated with planning for affordable and mixed-income housing development.

Funding Timing and Phasing Considerations

The terms “funding” and “financing” are often used interchangeably but there is an important difference. The ultimate source of revenue used to pay for infrastructure costs is funding. Funding comes from households and businesses that pay taxes and fees that give governments money to build and maintain the system and to operate programs associated with the system. Funding is also derived from external sources – in the form of grants or developer contributions.

When funds are borrowed and paid back over time, then these costs have been financed. Public agencies finance costs for the same reasons that households and businesses do—to reduce the current out-of-pocket expense by spreading the payments over time (e.g., financing a housing purchase with a home mortgage; the funding to pay the mortgage over time typically comes from the homebuyer from income received each month from a job). The ultimate source of funding for financed costs is not the financing instrument itself—e.g., bonds—but rather the revenue sources accrued over time through rates, fees or taxes used to repay the borrowed funds.

Many funding tools used to pay for infrastructure to support growth in fact depend on growth to provide funding for the infrastructure. The timing of when monies become available will have implications for when the needed infrastructure can be built relative to when development occurs. This can have implications for system performance and for the ability for development to move forward at all. In the worst case, it can become a catch-22 where development cannot occur because the needed infrastructure is not in place and cannot be built by a single development, and there is not enough revenue to pay for the infrastructure until development occurs.

Financing can address some of these issues. For example, if a jurisdiction finances a project by incurring a loan or selling bonds, project costs can be paid for up front, and then different tools (e.g., system development charges, local improvement districts, etc.) may be used to repay the debt as revenues accrue over time. However, debt also has its own limitations such as debt capacity constraints, public vote requirements, and added costs (e.g., interest payments, legal fees). Different funding sources also offer more or less dependable streams of revenue with which to pay back the debt. Financing options may include general obligation (GO) bonds, revenue bonds, and local improvement districts. Financing projects over time increases the total cost due to interest and financing costs. However, an additional benefit to financing projects over time is that users are paying for the project after it is available and they can benefit from it.

For purposes of this “Funding Options” chapter, we focus on when the funds are typically paid to the City or service provider relative to the timing of development.



Existing Funding Sources

SDCs and TDT

- **Legal Considerations.** SDCs and TDT are assessed on new development. Enabling legislation provides a uniform framework that all local governments must follow to collect SDCs/TDT¹⁶. Local jurisdictions must adopt a method for calculating SDCs and Washington County adopts the method for calculating TDTs so that fees are set to reflect the growth-related share of the estimated cost of needed capital improvements that the fee will pay for.
- **Timing of Revenue Availability.** The charge is typically collected when a building permit is issued, meaning revenues must accrue over time before sufficient funding capacity is available to pay for projects.
- **Equity Impacts.** SDC/TDT rates typically vary by the type of development and may be established at lower rates than the maximum that is legally permissible to phase in increases or support equity and affordability objectives, though rates must be related to the impact a given type of user imposes on the system. In some cases, more dense housing options and/or housing that primarily serves lower-income households create less demand per housing unit on the system in question (for example, due to lower water demand from smaller units or homes with smaller yards, or lower vehicle ownership among lower-income households). The rate structure (the basis for apportioning costs) can and should account for this rather than using a flat per-unit fee in those cases. Some jurisdictions have established exemptions for income-/rent-restricted affordable housing; the City of Beaverton's legal advice is that under current SDC methodologies (which do not account for waivers), waivers are only legal when the fees are paid from another source rather than waived altogether. (THPRD is currently considering establishing waivers in their SDC methodology for affordable housing as part of the on-going update process.¹⁷)
- **Use of Funds.** SDCs/TDTs can only fund growth-related capital improvements for water supply, wastewater collection, drainage and flood control, transportation, or parks and recreation. Each infrastructure type has its own fee. For example, a transportation SDC may only fund transportation capital projects on the City's eligible project list that informed the methodology to establish rates.

Developer Contributions

- **Legal Considerations.** The amount that cities can require developers to pay for or build as a condition of development must be roughly proportional to the

¹⁶ While the TDT is referred to as a voter-approved tax, it is enabled under and subject to the same statutory requirements as SDCs.

¹⁷ Memorandum to Jeannine Rustad, Tualatin Hills Park and Recreation District, from Galardi Rothstein Group, "Preliminary Parks Level of Service and Unit Costs," June 17, 2020. Available at <http://www.thprd.org/pdfs2/document4510.pdf>.



development's impacts, and there must be a clear relationship between the impact and the improvement or contribution the City is requiring. However, development agreements for infrastructure or public amenities that are not required as a condition of development and those established as part of an annexation agreement are not subject to the same requirements for proportionality as exactions required for development.

- **Timing of Revenue Availability.** Developers pay or make improvements at the time their development triggers the need for specific projects. This could lead to the delivery of piecemeal infrastructure and collection of revenues over time.
- **Equity Impacts.** Developers pay for the infrastructure investments; however, as with SDCs, the cost is largely passed on to some combination of the initial property owner and the future users of the property, depending on market conditions. For affordable housing development, the cost of infrastructure improvements can increase the subsidy needed to develop the housing, since the revenues are limited to ensure affordability and the land costs are driven by market-rate development.
- **Use of Funds.** Targeted to specific projects / portions of projects where a given development will have a substantial impact.

MSTIP

- **Legal Considerations.** MSTIP is a funding program adopted by the Washington County Board of Commissioners.¹⁸
- **Timing of Revenue Availability.** Washington County Commissioners determine MSTIP funding amounts and project priorities on a five-year cycle.
- **Equity Impacts.** MSTIP uses property tax revenues from across the County, and revenues are targeted to major transportation improvements that broadly serve the county. Projects within Cooper Mountain would need to demonstrate broad value to county residents to be considered for this funding source, which links the funding (all county taxpayers) to the benefits of the project.
- **Use of Funds.** Eligible projects must meet certain criteria to receive funding. Generally, eligible projects should: provide geographic balance - benefit residents throughout the county, improve safety, remove bottlenecks, include major roads used by many residents, address multiple transportation demands (cars, trucks, bicycles, pedestrians, transit), and achieve high local government priorities. In general, the program should only be considered for improvements that would likely benefit travel between and beyond urban growth expansion areas.

¹⁸ Technically, the MSTIP is not a funding source, because the source of funds is property tax revenue and the MSTIP is simply a program that dedicates a portion of that revenue to funding transportation projects.



Utility Rates (Water, Sewer, and Surface Water Management)

- **Legal Considerations.** Utility rates are legal and can be enacted by ordinance or resolution.
- **Timing of Revenue Availability.** Revenues are typically received monthly. Revenues grow in proportion to population/customer growth. Revenue from future customers in a growth area will come in gradually over time as development occurs and new customers begin to use the system.
- **Equity Impacts.** Fairness from a “user pays” perspective depends on whether the fee is flat (e.g., per household and business) or based on usage. Typically, utility rates include a combination of both a fixed portion and usage portion to help strike a balance between revenues needed to maintain the system and allowing the user to control costs through variable usage. Utility fees can disproportionately affect lower-income households because they do not consider a household’s ability to pay. Utility fees with a flat rate tend to be regressive.
- **Use of Funds.** Utility fees are used by jurisdictions to pay for operations, maintenance and major repairs and upgrades of the system. Capital projects to serve new development may be supported by monthly rates through the payment of debt service if bonds had to be issued to construct improvements. Utility funds are limited to pay for the costs associated with the particular utility – water rates pay for the costs associated with providing water, sewer rates for the costs associated with providing wastewater treatment, etc.

New Sources and Financing Tools

Supplemental SDC

- **Legal Considerations.** Supplemental SDCs are subject to the same enabling legislation and legal restrictions as broad-based SDCs (described above). Fees must be calculated based on the increased demand that a new development will place on the system. (Note that these restrictions do not apply to similar area-specific fees established through development agreements at annexation.)
- **Timing of Revenue Availability.** The fee is typically collected when a building permit is issued, meaning revenues accrue over time, and there may be a time lag before sufficient funding capacity is available to pay for projects. For geographically-specific SDCs, this is particularly challenging because there are no funds from development occurring in other areas to provide revenue in early years.
- **Equity Impacts.** The equity impacts are similar to those for broad-based SDCs in terms of how costs are passed on and who is affected. However, geographically-specific SDCs target costs over a narrower base, potentially increasing the per-unit SDC relative to spreading costs across the jurisdiction, which can increase the difficulty of building affordable and low-cost housing in that area relative to other areas (assuming they are higher than or in addition to the broad-based SDC).
- **Use of Funds.** Like broad-based SDCs, supplemental SDCs must be tied to a specific project list for a given type of system (e.g., water, sewer, or transportation) for infrastructure improvements needed to support growth. For a geographically-



specific supplemental SDC, the projects must benefit development in that area, but need not necessarily be located within the area itself.

- **Potential Revenue.** While financial capacity would ultimately be contingent on the SDC rate selected and what type of infrastructure was going to be funded, a supplemental SDC for transportation is likely to be considered for the Funding Plan based on experience in other growth areas. **Based on transportation SDC rates in South Cooper Mountain, South Hillsboro, and River Terrace, residential development scenarios in Cooper Mountain alone could generate upwards of \$27.3m - \$41.6m (in 2020 dollars) for transportation using similar rates.** (Financial capacity is not inclusive of commercial development as rates are more variable or unknown.)

Local Improvement District

- **Legal Considerations.** The process to form a LID is outlined in state statute. An ordinance must be passed through a public hearing process. The assessment is determined based on the cost of the improvements being funded, the number of benefitted properties, and the apportionment method (which can vary). For residential property, the estimated assessment cannot exceed the pre-improvement value of the property based on assessor records.
- **Timing of Revenue Availability.** LIDs are often structured so that assessments are due upon project completion, but can be paid back over time, regardless of whether development has occurred on a given property. This can motivate landowners to develop their properties more quickly so they are not incurring costs before they have received any revenue from development. However, LIDs allow for the use of financing options, meaning they are typically established to repay a bond—allowing projects to be developed up front and repaid over time.
- **Equity Impacts.** This tool enables a group of property owners to share the cost of a project or public improvement that they will benefit from. The charges established by the LID should be proportional to the benefits individual property owners will enjoy. Revenues derive from a temporary assessment placed upon the property, which will impact property owners within the LID district. This cost increase could be more difficult for lower-income property owners to pay. Further, despite the financing mechanism allowing LID payments to be amortized over time, most homebuyers (and this is true for commercial property buyers as well) will use bank loans to complete their purchase, and LIDs must be paid in full before entering into a new mortgage because the LID process places a lien upon the property that has first priority, equal to property taxes, and ahead of the mortgage. Before a property changes hands, all liens must be satisfied. Thus, prospective homebuyers may (and should) factor in the cost of the LID as part of the purchase price. This could reduce the price they are willing to pay for the home, which once again is borne by the initial property owner, and has the same impacts described above for supplemental SDC's (i.e., reduced supply and changes in the types of land uses built).
- **Use of Funds.** Capital costs for specific projects.
- **Potential Revenue.** Potential revenue would be based on total project costs covered by the LID. The South Hillsboro LID noted previously is anticipated to generate roughly \$26m over about 751 net acres of development. This translates to an overall average of roughly \$35,000 per net acre; based on the anticipated development on those properties (including over 5,400 homes) this is estimated to



cost \$4,000 to \$8,000 for a single family home or \$2,000 to \$4,000 for a townhome.¹⁹ **Applying similar assessments per housing unit as those imposed in South Hillsboro to the projected development in Cooper Mountain would yield roughly \$10-20m from residential development (excluding multifamily)** if all development were included. However, in South Hillsboro this was offered in exchange for reduced supplemental transportation SDCs, so this estimate of potential revenue should not be considered fully additive with revenue potential from a supplemental SDC.

Reimbursement District

- **Legal Considerations.** Cities in Oregon can adopt a reimbursement district ordinance to provide a mechanism for developers to share project costs with those who benefit from the project. Either a developer or a service provider initially sets up the reimbursement district and pays for the improvement up front, and is paid back – reimbursed – by future developments that take benefit from the improvement. For cost sharing to occur, a reimbursement district must be formed, and benefited properties must connect to the project. These districts have a limited duration period. If benefiting properties do not connect to the project within an established period of time (10 to 30 years), then the district expires. In these instances, the initial developer or service provider who paid the upfront costs loses out on the reimbursements.
- **Timing of Revenue Availability.** Revenues from a reimbursement district would accrue over time as development occurs. Reimbursement Districts are a financing mechanism (rather than a funding tool) and are established to pay back a land developer or service provider who fronts the funds to pay for specific projects up front.
- **Equity Impacts.** Individual properties would only become subject to the reimbursement district charges (which would be proportional to the benefits they received) if they take benefit or connect to the project.
- **Use of Funds.** Capital costs for specific projects. Given the uncertainty of reimbursement and the limited time in which reimbursement can be collected, reimbursement districts are best suited to projects that benefit just a few properties, all of which are likely to develop within the reimbursement period.
- **Potential Revenue.** Potential revenue would equal the cost of the improvement, and be based on total reimbursement amounts attributable to the district. However, if the initial investment is to be made by private development (rather than public funds), this will limit the amount that can be financed in this way to what a developer can reasonably afford to pay for up front and be reimbursed for later (with some uncertainty about being fully repaid).

¹⁹ South Hillsboro Local Improvement District Frequently Asked Questions, Version 1, 1/1/2018. <https://www.hillsboro-oregon.gov/home/showdocument?id=22897>.



Appendix A. Lessons Learned

The Cooper Mountain Funding Options Assessment (FOA) included identifying lessons learned from other recent funding plans. Key takeaways are summarized in the main body of the FOA. To develop this component, ECONorthwest summarized findings from:

- **Listening Session with City of Beaverton staff.** On November 2, 2018, staff from the City of Beaverton met to discuss what went well, and what could have gone better, during South Cooper Mountain (SCM) planning and implementation. Staff shared notes from this discussion with the consultant team.
- **Listening Session with Developers.** On June 23, 2020, the project team convened a listening session with developers familiar with the Cooper Mountain area. Among other topics, developers were asked about their experiences paying for and constructing infrastructure in SCM (i.e., what worked well and what did not work well). The project team also asked developers about the tools and approaches they have used in other communities that might work well in Cooper Mountain.
- **Content Analysis of Funding Plans.** ECONorthwest reviewed five existing infrastructure funding plans of newly urbanizing areas in Washington County to understand the patterns and common elements of these products, relative to the SCM Funding Plan.

The subsections below further summarize what was heard at the two listening sessions and findings from an assessment of existing infrastructure funding plans. Note that the findings listed here primarily recount the main points raised at listening sessions—not necessarily points that have consensus among staff, developers, and the consultant team. Other than the key takeaways listed in the body of the FOA, this Appendix is not intended to validate the points raised by individuals as the listening sessions.

This Appendix categorizes lessons learned in thematic categories and then by experiences gained from the South Cooper Mountain (SCM) Funding Plan project versus other funding plan projects. The three thematic categories are:

1. Funding Plan Development Processes
2. Funding Plan Elements that Improve Outcomes
3. Delivery of Infrastructure (i.e., as it relates to funding and financing)

1. Funding Plan Development Processes

Development of any funding plan involves a multi-step process that seeks resolution of a particular problem. In this case, the Cooper Mountain Funding Plan (and the interim Funding Options Assessment), will propose strategies to pay for needed infrastructure in the Cooper Mountain study area.

A typical planning development process will include several steps, such as:

- Step 1: Identify problems and needs
- Step 2: Develop goals and objectives
- Step 3: Develop alternative strategies



- Step 4: Select strategies and document them in a detailed plan
- Step 5: Design a monitoring and evaluation plan

Following a well-founded process is essential to delivering a quality product that decision makers and others can use to achieve intended outcomes.

Experiences from South Cooper Mountain

In addition to financial analysis conducted as part of the SCM Funding Plan, the Plan relied on land use scenarios and infrastructure analysis conducted as part of the larger Cooper Mountain Community Plan project. This work helped to define “needed infrastructure” and their costs.

Then, before the Funding Plan was developed, ECONorthwest and the project team consulted with public and private partners to understand who should pay for infrastructure, through what sources, and what amounts. This consultation allowed the project team to evaluate and select the strategies described in the Plan. Components of that process to maintain or adjust include:

- **Manage Open Communication.** Staff and listening session participants shared several ideas to maintain or improve communication during the planning process. In general, communication with key parties should occur at each stage in the process. Ideas included:
 - Ongoing discussions with City Council to keep them in the loop, to understand what is non-negotiable, and to get Council support early-on. Communication methods could include one-on-one meetings and work sessions.
 - Continued messaging and communication with developers. Developers were included in the SCM planning process and helped to refine and select key strategies included in the funding plan. However, it was noted that some developers rejected strategies after being part of earlier agreements. Continued discussions with developers (before, during, and after negotiations) should be encouraged as well as ongoing messaging of value propositions.
 - Continued open communication between multiple service providers (e.g., THPRD and CWS) will promote greater buy-in and will be a critical path for funding strategy alternative decisions. To manage communication, consider memorandums of understandings or timelines for agreements.
 - To manage communication, the project team could establish point persons to reach out to key parties, schedule key meetings on the outset, and develop protocols to gather input before decisions are made.
- **Balance Perspectives.** Open communication will lend itself to the collection of multiple perspectives and varying opinions. An offshoot of open communication is the practice of balancing perspectives heard when selecting funding strategies. Including developers in the determination of funding solutions was beneficial for SCM, but some members of City staff felt the results might not have been the best outcome for implementing or paying for infrastructure.
- **Determine Intent.** The funding plan should define objectives or goals, as these factors will guide the direction toward funding solutions. Staff wanted to ensure that



all parties kept the “city’s interests in mind.” Defining those interests can enable a common language and understanding about funding elements or processes that are non-negotiable. They can also serve as criteria for monitoring and evaluating future implementation from a funding perspective.

- **Be Cognizant of Timing.** In SCM, to comply with the Transportation Planning Rule, the project team had to wait until final zoning was established before a financial plan for roads could be completed. At the outset, the project team should identify all critical paths in the development of the funding plan (and interim FOA). Then, identify the potential barriers that could block those paths.
 - Many participants commented on the timing of the overall process, however, there was disagreement about whether planning took too long or went too quickly.

Experiences from Other Communities

- **Outreach.** Most funding plans rely on one or more public/stakeholder outreach activities, which fall under the broader, project engagement strategy. These include presentation(s) to stakeholder work groups, technical advisory committees, and task forces; online forums and public meetings; and surveys and interviews with staff and stakeholders. Communities often engage development interests through these general-purpose avenues, rather than through targeted outreach to developers alone. This may be insufficient for the Cooper Mountain Funding Plan if a robust funding strategy between several developers and the public sector is desired. In the case of South Hillsboro, however, the City worked with major landowners in the area to negotiate memoranda of understandings—used to inform future legal agreements (signed prior to annexation) specifying roles and responsibilities of each party.

2. Funding Plan Elements that Improve Outcomes

This section addresses funding plan elements—the actual content, and the organization of the content—included in the plan.

Experiences from South Cooper Mountain

- **Develop Revenue Projections.** ECONorthwest’s forecast of system development charge (SDC) revenue was cited as important. Revenue projections, tied to the implementation schedule, will be an important plan element to understand the factors that may affect future revenue streams as well as the amount of money that could be available at key milestones.
- **Acknowledge Non-Capital Costs.** Ongoing operations and maintenance costs (O&M) was not a cost component considered in the SCM Funding Plan. However, a participant felt that the City should look ahead to how those will be addressed, including whether maintenance should be managed by Homeowners Associations or the City.
- **Consider a Range of Funding Tools and Programs.** The SCM funding plan relied on SDCs to fund the various infrastructure funding gaps. The appropriate funding tools



and programs will likely vary by infrastructure type. Funding tools considered in other funding plans included: utility fees, local improvement districts, reimbursement districts, general obligation bonds, and urban renewal (tax increment financing). Further, the Plan may consider implementing reimbursement districts, or other fees that allow projects to be built up front and paid back over time. Listening session participants were also interested in mechanisms that could fund joint projects between several developers and the public sector.

- **Connect the Dots.** Several participants explained that it was helpful to understand how the SCM Plan linked to other planning documents. The funding plan could provide a crosswalk to communicate which infrastructure projects are listed (or will be listed) in relevant master or facilities plans, the Capital Improvement Program (CIP), the Transportation System Plan (TSP), etc. This crosswalk could become helpful in later stages of development as land is acquired and projects are delivered.
- **Incorporate Next Steps.** Participants mentioned, that in some cases, the City planned but did not implement. The City may need strategies to ensure implementation continues, such as by establishing new programs or implementation tools. The SCM Funding Plan concluded with implications, but it may be helpful for the Cooper Mountain Funding Plan to also include recommendations for next steps or a flexible/non-binding action plan to organize workflow for the next 10 years.
- **Assign Responsibilities.** The SCM Funding plan identified general funding responsibilities. For instance, funding tables documented the amount of money likely to derive from developer contributions, SDC ratepayers, or the City via TDT and MSTIP allocated dollars. To ensure implementation of next steps is further formalized, the plan of action could identify specific parties to lead key charges. For example, who (what department) will handle public outreach if new taxes are needed that require a public vote? Who will coordinate with Metro, property owners, stakeholders, and/or service providers? Who will coordinate amongst City staff to ensure infrastructure is delivered on time, and projects are communicated consistently to external audiences?

Experiences from Other Communities

- **Include Funding Tool Evaluations.** A participant in the Cooper Mountain listening session mentioned a need for more funding tools to share costs among different parties. Another participant mentioned that system development charges cannot be solely relied on to cover infrastructure costs. Many funding plans use evaluations to weigh the tradeoffs of multiple fee and/or tax-based funding tools that could be implemented to cover infrastructure funding gaps. A funding tool evaluation could be included in the FOA to identify a larger set of tools that could cover total costs—and that spread the burden of payment around more equitably. It can also be used to explore and vet tools that appear attractive to many parties, such as the reimbursement district.

3. Delivery of Infrastructure

Here, delivery of infrastructure relates to the ability of selected funding strategies to get projects built on schedule. In this sense, and among other considerations, one must



consider the availability of funds throughout a given time period and the eligibility of revenue sources or other strategies to fund specific projects and their costs.

Experiences from South Cooper Mountain

- **Focus on Backbone Infrastructure Needed at the Front-End.** Backbone infrastructure include the core elements and connections of the infrastructure network. Listening session participants stressed the importance of making sure backbone infrastructure is accessible and delivered in the front-end. This suggests that available funds should be funneled to these projects as a first priority. For example, Cooper Mountain will need trunk lines, which are very expensive. If those projects are delivered early, they will begin generating revenue from the development that was able to move forward.
- **Time Annexations Appropriately.** The City has an opportunity to get zoning, funding tools, and developer/intergovernmental agreements in place before annexation and development occurs to ensure smooth implementation of the plan, but some funding methods might require land to be inside the city. Understanding these opportunities, constraints, and timing annexations will be important to the success of the plan's implementation.

Experiences from Other Communities

- **Explore State and Federal Transportation Funding Programs.** Transportation funding programs include Oregon's Pedestrian and Bicycle Program, Transportation Enhancements Program, Transportation Improvement Program, and Immediate Opportunity Fund as well as Federal Regional Flexible Funds Allocation (administered by Metro). In some cases, the request of these programmatic funds would require that Cooper Mountain transportation infrastructure be included in the City's TSP. Historically, however, these State programs have not been entirely fruitful for Oregon cities that are planning for greenfield, residential development. These State funding sources will not likely provide a substantial amount of funding for Cooper Mountain.
- **City-initiated Projects.** In the case of Wilsonville Frog Pond, after difficult negotiations, the City of Wilsonville agreed to build a catalyst frontage improvement and defer a park improvement until a threshold number of homes were permitted. Development is reimbursing the City of Wilsonville through a supplemental infrastructure fee (paid on a per house basis). This strategy provided greater certainty on timing of improvements.
- **Consider the tradeoffs of Districts.** Local improvement districts (LIDs) and Reimbursement Districts are common tools that cities use for infrastructure funding. Listening session participants noted that broad-based LIDs can be very complex or straightforward (depending on their structure). In the case of South Hillsboro, an LID for transportation and other infrastructure was used and applied on individual lots; developers found it complicated to work out the details and administer. (ECONorthwest has been supporting efforts to update the South Hillsboro LID assessments as zoning and land use plans shift through the course of development, highlighting one challenges with this approach.) Participants also noted that the Reimbursement District tool is not included under the current City Code.



Appendix B. Revenue Projection Details

ECONorthwest and Tiberius Solutions developed revenue projections for existing funding sources that are primarily used to pay for capital improvements needed for new development (excluding developer contributions, which are more variable). Preliminary results are documented below.

Parks and Trails Infrastructure: SDCs

The City of Beaverton collects a parks SDC on all new development in the City on behalf of THPRD.²⁰ Fee rates (effective 7/1/19) vary by area, as outlined below.²¹ An estimate of revenue from development in Cooper Mountain for parks SDCs is presented in

²⁰ THPRD allows applicants to apply for SDC credits for qualified public improvements, donation or contribution of land or construction of park or recreation facilities on the district's SDC-CIP list. For more information: <http://cdn1.thprd.org/pdfs2/document17.pdf>

²¹ THPRD is in the process of updating SDC rates. This section will be updated when the new rates are released.



Exhibit 4.

- **In all park district areas, except the South Cooper Mountain area**, the rate is \$11,895 per new one- and two-family dwellings and \$9,595 per new multifamily dwelling, and \$397 per employee for new commercial development.
- **In the South Cooper Mountain area**, the rate is \$13,905 per one- and two-family dwellings, \$11,097 per multifamily dwelling, \$8,193 per new unit in a senior housing development, and \$397 per employee in a new commercial development.²²

²² THPRD is considering discontinuing the SDC overlay for South Cooper Mountain, per a technical memorandum from Galardi Rothstein Group dated June 17, 2020 (available at <http://www.thprd.org/pdfs2/document4510.pdf>).



Exhibit 4. THPRD Parks SDC Revenue Potential (2020 dollars), Cooper Mountain, 2021-2041

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars and rounded to the thousand.

	Citywide Rates		SCM Rates	
	Scenario 1	Scenario 2	Scenario 1	Scenario 2
Residential Development				
Single-family detached units	\$22,363,000	\$31,308,000	\$26,141,000	\$36,598,000
Attached Units	\$13,418,000	\$6,709,000	\$15,685,000	\$7,842,000
Multifamily	\$7,215,000	\$5,412,000	\$8,345,000	\$6,259,000
Commercial Development²³				
Low EMP Density	\$9,000	\$17,000	\$9,000	\$17,000
High EMP Density	\$20,000	\$40,000	\$20,000	\$40,000
Total (with low EMP density)	\$43,005,000	\$43,446,000	\$50,180,000	\$50,716,000
Total (with high EMP density)	\$43,016,000	\$43,469,000	\$50,191,000	\$50,739,000

²³ Low and high employment (EMP) density assumptions are: 21 and 50 employees in Scenario 1 and 43 and 100 employees in Scenario 2 (based on THPRD Parks SDC Worksheet, square foot per employee range of 700 and 300 square feet per employee).



Water Infrastructure: SDCs

The City of Beaverton will be responsible for providing water service to the Cooper Mountain planning area. The City of Beaverton currently collects a water SDC in their service area. Rates (effective 7/1/19) vary by meter size:

- Meter size of 5/8-inch: \$6,255 per new residential dwelling unit and commercial connection (plus \$124 per meter).
- Meter size of 3/4-inch: \$9,007 per new residential dwelling unit and commercial connection (plus \$140 per meter).
- Meter size of 1 inch: \$16,013 per new multifamily dwelling unit and commercial connection (plus \$186 per meter).
- Meter size of 2 inches or larger: SDC rate is variable on all new development (plus \$365 per 1.5-inch meter, \$476 per 2-inch meter, and variable for meters that are 3-inches or larger).

However, on July 14, 2020 the City adopted a new citywide SDC methodology for its water system.²⁴ On August 4, 2020, Beaverton's City Council adopted a resolution establishing the new Water SDC rates. The new Water SDC rates (effective February 1, 2021), will vary by meter size, and are:²⁵

- Meter size of 5/8-inch: \$8,774
- Meter size of 3/4-inch: \$13,161
- Meter size of 1-inch: \$21,935
- Meter size of 1.5-inch: \$43,870
- Meter size of 2-inches or larger: Variable; determined based on the number of Equivalent Dwelling Units (EDUs) estimated based on projected water demand.

An estimate of revenue from development in Cooper Mountain for water SDCs is presented in Exhibit 5.²⁶

²⁴ Beaverton City Council may grant credits against the water improvement SDC (imposed by the resolution adopting the revised SDCs (August 4, 2020)), for qualified public improvements as defined in ORS 223.304 on certification by the City Engineer that the improvement(s) qualify for that credit.

²⁵ Rates provided by the City of Beaverton.

²⁶ Financial capacity for single-family detached and attached units assumes a 5/8-inch meter per unit. Financial capacity for multifamily units is based on an assumed average SDC rate per unit of \$2,476. The rate is informed by previous water SDC payments on multifamily development comparables (provided by the City of Beaverton). Financial capacity for commercial development is based on a scenario in which the retail center comprises one 1-inch meter (Scenario 1) and a scenario in which the retail center comprises one 1.5-inch meter (Scenario 2).

**Exhibit 5. Water SDC Revenue Potential (2020 dollars), Cooper Mountain, 2021-2041**

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars and rounded to the thousand.

	Scenario 1	Scenario 2
Residential Development		
Single-family detached units	\$16,495,000	\$23,093,000
Attached units	\$9,897,000	\$4,949,000
Multifamily units	\$1,862,000	\$1,397,000
Commercial Development		
Retail Center	\$22,000	\$44,000
Total	\$28,254,000	\$29,439,000



Sanitary Sewer Infrastructure: SDCs

The City of Beaverton collects a sanitary sewer SDC on behalf of CWS. The City retains four percent of SDC revenues from this source, the remaining 96 percent is remitted back to CWS. The connection rate (effective 7/1/19) is \$5,800 per new dwelling unit and per equivalent dwelling unit for new commercial development.

An estimate of financial capacity for sanitary sewer SDCs is presented in Exhibit 6.

Exhibit 6. Sewer SDC Revenue Potential (2020 dollars), Cooper Mountain, 2021-2041

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars and rounded to the thousand.

	Scenario 1	Scenario 2
Residential Development		
Single-family detached units	\$10,904,000	\$15,266,000
Attached units	\$6,542,000	\$3,271,000
Multifamily units	\$4,362,000	\$3,271,000
Commercial Development		
Retail Center	TBD	TBD
Total	\$21,808,000	\$21,808,000



Stormwater Infrastructure: SDCs

The City of Beaverton collects and retains the Stormwater SDC imposed by CWS. Rates (effective 7/1/19) vary by development type, as outlined below. An estimate of financial capacity for stormwater SDCS is presented in Exhibit 7.

- **New residential development:** \$1,252 per Equivalent Service Unit (ESU) of created impervious area on non-right-way property.
- **New commercial development:** \$1,252 for each 2,640 square feet of newly created impervious surface.

In addition to the \$1,252 per ESU fee, stated above, the City of Beaverton imposes a \$238 Storm Water Quality Fee and a \$291 Storm Water Quantity Fee. These two fees are waived if onsite detention and water quality infrastructure is constructed. The \$1,252 SDC fee is never waived.

Exhibit 7. Stormwater SDC Revenue Potential (2020 dollars), Cooper Mountain, 2021-2041

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars and rounded to the thousand.

	Scenario 1	Scenario 2
Residential Development		
Single-family detached units	\$2,354,000	\$3,295,000
Attached units	\$1,412,000	\$706,000
Multifamily units ²⁷	\$285,000	\$214,000
Commercial Development		
Retail Center ²⁸	\$5,000	\$10,000
Total	\$4,056,000	\$4,225,000

²⁷ Estimate is based on sq. ft. of impervious surface. The estimate relies on assumptions from the South Cooper Mountain Funding Plan: 43.56 multifamily units per acre and an assumed 80 percent impervious sq. ft. per acre factor.

²⁸ Estimate is based on sq. ft. of impervious surface. Per the Cooper Mountain Market Study, the estimate relies on an assumed Retail Center area of 1-acre for Scenario 1 and 2-acres for Scenario 2. The estimate relies on an assumption from the South Cooper Mountain Funding Plan: an assumed 70 percent impervious sq. ft. per acre factor.



Traffic Development Tax (TDT)

The TDT tax rate (effective 7/1/19) is \$8,968 per new one-family dwelling unit, \$5,364 per new two-family dwelling unit, \$6,064 for new multifamily dwellings, and variable for commercial development (e.g., see Exhibit 8). The City keeps TDT revenues collected within city limits; revenues must be spent on projects identified on the TDT-eligible project list.

Exhibit 8. Washington County TDT Land Use Categories and Rates

Source: Washington County.

Land Use Categories	ITE Code	Unit	Rate
Health/Fitness Club	492	per TSGFA	\$9,128
Recreation/Community Center	495	per TSGFA	\$10,765
Specialty Retail	814	per TSGLA	\$12,300
Pharmacy/Drugstore w/out Drive-Thru	880	per TSGFA	\$13,805
Quality Restaurant (not a chain)	931	per TSGFA	\$27,443
Bank/Savings: Walk-in	911	per TSGFA	\$28,581
High Turnover, Sit-Down Restaurant (chain or stand-alone)	932	per TSGFA	\$23,021
Medical-Dental Office Building	720	per TSGFA	\$32,960

An estimate of financial capacity for TDT is presented in



Exhibit 9.

Commercial development rates (secondary development assumptions) are based on the minimum (low), average (medium), and maximum (high) rates outlined in Exhibit 8. These rates were selected based on an assumed tenant mixture identified in the Cooper Mountain Market Study.



Exhibit 9. Transportation Development Tax Revenue Potential (2020 dollars), Cooper Mountain, 2021-2041

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars and rounded to the thousand.

	Scenario 1	Scenario 2
Residential Development		
Single-family detached units	\$17,426,000	\$24,396,000
Attached units	\$6,254,000	\$3,127,000
Multifamily units	\$4,560,000	\$3,420,000
Commercial Development		
Retail Center	<i>(Secondary development assumptions below)</i>	
Assumed rate: Low	\$137,000	\$274,000
Assumed rate: Medium	\$296,000	\$593,000
Assumed rate: High	\$494,000	\$989,000
Other Development		
Parks	TBD	TBD
School Facilities	TBD	TBD
Total, with		
Low Commercial	\$28,377,000	\$31,217,000
Medium Commercial	\$28,536,000	\$31,536,000
High Commercial	\$28,734,000	\$31,932,000



MSTIP

MSTIP is a discretionary allocation of general fund / property tax revenue by Washington County that varies from year to year. There is no guarantee that any property tax revenue derived from development in Cooper Mountain will be spent on projects in Cooper Mountain. There is no way to accurately predict at this stage whether and how much MSTIP funding might be available for transportation projects in Cooper Mountain, but it will be based on the projects themselves, not revenues derived from development. However, to provide a point of reference in discussions with the County about allocating future revenue to projects in Cooper Mountain, the calculations below estimate how much new development in Cooper Mountain may contribute to available MSTIP funds. The MSTIP estimates below reflect 25% of the additional property tax revenue to Washington County over 20 years from new development in Cooper Mountain (based on past funding allocations), assuming a linear phase-in of residential development over that period and commercial development in roughly year 15. An estimate of potential new revenue from Cooper Mountain available for the MSTIP program is presented in Exhibit 10. Revenue projection details for Scenario 1 and 2 are presented in Exhibit 11.

Exhibit 10. MSTIP New Revenue Potential Summary (2020 dollars), Cooper Mountain, 2021-2041

Source: ECONorthwest.

Note: values are presented in constant 2020 dollars, based on cumulative revenue over time, and rounded to the thousand.²⁹

	Scenario 1	Scenario 2
Residential Development		
Single-family detached and attached units	\$4,367,000	\$4,640,000
Multifamily units	\$343,000	\$257,000
Commercial Development		
Retail Center	\$8,000	\$16,000
Total	\$4,718,000	\$4,913,000

²⁹ The estimate is based on assumptions for total assessed value, assuming a linear development trajectory, Washington County's 2019-20 Change Property Ratios, a County millage rate of \$2.248 per \$1000 of assessed value based on 2020-2021 tax rates, and a 25% share of annual property tax revenues being allocated to the MSTIP program based on past trends.



Exhibit 11. MSTIP Revenue Potential, Scenario 1 and 2 Details, (2020 dollars), Cooper Mountain, at Buildout and 2021-2041

Source: ECONorthwest.

	Units at Buildout	Est. Real Market Value per Unit or SF	Total Real Market Value at Buildout	CPR	Assessed Value at Buildout	Property Tax Revenue to Wash. Co., Annual at Buildout	Estimated MSTIP Share	MSTIP Allocation, Annual at Buildout	MSTIP Allocation, 20-year total
Scenario 1									
Residential Development									
SFD/SFA Units	3,008	\$400,000	\$1,203,200,000	0.623	\$749,593,600	\$1,685,386	25%	\$415,940	\$4,367,000
Multifamily	752	\$220,000	\$165,440,000	0.356	\$58,896,640	\$132,423	25%	\$32,681	\$343,000
Commercial Development									
Retail center	15,000	\$250	\$3,750,000	0.639	\$2,396,250	\$5,388	25%	\$1,330	\$8,000
Total			\$1,372,390,000		\$810,886,490	\$1,823,197		\$449,951	\$4,718,000
Scenario 2									
Residential Development									
SFD/SFA Units	3,196	\$400,000	\$1,278,400,000	0.623	\$796,443,200	\$1,790,723	25%	\$441,936	\$4,640,000
Multifamily	564	\$220,000	\$124,080,000	0.356	\$44,172,480	\$99,317	25%	\$24,511	\$257,000
Commercial Development									
Retail center	30,000	\$250	\$7,500,000	0.639	\$4,792,500	\$10,775	25%	\$2,659	\$16,000
Total			\$1,409,980,000		\$845,408,180	\$1,900,816		\$469,106	\$4,913,000



Appendix C. Broader List of Infrastructure Funding Tools

This appendix presents a range of sources that other jurisdictions have used to pay for infrastructure.

Based on discussions from the City of Beaverton and previous listening sessions, the Funding Options Assessment (FOA) evaluated a short-list of most promising new funding tools. That evaluation is presented in the main body of the FOA.

The broader list of possible tools is outlined below (in Exhibit 12), which does not include the short-listed options. It excludes grant-based sources as these are outside local control and are difficult to predict. Exhibit 12 also includes a qualitative assessment of financial capacity (\$-\$\$\$).

Exhibit 12. Infrastructure Funding Tools

Source: ECONorthwest.

Funding Tool	Description	Potential Financial Capacity
Fuel (or gas) tax	<p>This is a tax on the sale of gasoline and other fuels, typically levied as a fixed dollar amount per gallon. Under ORS 319.950, a local gasoline tax may be levied by a city, county, or other local government after a public vote. Revenues from a gas/fuel tax funds can be used for transportation construction, repair, maintenance, preservation, bike/pedestrian improvements, and sidewalks.</p> <p>At present, this tool is not short-listed. If the City did impose a citywide fuel tax, it should fund a wider range of citywide transportation priorities, given the requirement for a public vote. Paying for transportation infrastructure to serve new development is a tough sell when existing residents are the ones voting. In addition, while the cost of gas is currently lower than it has been in the past, adding to the cost of gas has traditionally frustrated the public, making this a relatively controversial tax to levy. At best, the fuel tax might be an appropriate way to fund one or two major projects in Cooper Mountain, if implemented as part of an overall transportation funding package citywide, e.g. following a TSP update.</p>	<p>\$\$\$</p> <p>A citywide fuel tax has the potential to generate substantial revenue; however, financial capacity would be contingent on the voter approved rate.</p>



Funding Tool	Description	Potential Financial Capacity
<p>General Fund allocation</p>	<p>The general fund is technically not a funding tool, but an account that all local governments have, where a variety of unrestricted revenue sources are collected (e.g., property taxes, business license fees, franchise fees, etc.). General funds tend to be dedicated to carry out the ordinary operations of cities, but these funds may be used for capital expenses as well.</p> <p>At present, this option is not short-listed. Local jurisdictions rely heavily on general fund revenues to fund all types of critical services, such as police and fire. Most jurisdictions have insufficient general fund revenues to fund these core services at their desired levels. Diverting these revenues to the project list in Cooper Mountain may not be politically feasible. However, this option could be worth exploring in the context of advancing equity goals (e.g. to pay SDCs, TDTs, or required infrastructure improvements for affordable housing developments in Cooper Mountain), rather than to pay for infrastructure improvements more broadly. However, it is important to note that trade-offs to services would be carefully considered by Beaverton City Council.</p>	<p>\$ - \$\$\$</p> <p>Financial capacity is contingent on fiscal policy direction. An allocation to infrastructure in Cooper Mountain would require equivalent cuts to other programs.</p>
<p>Local option levy (property tax)</p>	<p>Local option levies are temporary property tax increases, approved by voters. Local option levies cannot exceed five years if used to fund operations/maintenance and 10 years if used to pay for capital projects. However, the levy can be reviewed and extended, if the public continues to vote in favor of the levies.</p> <p>At present, this tool is not short-listed. It is subject to a public vote, implying this tool could be reconsidered if the public believes its use in Cooper Mountain is a fair use of funds for projects with a citywide benefit. Similarly to the fuel tax, this option could be reconsidered to fund one or two major projects in Cooper Mountain, if implemented as part of an overall transportation funding package citywide, e.g. following a TSP update.</p>	<p>\$\$\$</p> <p>Although voter-approved local option levies (whether for operations/maintenance or for capital projects) are the first to be impacted by compression³⁰, a local option levy has the potential to generate substantial revenues.</p>

³⁰ Because of the complexities of Oregon's property taxation system, in some situations, adding new taxes does not always reliably result in net new revenue for local government operations. This occurs because of compression, or a mandatory reduction of property tax revenues to comply with state law when certain thresholds are exceeded.



Funding Tool	Description	Potential Financial Capacity
<p>Parking fee</p>	<p>Parking revenues can be raised from both operations (e.g., parking meters or publicly owned parking lots) and fines. There are no legal restrictions on what parking revenues can be used for.</p> <p>This tool is excluded from further analysis as revenues would be insufficient to contribute meaningfully to infrastructure costs in Cooper Mountain. Cooper Mountain is a greenfield area and there is nowhere in the surrounding area where people have to pay for parking (except maybe for reserved or covered parking in apartment complexes which does not generate public revenue). Residential permit parking also has no precedent in the surrounding areas and would make the area less desirable than the other neighborhoods nearby.</p>	<p>\$</p> <p>It is not feasible to impose parking rates to a high enough level to make a meaningful contribution. Parking fees work in high-demand downtown commercial areas.</p>
<p>Sales tax</p>	<p>A tax on retail sales, typically added to the price at the point of sale. Oregon does not currently have a sales tax, though nothing precludes cities from adding one of their own. Is possible for a city to adopt a tax on specific items, such as the sale of motor vehicles, rental cars, bicycles, prepared food and non-alcoholic beverages, etc.</p> <p>This tool is excluded from further analysis for political reasons; numerous sales tax proposals have been defeated at the polls by wide margins. In addition, sales tax is generally considered regressive because low-income people pay a higher percentage of their income than high-income people.</p>	<p>\$\$-\$\$\$</p> <p>While sales taxes are traditionally unpopular in Oregon, they have the potential for generating substantial revenues. Revenue capacity would, however, be more limited, if the sales tax is applied to a specific subset of goods.</p>
<p>Service or special district</p>	<p>Area residents vote to establish a district which levies a property tax to provide specific public improvements within the boundaries of a city or drainage district. All revenues derived from levying a higher property tax rate is limited to the properties within the district boundary. Revenues cannot be transferred or loaned for other purposes.</p> <p>This tool is excluded from further analysis as it would be inefficient to create a new taxing authority with its own administration, and existing districts, including CWS and THPRD, are anticipated to provide service in this area. This tool was implemented for roads in North Bethany, which is an unincorporated area, but it has generated little revenue for projects.</p>	<p>\$\$</p> <p>Financial capacity is contingent on the property tax rate selected). Capacity is limited to the properties within the district boundary.</p>



Funding Tool	Description	Potential Financial Capacity
<p>Tolls</p>	<p>Tolling is allowed on Oregon roads to fund transportation projects.</p> <p>This tool is excluded from further analysis as the roads in and around Cooper Mountain are unlikely to be good candidates for tolling or to receive public support for this option. In addition, the administrative burden and implementation costs would outweigh the benefits.</p>	<p>\$</p> <p>High revenue yields are produced in high-speed limited access corridors, service in high-demand corridors, and bypass facilities to avoid congested areas.</p>
<p>Transient lodging tax</p>	<p>The City of Beaverton imposes a four percent city-wide lodging tax. The City uses revenue to promote tourism in connection with the Patricia Reser Center for the Arts. However, 30% of revenue generated from this source may be flexibly used to pay for costs that are not tourism related. Tax rates vary by jurisdiction, and the City could consider a higher tax rate.</p> <p>This tool is excluded from further analysis as there is not a direct connection between the amount of transient lodging tax someone pays, and the benefits they receive from certain types of infrastructure. This option could be reconsidered to pay for public art, outstanding trails, or pocket parks with views – things that might appeal to tourists visiting the Cooper Mountain Nature Park and draw people to the area.</p>	<p>\$-\$\$</p> <p>The City of Beaverton imposes a four percent lodging tax, which generated about \$1.2 million in 2018.</p> <p>An additional increase in the tax rate could increase, and even double, this source's financial capacity. However, the hospitality industry is suffering, so increasing the tax rate would not be advisable in the near-term.</p>
<p>Transportation Utility Fee</p>	<p>A transportation utility fee (TUF) is a charge assessed to all businesses and households in a jurisdiction or area. In Oregon, cities can enact a TUF by ordinance. The fee may be flat or based on trip generation and the rate may vary by development type. The fee may be paid by households, businesses, and/or commercial property owners within the area in which the fee is imposed.</p> <p>The fee is typically collected monthly, but it could be collected seasonally or annually, etc. Revenues received from the TUF are flexible – they could be used for construction, repair, maintenance, preservation, operations, and administration of the transportation system.</p> <p>At present, this option is not short-listed but may be revisited depending on the magnitude of the transportation funding gap.</p>	<p>\$-\$\$\$</p> <p>Financial capacity is contingent on the fee rate selected and the geographic range in which the fee applies.</p>



Exhibit 13. Infrastructure Financing Tools

Source: ECONorthwest.

Financing Tool	Description
General obligation bond	General obligation (GO) bonds are a voter-approved, temporary increase in property tax rates. Proceeds from GO bonds can only be used for capital projects. State law allows local governments to issue general obligation debt for infrastructure improvements. GO bond levies typically last for 20 to 30 years for and must be approved by a public vote.
Revenue bond	Following a 60-day noticing procedure, a City can issue revenues bonds via a resolution, unless the public petitions (with sufficient, valid signatures) to refer the bond to a public vote. An expected source of revenue for bond repayment must be identified.



Appendix D: Transportation Project and Cost Estimates

The project team has determined preliminary cost estimates for transportation projects in and adjacent to Cooper Mountain. Costs estimates are identified in 2020 dollars, using a mid-point cost estimate, in Exhibit 14. More work remains to determine which projects need to be funded to enable development of Cooper Mountain. Some of the off-site projects may be removed from this list for the final funding plan, and additional projects may be identified through subsequent analysis.

Exhibit 14. Summarized Transportation Costs Estimates (2020 dollars), Cooper Mountain

Source: DKS Associates

Project ID	Project Name	Project Type	Within Cooper Mountain	TDT Project	Jurisdiction	Project Summary	Total Estimated Cost - Mid (2020)*
1	Extend 185th Avenue from Gassner Road to Kemmer Road as a 3-lane County arterial.	Roadway - arterial	No	No	Washington County	New Street Extension	\$6,625,863
3	Realign the curve along Grabhorn Road near Stone Creek Drive, as a 3-lane County arterial.	Roadway - arterial	Yes	No	Washington County	New Street Extension	\$5,262,730
4	Realign the curve along Grabhorn Road north of Tile Flat Road, as a 3-lane County arterial.	Roadway - arterial	Yes	No	Washington County	New Street Extension	\$3,370,448
5	Realign Grabhorn Road east to provide a through connection with Tile Flat Road, as a 3-lane County arterial.	Roadway - arterial	Yes	No	Washington County	New Street Extension	\$5,418,023



Project ID	Project Name	Project Type	Within Cooper Mountain	TDT Project	Jurisdiction	Project Summary	Total Estimated Cost - Mid (2020)*
8a	Create a new north-to-south 2-lane City collector street between Grabhorn Road and the UGB, just south of the Alvard Lane Extension	Roadway - collector	Yes	No	Beaverton	New Street Extension	\$10,887,811
9	Improve the Rigert Road/170th Avenue intersection.	Intersection	No	No	Washington County	Intersection Improvement	\$2,300,647
11	Improve the Scholls Ferry Road/ Horizon-Teal Boulevard intersection.	Intersection	No	No	Washington County	Intersection Improvement	\$575,162
13b	Improve Grabhorn Road from the UGB, north of the new east-to-west Collector Street, to the UGB, near Stone Creek Drive, as a 3-lane County arterial.	Roadway - arterial	Yes	No	Washington County	Improve to 3 lanes	\$4,796,849
13c	Improve Grabhorn Road from the UGB, near Stone Creek Drive, to Gassner Road, as a 3-lane County arterial.	Roadway - arterial	No	Yes - 1091	Washington County	Improve to 3 lanes	\$4,986,652
14b	Improve 175th Avenue from the UGB, north of Alvard Lane, to Kemmer Road as a 3-lane County arterial.	Roadway - arterial	Yes	No	Washington County	Improve to 3 lanes	\$4,532,274
15	Improve Kemmer Road from 175th Avenue to the 185th Avenue extension as a 3-lane County arterial.	Roadway - arterial	Yes	No	Washington County	Improve to 3 lanes	\$2,979,338



Project ID	Project Name	Project Type	Within Cooper Mountain	TDT Project	Jurisdiction	Project Summary	Total Estimated Cost - Mid (2020)*
16	Improve Gassner Road from Grabhorn Road to the 185th Avenue extension as a 2-lane County collector.	Roadway - collector	No	No	Washington County	Improve to 2 lanes	\$2,847,051
17b	Construct a community shared-use path (South Cooper Loop Trail) along the east side of Grabhorn Road and Tile Flat Road, between the UGB and the west side of the Cooper Mountain Nature Park.	Shared-use path	Yes	No		Shared-use path	\$1,455,159
19b	Construct a community shared-use path (South Cooper Loop Trail) along the west side of 175th Avenue, between the UGB and Weir Road.	Shared-use path	Yes	No		Shared-use path	\$1,512,675
22	Install crosswalk and pedestrian activated flasher on 175th Avenue at Weir Road.	Street Crossing	Yes	No	Washington County	Street Crossing	\$92,026
Road Corridor 1, Segment A	Create a new 2-lane neighborhood route south of Road Corridor 3 (parking on both sides)	Roadway - neighborhood route	Yes	No		New Street Extension	\$3,117,377
Road Corridor 1, Segment B	Create a new 2-lane City collector street between Road Corridor 3 and north side of the ravine	Roadway - collector	Yes	No		New Street Extension	\$4,474,758



Project ID	Project Name	Project Type	Within Cooper Mountain	TDT Project	Jurisdiction	Project Summary	Total Estimated Cost - Mid (2020)*
Road Corridor 1, Segment C	Create a new 3-lane City collector street between the north side of the ravine and Kemmer Road	Roadway - collector	Yes	No		New Street Extension	\$10,237,879
Road Corridor 2	Create a new 2-lane City neighborhood route from Road Corridor 3 to Weird Road (no parking due to topography)	Roadway - neighborhood route	Yes	No		New Street Extension	\$6,545,340
Road Corridor 3, Segment A	Create a new 2-lane City neighborhood route south of High Hill Lane (no parking due to topography)	Roadway - neighborhood route	Yes	No		New Street Extension	\$3,008,096
Road Corridor 3, Segment B	Create a new 2-lane neighborhood route between SW 175th Avenue and High Hill Lane (parking on both sides)	Roadway - neighborhood route	Yes	No		New Street Extension	\$4,681,816
Road Corridor 3, Segment C	Create a new 3-lane City collector street between SW 175th Avenue and Road Corridor 1	Roadway - collector	Yes	No		New Street Extension	\$7,707,167
Road Corridor 3, Segment D	Create a new 3-lane City collector street between Road Corridor 1 and Road Corridor 4	Roadway - collector	Yes	No		New Street Extension	\$8,903,504



Project ID	Project Name	Project Type	Within Cooper Mountain	TDT Project	Jurisdiction	Project Summary	Total Estimated Cost - Mid (2020)*
Road Corridor 4	Create a new 3-lane City collector street east of Grabhorn Road	Roadway - collector	Yes	No		New Street Extension	\$10,876,308

Exhibit 2 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

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

In some cases, photographs have been removed from the draft document to make the document shorter and to direct focus to the written policies.

CHAPTER 1 – AMENDMENT PROCEDURES ELEMENT

Commentary:

State law and administrative rules require notice of decision in 20 days for DLCDC notices. That is reflected in the revised 1.7.1.B. State law does not have requirement for sending the order to the property owners, Neighborhood Association Committee or County Participation Organization. The appeal period does not start until the notice is mailed to those parties, so no deadline for 1.7.1.C is needed to comply with the law or ensure adequate time for appeals. In practice sending within five working days is sometimes challenging because staff have to wait for the Mayor to sign the order before it can be mailed.

1.7. FINAL ADOPTION

[Ord. # 4809, 09/16/2021]

1.7.1 Final Order

- A. The written decision in the form of a final order shall be prepared regarding the application. The final order shall include:
 - 1. A listing of the applicable approval criteria by Comprehensive Plan section number.
 - 2. A statement or summary of the facts upon which the City Council relies to find the application does or does not comply with each applicable approval criterion and to justify any conditions of approval. City Council may adopt or incorporate a staff report or written findings prepared by any party to the proceeding into the final order to satisfy this requirement.
 - 3. A statement of conclusions based on the facts and findings.
 - 4. A decision to deny or to approve the application and, if approved, any conditions of approval necessary to ensure compliance with applicable criteria.
- B. Within ~~five (5)~~ 20 working days after the Final Decision (City Council Ordinance or Final Order adoption), mail the required DLCDC Notice of Adoption to DLCDC, pursuant to ORS 197.615 and OAR Chapter 660- Division 18.
- C. ~~Within five (5) working days from the date that~~After the City Council adopts a final order, the Community Development Director shall cause the order to be signed, dated, and mailed to the applicant, the property owner, the Neighborhood Association Committee or County Participation Organization in which the subject property is

located, and other persons who appeared orally or in writing before the public record closed. The final order shall be accompanied by a written notice which shall include the following information:

1. A statement that the City Council decision is final, but may be appealed to the Land Use Board of Appeals as provided in Oregon Revised Statutes (ORS 197.805 through 197.860) or to the Land Conservation and Development Commission as provided in Oregon Revised Statutes (ORS 197.633), in the case of Periodic Review Amendments.
2. A statement indicating the Amendment application number, date, and brief summary of the decision. The statement shall list when and where the case file is available and the name and telephone number of the City representative to contact for information about the proposal.
3. A statement of the name and address of the applicant.
4. If applicable, an easily understood geographic reference to the subject property and a map.

The following diagrams, Diagrams I-1 through I-4, are intended for illustrative purposes only and are not adopted as procedural requirements within this ordinance. Thus, periodic updates to Diagrams I-1 through I-4 will not require a Comprehensive Plan Amendment.

[Ord. # 4809, 09/16/2021]

Effective on: 9/16/2021

1.8. APPLICATION FEES

In order to defray expenses incurred in connection with the processing of applications, the City has established a reasonable fee to be paid to the City upon the filing of an application for a Plan amendment. Fees for privately initiated Plan amendments requiring extraordinary staff time or expertise beyond the scope of the average process may be subject to an additional project management fee as established by Council Resolution 3285.

Exhibit 2 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

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

In some cases, photographs have been removed from the draft document to make the document shorter and to direct focus to the written policies.

CHAPTER 3 – LAND USE ELEMENT

Chapter Format

The Land Use Element is organized into 9 sections, each with a discussion of issues and one or more goals. Each goal is followed by a series of policies intended to help Beaverton grow and develop in a manner that exhibits the city’s commitment to livability, equity, sustainability, and resiliency.

Sections 3.1 through 3.5 address issues and goals of citywide relevance. Sections 3.6 through 3.9 provide goals and policies for each land use designation defined in the Comprehensive Plan. The Comprehensive Plan designations are grouped into four categories as shown below.

MIXED USE AREAS	COMMERCIAL CENTERS AND CORRIDORS	NEIGHBORHOODS	EMPLOYMENT AND INDUSTRIAL LAND
<ul style="list-style-type: none"> • Downtown Regional Center • Town Centers • Station Communities • Mixed Use Corridors • <u>Cooper Mountain Mixed Use Corridor</u> 	<ul style="list-style-type: none"> • Regional Commercial • Community Commercial • Neighborhood Centers • <u>Cooper Mountain Commercial</u> 	<ul style="list-style-type: none"> • Lower Density Neighborhoods • High Density Neighborhoods • <u>Cooper Mountain Residential</u> 	<ul style="list-style-type: none"> • Employment • Industrial

[Ord. # 4822, 06/30/2022]

3.1 Land Use and Transportation Connections

Land use and transportation are inherently inter-related, as the transportation system is what connects different uses in different areas and moves people and goods between them. Development is strongly influenced by the transportation system that surrounds it, and land use and development can influence how attractive it is to travel by car, transit, bike, or on foot. While cars remain an important feature of daily life, a commitment to sustainability, livability, equity and resiliency means increasing the transportation options available and making it easier for people to meet daily needs without a car. That shift can’t come from investments in the transportation

system alone; land use patterns play an equal or greater role in shaping transportation options and choices. The policies below recognize and address the important relationship between land use and transportation.

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

Policies:

- Policy a)** Emphasize pedestrian convenience and safety in all developments and transportation facilities.
- Policy b)** Encourage development and programs that reduce the need for vehicle use and ownership.
- Policy c)** Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.
- 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.
- 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.
- Policy f)** Ensure that development adjacent to transit stops and stations is designed to provide direct, convenient and comfortable connections between buildings and the stop or station.
- Policy g)** Encourage providing amenities for transit users at transit stops or stations, such as food carts and coffee stands, covered benches, trash/recycling receptacles, and lighting.
- Policy h)** Allow use of private parking lots near transit stops and stations for park-and-ride facilities during hours when the parking spaces are not needed for on-site uses.
- Policy i)** Encourage the use of innovative technologies that improve parking and transportation efficiency.
- Policy j)** Encourage use of structured, underground, and/or tuck-under parking for commercial, office, middle housing and multi-dwelling development.
- Policy k)** Encourage shared parking agreements in all areas with significant volumes of surface parking lots.
- Policy l)** Accommodate automobile access and parking in an efficient manner that does not detract from the desirability of other modes.

3.4 Planning and Development Review

The city is responsible for establishing development code regulations to implement the Comprehensive Plan. The code regulates growth through the review of development applications, and through code enforcement efforts.

Portions of the city were originally developed under Washington County development regulations. In these areas, annexation occurred after County planning and initial development, requiring the city to implement the County’s plans through city zoning. In addition, the city and county have defined an “Urban Planning Area”, an area larger than the current city limits in which both jurisdictions have an interest in comprehensive planning and development. The Urban Planning Area Agreement spells out roles and responsibilities for both jurisdictions within the Urban Planning Area.

Goal 3.4.1: Provide effective and inclusive planning and development review services

Policies:

- Policy a)** Ensure that development regulations are consistent with and implement the Comprehensive Plan.
- Policy b)** Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.
- Policy c)** Expand outreach to under-represented populations and increase participation in community activities by posting event and service notices in multiple venues and providing information in multiple languages, consistent with the city’s language access practices.
- Policy d)** Apply zoning districts consistent with Comprehensive Plan policies; applicable Community Plans; adopted Comprehensive Plan designations, as identified in the Comprehensive Plan and zoning district matrix, below; and the following policies.
 - i. New zoning districts consistent with applicable Comprehensive Plan policies may be added or modified as needed to address area-specific needs or changing circumstances.
 - ii. Existing zoning that is not consistent with the Comprehensive Plan and zoning district matrix may remain in place until the city or property owner initiates a zone change; however, zoning map amendments must be consistent with the Comprehensive Plan and zoning district matrix.
 - iii. Area-specific zoning districts (as indicated in the Comprehensive Plan and Zoning District Matrix) shall be applied only in locations consistent with the title and purpose statement of the zone, applicable Community Plan policies or Metro Title 6 designations.
 - iv. Where a property is subject to an area-specific zone (as indicated in the Comprehensive Plan and Zoning District Matrix), quasi-judicial zone changes shall be limited to applying another implementing zone specific to the same area, consistent with applicable Community Plan policies or Metro Title 6 designations.
- Policy e)** Where a land use approval requires demonstration of consistency with the policies of the Comprehensive Plan, the policies of the adopted Comprehensive Plan designation shall apply, regardless of whether the zone is listed as an implementing zone for the applicable Comprehensive Plan designation.

Comprehensive Plan and Zoning District Matrix	
Comprehensive Plan Designation	Implementing Zoning Districts
Mixed Use Areas	
Downtown Regional Center	RC-E, Downtown Regional Center – East*
	RC-BC, Downtown Regional Center – Beaverton Central District*
	RC-OT, Downtown Regional Center – Old Town District*

Comprehensive Plan and Zoning District Matrix

Comprehensive Plan Designation	Implementing Zoning Districts
	RC-DT Downtown Regional Center – Downtown Transition District*
	RC-MU Downtown Regional Center – Mixed Use District*
Town Centers	TC-HDR, Town Center – High Density Residential District
	TC-MU, Town Center – Multiple Use District
Station Communities	SC-E1, Station Community – Employment Sub Area 1 District
	SC-E3, Station Community – Employment Sub Area 3 District
	SC-HDR, Station Community – High Density Residential District
	SC-MU, Station Community – Multiple Use District
	SC-S, Station Community – Sunset District*
Mixed Use Corridors	CS, Community Service
	NS, Neighborhood Service
	MR, Multi-Unit Residential
	RMA, Residential Mixed A
Cooper Mountain Mixed Use Corridor	CM-HDR – Cooper Mountain - High Density Residential*
	CM-MR – Cooper Mountain - Multi-unit Residential*
	CM-RM – Cooper Mountain - Residential Mixed*
Commercial Centers and Corridors	
Regional Commercial	CC, Corridor Commercial
	CS, Community Service
	C-WS, Washington Square Regional Center – Commercial District*
	GC, General Commercial
Community Commercial	CC, Corridor Commercial
	CS, Community Service
	C-WS, Washington Square Regional Center – Commercial District*
Cooper Mountain Commercial	CM-CS, Cooper Mountain - Community Service*
Neighborhood Centers	NS, Neighborhood Service
	RMA, Residential Mixed A
	RMB, Residential Mixed B
Neighborhoods	

Comprehensive Plan and Zoning District Matrix	
Comprehensive Plan Designation	Implementing Zoning Districts
Lower Density Neighborhoods	RMA, Residential Mixed A
	RMB, Residential Mixed B
	RMC, Residential Mixed C
<u>Cooper Mountain Residential</u>	<u>CM-RM – Cooper Mountain - Residential Mixed*</u>
High Density Neighborhoods	MR, Multi-Unit Residential
Employment and Industrial Land	
Employment	OI, Office Industrial
	OI-NC, Office Industrial – Nike Campus*
	OI-WS, Washington Square Regional Center – Office Industrial District*
Industrial	IND, Industrial
	OI, Office Industrial
* Area-specific zones subject to Policy 3.4.1.d, part iii and iv	

Goal 3.4.2: Coordinate with Washington County on planning for the Urban Planning Area

Policies:

- Policy a)** Coordinate with Washington County on planning and development review for the area outside city limits but within the Urban Planning Area, consistent with the adopted Urban Planning Area Agreement between the City of Beaverton and Washington County.
- Policy b)** Recognize planning work done by Washington County when applying city policies and development regulations as annexation occurs.
- Policy c)** Update city policies or create City of Beaverton Community Plans for newly annexed areas as needed to reflect changing conditions or where County plans offer little guidance.

[Ord. # 4822, 06/30/2022]

Effective on: 6/30/2022

3.5 Community Plans

Beaverton has many different and unique neighborhoods and places. Each one of these areas has its own distinct set of qualities to be preserved, problems to address and opportunities to seize. Community Plans are a way to identify and address these unique needs with Comprehensive Plan policies specific to geographical areas.

The Community Plans provide policies that refine the vision for individual areas. The focus area for a Community Plan can cover a few parcels, a corridor, a neighborhood or multiple neighborhoods. The scope of issues considered can be as narrow or as broad as the situation warrants, but typically focus on issues that are within the scope of the Comprehensive Plan chapters.

Where maps illustrating land use designations for the area in question are included in a Community Plan, they are for convenience and reference only and do not take precedence of the city's official land use designation map. Community Plans may be implemented through refinements to zoning and/or the development code as well as special policies.

Goal 3.5.1: Recognize unique needs of different parts of the city through Community Plans

Policies:

Policy a) Create and implement Community Plans to address place-specific issues and opportunities and to tailor development regulations and policies to certain areas of the city where more detailed consideration is warranted.

Policy b) Prioritize creation of Community Plans for areas where:

- i. Public facilities and/or physical improvements need to be addressed;
- ii. Significant change is occurring or anticipated;
- iii. Opportunities for substantial new development, infill or redevelopment are present or needed;
- iv. Opportunities arise to influence site selection, development or major expansion of a single, large activity generator;
- v. There is evidence of disinvestment, deteriorating housing, and/or high vacancy, unemployment and poverty rates;
- vi. There is a need to coordinate private development and public investment; and/or
- vii. The opportunity for development in conjunction with a transit station exists.

Policy c) Ensure that Community Plans are created using an inclusive public process and include both analysis of place-specific needs and consideration of citywide needs and goals.

Policy d) Consider the needs of Beaverton's diverse cultural communities in developing Community Plans.

3.6 Mixed Use Areas

The designations within this category (Downtown Regional Center, Town Center, Station Community, and Neighborhood Mixed Use) reflect the scale and character of different types of Mixed Use Areas, and their unique roles within the urban tapestry of the city.

The Downtown Regional Center serves as the central urban core of the city, serving the entire community and surrounding areas. With access to Highways 217, 8 and 10, plus two MAX stations and a commuter rail station, the Downtown Regional Center is highly connected to the community and the region. The Downtown Regional Center includes several distinct districts, each with their own personality, including the historic Old Town area.

Town Centers provide services to the surrounding community, roughly within a two- to three-mile radius. They tend to have one- to three-story development with a mix of housing and commercial uses.

MIXED USE AREAS

- Downtown Regional Center
- Town Centers
- Station Communities
- Mixed Use Corridors
- Cooper Mountain Mixed Use Corridor

Station Communities are focused around light-rail stations and show an on-going transition from older development that pre-dates the construction of light rail to newer development that is more transit- oriented and at a greater intensity.

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

Goals and policies that apply to all Mixed Use areas, as well as goals and policies specific to each type of Mixed Use Area are provided below.

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

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policies:

- Policy a)** Prioritize commercial uses at key intersections where retail is most likely to thrive.
- Policy b)** Allow for and encourage multi-dwelling and middle housing as part of vertical mixed use developments and as stand-alone uses between and behind commercial nodes at intersections.
- Policy c)** Ensure that new development and redevelopment creates a pedestrian-friendly environment, using pedestrian-oriented design as described in the policies for all mixed use areas.
- 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 e)** Improve multi-modal connections to adjacent neighborhoods to make it easier and more convenient for neighbors to walk or ride to the Mixed Use Corridor.
- 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.
- Policy g)** Coordinate land use and transportation planning within Mixed Use Corridors to recognize the importance of streetscape design in supporting a pedestrian-oriented environment and the goals for Mixed Use Corridors.
- Policy h)** The Mixed Use Corridor designation may be applied in areas:
 - i. along streets that can support and emphasize pedestrian, bicycle and/or transit use;
 - ii. that include, or provide opportunities for, a mix of housing and commercial uses; and
 - iii. that are surrounded by, and serve as a focal point for, nearby neighborhoods.

Goal 3.6.6: Cooper Mountain Mixed Use Corridor: Promote a mix of residential and commercial uses consistent with the Cooper

Mountain Community Plan and prioritize safe and convenient ways to walk, bike, and roll

The following policies apply to Mixed Use Corridors, in addition to policies under Goal 3.6.1.

Policies:

Policy a) Apply the Cooper Mountain Mixed Use land use designation in areas:

- i. With high accessibility, such as along arterials, collectors, and neighborhood routes;
- ii. Where site conditions support higher density multi-dwelling options, such as areas with relatively flatter, more developable land with fewer identified natural resource constraints;
- iii. Near community or neighborhood parks; and
- iv. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation. This includes but is not limited to areas near Cooper Mountain Commercial Land Use designations to provide additional locations where:
 - i. Homes can be built so that residents can access goods, services, and community gathering places, and those residents can provide a customer base for those businesses; and
 - ii. Additional commercial uses can be located to address demand not met by development in the Commercial Land Use designation.

Policy b) Ensure commercial uses and residential development intensity are established in areas where "Neighborhood Center" is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and
- iii. Serve as priority locations for civic uses and regulated affordable housing.

Policy c) Apply zones that allow commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;
- ii. Along neighborhood routes with higher density multi-dwelling options; and
- iii. Near multi-use paths.

Policy d) Apply residential zones that have higher minimum densities in all developable subareas of the Cooper Mountain Community Plan area. Residential zones with higher minimum densities are most appropriate:

- iv. Near land with Cooper Mountain Mixed Use land use designations;
- v. Near Commercial and Mixed Use areas;
- vi. Along existing or planned transit routes;
- vii. Along collector streets;
- viii. Along neighborhood routes in areas without nearby higher density multi-dwelling options;
- ix. Near neighborhood and community parks; and
- x. In locations that improve multi-dwelling residents' equitable access to commercial uses, nature, and parks/recreation.

Policy e) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and
- ii. Provide the same or similar commercial opportunities in Cooper Mountain and its geographic sub-areas; and
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.

3.7 Commercial Centers and Corridors

Commercial Centers and Corridors generally have an emphasis on commercial and service uses and access to major roads. The land use designations within this category reflect different scales and characters among Commercial Centers and Corridors.

The city's commercial centers and corridors provide for a wide range of businesses that meet the needs of Beaverton residents as well as visitors from around the region. While these areas are largely developed, renovations, new buildings, and remodels have continued to bring new investment to the city. Commercial Centers and Corridors may take the form of a continuous stretch of commercial uses, or be focused at a major intersection.

COMMERCIAL CENTERS AND CORRIDORS

- Regional Commercial
- Community Commercial
- Neighborhood Centers
- Cooper Mountain Commercial

Goals and policies that apply to all Commercial Centers and Corridors, as well as goals and policies specific to each type of Commercial Centers and Corridors are provided below.

Goal 3.7.1: Enhanced Commercial Centers and Corridors

The following policies apply to all Commercial Centers and Corridors.

Policies:

- Policy a)** Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including
- i. Improving pedestrian and bicycle connections within and between sites
 - ii. Enhancing or creating multi-modal connections wherever feasible
 - iii. Providing direct pedestrian connections to, and amenities near, transit stops
 - iv. 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.
 - v. Providing safe and convenient paths for pedestrians within large parking areas
- Policy b)** Emphasize commercial and employment uses, and limit ground floor residential uses to preserve land to meet the city's employment needs.
- Policy c)** Allow for housing as part of an integrated mixed use development, generally behind or above commercial uses, and buffered from high-traffic roadways or uses incompatible with residential use.

Goal 3.7.2: Regional Commercial: Provide suitable locations for commercial uses that serve the broader region and require large sites, significant access and visibility

The following policies apply to Regional Commercial areas, in addition to policies under Goal 3.7.1.

Policies:

- Policy a)** Allow for the continuation of auto-oriented uses and large-format commercial uses, while encouraging a transition to more compact and pedestrian-friendly development over time.
- Policy b)** Apply development regulations that:
- i. Allow commercial uses at a range of scales, including large-format retail, to address community needs
 - ii. Allow automotive services (e.g. gas stations, car wash, and car repair)
 - iii. Limit new land-intensive vehicle sales and service uses and uses requiring extensive outdoor storage to areas that are over a half-mile from a high-capacity transit station and that are not heavily used by pedestrians
- Policy c)** The Regional Commercial designation may be applied in areas along highways and major arterials with high visibility and auto accessibility.

Goal 3.7.3: Community Commercial: Provide for commercial services that serve the surrounding community, with limited auto-oriented uses

The following policies apply to Community Commercial areas, in addition to policies under Goal 3.7.1.

Policies:

- Policy a)** Allow commercial uses at a range of scales, including large-format retail, to address community needs.
- Policy b)** Allow limited new automotive services (e.g. gas stations, car wash, and car repair) where compatible with adjacent uses and where the design of the site and building or structure promote a quality pedestrian environment along the street.
- Policy c)** Prohibit land-intensive vehicle sales and service uses and uses requiring extensive outdoor storage.
- Policy d)** Use development standards and/or conditional use review to address potential issues related to compatibility of commercial uses with adjacent housing, including noise, access and parking.
- Policy e)** Require multimodal or pedestrian connections based on block size standards to encourage a pattern of development that can be easily navigated by foot or bike.
- Policy f)** The Community Commercial designation may be applied in areas along arterial roads with relatively high visibility and auto accessibility that also provide pedestrian, bicycle, and/or transit connections to the surrounding community.

Goal 3.7.4: Cooper Mountain Commercial: Provide for commercial services that are accessible to community members within Cooper Mountain and nearby neighborhoods and that provide entrepreneurship opportunities

The following policies apply to Cooper Mountain Commercial areas, in addition to policies under Goal 3.7.1.

Policies:

Policy a) Apply the Cooper Mountain Commercial land use designation in areas:

- i. Where commercial activity is necessary to ensure community members within the Cooper Mountain area and surrounding areas have access to goods, services, and community gathering places;
- ii. Along or near arterial roads with relatively high visibility or near an intersection with an arterial; and
- iii. Near existing or planned community parks.

Policy b) Ensure commercial uses and residential development intensity is achieved in areas where “Neighborhood Center” is indicated on the Cooper Mountain Community Plan Preferred Approach Concept Map. The centers will:

- i. Allow a mix of commercial – with some commercial square footage required – and residential uses at relatively high densities to create vibrant, walkable areas; and
- ii. Provide people living and working in Cooper Mountain with the ability to access the centers through safe and convenient ways to travel, such as walking and biking; and
- iii. Serve as priority locations for civic uses and regulated affordable housing.

Policy c) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Policy d) Apply zones that allows commercial uses or a mix of commercial and residential uses in areas:

- i. Along or near arterials or collectors;
- ii. Along neighborhood routes with higher density multi-dwelling options; and
- iii. Near multi-use paths.

Policy e) Apply residential zones that have higher minimum densities in all developable sub-areas. The most appropriate locations for residential zones with higher minimum densities are:

- i. Near land with Cooper Mountain Mixed Use land use designations;
- ii. Near Commercial and Mixed Use areas;
- iii. Along existing or planned transit routes;
- iv. Along collector streets;
- v. Along neighborhood routes in areas without nearby higher density multi-dwelling options;
- vi. Near neighborhood and community parks; and
- vii. In locations that improve multi-dwelling residents’ equitable access to commercial uses, nature, and parks/recreation.

Policy f) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

- i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and
- ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and
- iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.

Goal 3.7.45: Neighborhood Center: Provide opportunities for small-scale commercial development that serves adjacent neighborhoods

The following policies apply to Neighborhood Centers, in addition to policies under Goal 3.7.1.

Policies:

- Policy a)** Limit the scale and type of non-residential uses to ensure compatibility with surrounding neighborhoods.
- Policy b)** Limit or prohibit auto-oriented commercial uses:
 - i. Allow limited new automotive services (e.g. gas stations, car wash, and car repair) at a small scale where compatible with adjacent uses and where the design of the site and building or structure promote a quality pedestrian environment along the street.
 - ii. Prohibit land-intensive vehicle sales and service uses, uses requiring extensive outdoor storage, and large-scale automotive services.
- Policy c)** Use development standards and/or conditional use review to address potential issues related to compatibility of neighborhood commercial uses with adjacent housing, including noise, access and parking.
- Policy d)** Allow the continuation of existing residential uses and new residential uses that are part of a mixed use development or support and provide opportunities for future neighborhood commercial uses within the Neighborhood Center.
- Policy e)** Improve and enhance connections to adjacent neighborhoods to make it easier and more enjoyable for neighbors to walk or bike to the Neighborhood Center.
- Policy f)** The Neighborhood Center designation may be applied in areas that:
 - i. include existing small-scale commercial and neighborhood-serving uses;
 - ii. provide a transition between more intensive commercial or mixed use designations and Neighborhood Residential designations; or
 - iii. are along collector or arterial roads adjacent to Medium and/or High Density Neighborhoods that lack commercial services.

3.8 Neighborhoods

Neighborhoods generally prioritize residential uses and compatible non-residential uses, such as schools and public parks. The different designations within this category reflect different scales and densities among different types of Neighborhoods.

NEIGHBORHOODS

The city's existing Lower Density Neighborhoods are mostly developed with subdivisions built in the second half of the 20th Century and newer small-lot single-detached and townhouse developments. In existing neighborhoods with mostly single-detached dwellings, streets were often built with larger collector roads connecting between neighborhoods and many dead ends, loops, and curving streets within neighborhoods. Many subdivisions include protected open space, either in the form of parks or tracts preserved and owned by a homeowners association. Schools, religious institutions, and other civic uses are found throughout the neighborhoods, often on the larger roads.

- Lower Density Neighborhoods
 - Cooper Mountain Residential
 - High Density Neighborhoods
-

Existing High Density Neighborhoods are developed with a mix of housing types but with an emphasis on multi-dwelling housing.

Goal 3.8.1: Complete and livable Neighborhoods

The following policies apply to all Neighborhoods.

Policies:

- Policy a)** Regulate maximum residential density and/or minimum lot area by zone to maintain a balance between planned land uses and infrastructure capacity.
- Policy b)** Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.
- ii. Generally, the zoning code should require that residential development achieve at least 80% of the maximum density, where applicable, allowed in the applicable zoning district.
 - iii. Minimum densities should be calculated excluding significant natural resource areas and other constrained lands.
- Policy c)** Allow flexibility to provide housing variety while maintaining an overall density consistent with the Comprehensive Plan designation and zoning.
- Policy d)** For development that achieves a public benefit or goal (such as increased housing options, public space or affordable housing) the city may provide code incentives, such as opportunities for additional floor area or housing units.
- Policy e)** Provide opportunities for a variety of housing types in all residential plan designations while maintaining a scale and character consistent with the intent of each plan designation.
- Policy f)** Facilitate development of housing that is affordable to a range of incomes, including low-income households.
- Policy g)** Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available.
- Policy h)** Use Crime Prevention through Environmental Design (design that provides opportunities for “eyes on the street” through street-facing windows and doors) to reduce graffiti, vandalism and other property crimes and to promote a feeling of safety for pedestrians.
- Policy i)** Require subdivisions and development on large sites to create a connected network of pedestrian ways, local streets, and other multimodal connections, including connections to adjacent properties or opportunities to connect in the future.

Goal 3.8.2: Lower Density Neighborhoods: Provide residential neighborhoods that emphasize housing variety and integrate parks, schools, and other community institutions

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policies:

- Policy a)** Allow and encourage a variety of housing types that respond to the scale and form of existing neighborhoods as a way to increase housing options within established neighborhoods while recognizing neighborhood character.
- Policy b)** Establish zoning regulations that allow housing variety at low-to-medium minimum densities, with the lowest minimum density at 7 units per acre.
- Policy c)** Provide adequate flexibility on development standards (e.g., setbacks and lot coverage) to make development of single-story housing feasible.
- Policy d)** The Lower Density Neighborhood designation may be applied in areas that have less walkable access to transit, commercial services, parks and/or other amenities than the High Density Neighborhood designation. Implementing zones in the Lower Density Neighborhood designation with higher minimum density may be applied relatively closer to existing or planned transit, commercial areas, and parks and implementing zones with lower minimum density may be applied relatively farther from transit, commercial areas, and parks.

Goal 3.8.3: Cooper Mountain Residential: Promote equitable, inclusive neighborhoods that emphasize housing variety and integration and include parks and commercial opportunities within walkable neighborhoods

The following policies apply to Lower Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policies:

- Policy a)** Apply the Cooper Mountain Residential land use designation in areas:
 - i. Where site conditions, including both flatter land and land with steeper slopes, are better suited for single-detached dwellings, middle housing, and lower density multi-dwelling options;
 - ii. In locations where Commercial and Mixed Use land use designations are less suitable considering policies for those designations; and
 - iii. Relatively farther from any intersection with an arterial.
- Policy b)** Allow small-scale commercial uses in residential neighborhoods in locations that prevent or minimize disturbance of natural areas and that are:
 - i. Near areas zoned for higher density multi-dwellings;
 - ii. Near parks (excluding the Cooper Mountain Nature Park) and other key destinations; and
 - iii. Along Neighborhood Routes.
- Policy c)** The city will support efforts by THPRD to find, acquire, and develop appropriate park and trail sites. Appropriate sites include those with sufficient land outside wetland and sensitive resource areas that

are not too steep to accommodate park features such as playgrounds and picnic shelters and trail corridors within the Community Plan area.

Policy d) Promote vibrant places by providing zoning that requires and/or encourages development intensity near commercial and mixed-use locations, including land where commercial uses are allowed as an option, that provides flexibility for additional commercial, mixed-use, and multi-dwelling development.

Policy e) In addition to being consistent with other Comprehensive Plan policies, future zoning map amendment applications shall be consistent with Comprehensive Plan policies if they:

i. Provide the same or similar housing units and the same, similar, or more housing variety within Cooper Mountain and its geographic sub-areas; and

ii. Provide the same or similar commercial opportunities within Cooper Mountain and its geographic sub-areas; and

iii. Support equitable access to commercial uses, natural areas and parks for Cooper Mountain residents and other nearby residents outside the Cooper Mountain boundary.

Goal 3.8.34: High Density Neighborhoods: Provide for a variety of housing types and higher residential densities in areas with more amenities and transit service

The following policies apply to High Density Neighborhoods, in addition to policies under Goal 3.8.1.

Policies:

Policy a) Provide for a variety of housing types while emphasizing multi-dwelling and middle housing.

Policy b) Establish zoning regulations that allow housing that is consistent with one unit per 1,000 square feet of residential land area while allowing for flexibility as described under Goal 3.8.1.

Policy c) Focus the highest density housing closest to transit, commercial services, parks, and/or other amenities, to provide convenient access to these amenities by as many households as possible.

Policy d) Provide direct and efficient pedestrian and bicycle connections to nearby retail and services, transit, parks, and/or schools.

Policy e) Ensure that the internal circulation system for larger developments creates direct and desirable pedestrian and bicycle routes and connects to adjacent local streets wherever possible.

Policy f) Allow for innovative housing types and designs that are consistent with the other policies for these neighborhoods to accommodate projected growth and meet the diverse housing needs of the community.

Policy g) Allow limited, small-scale retail and service uses that primarily serve the immediate neighborhood and are compatible with adjacent residential uses in terms of the amount of traffic created, noise, parking needs, and other quality of life issues.

Policy h) The High Density Neighborhood designation may be applied in areas that have walkable access to transit, commercial services, parks, and/or other amenities.

Exhibit 2 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

- Proposed new language is underlined.
- Proposed deleted language is ~~stricken~~.
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CHAPTER 5 – PUBLIC FACILITIES AND SERVICES ELEMENT

5.2 Public Facilities Plan

The City’s Public Facilities Plan (PFP), mandated by State statute for all cities with a population over 2,500, consists of this Element, the Transportation Element of the Comprehensive Plan, the City’s Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks & recreation, schools and transportation. Master plan documents included in the Public Facilities Plan are:

- Tualatin Valley Water District Water Master and Management Plan
- Water System Plan for the West Slope Water District
- Raleigh Water District Water System Master Plan
- City of Beaverton Water System ~~Facilities-Master~~ Plan
- City of Beaverton ~~Sanitary~~-Sewer Master Plan Update
- Clean Water Services of Washington County, Sewer System Master Plan
- The City of Beaverton Stormwater Drainage Master Plan
- Tualatin Hills Park and Recreation District 20-Year Comprehensive Master Plan
- Tualatin Hills Park and Recreation District Trails Master Plan
- Beaverton School District Long-Range Facility Plan 2021 (Ord. 4567, Ord. 4823)
- City of Beaverton Transportation System Plan
- City of Beaverton Active Transportation Plan
- City of Beaverton Cooper Mountain Utility Plan

The City of Beaverton has chosen to define its Public Facilities Plan in this way because it provides a limited range of municipal services and relies on other independent public agencies to provide many facilities and services for Beaverton residents and property owners. The facilities and services provided by these agencies, as well as the City, are generally described in other sections of this element, by type of facility and service. The exception to this is transportation facilities and services, which are addressed in the Transportation Element of this Plan.

5.4 Storm Water and Drainage

The storm water collection and treatment system maintained by the City consists of inlets and pipe systems, regional detention facilities, streams and their adjacent riparian corridors, wetland areas, and habitat benefit areas. Many streams, habitat benefit areas, and wetland areas are located on private or park district property and are not actively maintained.

Pursuant to the current intergovernmental agreement (IGA) with CWS, ownership and maintenance of facilities operated by CWS are transferred permanently to the City for all areas annexed to the City. The current IGA with CWS establishes certain maintenance service levels that the City follows and may be amended from time to time as allowed by the IGA.

Urban storm water runoff is a major water quantity and quality issue affecting Beaverton area streams. As development continues, the magnitude of this problem can increase without proper mitigation.

Predevelopment or natural hydrologic function is the relationship among the overland and subsurface flow, infiltration, storage and evapotranspiration characteristics of the landscape. Sustainable stormwater management avoids and minimizes impacts to natural resources by protecting native vegetation and natural hydrologic function. A sustainable system mimics natural water flow by minimizing land disturbances and incorporating natural landscape features into a development.

The process of planning, design, construction, and maintenance of storm water run-off facilities is more difficult and expensive when an area is already developed. The management of storm water run-off is a problem that crosses jurisdictional boundaries. The City of Beaverton has worked with CWS to conduct storm water planning, implement storm water utility and system development charge funding methods, develop design standards for storm water facilities and execute agreements for storm water facility operation and maintenance. In addition, the City contracts with CWS for regional stream system water testing and federal/state permitting such as the National Pollution Discharge Elimination System (NPDES) Permit.

In 1990, CWS's jurisdiction was expanded from exclusively sanitary sewer service to include storm water. The State Legislature officially authorized formation of CWS's Surface Water Management (SWM) program on July 23, 1990, to more effectively deal with the quantity (associated with flooding) and quality of urban surface (storm) water runoff. The Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency had previously established strict regulations on water quality to control the pollutants that were being carried directly into streams and rivers. CWS in concert with other cities implemented the Surface Water Management utility to address the new regulations that affected the urbanized portion of Washington County (which includes all of Beaverton's assumed Urban Services Area). This was the first time that surface water runoff was administered regionally in Washington County. At the time that CWS formed the SWM program, the City of Beaverton and Washington County had long recognized and developed drainage systems to convey storm water and control flooding. Today, the City continues to own and operate the storm water conveyance system and non-regional detention basins within the City limits.

The CWS SWM program focuses on controlling pollution at the source thus reducing the sediments and pollutants that enter receiving streams and the Tualatin River. Preventative measures like using natural and artificial filtration systems, cleaning streets and catch basins, and building holding basins for quantity and quality detention are used. There are also rules for erosion at construction sites, floodplains and wetlands. These methods and many more are currently being used by CWS and cities to effectively control flooding and reduce pollutant loads carried by receiving streams and the Tualatin River.

The City of Beaverton has been involved in a number of studies over the last several years relating to storm water planning and development of storm water design standards. These studies include:

Storm Water Planning

- Millikan Subbasin Drainage Analysis, August 2000, David Evans and Associates
- Beaverton Creek Watershed Management Plan, June 1999, Brown & Caldwell (CWS with City of Beaverton)
- Analysis of the Central Interceptor Drainage System, June 1999, Economic and Engineering Services
- Murray Scholls Town Center Master Plan, April 1998, Zimmer Gunsul Frasca Partnership
- Westside Interceptor Storm Drainage Project, December 1997, KCM
- Fanno Creek Watershed Management Plan, June 1997, Kurahashi & Associates (CWS with City of Beaverton)
- Carrying Capacity Analysis and Capital Improvement Plan for the Beaverton Regional Center and Tek Station Area, December 1996, KCM
- Subbasin Strategies Plan for Rock, Bronson and Willow Creeks, March 1996 (CWS with City of Beaverton)
- The most recent version of The City of Beaverton, [Stormwater](#) Drainage Master Plan
- [City of Beaverton, Cooper Mountain Utility Plan](#)

Storm Water Design Standards

- City of Beaverton – Engineering Design Manual and Standard Drawings. CWS standards entitled “*Design and Construction Standards for Sanitary Sewer and Surface Water Management*” are incorporated by reference from the Beaverton Design Standards.

5.5 Potable Water

The City operates and maintains a system for the storage and distribution of potable water within a service area that includes the majority of its residents. Several areas along the easterly boundary of the City are served by the West Slope Water District (WSWD), Raleigh Water District (RWD) or Tualatin Valley Water District (TVWD). Similarly, in the northern and western portions of the City, several areas receive water from the Tualatin Valley Water District. The water provider service areas are shown on Figure V-2.

In 1979, the City entered into a joint service agreement with the Cities of Forest Grove and Hillsboro to establish joint operations for the water supply, pumping, treatment and transmission. In conjunction with this agreement, the City constructed new transmission lines, several new reservoirs, and other improvements to the water system. The agreement was amended in 1994 to add the Tualatin Valley Water District. The joint facilities are administered by the Hillsboro - Forest Grove – Beaverton - Tualatin Valley Water District Joint Water Commission. The Joint Water Commission consists of twelve members with three members appointed by each agency.

This joint system obtains raw water (prior to treatment) from the Trask and Tualatin Rivers with raw water storage in Barney Reservoir and Hagg Lake. Treatment is at the Joint Water Commission Treatment Plant located south of Forest Grove. Treated water is conveyed to Beaverton from the plant through 45, 42 and 36-inch transmission pipes.

The West Slope Water District, Raleigh Water District and a portion of the Tualatin Valley Water District purchase their water from Portland's Bull Run system. Most of this water is delivered by way of the 60-inch Washington County supply line that comes from the Powell Butte reservoir in east Portland. The City has separate intergovernmental agreements for water supply with the Tualatin Valley Water District and West Slope Water District. The agreements establish obligations and boundaries between the parties.

The following documents set forth the City of Beaverton's water service plan, method of financing and maintenance program:

Water System Planning

- Fire Hydrant Replacement Program, Phase 1 Beta Test, Phase 1 Preliminary Prioritization, June 2000, Murray, Smith and Associates, Inc.
- Technical Memorandum, Fire Hydrant Replacement Program Prioritization, Phase 1 and 2 Summary, June 1, 2000.
- Regional Water Providers Consortium Regional Transmission and Storage Strategy, Board Discussion Draft Report, February 22, 2000, Montgomery Watson
- SW 155th Avenue Reservoir Preliminary Siting Evaluation, November 10, 1999, Murray, Smith and Associates, Inc.
- Joint Water Commission, Water Management Plan Final Report, August 1998, Montgomery Watson
- Murray Scholls Town Center Master Plan, April 1998, Zimmer Gunsul Frasca Partnership
- Carrying Capacity Analysis and Capital Improvement Plan for the Beaverton Regional Center and Tek Station Area, December 1996, KCM
- Regional Water Supply Plan for the Portland Metropolitan Area, Final Report, October 1996, Prepared by the Water Providers of the Portland Metropolitan Area
- Report for Phase I, Joint Infrastructure Planning Project for City of Beaverton and Tualatin Valley Water District, March 1993, Murray, Smith and Associates
- Report for Phase II, Joint Infrastructure Planning Project for City of Beaverton and Tualatin Valley Water District, June 1993, Murray, Smith and Associates
- Cooper Mountain Water Storage Tank, July 17, 1992, OTAK, Inc.
- Modeling TVWD/Beaverton Water System on Cooper Mountain, April 13, 1992, OTAK, Inc.
- The most recent version of the Water System Facility Plan
- [City of Beaverton, Cooper Mountain Utility Plan](#)

Water System Design Standards

- City of Beaverton – Engineering Design Manual and Standard Drawings

5.6 Sanitary Sewer

The City owns and maintains the wastewater collection system (all pipes 21-inches and smaller) within its incorporated limits and conveys flows to a trunk interceptor system that is owned and maintained by the sewer treatment service provider, CWS. CWS is a special district that was established in eastern Washington County to provide sanitary sewer service in a coordinated and economic manner necessary to meet federal, state, and regional water quality regulations. The City contracts with CWS for sanitary sewerage treatment, trunkline conveyance service, development of regional minimum design standards for sanitary sewer systems and regulation of industrial discharge permits. The National Pollution Discharge Elimination System Permit (NPDES) permit is held by CWS.

Pursuant to the current intergovernmental agreement (IGA) with CWS, ownership and maintenance of collection pipes 21-inches and less operated by CWS are transferred permanently to the City for all areas annexed to the City. The current IGA with CWS establishes certain maintenance service levels that the City follows and may be amended from time to time as allowed by the IGA.

The City's collection system directs flow to sewer trunk lines that convey the flow to two treatment plants: the Durham Treatment Plant and the Rock Creek Treatment Plant. Flows from Downtown Beaverton as well as the easterly and southerly areas of the City are conveyed to the Durham Plant located on the north side of the Tualatin River south of Tigard. Flows from the westerly portion of the City are directed to the Rock Creek Plant near Hillsboro.

The following documents set forth the City of Beaverton's sewer service plan and maintenance program:

Sewer System Planning

- Clean Water Services Conveyance System Management Study, Final Draft Report, November 1998, Shaun Pigott Associates
- Murray Scholls Town Center Master Plan, April 1998, Zimmer Gunsul Frasca Partnership
- Carrying Capacity Analysis and Capital Improvement Plan for the Beaverton Regional Center and Tek Station Area, December 1996, KCM
- Clean Water Services of Washington County, Sewer System Master Plan Update 1995, David Evans and Associates
- [The most recent version of The City of Beaverton Sanitary Sewer Master Plan](#)
- [City of Beaverton, Cooper Mountain Utility Plan](#)
- [Clean Water Services, East Basin Master Plan](#)

Sewer System Design Standards

- City of Beaverton – Engineering Design Manual and Standard Drawings. CWS standards entitled “*Design and Construction Standards for Sanitary Sewer and Surface Water Management*” are incorporated by reference into the Beaverton Design Standards.

Exhibit 2 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

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CHAPTER 6 – TRANSPORTATION ELEMENT

Goal 6.2.8: Create a stable, flexible financial system.

Policies:

Policy a) Plan for an economically viable and cost-effective transportation system.

Policy b) Identify and develop diverse and stable funding sources to implement recommended projects in a timely fashion.

Policy c) Use the System Development Charge, Traffic Impact Fees, and development exactions as elements of an overall program to pay for adding capacity to the transportation system and for making safety improvements related to development impacts.

Action 1: Base the transportation system taxes and fees on the total expected cost of making extra capacity and safety improvements over a twenty-year period, allocated back to development on a pro rata formula taking into account the relative expected future transportation impact of the development in question.

Policy d) Develop a long-range financial strategy to make needed improvements to the transportation system and to support operational and maintenance requirements by working in partnership with Metro, Oregon Department of Transportation, Washington County, and other jurisdictions and agencies.

Action 1: The financial strategy should consider the appropriate shares of motor vehicle fees, impact fees, property tax levies, and development contributions to balance needs, costs, and revenue. View the process of improving the transportation system as that of a partnership between the public (through fees and taxes) and private sectors (through exactions and conditions of development approval), each of which has appropriate roles in the financing of these improvements to meet present and projected needs.

Policy e) Provide adequate funding for maintenance of the capital investment in transportation facilities.

Action 1: Develop a long-term financing program that provides a stable source of funds to ensure cost-effective maintenance of transportation facilities and efficient effective use of public funds.

Action 2: Apply low impact development techniques on a city-wide basis where projects can accommodate the techniques.

Action 3: Fund the increased cost of the water quality and quantity additions to the streets through the surface water management program fees and systems development charges and other funding sources, as appropriate.

Policy f) Track and report transportation funding receipts and expenditures for the purposes of keeping Beaverton residents and businesses informed about funding the big picture.

Goal 6.2.9: In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.

Policies:

ACTIVE TRANSPORTATION POLICIES

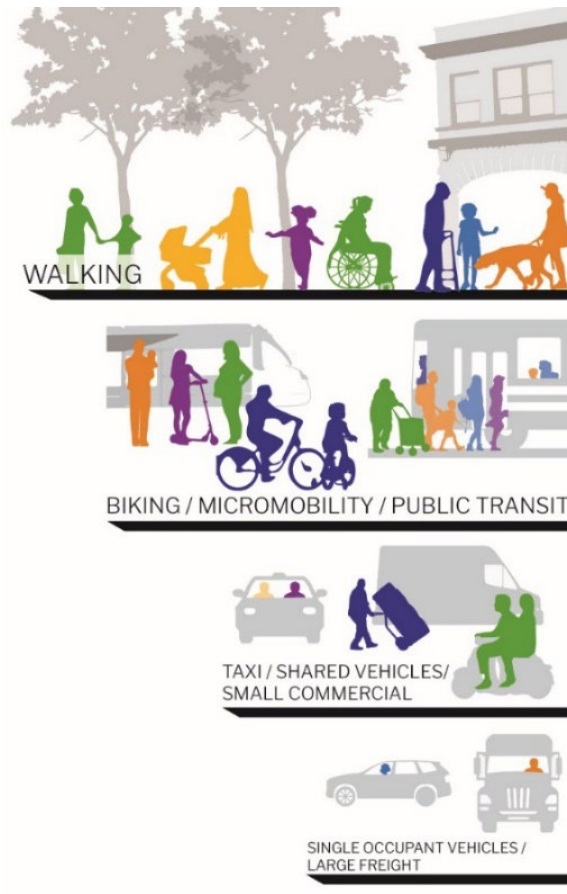
Policy a) Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton's Active Transportation Plan. Classify new bike facilities consistent with Beaverton's Active Transportation Plan and in coordination with Tualatin Hills Park & Recreation District for facilities that covered in its Trails Functional Plan.

Policy b) The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. Streets in the Cooper Mountain Community Plan area shall:

- i. Be designed with the goal of preventing all death and serious injuries.
- ii. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.
- iii. Provide easy, dignified, and affordable access to places for people who cannot drive, or choose not to drive, for the trip they need to make.
- iv. Reflect the fact that everyone is a pedestrian and benefits from generous, attractive, and socially activated walking environments.
- v. Make walking, biking, and transit a viable and desirable transportation option for people of all ages and abilities.
- vi. Be designed to advance the city toward its goal of 100 percent greenhouse gas emissions reduction by 2050.
- vii. Facilitate an equitable, communitywide transition from gas-powered vehicles to electric vehicles.
- viii. Accommodate the movement of goods and services to sustain a vibrant local, regional, and state economy.
- ix. Comply with federal, state, and regional regulations.

- x. Be planned, designed, built, and maintained in accordance with the design principles and modal hierarchy in Beaverton's complete street policy below.

Complete street policy modal hierarchy



Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

Policy d) Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.

Policy e) Coordinate with THPRD to implement Cooper Mountain's trails, and with Metro for trails connecting to the Nature Park, as follows:

- i. Integrate the multi-use paths/trails planned for SW Kemmer, SW 175th, SW Tile Flat, and SW Grabhorn as part of street improvements.
- ii. Illuminate paved multi-use trails, where feasible, to provide safer nighttime travel routes for people walking and biking. Consider the use of "dark sky" lighting techniques or other strategies to reduce disturbance to wildlife.
- iii. Coordinate with THPRD on planning for the McKernan Creek Regional Trail.
- iv. Provide opportunities for scenic viewpoints and environmental education along the McKernan Creek Regional Trail.
- v. Coordinate the McKernan Creek Regional Trail with the Utility Plan when possible.

- vi. Extend community trails from South Cooper Mountain, consistent with the Active Transportation Concept Map and THPRD Trails Functional Plan.
- vii. Coordinate with THPRD and Metro on connecting active transportation facilities to the Nature Park's nature trails, where feasible, consistent with the Active Transportation Map and THPRD's Trails Functional Plan.

Policy f) In collaboration with THPRD, plan, design, and implement a pedestrian-bike bridge to connect the Cooper Lowlands and Grabhorn Meadow neighborhoods, applying the following principles:

- i. Minimize impact to McKernan Creek and riparian habitat.
- ii. Provide passage for deer and other large mammals, such as by elevating the bridge to allow animals to pass underneath.
- iii. Work with natural resource stakeholders during the design process.
- iv. Coordinate bridge design and construction with THPRD's Trails Functional Plan, and where feasible, with the Cooper Mountain Utility Plan.

Policy g) Integrate Americans with Disabilities Act standards and guidelines into the design and implementation of active transportation facilities, and for trails, meet THPRD standards established in THPRD's Trails Functional Plan that balance accessibility with prohibitive impacts that include harm to significant cultural or natural resources; requirements of construction methods that are against federal, state, or local regulations; or terrain characteristics that prevent compliance.

TRANSIT POLICIES

Policy h) Ensure the mix and intensity of uses, community destinations, street design, and other characteristics of the Community Plan area support the future provision of transit service to the area.

Policy i) Coordinate with TriMet regarding future fixed route transit service.

Policy j) Coordinate with Washington County regarding future on-demand, microtransit service.

Policy k) Coordinate with TriMet and other mobility providers to promote access to public transportation and private mobility services and the ability to transfer between those services easily and efficiently.

COMPLETE AND CONNECTED STREETS POLICIES

Policy l) Implement the city's Complete Streets Policy and tailor street designs to their land use context. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.

Policy m) Coordinate with Washington County on arterial planning, funding, improvements, and jurisdictional responsibilities.

Policy n) Design arterial streets consistent with the city's Complete Streets Policy, Transportation System Plan (TSP), and the elements listed below.

- i. Realign the "kink" on SW 175th.
- ii. The cross-sections for Cooper Mountain arterials should include:
 - 1. Two general purpose travel lanes, one in each direction;

2. Center turn lanes between the general purpose lanes as needed. When turn lanes are not required, median islands or similar treatments should be incorporated to promote speed management.
3. Additional vehicle turn lanes at intersections to address safety needs of all users of the shared right of way that are designed to provide protection and priority to people of all ages and abilities walking, cycling, and taking transit.
4. Arterials on the edge of the urban growth boundary shall have rural edges on the rural side and a separated multi-use path on the urban side.
5. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
6. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned¹” user category.
7. Wildlife-friendly crossing at the SW 175th “kink” realignment area and SW Grabhorn Road crossing of McKernan Creek.
8. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.

Policy o) Design and build collector streets consistent with the city’s Complete Streets Policy, TSP, and the following:

i. **The** cross-sections for Cooper Mountain collectors should include:

1. Two general purpose travel lanes, one in each direction.
2. Center turn lanes between the general purpose lanes as needed. When turn lanes are not required, median islands or similar treatments should be incorporated to promote speed management.
3. Additional vehicle turn lanes at intersections to address safety needs of all users of the shared right of way that are designed to provide protection and priority to people of all ages and abilities walking, cycling, and taking transit.
1. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
2. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned²” user category.

¹ Interested but Concerned Bicyclists are the largest group identified by the research and have the lowest tolerance for traffic stress. Those who fit into this group tend to avoid bicycling except where they have access to networks of separated bikeways or very low-volume streets with safe roadway crossings. Source: U.S. Department of Transportation Federal Highway Administration Bikeway Selection Guide (2019)

4. A wildlife-friendly crossing where Route 1 crosses McKernan Creek and where the pedestrian-bike bridge crosses McKernan Creek between Cooper Lowlands and Grabhorn Meadow.
5. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.
6. The McKernan Creek Trail continued on the south side of Weir Road.
7. The McKernan Creek Trail along portions of the “Route 1” north-south collector in a way that minimizes impacts to slopes and natural resources.

Policy p) Design and build neighborhood routes consistent with the city’s Complete Streets Policy, TSP, and the following:

- i. The **cross**-sections for Cooper Mountain neighborhood routes should include:
 1. Two general purpose travel lanes, one in each direction.
 2. Ten-foot general purpose travel lanes unless a transit route or truck route necessitates additional width along the neighborhood route.
 3. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
 4. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned” user category.
 5. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.
- ii. The Cooper Lowlands Neighborhood Route south of and adjacent to McKernan Creek is planned as the access to lands north of the Community Park. The neighborhood route shall include the McKernan Creek Regional Trail where it is adjacent to natural resources area along McKernan Creek.
- iii. The High Hill Neighborhood Route will connect Siler Ridge Road to South Cooper Mountain. As the road is designed, it should take into account topography, tree preservation, and existing homes.
- iv. Incorporate street design elements that support vehicle speed and volume management such as roundabouts, curb extensions, and traffic diverters.

Policy q) Cooper Mountain streets shall connect to South Cooper Mountain streets and other abutting existing streets or streets planned for in the TSP except where the city concludes the connections are not feasible or desirable because of significant natural resources.

Policy r) Design bridges/culverts (vehicular and pedestrian-bike) for safe passage of deer and other large mammal in the following locations:

- i. Where Route 1 crosses McKernan Creek.
- ii. The realignment of SW 175th Avenue.

- iii. The pedestrian/bike bridge between the Cooper Lowlands and Grabhorn Meadow neighborhoods.
- iv. The SW Grabhorn Road crossing of McKernan Creek.

6.3 TRANSPORTATION NEEDS

To establish transportation system needs and guide the development of an updated transportation plan, each mode of travel was inventoried for existing conditions. Then future growth was used to forecast year 2035 conditions for each mode. In addition, revenue streams were analyzed to establish reasonable funding levels that can be anticipated for transportation investment in Beaverton. (Note: the city-wide analysis supporting the identification of transportation needs was not updated upon inclusion of specific policies and projects serving the South Cooper Mountain Community Plan area. However, analysis specific to the planned land uses and transportation improvements identified in the Community Plan was undertaken as part of the planning effort for the Community Plan.)

Existing Conditions

Existing travel activity was collected throughout the City and compared to the previous transportation plan to determine how existing conditions changed. Bicycle volumes were found to have increased during peak traffic hours on corridors where investment was made to provide bike lanes such as 5th Street, Hall Boulevard, Hart Road, Walker Road, Jenkins Road, and on most roadways in downtown Beaverton.

Pedestrian volumes were found to have increased the most near the Beaverton Transit Center, which reflects additional connectivity opportunities to public transit. Motor vehicle volumes were found to have decreased or stayed the same as year 2000 levels on major corridors in the City, which reflects the downturn in the economy as well as improvements in capacity and connectivity in the roadway network. Overall, the volume trends indicated a positive shift away from peak hour motor vehicle trips to other modes.

Since the year 2000 analysis conducted for the previous forecast year 2020 transportation plan, significant investment was made in roadway, pedestrian, and bicycle improvements. In addition, the WES commuter rail line is providing a new public transit mode and link to areas south of Beaverton. Combined with the positive volume shifts observed during peak hours, the transportation system investment has resulted in improved roadway operations in 2008 compared to the year 2000. While there continue to be deficiencies in mobility and connectivity that are yet to be addressed, the efforts of the City and the region to improve transportation conditions in Beaverton is positive and continues to be recognized in such ways as the continued designation of Beaverton as a Bicycle Friendly Community at the Bronze Level by the League of American Bicyclists.

Future Growth

Land use is a key factor in developing a functional transportation system. The amount of land that is planned to be developed, the type of land uses, and how the land uses are mixed together have a direct relationship to expected demands on the transportation system. Projected land uses were developed for areas within the urban growth boundary and reflect the Comprehensive Plan designations and coordination with Metro's 2035 land use projections. These land use projections were used with Metro's travel demand model to project future travel volumes and determine future needs.

Beaverton Land Use Summary

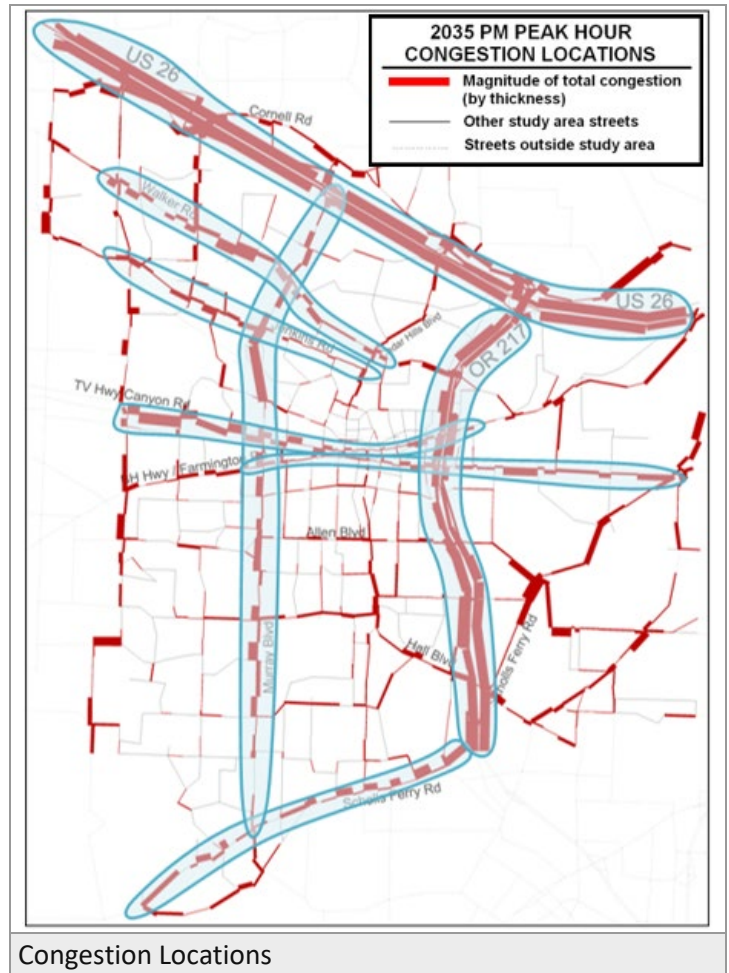
Land Use	2005	2035	Increase	Percent Increase	Percent Annual Increase
Households (HH)	67,095	96,995	29,900	44%	1.2%
Retail Employees (RET)	23,395	36,240	12,845	55%	1.5%
Service Employees (SER)	30,342	64,732	34,390	113%	2.6%
Other Employees (OTH)	40,074	46,719	6,645	17%	0.5%

Source: Metro

Future Needs

Based upon land use and growth in the City and the increase in regional travel coming through Beaverton, future year 2035 conditions were evaluated. The impact of future growth would be severe without significant investment in transportation improvements. Corridors would become unmanageably congested resulting in travel speeds below five miles per hour over long stretches of road. The duration of congestion is likely to increase as a result of “peak spreading” and the additional demand on the transportation system that is already at or near capacity during the current peak periods. The greatest problem areas can be grouped into the following key deficiency areas:

- Lack of east-west capacity – Three of the key east-west routes (Tualatin Valley Highway, Cornell and Farmington) all experience significant congestion problems if improvements are not made.
- Lack of connectivity – Areas near OR 217 between Walker and Hall are the best examples, where all north-south movements must use local streets or divert to neighboring arterials. In addition, connections between Scholls Ferry Road and Oleson Road are limited.
- Lack of intersection turning capacity – Many intersections experience congested conditions and need additional right and left turning capacity.



- System performance issues – Traffic queues extending into upstream intersections along some corridors increase delay by blocking adjacent intersections so that only limited numbers of vehicles are able to travel through the intersection while the signal is green. This indicates the need for system management and considering corridor needs rather than individual intersections.
- The capacity deficiencies throughout the City indicate the need to not only invest in roadway operations and capacity, but also a need to balance investment with other modes of travel to provide improved travel choices and reduce the demand on the system. Projects to respond to these needs are identified in the transportation plan. In areas outside City limits, designations and projects included in the transportation plan are considered recommendations to the appropriate lead agency(ies) responsible for that area or facility.

Funding

Through previous planning efforts, transportation studies, and updates to the City’s transportation plan, numerous transportation projects were identified to address future needs, creating an extensive set of system solutions in the 2015 and 2020 TSPs. While the majority of these projects identified in prior efforts remain applicable to existing and future needs of the transportation system, the large set of projects was not developed with financial constraints. The total for needed projects under City jurisdiction identified in the 2035 and 2020 TSPs is currently over \$700 million. This level of transportation investment cannot be reasonably funded with anticipated City transportation revenues through 2035 of approximately \$185 million.

Beaverton Funding Gap	
Item	Total
Capital Project Funding	\$185 million
Previously Identified Projects (RTP & 2020 TSP)	\$720 million
Funding Gap:	\$-535 million

The costs of the transportation projects identified in the RTP and TSP exceed the reasonably expected funding levels by approximately \$535 million. Since funding is not available for the entire set of identified projects, a subset of projects that can be reasonably funded was selected for prioritization and implementation. The purpose of the alternatives analysis performed for the 2035 TSP was to determine the needed projects and programs from current and past TSPs and the RTP that provide the greatest benefit to the transportation system using the estimated available funding resources.

6.4 DEVELOPING A FINANCIALLY CONSTRAINED TRANSPORTATION PLAN

To address system needs in the high-priority corridors, improvement projects from previous TSPs and other relevant studies were compiled and assessed for their potential to serve priority corridor travel patterns. Projects that were estimated to serve a priority corridor were then prioritized by mode to develop a high-priority list of projects that form the financially constrained Beaverton Action Plan.

All other projects continue to be recognized as needed Master Plan projects, meaning that the need remains, and if unanticipated funding sources become available, these projects will be pursued for implementation. **These RTP and City bicycle, pedestrian, street, and intersection improvement projects are included in the 2035 TSP, which is in Appendix IV.** They are not considered funded, however, for purposes of this Transportation Element.

Pedestrian Improvements

The existing pedestrian system network map was updated from the previous TSP to reflect recent improvements and the expanded study area. In most cases sidewalk improvements are aimed at closing gaps in the existing sidewalk network to provide connectivity rather than capacity. Generally, it is more important that a continuous sidewalk be available than it be of a certain type or size. Figure 6.1 Pedestrian Master Plan shows the existing gaps in the pedestrian system along arterial and collector roadways, as well as various activity generators that have the potential to attract pedestrian use.

Metro's RTP includes designations for pedestrian districts and transit/mixed use corridors. The RTP defines pedestrian districts as areas of high or potentially high pedestrian activity where regional policy places priority on creating a safe, direct, and attractive pedestrian environment. In general, these are areas planned for compact, mixed-use development served by transit and correspond to the following 2040 design type designations within the City of Beaverton: regional centers (RC), town centers (TC), station communities (SC), main streets, and corridors. The corresponding areas within the 2035 TSP boundary include the Beaverton Downtown RC, the Washington Square RC, Murray Scholls TC, Raleigh Hills TC, Cedar Mill TC, and the station communities including Sunset Transit Center, 185th and Baseline, Tektronix, Beaverton Creek, Elmonica/ Merlo. Areas such as these areas should be characterized by buildings oriented to the street and by boulevard street design features such as wider sidewalks with buffering from traffic, marked street crossing at intersections, pedestrian-scale lighting, benches, bus shelters, and street trees.

Transit/mixed-use corridors are defined as priority areas for pedestrian travel that are served by good quality transit service and that will generate substantial pedestrian traffic near neighborhood-oriented retail development, schools, parks, and bus stops. These corridors should include such design features as wide sidewalks with buffering from traffic, pedestrian scale-lighting, benches, bus shelters, and street trees. The 2040 design type designation for transit/mixed-use corridors is "Corridors." The corresponding corridor areas within the 2008 Beaverton TSP boundary include Murray Boulevard, Scholls Ferry Road, Hall Boulevard, Beaverton Hillsdale Highway/ Farmington Road, Canyon Road/ Tualatin Valley Highway, Cedar Hills Boulevard, Walker Road, and Cornell Road. The City of Beaverton Development Code regulations require new development in the pedestrian districts and transit/mixed use corridors to comply with the RTP descriptions listed above.

The most important existing pedestrian need in Beaverton is a well-connected pedestrian system within a half-mile grid of light rail transit (LRT) stations and key centers in Beaverton (parks, schools, retail, etc.). Additional needs include safe, direct and convenient access to transit and crossings of large arterial streets which act as barriers to pedestrian movement, marked crossings at major transit stops, as well as a sidewalk connectivity plan. A well-connected pedestrian system in the RTP designated pedestrian districts and transit/mixed use corridors will insure direct and logical pedestrian crossings at transit stops. The City of Beaverton coordinates with Washington County, TriMet, Metro, and ODOT to ensure that major transit stops are located at sites with a signalized and/or marked pedestrian crossing. In the future, additional activity centers will need to be considered and interconnected with the existing pedestrian system. The ranking of pedestrian strategies from the previous TSP is listed from most important to least important:

- Connect key pedestrian corridors to schools, parks, recreational uses and activity centers (public facilities, commercial areas, etc.)
- Fill in gaps in the network where some sidewalks exist
- Pedestrian corridors to transit stations and stops
- Signalized pedestrian crossings
- Pedestrian corridors that connect neighborhoods
- Improve streets having sidewalks on one side to two sides
- As development occurs, construction of sidewalks by developers
- Pedestrian corridors that commuters might use
- Reconstruct all existing substandard sidewalks to City standards

The transportation network was analyzed to determine potential sidewalk locations that would maximize the benefit of additional infrastructure by providing service to as many activity locations as possible. In Figure 6.1, areas that would serve the greatest number of activity generators (generally located in dense development) are indicated in red, while locations that lie outside the walking distance, assumed to be ½ mile, to activity generators (generally areas of sparse development) or would provide benefit to the least number of users are indicated in green. Sidewalk gaps that exist in red shading indicate potential locations for prioritizing sidewalk improvements or additions. The figure indicates that the highest priority need locations lie within the Beaverton Regional Center, around Walker Road/170th Avenue, and along 155th Avenue between Davis Road and Weir Road.

The existing gap locations shown in Figure 6.1 represent the ultimate Pedestrian Master Plan of pedestrian system needs and projects. Those projects that were selected as high priority locations and are reasonably likely to be funded by 2035 are included in Table 6-1 Action Plan with other modal Action Plan projects. Figure 6.5 indicates the locations for these high priority projects.

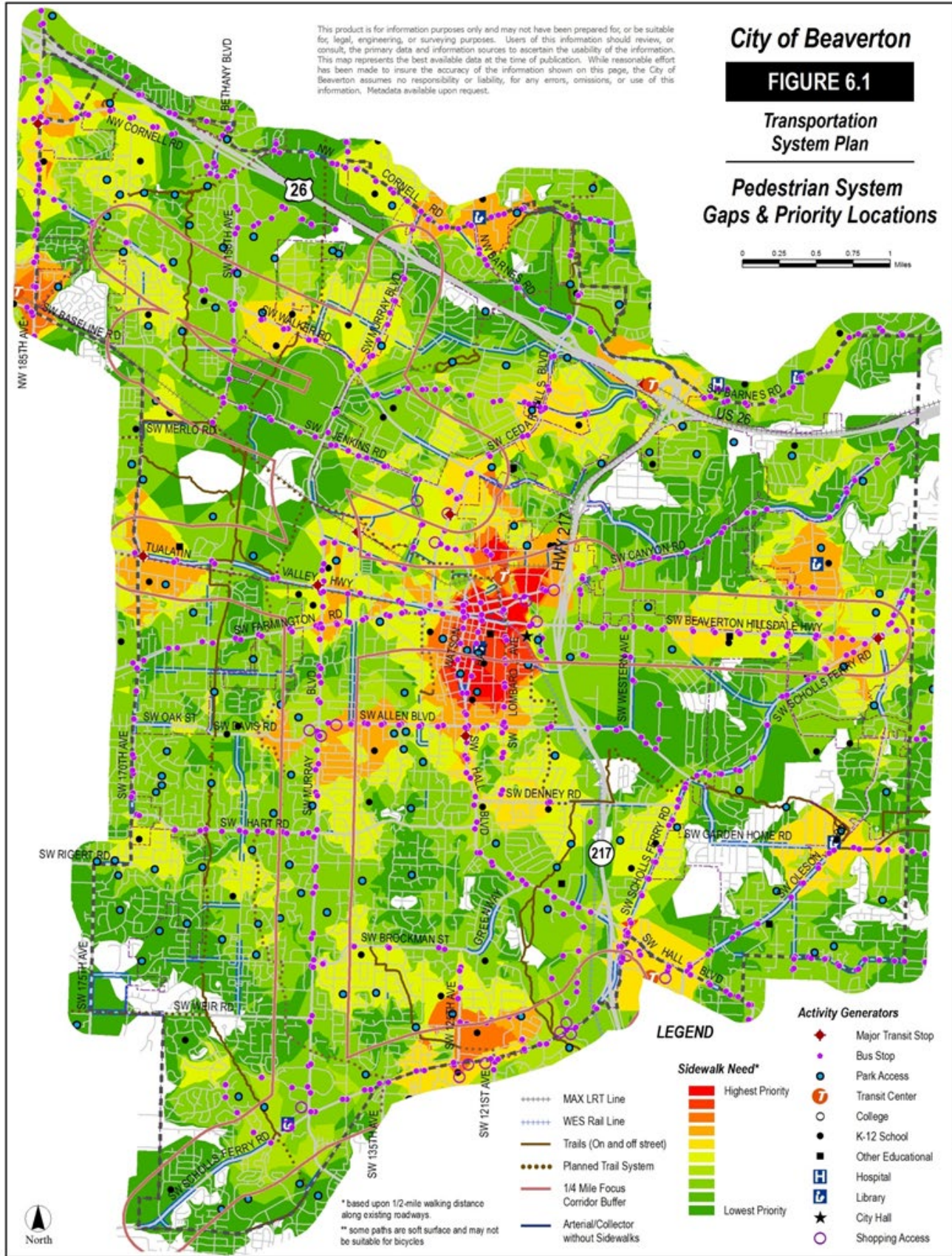
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City of Beaverton

FIGURE 6.1

Transportation System Plan

Pedestrian System Gaps & Priority Locations



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Bicycle Improvements

The Bicycle Master Plan has been updated from the previous TSP to include completed improvement projects and the expanded study area. Bikeway improvements are aimed at closing the gaps in the bicycle network along arterial and collector roadways. The ranking of the bicycle strategies from the previous transportation plan is listed from most important to least important:

- Connect key bicycle corridors to schools, parks, recreational uses and activity centers (public facilities, commercial areas, transit centers, etc.)
- Fill in gaps in the network where some segments of bikeway exist
- Bicycle corridors that connect neighborhoods
- Construct bike lanes with roadway improvement projects
- Bicycle corridors that commuters might use
- Bicycle corridors providing mobility to and within commercial areas

State policy from the Transportation Planning Rule and City of Beaverton policy require that all arterial and collector roads have bikeways. City standards require that all arterials and collectors have bike lanes. Figure 6.2 Bicycle Master Plan shows the existing gaps in the bicycle system along arterial and collector roadways, as well as various activity generators that have the potential to attract bicycle use. As with the pedestrian system, the transportation network was analyzed to determine potential bicycle lane locations that would maximize the benefit of such widening or striping by providing service to as many activity locations as possible. In Figure 6.2, areas that would serve the greatest number of activity generators (generally located in dense development) are indicated in red, while locations that lie outside the cycling distance (assumed to be two miles) to activity generators or would provide benefit to the least number of users, are indicated in green. Bicycle lane gaps that exist in red shading indicate potential locations for prioritizing improvements such as striping or widening.

The highest priority locations for filling bicycle lane gaps are along Beaverton Hillsdale Highway between White Pine Lane and 107th Avenue, and Western Avenue and Jamieson Road south of Beaverton Hillsdale Highway. The existing gap locations shown in Figure 6.2 represent the ultimate master plan of bicycle system needs and projects. Those projects that were selected as high priority locations and are reasonably likely to be funded by 2035 are included in Table 6-1, the financially constrained improvement plan, with other modal projects. Figure 6.2a represents the bicycle and pedestrian needs for the South Cooper Mountain Community Plan Area. Figure 6.5 shows the locations for these high priority projects.

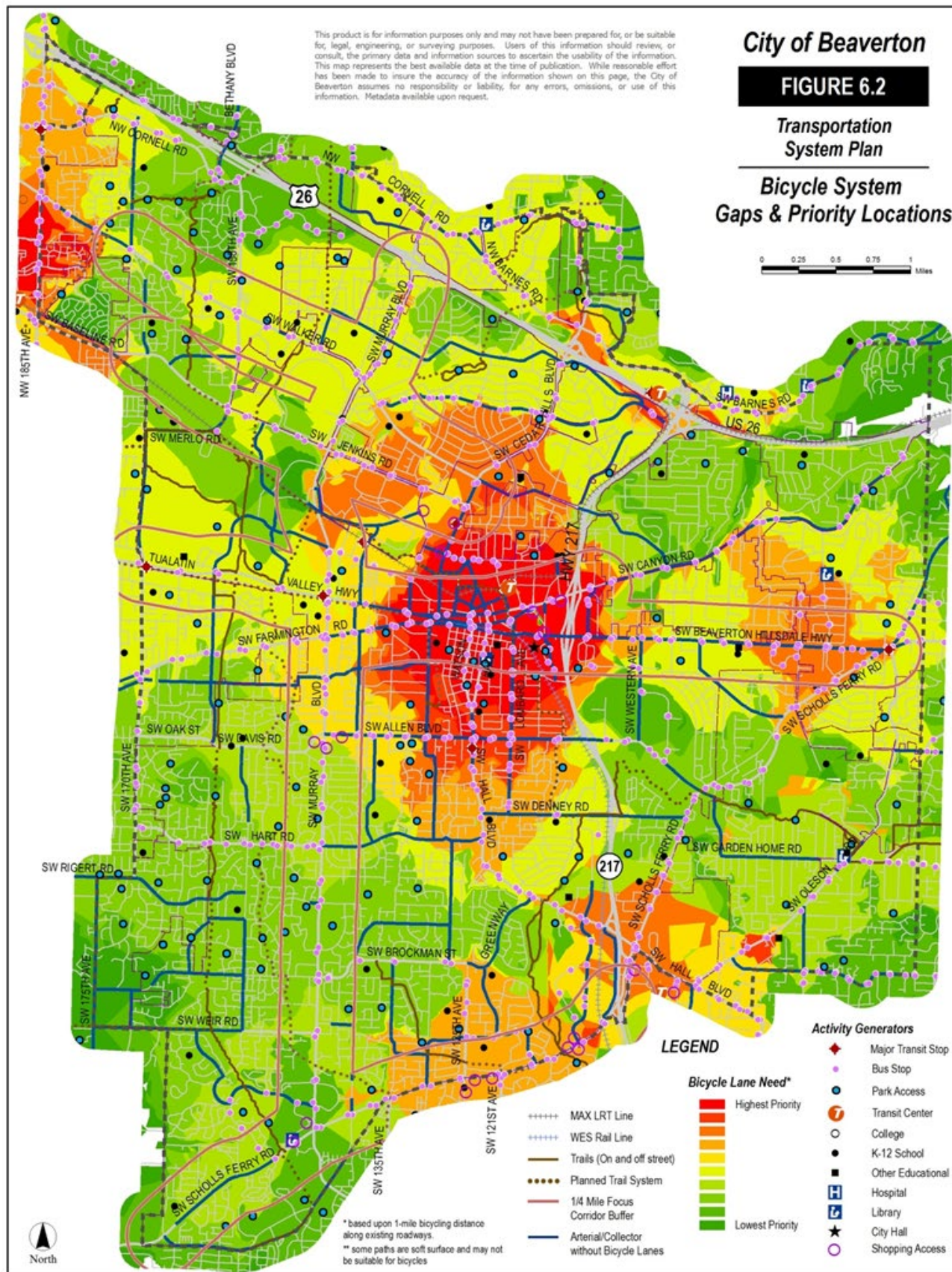
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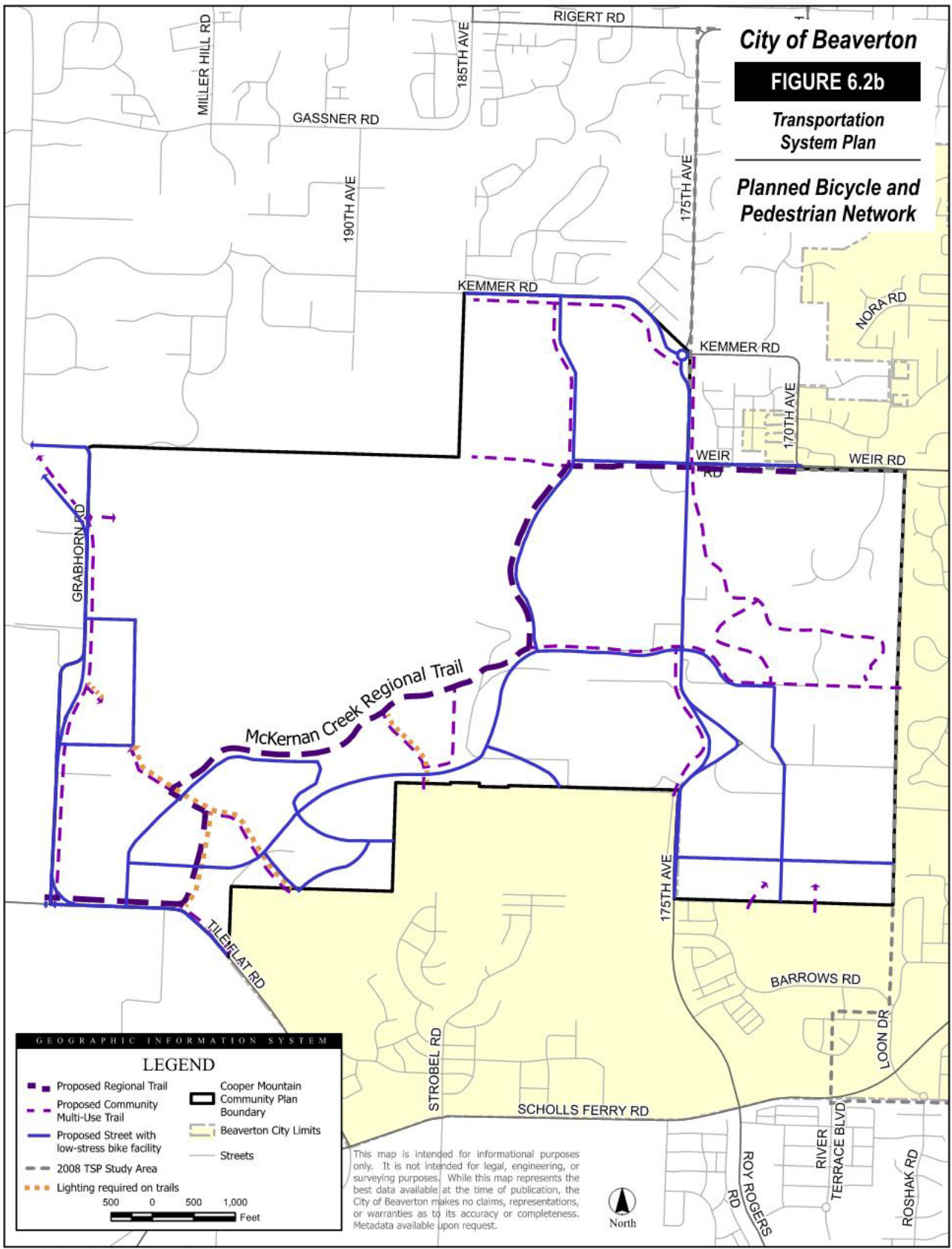
City of Beaverton

FIGURE 6.2

Transportation System Plan

Bicycle System Gaps & Priority Locations



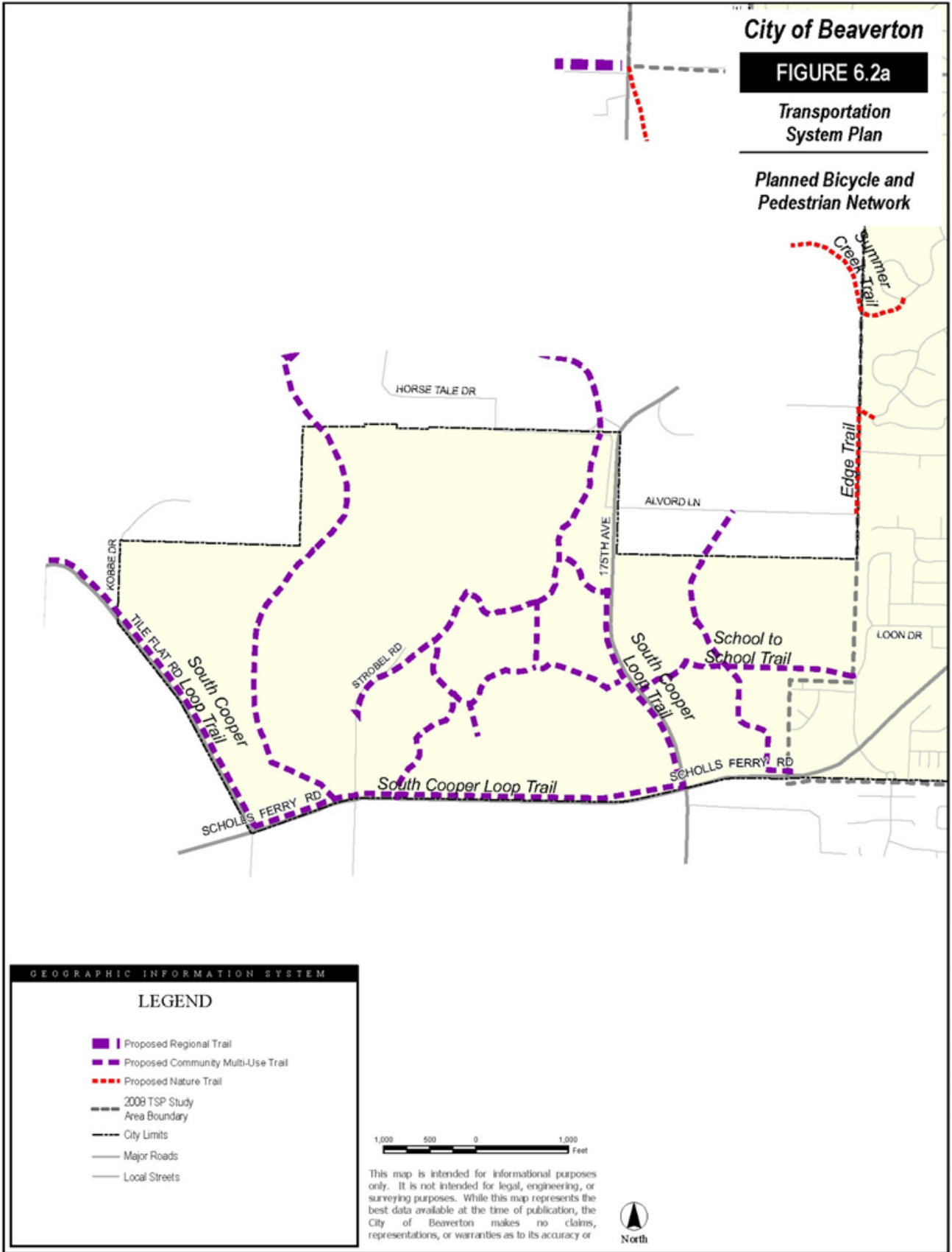


City of Beaverton

FIGURE 6.2a

Transportation System Plan

Planned Bicycle and Pedestrian Network



GEOGRAPHIC INFORMATION SYSTEM

LEGEND

- Proposed Regional Trail
- - - Proposed Community Multi-Use Trail
- - - Proposed Nature Trail
- 2008 TSP Study Area Boundary
- City Limits
- Major Roads
- Local Streets



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Transit Improvements

The existing TriMet services corridors were reviewed to determine which corridors may potentially be underserved in the future as development occurs if transit frequencies are not increased. To support TriMet investment in the potentially underserved corridors, pedestrian and bicycle connectivity was prioritized within one-quarter mile of major corridors. In addition to current transit service, WES Commuter Rail service connecting Beaverton to Wilsonville will enhance the area's access to employment. The service is focused on peak commute periods and will potentially reduce the congestion of adjacent frequent or regional bus routes and Highway 217. The importance of the frequent and regional bus lines in Beaverton will be enhanced as more passengers travel through Beaverton on both the MAX and WES lines leading to more passenger transfers throughout the city.

The existing transit system coverage area includes approximately 77 percent of the modeled transit supportive zones within the Beaverton TSP study area². The future 2035 land use would increase the transit supportive area and the percentage of coverage to approximately 81 percent without an increase in service coverage.

Corridors designated as frequent bus routes by the RTP in the 2035 TSP study area include Beaverton Hillsdale Highway, Tualatin Valley Highway, Cedar Hills Boulevard, and Hall Boulevard. Major Streets designated as regional bus routes in the 2035 TSP study area include Barnes Road, Murray Boulevard, 185th Avenue, Walker Road, Canyon Road, Farmington Road, Lombard Avenue, Allen Boulevard, Garden Home Road, Oleson Road, and Scholls Ferry Road.

Future transit stops along these streets would further improve the coverage of the transit supportive area in Beaverton:

- 173rd Avenue between Cornell Road and Walker Road
- Davis Road between 170th Avenue and Murray Boulevard
- Hart Road between Murray Boulevard and Hall Boulevard
- Weir Road between Murray Boulevard and Mount Adams Drive
- Scholls Ferry Road between Loon Drive and 155th Terrace
- Oleson Road between Garden Home Road and Scholls Ferry Road

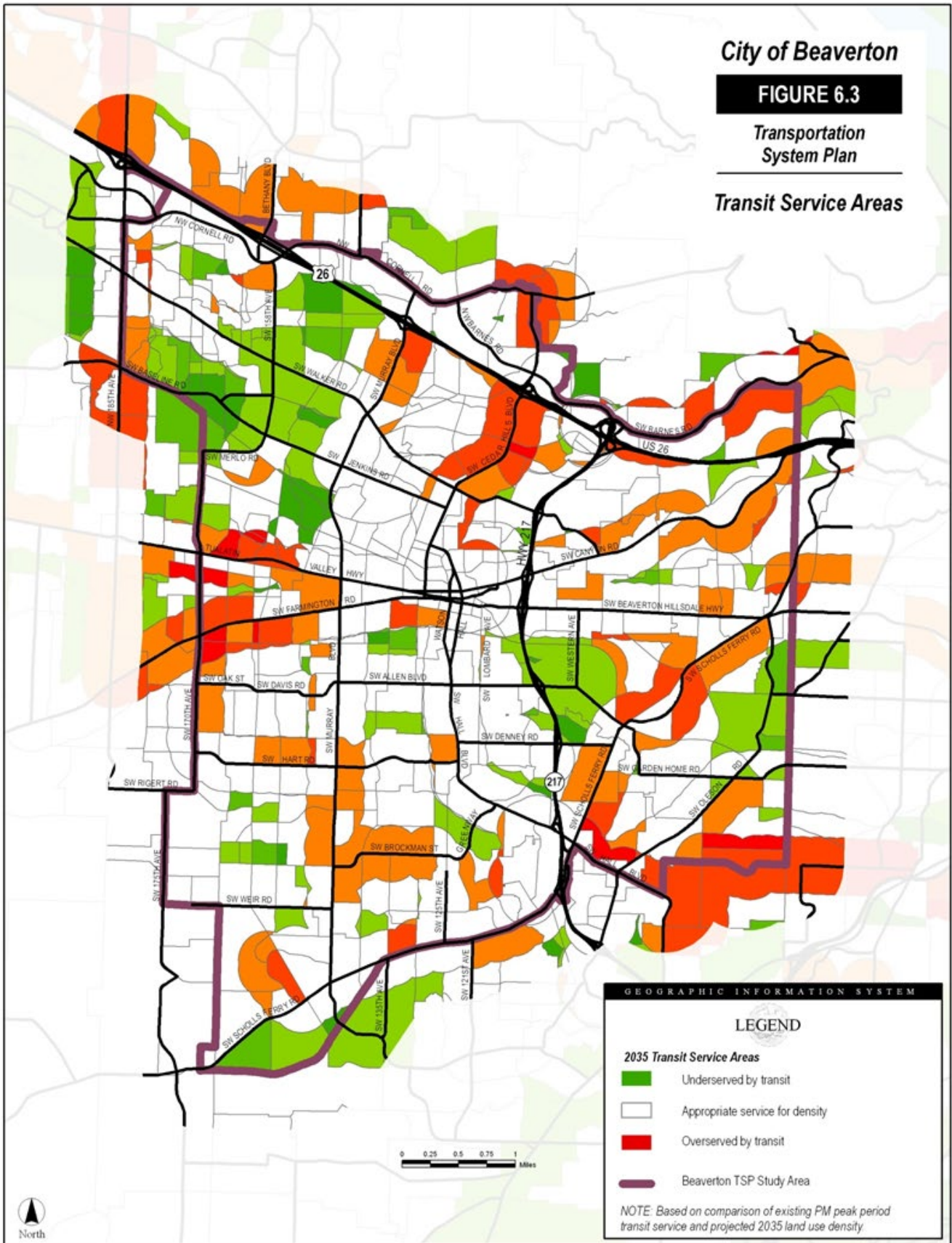
Because TriMet is responsible for the region's transit master plan, it continually updates and reevaluates its coverage and routes, and adopts a five-year Transit Improvement Plan. The City reviews and comments on these and participates in the High Capacity Transit Plan and RTP development. Thus, the coverage area map, the RTP plans and projects, and the above recommendations to TriMet comprise the City's recommendations for transit improvements.

City of Beaverton

FIGURE 6.3

Transportation System Plan

Transit Service Areas



Functional Classification Plan

The current functional classification of streets in Beaverton was updated to reflect the expanded TSP study area, on-going regional planning, the functional needs of Beaverton, and consistency with the RTP. Classifications of principal arterial, arterial, collector, neighborhood route, and local were developed based on connectivity (defined in the 2020 TSP), which is the best indicator of function. Figures 6-4 and 6.4a provide the functional classification of Beaverton streets. Streets designated in the RTP are to be designed with a modal orientation that reflects the function of the street and the character of surrounding land uses.

Freeways provide the highest level of connectivity. These roadways generally span several jurisdictions and are of regional and statewide importance.

Principal arterial streets serve to connect neighboring cities and urban areas. They are of regional significance and often of statewide importance as well.

Arterial streets serve to interconnect and support principal arterials and freeways. They link major commercial, residential, industrial, and employment areas. Arterials are typically spaced about one mile apart to assure access to through routes and to reduce the incidence of traffic using collectors or local streets in lieu of a well-placed arterial street.

Collector streets balance access and circulation within residential, commercial, and industrial areas. Collectors differ from arterials in that they provide circulation within the city and distribute trips onto neighborhood routes and local streets.

Neighborhood routes are usually longer than local streets and provide connectivity to collectors or arterials. Because they have greater connectivity, they generally have more traffic than local streets and are used by residents to get into and out of their neighborhoods.

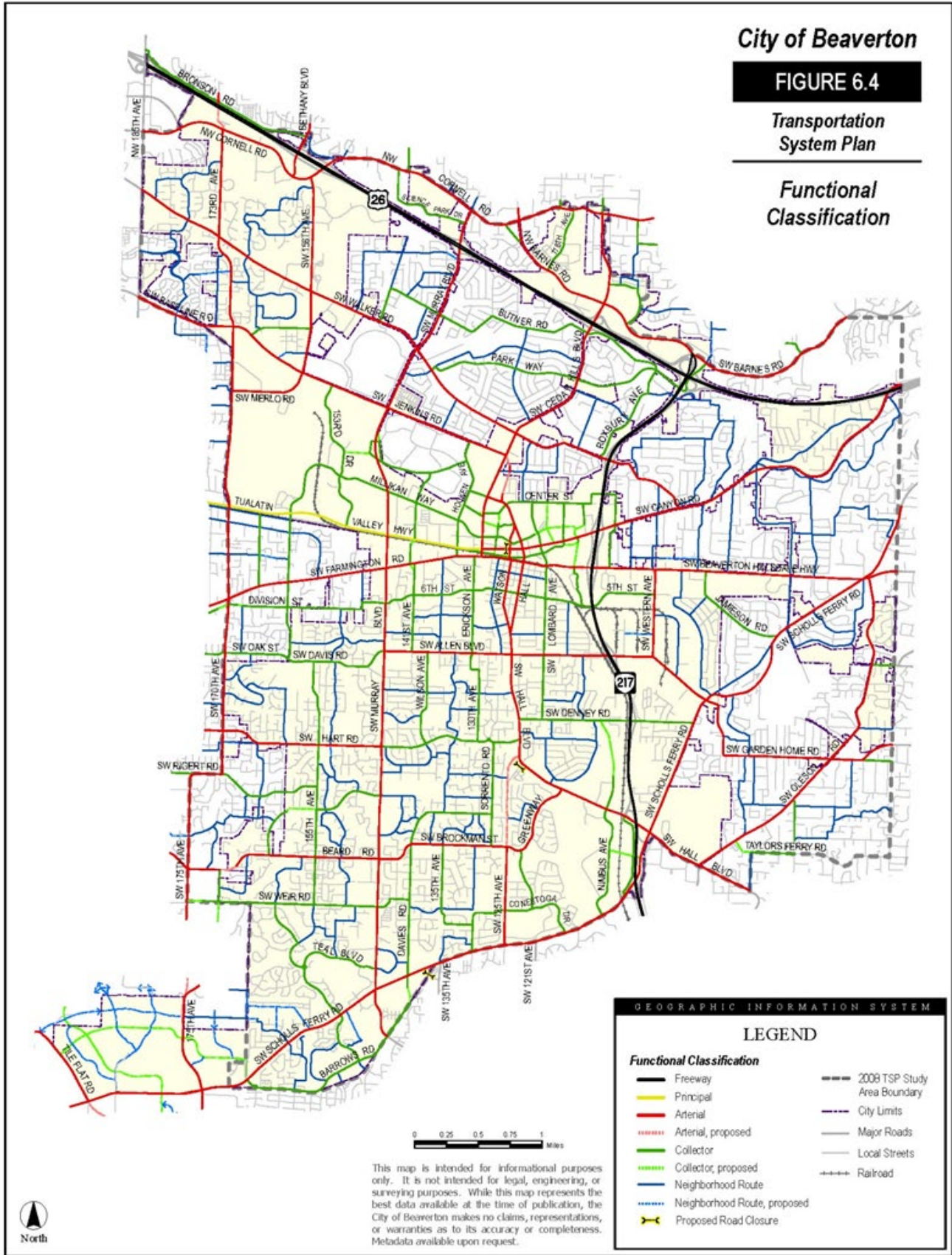
Local streets have the sole function of providing access to adjacent land. Local street design deliberately discourages through traffic and is important to neighborhood identity.

City of Beaverton

FIGURE 6.4

Transportation System Plan

Functional Classification



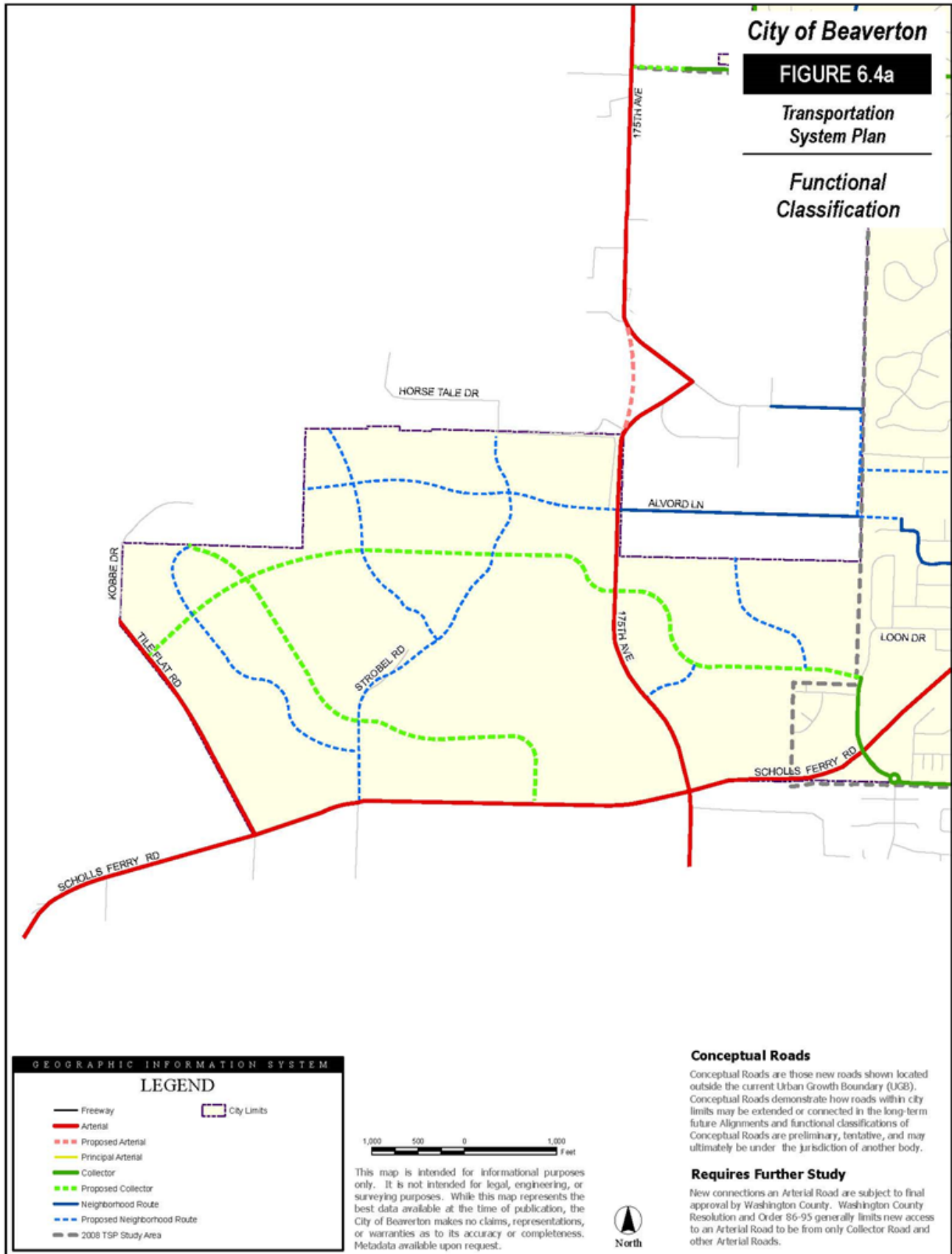
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City of Beaverton

FIGURE 6.4a

Transportation System Plan

Functional Classification



GEOGRAPHIC INFORMATION SYSTEM

LEGEND

- Freeway
- Arterial
- - - Proposed Arterial
- Principal Arterial
- Collector
- - - Proposed Collector
- Neighborhood Route
- - - Proposed Neighborhood Route
- ▭ 2008 TSP Study Area
- ▭ City Limits



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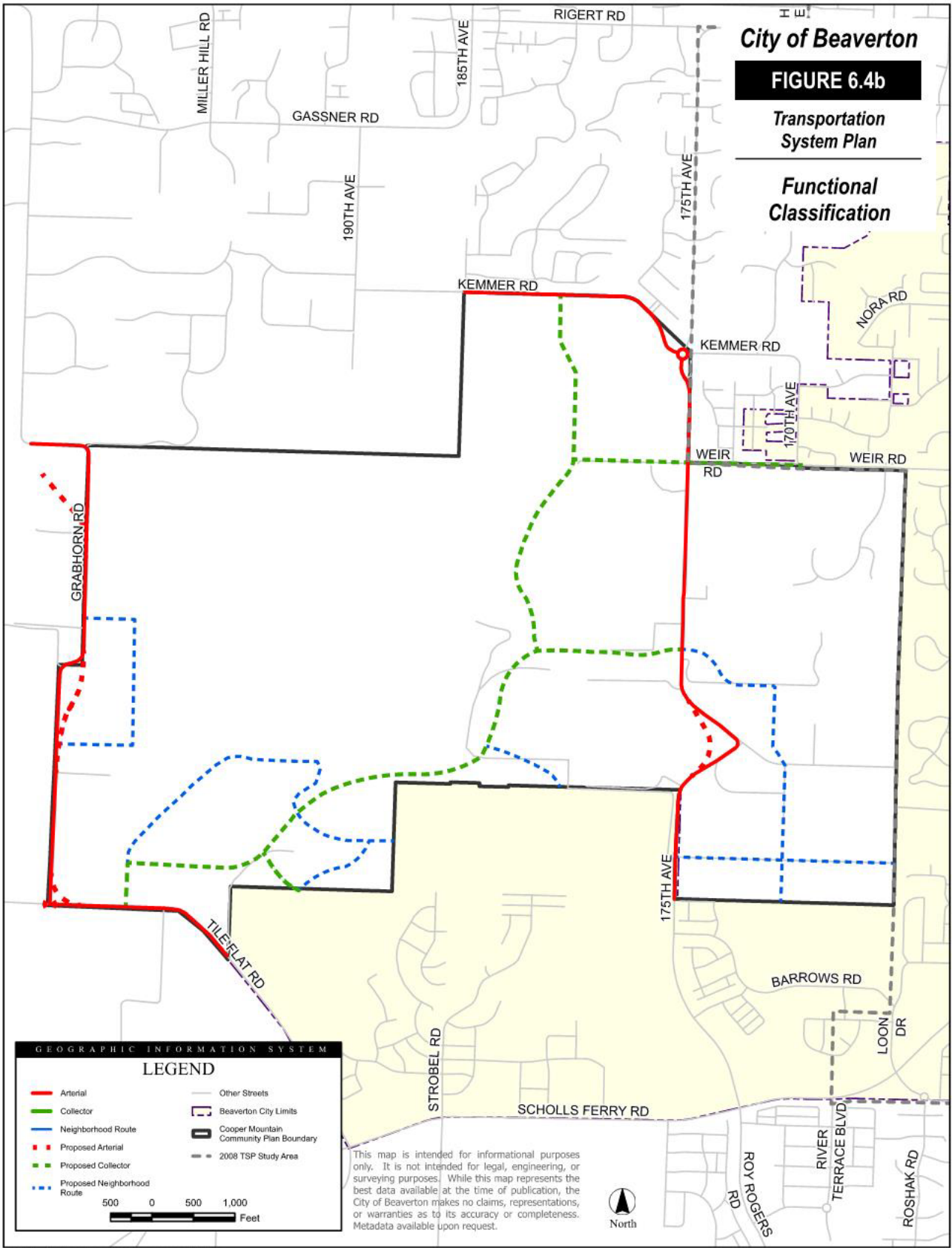
Conceptual Roads

Conceptual Roads are those new roads shown located outside the current Urban Growth Boundary (UGB). Conceptual Roads demonstrate how roads within city limits may be extended or connected in the long-term future. Alignments and functional classifications of Conceptual Roads are preliminary, tentative, and may ultimately be under the jurisdiction of another body.

Requires Further Study

New connections an Arterial Road are subject to final approval by Washington County. Washington County Resolution and Order 86-95 generally limits new access to an Arterial Road to be from only Collector Road and other Arterial Roads.

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Transportation Demand Management

Transportation Demand Management (TDM) is the general term used to describe any action that removes single occupant vehicle trips from the roadway network during peak travel demand periods. As growth in the Beaverton area occurs, the number of vehicle trips and travel demand in the area will also increase. The ability to change a user's travel behavior and provide alternative mode choices will help accommodate this growth.

Generally, TDM focuses on reducing vehicle miles traveled and promoting alternative modes of travel for large employers of an area. This is due in part to the Employee Commute Options (ECO) rules that were passed by the Oregon Legislature in 1993 to help protect the health of Portland area residents from air pollution and to ensure that the area complied with the Federal Clean Air Act.³

Research has shown that a comprehensive set of complementary policies implemented over a large geographic area can have an effect on the number of vehicle miles traveled to/from that area.⁴

However, the same research indicates that in order for TDM measures to be effective, they should go beyond the low-cost, uncontroversial measures commonly used such as carpooling, transportation coordinators/associations, priority parking spaces, etc. The more effective TDM measures include elements related to parking, improved services for alternative modes of travel, and other market-based measures. However, TDM includes a wide variety of actions that are specifically tailored to the individual needs of an area.

Redevelopment in the Beaverton area will also allow for TDM friendly development. With many regional trips destined to, or traveling through, the Beaverton area, region wide TDM measures should help to reduce congestion. Metro has established non-SOV (Single Occupancy Vehicle) mode share targets by 2040 for regional centers. These targets may also serve as performance measures for areas that have been designated as "Areas of Special Concern" The Beaverton Regional Center is classified by Metro as this type of area.⁵ The 2040 non-SOV modal target for regional centers, town centers, station communities, main streets, and corridors is 45-55%.⁶

Transportation System Management

Transportation System Management (TSM) focuses on lower cost strategies to enhance operational performance of the transportation system by seeking solutions to immediate transportation problems, finding ways to better manage transportation, maximizing urban mobility, and treating all modes of travel as a coordinated system. These types of measures include such things as signal improvements, ramp metering, traffic calming, access management, intelligent transportation systems (ITS) and programs that enhance and smooth transit operations. Typically, the most significant measures that can provide tangible benefits to the traveling public are traffic signal coordination and systems.

TSM measures focus primarily on region wide improvements; however there are a number of TSM measures that are used in a smaller scale environment such as the Beaverton area. The following are TSM strategies appropriate for Beaverton to continue implementing:

- **Traffic monitoring:** The City and Washington County routinely collect traffic volume data in the area. The data is used as a tool to compare historical growth. The use of closed circuit television cameras and vehicle detection systems are used to help monitor the network during peak hours in order to make adjustments to signal timing to help improve flow and decrease delay, travel time, fuel consumption, and vehicle emissions.
- **Signal coordination and optimization, and adaptive signal systems:** The state-of-the-art traffic signal systems, using a central computer to communicate and coordinate timing plans, have proven to produce substantial benefits in reducing congestion and travel time while increasing travel speeds. In Beaverton, a recent signal timing update on Canyon Road corridor showed a reduction of 12 percent in total delay during midday, and 11 percent during the weekend period. Overall, the new signal update resulted in up to a 10 percent reduction in stops in the corridors and up to 11 percent reduction in overall delay. The reduction in side street delay in the project corridor ranged from eight percent to 33 percent. The implementation of signal optimization helps to maximize the total cycle length of a signal to provide optimal timing patterns

for both the main arterial and the side street traffic. Optimization can provide additional reliability and efficiency for the transportation network. Adaptive signals are most responsive to traffic conditions and improve flow by 10 percent to 30 percent.

- Signal priority: The provision of signal priority works for both transit vehicles and emergency vehicles. Both operate on the same principles, which are improving the reliability and speed of the vehicles. Implementation of transit signal priority may supplement bus rapid transit (BRT) to improve transit travel along a corridor, allowing a bus to clear an intersection and begin passenger boarding/alighting downstream of the signal. Studies indicate that with signal priority transit travel times have decreased from 15 percent to 18 percent, while service reliability has increased from 12 percent to 23 percent for on-time performance.⁷ These improvements can help cost effectiveness for transit operations.
- Information availability: An uninformed public can make inefficient transportation choices that could place a strain on the limited available capacity of a transportation network. This could create more congestion in an area that is already highly congested. By providing travelers with real-time information, the ability to make a more informed and efficient transportation decision is available.
- Incident management: Incident management includes detection, verification, response, site management, traffic management, clearance time, and recovery. Each of these steps takes time, during which the transportation operations along the corridor decrease. Research indicates that effective incident management has the potential to reduce response times by 40 percent and decrease fatalities by 10 percent in urban areas.⁸ In addition, incident management has the potential to reduce delay to users and reduce emissions from vehicles.
- Access management strategies: Access management is important, particularly on high volume roadways, for maintaining traffic flow and mobility. Where local and neighborhood streets function to provide access, collector and arterial streets serve greater traffic volume. Numerous driveways, or street intersections, increase the number of conflicts and potential collisions and decrease mobility and traffic flow. Beaverton, and every city, needs a balance between streets that provide access and streets that serve mobility.

Based on the 1999 Oregon Highway Plan (OHP), access points should not be allowed within 1320 feet of freeway interchanges. Interchanges within the TSP study area exist with numerous access points within 1320 of the interchange. These access points are locations of potential conflict with vehicles queued from the freeway on ramps, especially with queues formed from ramp meters. The following recommendation addresses the need to reclaim vehicular access control near the freeway interchanges to meet ODOT spacing standards:

- As property redevelops, an evaluation of compliance with relevant access management policies is made for areas proximate to freeway interchanges.
- If an existing access point is found non-compliant and it is the sole vehicular access for the property, a temporary access permit is issued that allows the property owners to continue access until such a time that alternative means can be made available.
- In addition, the applicant will agree to potential cross-easements for circulation between adjoining properties.
- When adjoining property re-develops that has compliant alternatives for vehicular access, the temporary permit of the first property owner is terminated and the noncompliant access is closed.
- Intelligent Transportation System (ITS): ITS involves the application of advanced technologies and proven management techniques to relieve congestion, enhance safety, provide services to travelers, and assist transportation system operators in implementing suitable traffic management strategies. ITS focuses on increasing the efficiency of existing transportation infrastructure, which enhances the overall system performance and reduces the need to add capacity. Efficiency is achieved by providing services and information to travelers so they will make better travel decisions and to transportation system operators so they can better manage the system and improve system reliability. A regional ITS

framework plan⁹ has been developed by Washington County, ODOT, City of Beaverton, City of Tualatin, City of Tigard, City of Hillsboro, City of Portland, TriMet, FHWA, Washington County Consolidated Communications Agency (WCCCA) and Tualatin Valley Fire and Rescue that includes projects in the Beaverton area such as traffic monitoring, signal controller interconnect, information availability, incident management, weather data collection, traffic data retrieval, and advanced rail warning systems.

While the existing ITS infrastructure in Beaverton is moderate, projects planned through 2035 will greatly increase coverage and the type of ITS equipment used in Beaverton and throughout Washington County. Existing ITS equipment in Beaverton, future equipment that is included in the Washington County ITS Plan, and additional future equipment and projects can be used to improve operations in Beaverton. The following actions should be taken as follows:

- Implement ITS projects previously contained in the Washington County ITS plan, including:
 - Install fiber communication lines along US 26 from Highway 217 to the Helvetia interchange and along Tualatin Valley Highway from US 26 to Hillsboro.
 - Install an arterial management system along Scholls Ferry Road from Hall Boulevard to Murray Boulevard, along southwest 185th Avenue from US 26 to Baseline Road and along Cornell Road from Cornelius Pass Road to Hillsboro.
 - Installation of central signal system software that allows remote management of traffic signals and is integrated with other agencies throughout the region. Configure a virtual traffic operation center (TOC) at Washington County for the purpose of controlling regional traffic operations. To provide communication connections between Washington County and the City of Portland traffic signal systems server.
 - Configure a virtual TOC at the City of Beaverton for monitoring and control of City-maintained traffic operations. The connection between the City of Beaverton and the City of Portland traffic signal system server is already in place.
- Implement additional ITS projects not included in the Washington County ITS Plan to support the Beaverton transportation network, including installing fiber communication lines along all arterial roadways.
- Consider projects addressed in Metro’s Transportation System Management and Operations (TSMO) strategic plan. The purpose of this plan is to identify and prioritize TSMO projects that will benefit the region. Revisions or additions to the regional ITS plan will require coordination with the agencies involved (including Washington County, ODOT, City of Beaverton, City of Tualatin, City of Tigard, City of Hillsboro, City of Portland, TriMet, FHWA, WCCCA and Tualatin Valley Fire and Rescue) to implement changes to the plan.

All of the previously mentioned TSM measures can work together in a transportation environment to help reduce congestion and decrease travel times for travelers. The following are the RTP projects that support Beaverton TSM. Beyond the RTP designated TSM projects, the City of Beaverton should continue to coordinate with TriMet, ODOT, and Washington County in providing signal priority at signalized intersections along rapid or frequent bus routes (Tualatin Valley Highway and Cedar Hills/Hall corridor – approximately 50 intersections) to increase transit efficiently, reduce transit travel times, and promote non-SOV person trips. Signal priority should be activated for transit vehicles that are operating behind schedule. The implementation of additional strategies should be on a case-by-case basis and evaluated for effectiveness.

- Scholls Ferry Road: Hall Boulevard to Murray Boulevard (RTP 10602); Install integrated advanced traffic monitoring systems (ATMS) and management equipment
- 185th Avenue: Baseline Road to US 26 (RTP 10604); Install integrated advanced traffic monitoring systems (ATMS) and management equipment

- Allen Boulevard, Cedar Hills Boulevard, Hall Boulevard, Farmington Road Beaverton-Hillsdale Highway (RTP 10642) Adaptive traffic signal systems; New signals and signal upgrades

Safety

The City monitors intersection collision history through its own safety index program and Washington County's Safety Priority Index System. Both are linked to the Oregon Department of Transportation's safety program. Intersections with high collision rates are given special attention for safety improvements. Safety improvement projects are developed and proposed for funding through various State and local sources.

² Coverage is determined as the area within 0.25 miles of a bus stop or 0.50 miles of a light rail transit stop

³ Oregon Administrative Rules, Chapter 340, Division 30.

⁴ *The Potential for Land Use Demand Management Policies to Reduce Automobile Trips*, ODOT, by ECO Northwest, June 1992.

⁵ Based on the *2000 Metro Regional Transportation Plan*, Ordinance No. 00-869A (August 10, 2000), page 1-32.

⁶ Based on the *2000 Metro Regional Transportation Plan*, Ordinance No. 00-869A (August 10, 2000), page 1-62.

⁷ *Intelligent transportation system initiatives in Clark County: VAST Program*, January 2001.

⁸ *Intelligent Transportation System Initiatives in Clark County: VAST Program*, January 2001.

⁹ Washington County ITS Plan, prepared for ODOT by DKS Associates and ,

6.5 TRANSPORTATION SYSTEM PLAN IMPROVEMENTS

Motor Vehicle Needs and Alternatives

Motor vehicle projects that were identified in the 2035 TSP as potentially meeting a need for a corridor in the initial screening process were summarized in a matrix and analyzed further for each corridor. The following three criteria were analyzed for each project that was considered:

- **Feasibility** - Includes issues such as right of way, land use impact, and overall cost. While not a fatal flaw analysis, it considers the likelihood that a project could be reasonably constructed. This measure favors projects that can be practically implemented. In some cases, projects may include factors that make implementation difficult, however given the magnitude of benefit the project is still considered feasible, even with the recognized challenges. In some cases regional projects are not considered feasible for the City of Beaverton due to total cost, and feasibility is contingent on funding partnerships with other regional agencies.
- **Grid and Function Consistency** – Considers issues related to system design such as connectivity, functional class of a facility, facility spacing, and consistency within the existing facility and regional design.
- **Congestion** – This considers if the project addresses an identified congestion issue. While identified projects generally address a specific operational need, in some cases these projects are local issues that do not impact the overall system or corridor need that has been identified as providing the greatest benefit to the system. In many cases a project may have been previously identified if the minor street delay was expected to exceed adopted performance standards. However, funding constraints do not allow every identified project to be constructed and only the specific focus corridor mobility is identified as the congestion need.

Each project was assigned a ranking of low, medium, or high based on the three criteria. Generally, projects that were not considered feasible were assigned a priority of “low” since they would not be a cost-effective solution to the problem, while projects that met all three criteria were considered high priority. A project that was considered “feasible” and met one of the other two criteria was listed as medium. **The Transportation System Solutions Report in the 2035 TSP Appendix contains additional detail for the alternatives analysis.** Additional right turn lane channelization projects were identified based on capacity need and implementation feasibility in the TSP.

Financially Constrained Action Plan

Multimodal improvement projects that address the needs of the transportation system were selected based on the 2035 TSP alternatives analysis. Projects that were selected as high priority projects and are reasonably likely to be funded by 2035 are included in Table 6-1 with other modal Action Plan projects. Figure 6.5 shows the locations for these high priority Action Plan projects.

Project Implementation

Transportation needs identified in the 2035 TSP analysis remain as unfunded needs though they are not all listed or mapped within this chapter. The figures and tables do not preclude implementing any project whether mapped or not mapped, listed or not listed, in order to take advantage of an opportunity provided by a proposed development or redevelopment, a roadway construction or reconstruction project, or any other project involving infrastructure improvements. The responsibility of new development to provide improvements and the standards to which all improvements must be built are identified in the Beaverton Development Code, the Engineering Design Manual, and the standards of 28 CFR Part 36 Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities (the Americans with Disabilities Act).

Any change within or adjacent to a transportation facility or public right-of-way represents an opportunity to expand or improve the system. To take advantage of such opportunities and make the most cost-effective use of public and private funds, the City may schedule and make financing provision for any transportation improvement that the City deems necessary or desirable, whether the improvement is specifically planned in the Comprehensive Plan or not, whether the improvement is funded publicly, privately, or in combination, whether the improvement is ultimate or interim, and regardless of the timing of the improvement relative to the priorities and timing in the Comprehensive Plan.

Correspondingly, the City Council may include a transportation improvement that it deems necessary in the capital improvement plan and budget. The City may seek state, regional, and federal funding assistance whether an improvement is specifically planned in the Comprehensive Plan or not, and whether the improvement is ultimate or interim. However, only those transportation improvements that comply with applicable provisions of the City’s adopted codes, ordinances, and Comprehensive Plan shall be implemented.

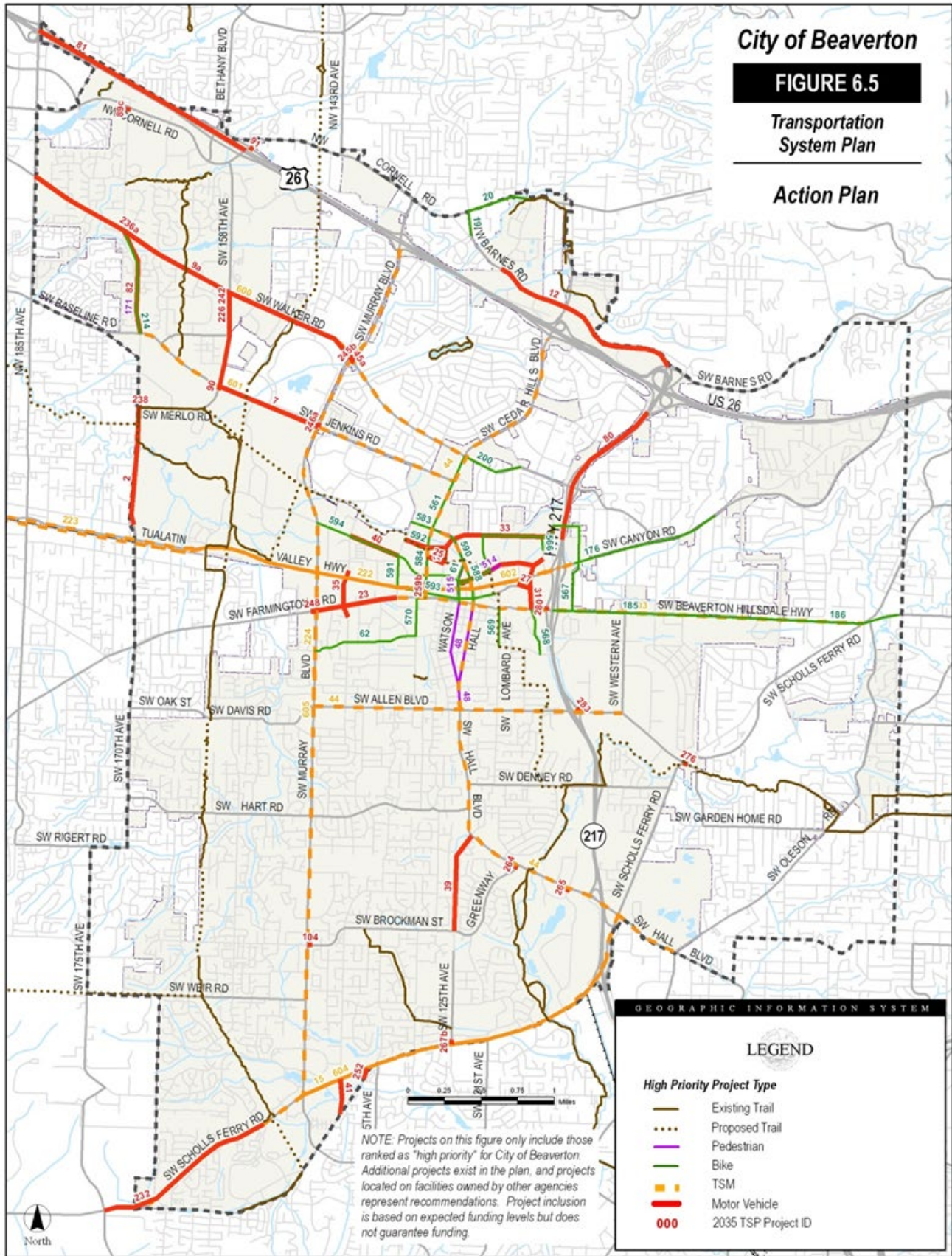
Streets where future right-of-way is needed for more than two lanes are identified in Figures 6.6 and 6.6a. At times, right-of-way may be needed for construction of bike lanes on a collector or arterial to City standards. Such needs are also included in Figures 6.6 and 6.6a to preserve the right-of-way if new development is proposed or anticipated in the area or additional funds are accessed. In addition, arterial and collector intersections should plan for right-of-way for turn lanes within 500 feet of the intersection.

City of Beaverton

FIGURE 6.5

Transportation System Plan

Action Plan



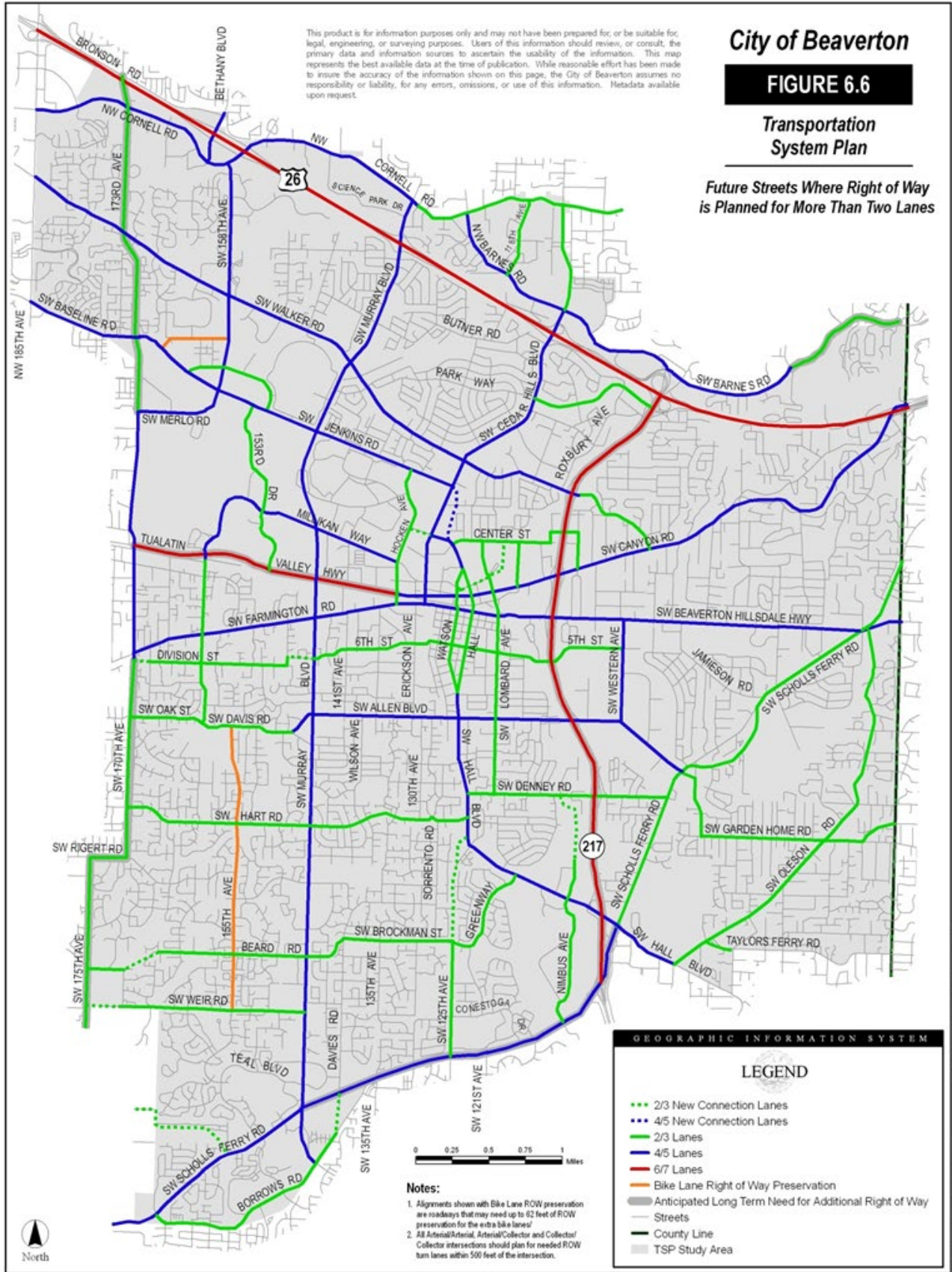
This product is for information purposes only and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review, or consult, the primary data and information sources to ascertain the usability of the information. This map represents the best available data at the time of publication. While reasonable effort has been made to insure the accuracy of the information shown on this page, the City of Beaverton assumes no responsibility or liability, for any errors, omissions, or use of this information. Metadata available upon request.

City of Beaverton

FIGURE 6.6

Transportation System Plan

Future Streets Where Right of Way is Planned for More Than Two Lanes



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City of Beaverton

FIGURE 6.6a

Transportation System Plan

Future Streets Where Right of Way is Planned for More Than Two Lanes

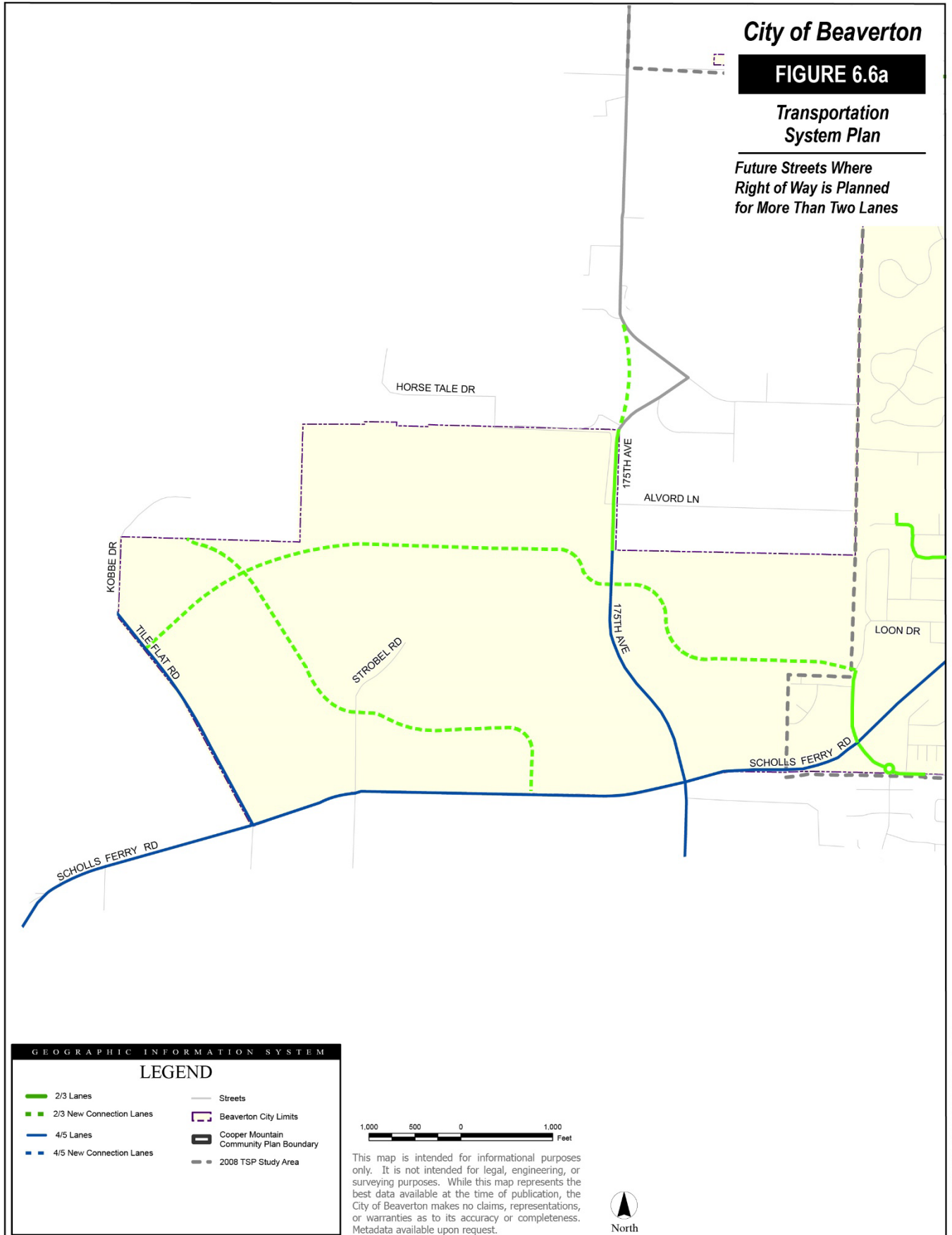


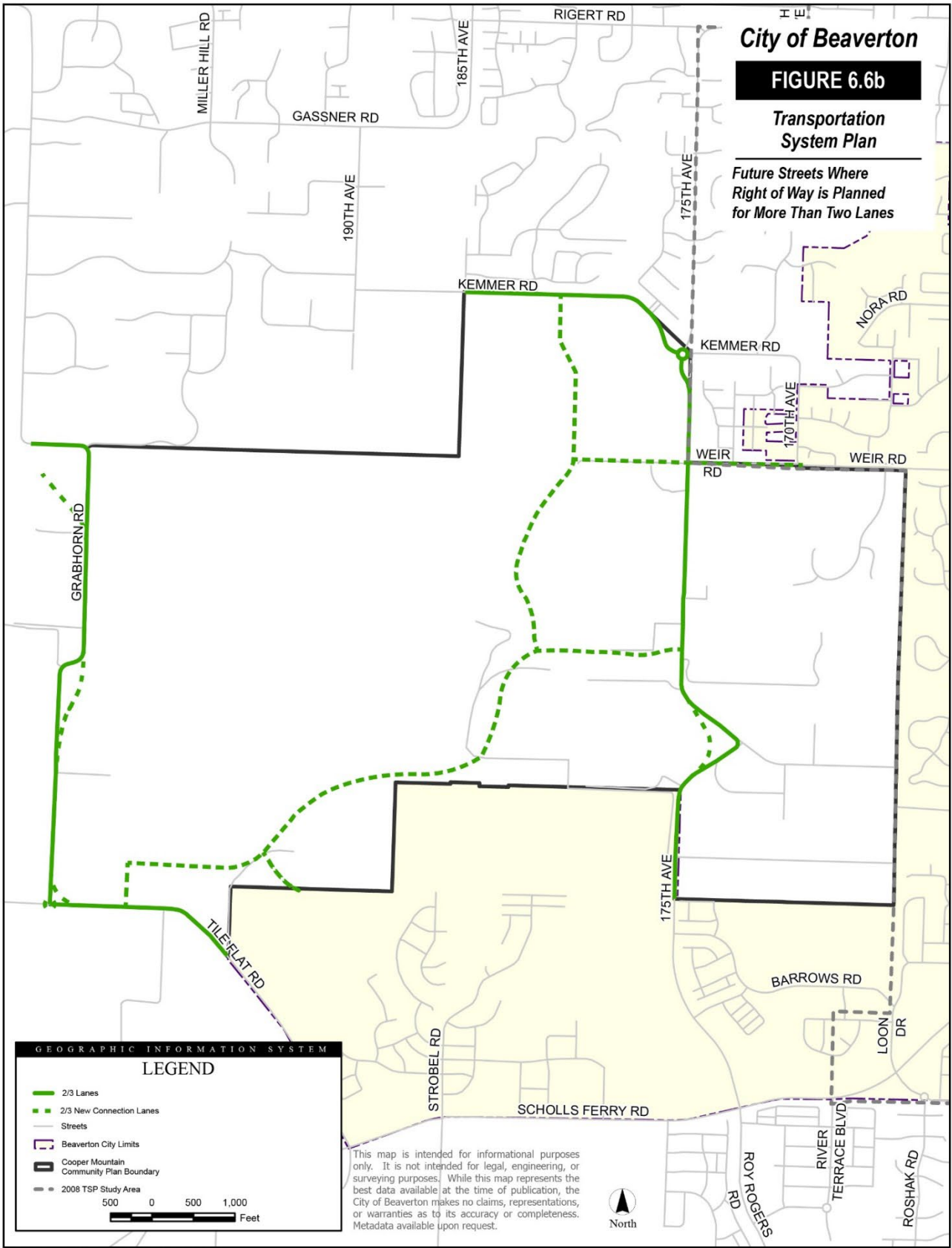
City of Beaverton

FIGURE 6.6a

Transportation System Plan

Future Streets Where Right of Way is Planned for More Than Two Lanes





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Exhibit 2 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

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

In some cases, photographs have been removed from the draft document to make the document shorter and to direct focus to the written policies.

CHAPTER 7 – NATURAL, CULTURAL, HISTORIC, SCENIC, ENERGY, AND GROUNDWATER RESOURCES ELEMENT

7.1 Overview

This Plan element addresses natural, cultural, historic, scenic, energy, and groundwater resources within the context of Statewide Planning Goal 5. Statewide Planning Goal 5, Open Spaces, Scenic Resources and Historic Area, and Natural Resources, provides a mechanism for local governments to plan for resources. Procedures to comply with this goal are specified in Oregon Revised Statutes (ORS 660-23-000 through 660-23-250.) The procedures include a three-part process:

- 1) Inventory the resource,
- 2) Analyze the economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit or prohibit a conflicting use, and
- 3) Adopt a program to implement the decisions made through the ESEE analysis.

An alternative process is also provided for some resources: the Safe Harbor alternative. In this alternative, local governments are given the option to adopt inventories based on information gathered by other agencies, or to adopt standardized programs to implement protection of the resource, thereby eliminating the need to complete the ESEE analysis.

Volume III of the Comprehensive Plan, Statewide Planning Goal 5 Resource Inventory Documents, provides the information necessary to satisfy the inventory requirements of this goal. The Cooper Mountain Community Plan’s Natural Resource Report also includes inventory information. This information includes quantity, quality and location data on specific resources. Additionally, the inventoried resources are mapped or listed, and a determination of significance of the individual resource sites is provided in map or list form.

The text that follows addresses the third requirement in the Goal 5 process. Where possible, the program decision has been to follow the Safe Harbor regulations of the goal; therefore, an ESEE analysis is not necessary. Where necessary, the ESEE analysis is included in Volume III.

The resource protection goals, policies and actions that follow in this section are divided into Statewide Planning Goal 5 resource categories, to match each City inventory. Each category provides the foundation for the regulations and programs designed to protect, enhance or restore these resources, and to further demonstrate compliance with Statewide Planning Goal 5.

Metro, the regional government encompassing Washington, Clackamas, and Multnomah counties, identified regionally significant wildlife habitat and riparian corridors. These areas were divided into categories: wildlife habitat, riparian corridors, and upland wildlife habitat and subdivided by classes: I, II and III or Class A, B and C. Upon completion of the inventory, the local governments within the Tualatin Basin combined together to form the Tualatin Basin Natural Resource Coordinating Committee, also known as the Tualatin Basin Partners. This group, headed by Washington County, conducted an ESEE analysis and developed a program to protect, conserve and restore Class I and II riparian corridors, Class I and II wildlife habitat, and Class A upland wildlife habitat (termed Habitat Benefit Areas) as a voluntary program. Each local government, through the Tualatin Basin Partnership, agreed to “allow and encourage” habitat friendly development practices to comply with the intergovernmental agreement that the partners have with Metro. Additionally, to minimize storm water impacts on the Habitat Benefit Areas low impact development techniques are proposed, in some cases, throughout the city. The program, applies only to Habitat Benefit Areas, is implemented through the Beaverton Development Code, Engineering Design Manual and Municipal Code.

The protection of natural resources is necessary to preserve a healthy, sustainable environment in an urban setting. Protection of these resources today will ensure that as the community grows in density and expands its boundaries the natural landscape will be preserved for the health, safety and welfare of its citizens. Natural resources also provide aesthetic beauty. Their protection benefits property values and increases the livability of the City.

Beaverton is fortunate to have natural and historic resources that significantly add to the quality of life. These include streams, adjacent riparian areas, wetlands, large wooded tracts, open space, and historic sites and buildings. Under state planning goals, the citizens of Beaverton have the opportunity and obligation to protect these resources. While it is unreasonable to expect all of Beaverton's resource areas to remain unchanged, we must recognize that the presence of these areas contributes to our overall quality of life. The retention of these resources maintains visual and scenic diversity, provides areas for education and passive or active recreation, and can provide site development amenities for residents and employees alike. Thus, a balance between full protection of all inventoried resources and full development of the inventoried resources is provided in the following goals, policies and actions.

7.3.1 Significant Natural Resources

Goal 7.3.1.1: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

Policies:

Policy a) Inventoried natural resources shall be conserved, protected, enhanced or restored:

- to retain the visual and scenic diversity of our community;
- for their educational and recreational values;
- to provide habitats for fish and wildlife in our urban area.

Policy b) Conserve, protect and enhance natural resource sites and values through a combination of programs that involve development regulations, purchase of land and conservation easements, educational efforts, and mitigation of impacts on resource sites.

Action 1: Establish acquisition programs for Significant Goal 5 Resources; prepare and maintain a long-range list of priority resource locations for public acquisition.

Action 2: Facilitate and encourage habitat friendly development practices and low impact development through flexibility in site development standards and reduction in surface water management fees and systems development charges.

Policy c) Inventoried natural resources shall be incorporated into the landscape design of development projects as part of a site development plan, recognizing them as amenities for residents and employees alike.

Policy d) The City shall rely on its site development permitting process as the mechanism to balance the needs of development with natural resource protection.

Action 1: For properties located within significant natural resource areas, the City shall consider relaxation of its development standards where necessary to accomplish protection of riparian, wetland and significant upland habitat areas. Such standards include, but are not limited to, setbacks, building height, street width, location of bike paths, etc. Where the combination of riparian, wetlands, and other requirements would result in an unbuildable lot, such a situation may be relevant to a decision that may grant a hardship variance.

Action 2: City Staff will provide pre-application conferences to developers of property to provide available information and to discuss alternative methods of development acceptable to meet the adopted policies and ordinance standards.

Action 3: Adopt and apply land use regulations that require integration of natural features with the overall design of developments. Natural features include, but are not limited to, wetlands and water areas, intermittent and perennial streams, riparian corridors, urban forests and significant individual or community trees, slopes, geologic hazards, flooding, and erosion prone soils.

Action 4: Adopt and apply land use regulations that will minimize impacts from adjacent uses. Development Code design criteria shall be adopted that address the following considerations:

- Land uses immediately adjacent to protected resource areas should be designed to physically separate human activity from the resource activity. Preferred development abutting the resource should be 1) buildings with entrances oriented away from the resource area, and then 2) roadways with limited or no street parking with 3) parking lots as the lowest preference.
- Garbage facilities and materials storage areas should be located away from habitat areas.
- Habitat areas should be preserved as a few large connected areas, rather than many disconnected small areas and should be designed to minimize the amount of habitat edge exposed to development areas.
- Existing native vegetation should be retained to provide wildlife habitat. Snags and dying trees should be left in protected wildlife areas for wildlife use.
- To minimize disturbances to wildlife, lights for buildings and parking areas should be screened, and the light should be directed away from the protected habitat areas,
- Walkways should not bisect wildlife areas. If walkways do encroach upon wildlife areas, security lighting should be designed to shine primarily on the path and avoid shining directly into habitat areas.

Regulations to address the above considerations shall not compromise public safety.

Action 5: Adopt and apply regulations for resource areas, mitigation sites, areas adjacent to natural areas, wetlands, and tree groves that include but are not limited to the following requirements:

- Require use of native vegetation in mitigation areas and riparian buffers. Seed-and fruit-producing native plants with aesthetic value should be incorporated into the landscaping at locations adjacent to wildlife habitat areas.
- Allow for buffer averaging in order to create opportunities for habitat protection and enhancement while accommodating urban forms of development.

Policy e) Development within Significant Natural Resource areas shall be consistent with the relevant regulations or guidelines of the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, U.S. Army Corps of Engineers, Oregon Division of State Lands, Clean Water Services, and the Oregon Department of Environmental Quality.

Action 1: During pre-application conferences for developers, City staff will attempt to identify any Federal, State, or local requirements and regulations affecting sites in Significant Natural Resource areas.

Action 2: The City will continue to monitor and review policies and regulations as necessary, to ensure consistency with Federal, State, and service providers' guidelines and regulations.

Policy f) Specific uses of or development activities in Significant Natural Resources areas shall be evaluated carefully and those uses or activities that are complementary and compatible with resource protection shall be permitted. This is not intended to prohibit a land use permitted by the underlying zoning district but only to regulate the design of development such as building or parking location or type of landscaping.

Policy g) Limited alteration or improvement of Significant Natural Resource areas may be permitted so long as potential losses are mitigated and “best management practices” are employed.

Policy h) Roads and utilities, which must be located within, or traverse through, a Significant Natural Resource Area, shall be carefully planned and aligned so as to minimize loss and disruption. A rehabilitation or restoration plan shall be a necessary component. The City should allow variations from standard street sections in these areas.

Policy i) In the Cooper Mountain Community Plan area:

- i. Protect Cooper Mountain natural resources, including but not limited to stream corridors, riparian areas, upland habitat, and wetlands, and integrate natural features into neighborhoods and the community.
- ii. Encourage equitable community member access, both visual and physical, to natural areas through methods that balance natural resource and habitat preservation with the need for people to connect with nature.
- iii. Encourage equitable access to the environmental and social benefits of trees by establishing higher preservation standards inside significant natural resource areas and moderate preservation standards in other areas; implement innovative approaches to meeting tree canopy requirements in developments of different sizes and configurations; institute effective ways to reduce the urban heat island effect; and retain or enhance the benefits of diverse, mixed-age forests.
- iv. Provide incentives that encourage the retention of native trees, such as white oak; drought-tolerant trees; mature trees; and groves; which collectively provide higher quality habitat and support diverse, mixed-age forests.

7.3.2 Riparian Corridors

Significant Riparian Corridors are identified in Planning Commission Order No. 1318, located in the beginning of the Local Wetland Inventory within Volume III of the Comprehensive Plan. Properties listed as Significant Riparian Corridors must comply with the policies and actions set forth in Section 7.3.1 as well as those promulgated in this section.

Goal 7.3.2.1: Promote a healthy environment and natural landscape in riparian corridors, and manage conflicting uses through education, and adoption and enforcement of regulations.

Policies:

Policy a) Significant Riparian Corridors shall be protected for their fish and wildlife habitat values, and other values associated with the natural resource area. Development plans for these areas shall treat these components as assets and encroachment into the riparian corridor shall require enhancement, mitigation, or restoration.

Action 1: Develop and implement a fish habitat protection program in compliance with Statewide Planning Goal 5.

Action 2: Amend City regulations and development standards to ensure compliance with Clean Water Services Design and Construction Standards relating to development in or near water resource areas.

Action 3: Work with other local governments in the Tualatin River Watershed to develop and implement a program to comply with the Federal Endangered Species Act (ESA) for Federally listed threatened or endangered species found within the watershed.

Policy b) Streams, creeks, and other watercourses, including a number of small drainages not identified on the Significant Natural Resources inventory maps, can be significant amenities. The City should protect the natural resource values of these areas from damage or degradation caused intentionally or by neglect. The city should cooperate with and assist property owners in maintaining and upgrading these areas for their potential aesthetic, wildlife, or recreational value.

7.3.3 Significant Wetlands

The Local Wetland Inventory is part of the Statewide Planning Goal 5 Inventory Resource documents. Significant wetlands are found within Appendix A, Table 5 of the Local Wetland Inventory. The Significant Wetlands designation must comply with the policies and actions set forth in Section 7.3.1 as well as those promulgated in this section.

Goal 7.3.3.1: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

Policies:

Policy a) Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.

Policy b) Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.

Action 1: Amend the City regulations and development standards as appropriate, to ensure compliance with Clean Water Services Design and Construction Standards provisions for encroachment.

Policy c) Where development is constrained due to wetland protection regulations, a hardship variance may be granted if approval criteria are met.

Action 1: Amend the implementing ordinances as appropriate to ensure compliance with Clean Water Services Design and Construction Standards provisions for a hardship variance.

7.3.4 Wildlife Habitat

OAR 660-23-110 contains procedures and requirements for complying with Statewide Planning Goal 5 as it pertains to protection of wildlife habitat. The rule specifies that a local government must obtain any current habitat inventory information from the Oregon Department of Fish and Wildlife (ODFW) and other state and federal agencies. Under “safe harbor” criteria, OAR 660-23-110(4) says local governments may determine that “wildlife” does not include fish, and that significant wildlife habitat is only those sites where one or more of the following conditions exist:

- (a) The habitat has been documented to perform a life support function for a wildlife species listed by the federal government as a threatened or endangered species, or by the state of Oregon as a threatened, endangered or sensitive species;
- (b) The habitat has documented occurrences of more than incidental use by a species described under (a) above;
- (c) The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons;
- (d) The habitat has been documented to be essential to achieving policies or population objectives specified in a wildlife species management plan adopted by the Oregon Fish and Wildlife Commission; or
- (e) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern.

According to OAR 660-23-110(1)(a), “documented” means that an area is shown on a map published or issued by a state or federal agency, or by a professional with demonstrated expertise in habitat identification.

In 1999 the Planning Commission indicated that staff should use the “safe harbor” criteria to determine the presence of significant wildlife habitat in the city, based on documentation from ODFW and other appropriate agencies. Staff subsequently sent letters to ODFW and the United States Fish and Wildlife Service asking whether they had any documentation regarding the presence in the city of the types of habitat listed above. Both agencies responded with letters indicating that there was no documentation of such habitat in the city, although such habitat may be present. Based on these responses, it has been determined that there is no evidence available to demonstrate the presence of significant wildlife habitat, meeting State “safe harbor” criteria, in the city limits as of the year 2000.

Although there is presently no documented significant wildlife habitat in the city, wildlife habitat that does not meet State safe harbor significance criteria is certainly present. The presence of common wildlife species (e.g., squirrels, raccoons, beaver, various species of birds, etc.) in the city is a source of interest and entertainment for citizens and generally enriches our daily lives. In protecting significant natural resources in the city, such as wetlands, riparian corridors and scenic trees, habitat for these wildlife species can also be protected.

In the event documentation is provided to the City in the future of the presence in the city of wildlife habitat meeting the “safe harbor” criteria, it will be necessary to give further consideration to City programs for wildlife habitat protection.

Goal 7.3.4.1: Protect wildlife habitat in the city in association with protecting significant natural resources.

Policies:

Policy a) Limit impacts from development or human intrusion on sites likely to contain wildlife habitat through use of regulations adopted for protection of other natural resources, or by adopting new regulations if necessary.

Action 1: Adopt development regulations that call for consideration of impacts of development on wildlife species likely to be present on development sites, and mitigation of such impacts to the extent practicable. These regulations should allow for flexibility in development standards to achieve wildlife habitat protection.

Action 2: Use existing or new development regulations to minimize impacts to areas identified by Metro as significant regional upland habitat within areas added to the Urban Growth Boundary after December 28, 2005.

Policy b) For primary wildlife corridors identified in the Cooper Mountain Community Plan, support use by wildlife, limit impacts from development, and preserve the connectivity of the corridors within and outside the Cooper Mountain planning area.

Policy c) Design crossings within the Cooper Mountain Community Plan, such as for roads and trails, so that they allow passage by large mammals through the primary wildlife corridors identified in the Cooper Mountain Community Plan.

Policy d) Prioritize protection of interior habitat, which exists beyond the habitat edge and inside a natural resource area, over edge habitat, which refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development, since interior habitat provides a more stable environment for birds, mammals, and amphibians.

7.4 Scenic Views and Sites

Significant Scenic Views and Sites are lands that are valued for their aesthetic appearance. Conserving the views of surrounding scenic features such as mountain ranges, Mount Hood, streams and wetlands, and forested areas, helps to maintain the quality of life and unique character of the City. Scenic sites in the city may include streams, wetlands, forested areas or single specimen trees identified on either public or private lands. Significant scenic sites may also have value as wildlife habitat while providing a link to other natural resources such as streams and wetlands as well as parks and other open space. Scenic sites can be viewed from surrounding residences, shopping or employment areas, public or semi-public open spaces such as parks, or from nearby or adjoining bicycle, pedestrian and multi-use pathways or streets. Conservation of both Significant Scenic Views and Sites adds to the livability and attractiveness of our community. That, in turn, helps to maintain property values, and provides an attractive backdrop for businesses located in the City.

The City of Beaverton has focused its efforts on identifying and conserving scenic sites, particularly forested areas and specimen trees, because these resources are considered to be most vulnerable to loss as a result of development. Other scenic sites, including streams and wetlands, are protected to some degree under federal, state and local regulations. For scenic sites to have any aesthetic value to the public, however, views of those sites must be conserved along with the sites.

At this point, the City has chosen to not to regulate conservation of scenic views of surrounding mountains, including Mount Hood, although such scenic views may be present in the city. However, where such views can be preserved for public enjoyment through voluntary, incentive-based measures, it will help to maintain the quality of life and unique character of the City.

Goal 7.4.1: Conserve Significant Scenic Views and Sites, and the value they add to community.

Policies:

Policy a) Help to preserve and enhance the City’s character, beauty and livability through the identification and protection of significant scenic sites in the city and views of those sites.

Action 1: Following the Goal 5 process:

- survey forested areas and specimen trees in the city, evaluating them using the criteria in Policy b) below, and adopt an inventory of scenic sites and views of those sites;
- identify land uses or development activities that might conflict with conservation of the inventoried scenic sites and views, as well as the impact area of the conflicting uses on each inventoried scenic site and view;
- consider the economic, social, environmental and energy (ESEE) consequences of allowing, limiting or prohibiting identified conflicting uses within each identified impact area; and
- devise and adopt a program to conserve the inventoried significant scenic sites and views . The program should make use of a variety of conservation tools including existing and new development regulations, acquisition of property or scenic easements, and public education efforts.

Policy b) Significant Scenic Sites may include forested areas or a specimen tree and are determined to have two or more of the following characteristics:

- aesthetic value,
- uniqueness of tree size, shape, rarity of specie,
- proximity of forested area to wetlands or riparian areas,
- provides slope stability,
- absorption of rainfall (canopy effects to offset adjoining impervious surfaces), and
- absorbs stormwater runoff.

All significant scenic sites must be visible from an existing or planned viewpoint that is safe and accessible to the general public.

Policy c) The City will balance the conservation of significant scenic resources with the need to allow urban uses and activities.

Policy d) Provide incentives for protection of Scenic Views of topographic features such as mountain ranges and individual peaks for public enjoyment.

Action 1: Facilitate and encourage preservation of scenic views of topographic features through flexibility in site development standards and reduction in open space requirements, as appropriate.

7.5 Energy

Energy is generated from resources such as natural gas, oil, coal, geothermal, uranium, flowing water, sunshine, wind, and municipal waste. The City lacks significant energy sources, as defined by OAR 660-23-019(a). The City’s greatest influence over the protection of energy resources derives from efforts to reduce energy consumption

In the 1970s and early 1980s, the rising costs of fossil fuels resulted in government sponsored incentive programs to encourage research, development and feasible applications of renewable energy technologies such as solar and wind. To provide citizens with the opportunity to utilize solar technologies, Beaverton in conjunction with twenty-one other jurisdictions within the Portland-Vancouver Metropolitan area, participated in the development of a uniform solar access protection ordinance.

Current development programs lack incentives or public demand for the use of renewable energy resources, despite federal objectives to reduce energy consumption, continuing price increases for fossil fuels and increased concerns over the impacts of hydro and geothermal power, and nonrenewable energy resources.

Zoning regulations and transportation plans are currently structured to maximize energy savings. The City has higher density and mixed used districts to allow for living, working and shopping in close proximity, thereby reducing energy consumption for travel. Further, the City's transportation plan has mapped multi-modal transportation corridors for use by automobiles, pedestrians and bicycles. The Westside Light Rail was developed as part of a transportation network designed to reduce energy consumption and to improve air quality.

Goal 7.5.1: Development projects and patterns in the City that result in reduced energy consumption.

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

Policies:

- Policy a)** Assist in the conservation of energy by promoting more efficient transportation modes and land use patterns.
- Policy b)** Encourage higher density development where appropriate.
- Policy c)** Continue to update applicable codes and regulations to promote energy conservation.
- Policy d)** Support educational programs on energy conservation and use of renewable energy resources through cooperation with other agencies and energy suppliers.
- Policy e)** Support energy programs that inform senior citizens and low income groups of available local, state, and federal winterization, and energy efficient programs.
- Policy f)** Support state and federal legislation that encourages energy saving design and building practices.
- Policy g)** The City should set an energy efficient example by using best management conservation practices in all of their facilities. Alternatives should be economically beneficial.
- Policy h)** The City shall retain and apply regulations requiring consideration of solar energy options in the development process.

7.6 Groundwater Resources

Although most of the potable water used in the city is imported, at times of peak use water is drawn from aquifers via City wells. Some of this water is injected into aquifers in the winter when supplies exceed demand, and withdrawn during summer months. Contamination of these groundwater resources can occur through pollution emanating from surface sources.

Goal 7.6.1: Protect groundwater in the City from contamination.

Policies:

Policy a) Cooperate with other local water providers and neighboring jurisdictions in preventing pollution in areas around municipal and domestic wells so as to protect groundwater that is a source of potable water for the City from contamination.

Action 1: Develop a groundwater wellhead protection program, in cooperation with local water districts and neighboring jurisdictions.

Exhibit 2 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

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

In some cases, photographs have been removed from the draft document to make the document shorter and to direct focus to the written policies.

CHAPTER 8 – ENVIRONMENTAL QUALITY AND SAFETY ELEMENT

8.1 Overview

In response to the requirements of Statewide Planning Goals 6 (Air, Water and Land Resources Quality) and 7 (Areas Subject to Natural Disasters and Hazards) this chapter contains sections addressing water quality, air quality, noise, seismic hazards, geologic hazards, flood hazards, and solid and hazardous waste. The chapter contains goal, policy and action statements written to ensure that 1) the condition of air, water and land resources is adequately maintained and improved upon, and 2) public safety is protected by prohibiting or regulating development of land in hazardous areas, or by managing the hazards through methods that protect existing development.

8.6 Geological Hazards

Geological hazards include unstable steep slopes, erosion and deposition, and weak foundation soils. In the interest of public safety, the location of natural hazards should be determined, and the degree of hazard present should be evaluated. Based on this evaluation, decisions should be made about the amount of development, if any, that should be allowed at the location. If development is to be allowed, consideration should be given to conditioning development approval to limit potential losses resulting from natural disasters.

Goal 8.6.1: Protect life and property from geological hazards associated with identified unstable steep slopes, erosion and deposition, and weak foundation soils.

Policies:

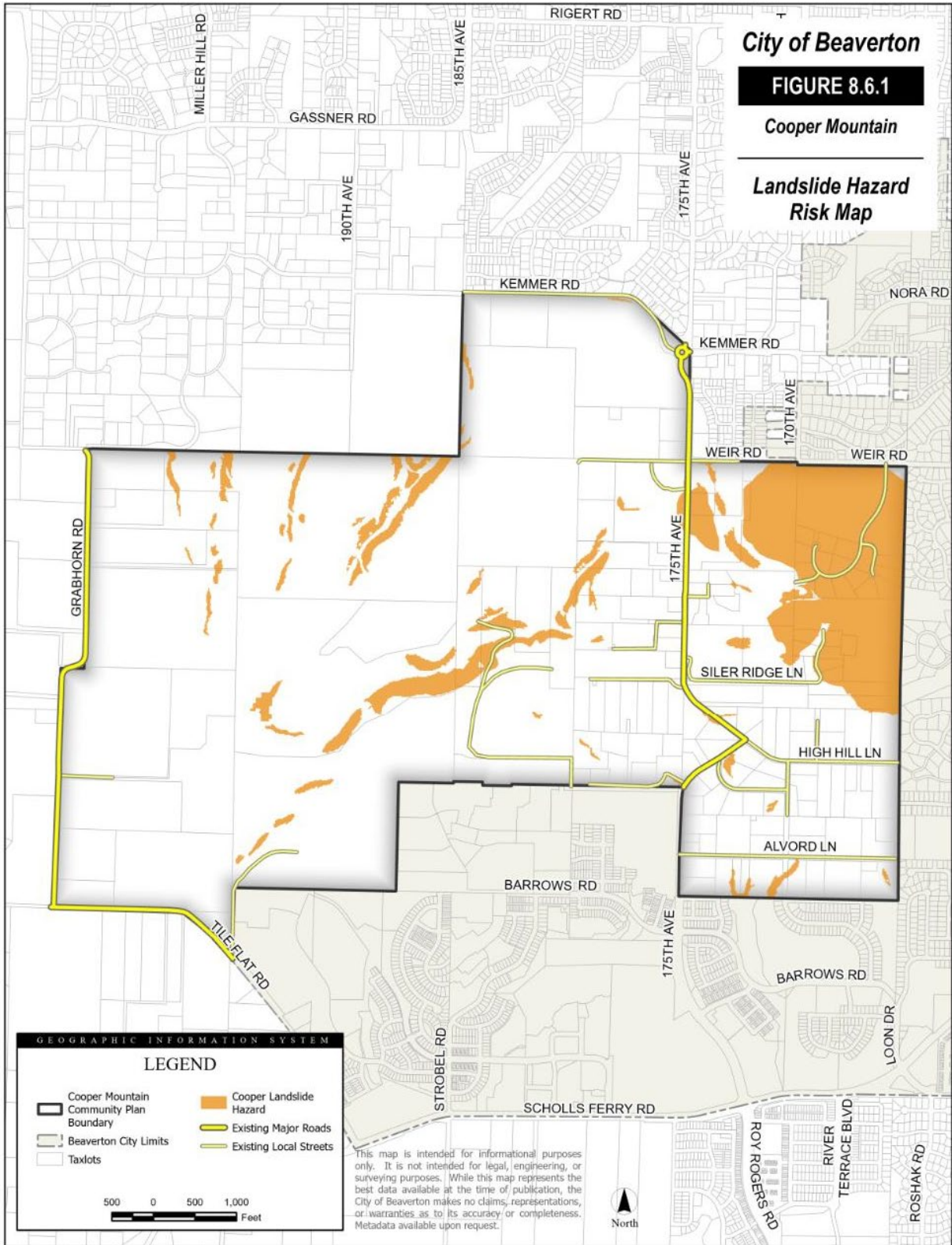
Policy a) Limit or prohibit development in geologically hazardous areas that pose a threat to life and property.

Action 1: Identify geological hazard sites in the City including unstable steep slopes, weak foundation soils, and areas subject to erosion and deposition. Adopt and apply regulations to these sites through engineering standards and site development design criteria to allow, limit, or prohibit development, as appropriate. [Cooper Mountain Community Plan area landslide hazard risks are shown in Figure 8.6.1.](#)

Action 2: Periodically review and update the existing erosion control regulations and enforcement procedures to improve their effectiveness.

Action 3: Adopt and apply land use regulations requiring that building sites, streets and other improvements in areas with 25% or greater slopes, be designed so that cuts and fills are minimized and best management practices for erosion control are integrated into the design.

Figure 8.6.1 Cooper Mountain Landslide Hazard Risk Map



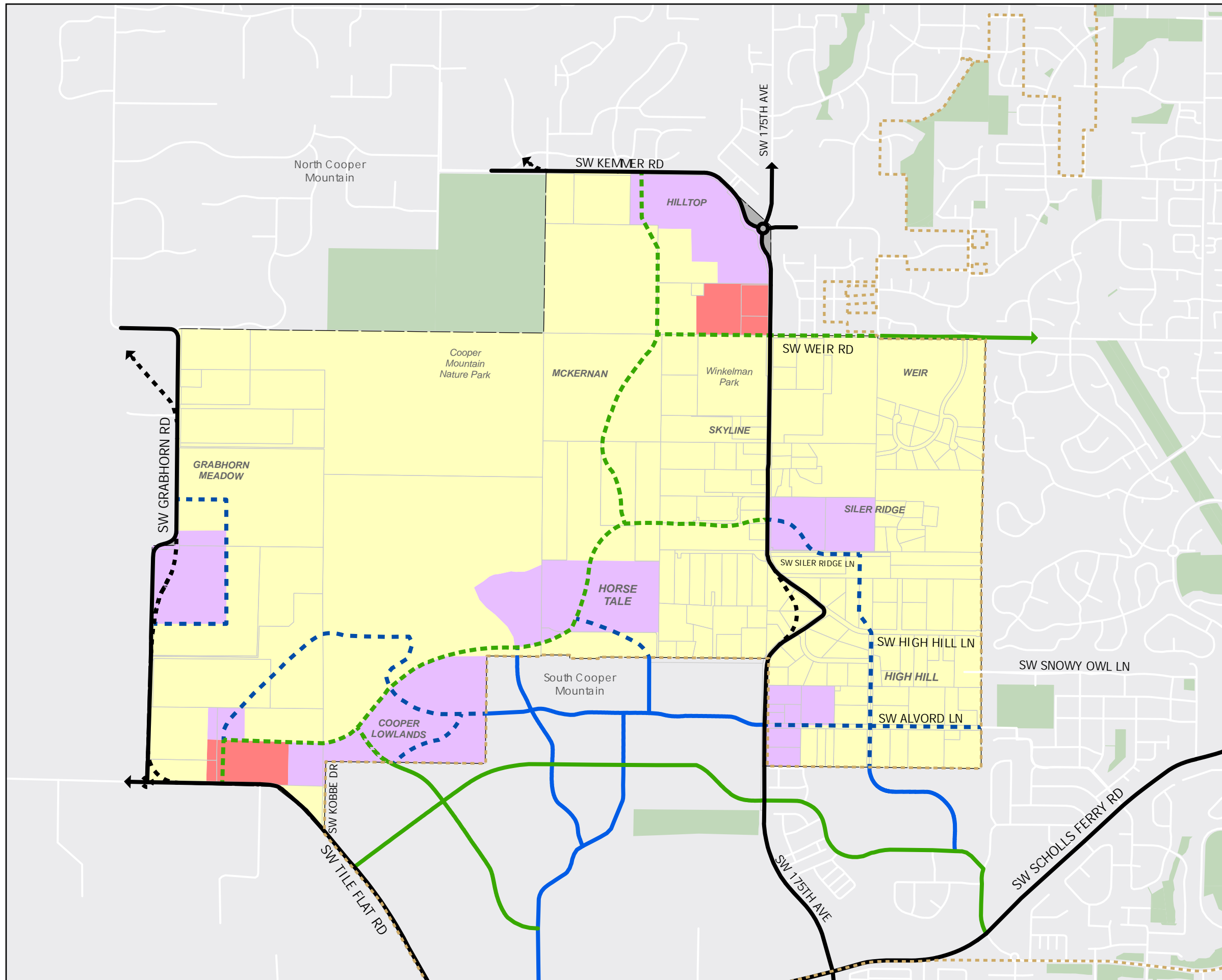
Policy b) The City shall support the reclamation of aggregate sites having a Department of Geology and Mining Industry (DOGAMI) mining permit, to ensure the stability of slopes and prevention of erosion, and to prevent the creation of weak foundation soils.

Action 1: Adopt and apply appropriate site development code requirements to ensure the DOGAMI reclamation process is completed prior to the issuance of a site development permit.

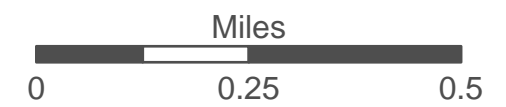


Cooper Mountain Community Plan

Proposed Land Use Map



- Proposed Land Use**
- Cooper Mountain Commercial (CM-C)
 - Cooper Mountain Mixed Use Corridor (CM-MUC)
 - Cooper Mountain Residential (CM-R)
 - Cooper Mountain Community Plan Boundary
 - 2019 Taxlots
 - Beaverton City Limits
 - Parks and Natural Areas
 - Arterial
 - Collector
 - Neighborhood Route
 - Proposed Arterial
 - Proposed Collector
 - Proposed Neighborhood Route



APPENDIX A: Figures

OAR 141-086-0220(2)(f) All figures, with the study area clearly outlined.










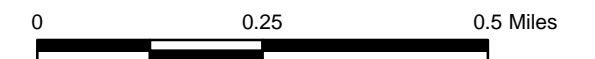
**Figure 1
Vicinity Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
-  Stream/Creek
-  PLSS Section
-  Beaverton City Limits
-  Park
-  Washington County Tax Lot
-  Street



Data Sources:
LWI Study Area: City of Beaverton, 2020
Metro RLIS, USGS NHD

Disclaimer: Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.



Information Current as of:
Sept 2021
Printed on and Corrections as of:
Sept 2021

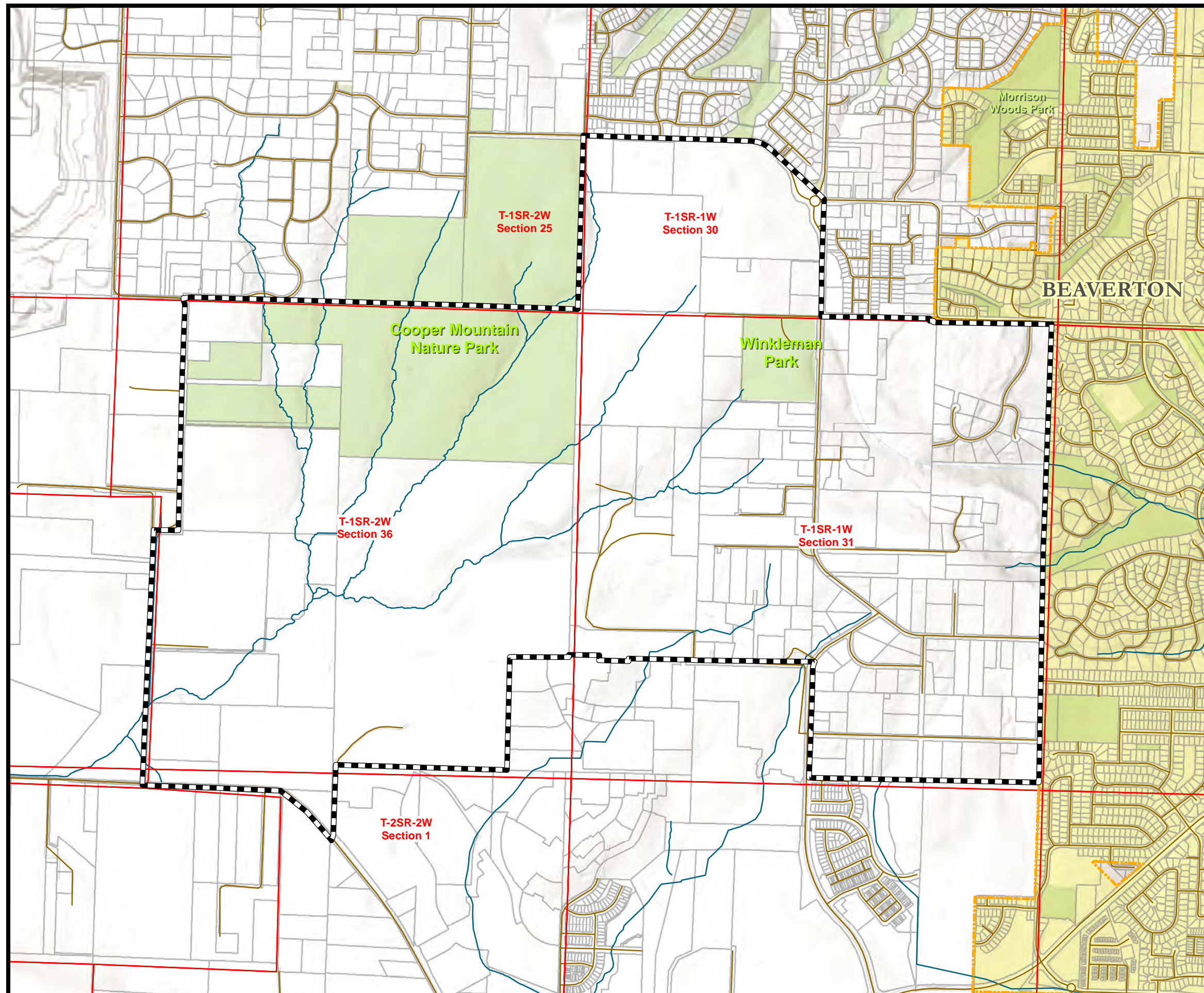


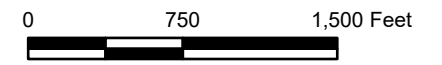
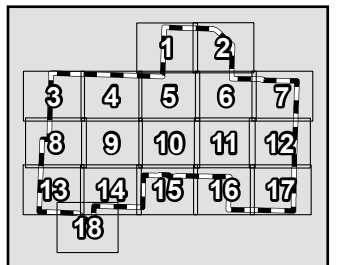
Figure 5, Overview Map Local Wetlands Inventory Map

City of Beaverton Cooper Mountain Community Plan Area

LOCAL WETLANDS INVENTORY

Legend

- LWI Study Area
- LWI Stream
- NHD Stream
- Sample Plot
- Watershed Boundary**
 - Johnson Creek South
 - Lindow Creek/Jackson Creek
 - Summer Creek
 - Tualatin River Tributary
- LWI Wetlands**
 - Palustrine Emergent (PEM2Bf)
 - Palustrine Emergent (PEM1B)
 - Palustrine Forested (PFO1B)
 - Palustrine Scrub-Shrub (PSS1B)
 - Palustrine Unconsolidated Bottom (PUBx)
 - Quarry
 - PLSS Section
 - Other Delineation Study Area
 - Beaverton City Limits
 - Street



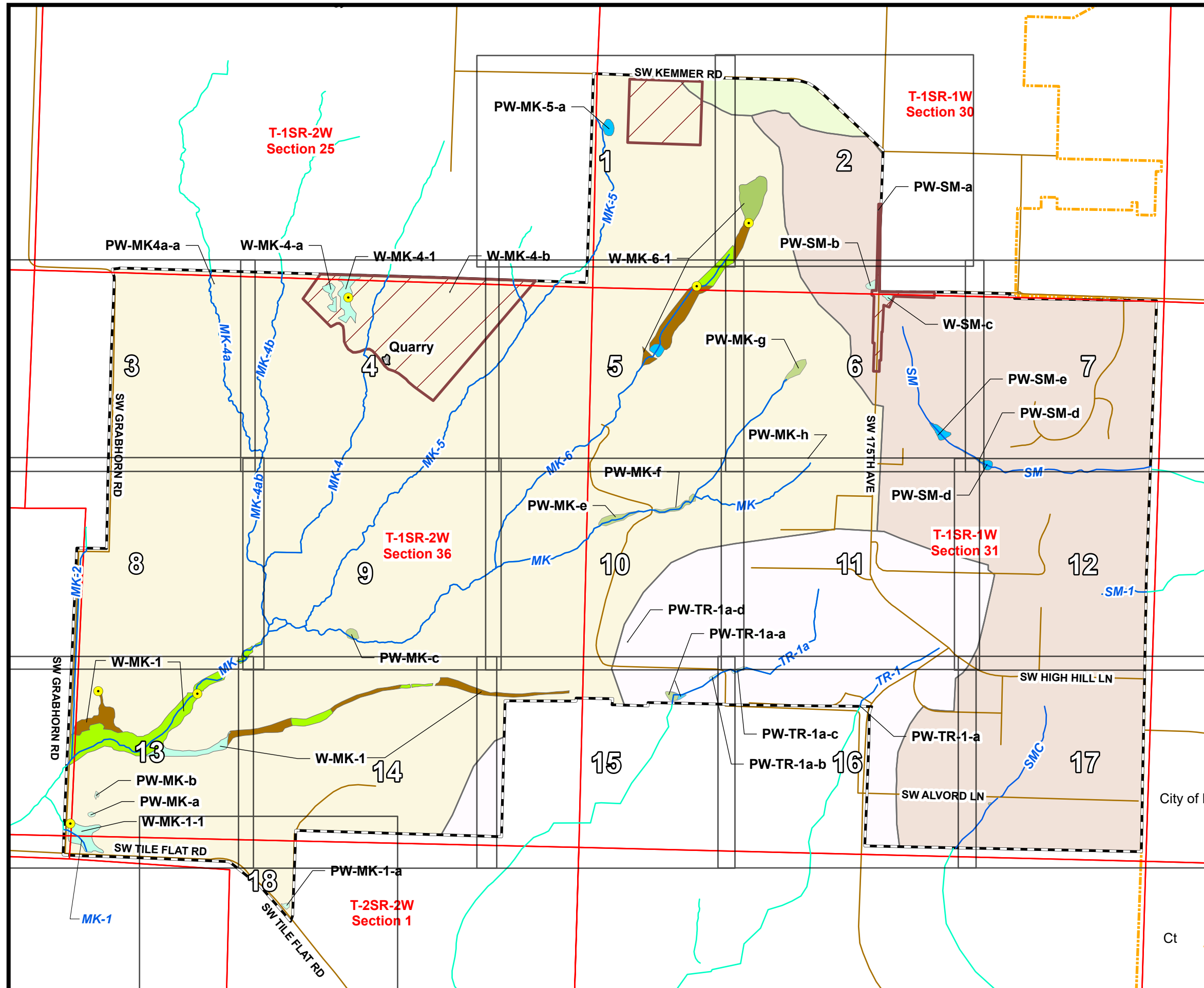
Data Sources:
 LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS
 NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

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April 2024

Printed with corrections:
September 2024























**Figure 5, Sheet 1 of 18
Local Wetlands Inventory Map**

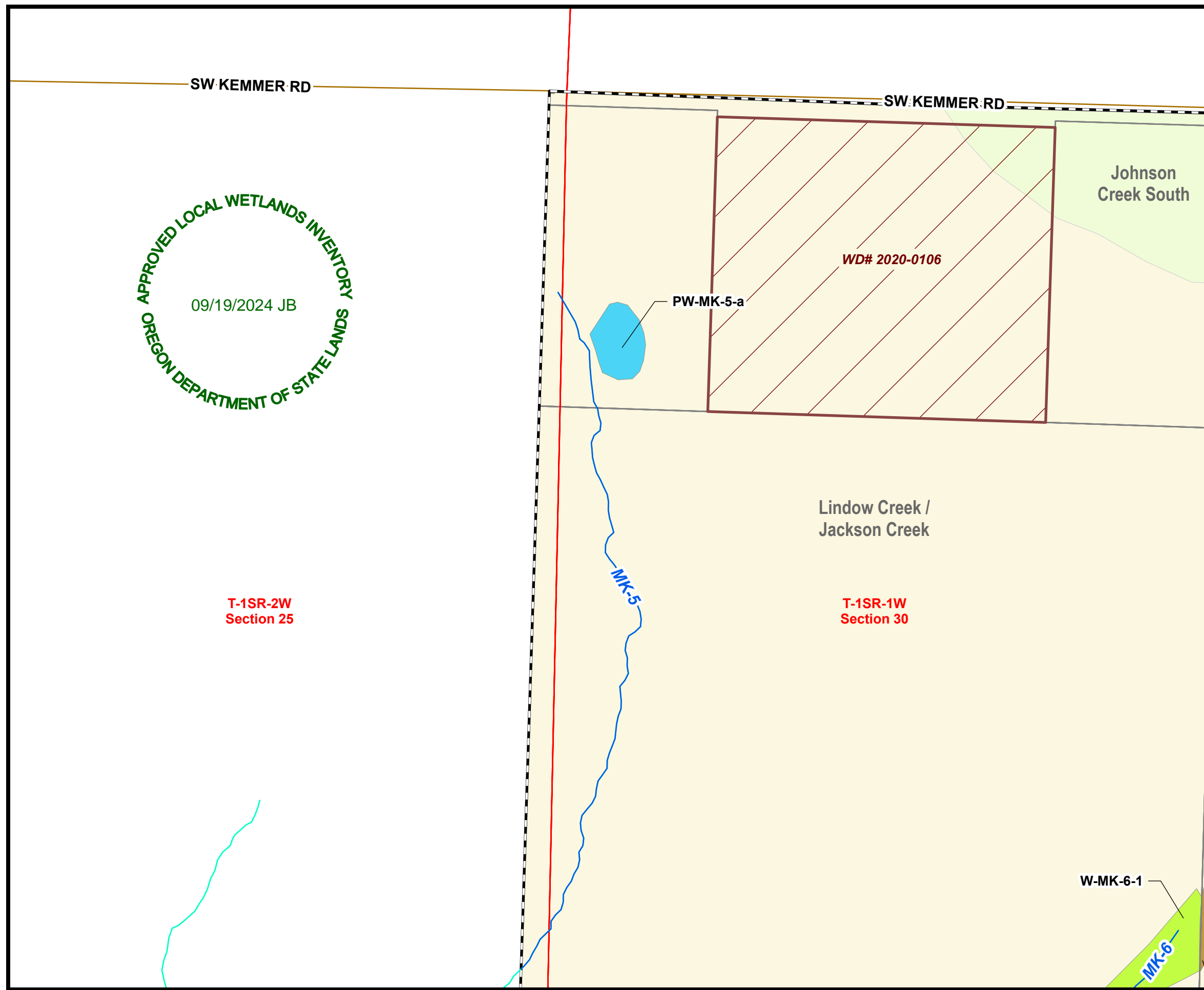
**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
- Watershed Boundary**
-  Johnson Creek South
 -  Lindow Creek/Jackson Creek
 -  Summer Creek
 -  Tualatin River Tributary
- LWI Wetlands**
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 -  Palustrine Emergent (PEM1B)
 -  Palustrine Forested (PFO1B)
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 -  Palustrine Unconsolidated Bottom (PUBx)
 -  Quarry
 -  PLSS Section
 -  Other Delineation Study Area
 -  Beaverton City Limits
 -  Washington County Tax Lot
 -  Street
- 0 150 300 Feet

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		18			



Data Sources:
LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

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














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**Figure 5, Sheet 2 of 18
Local Wetlands Inventory Map**

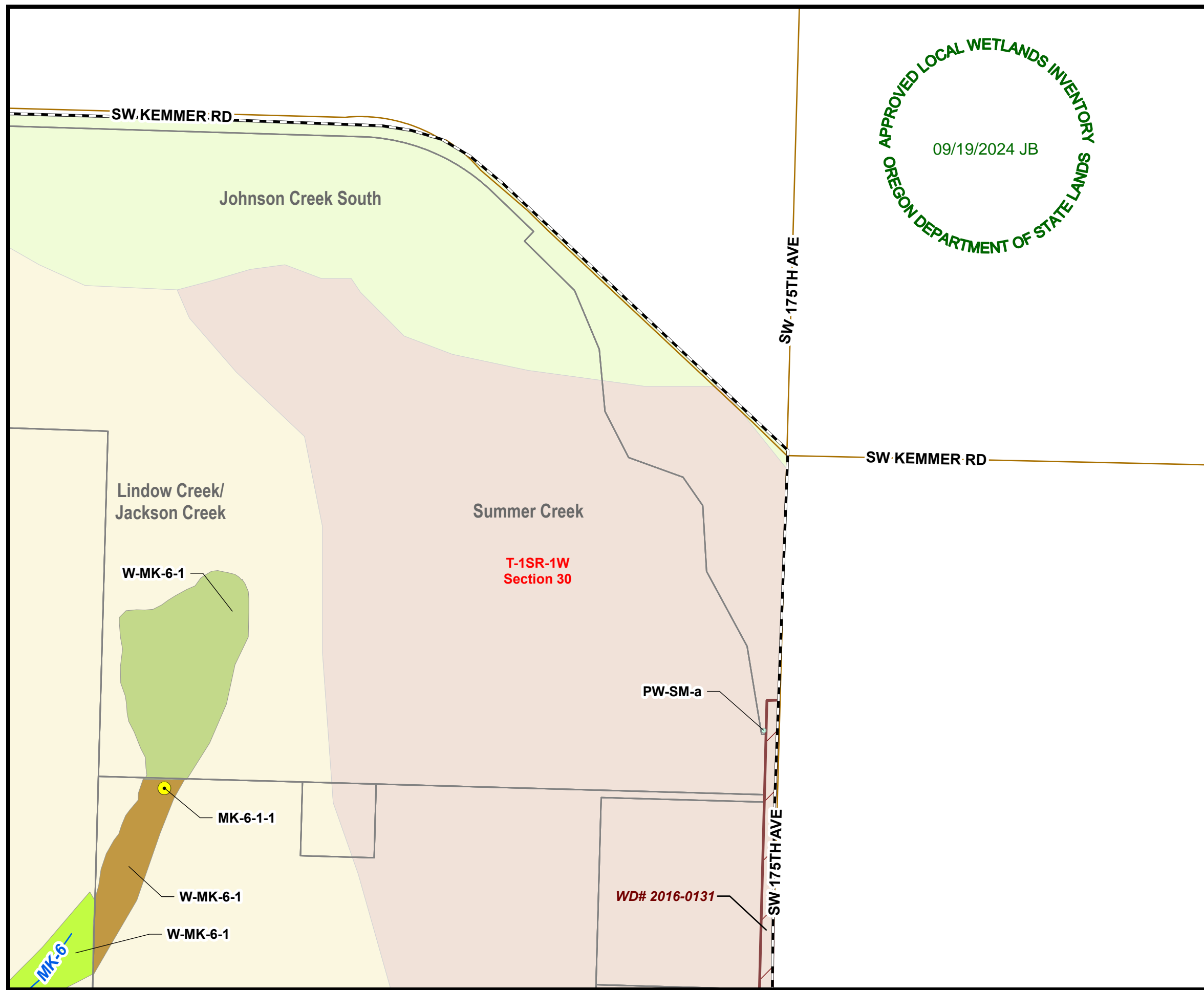
**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
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














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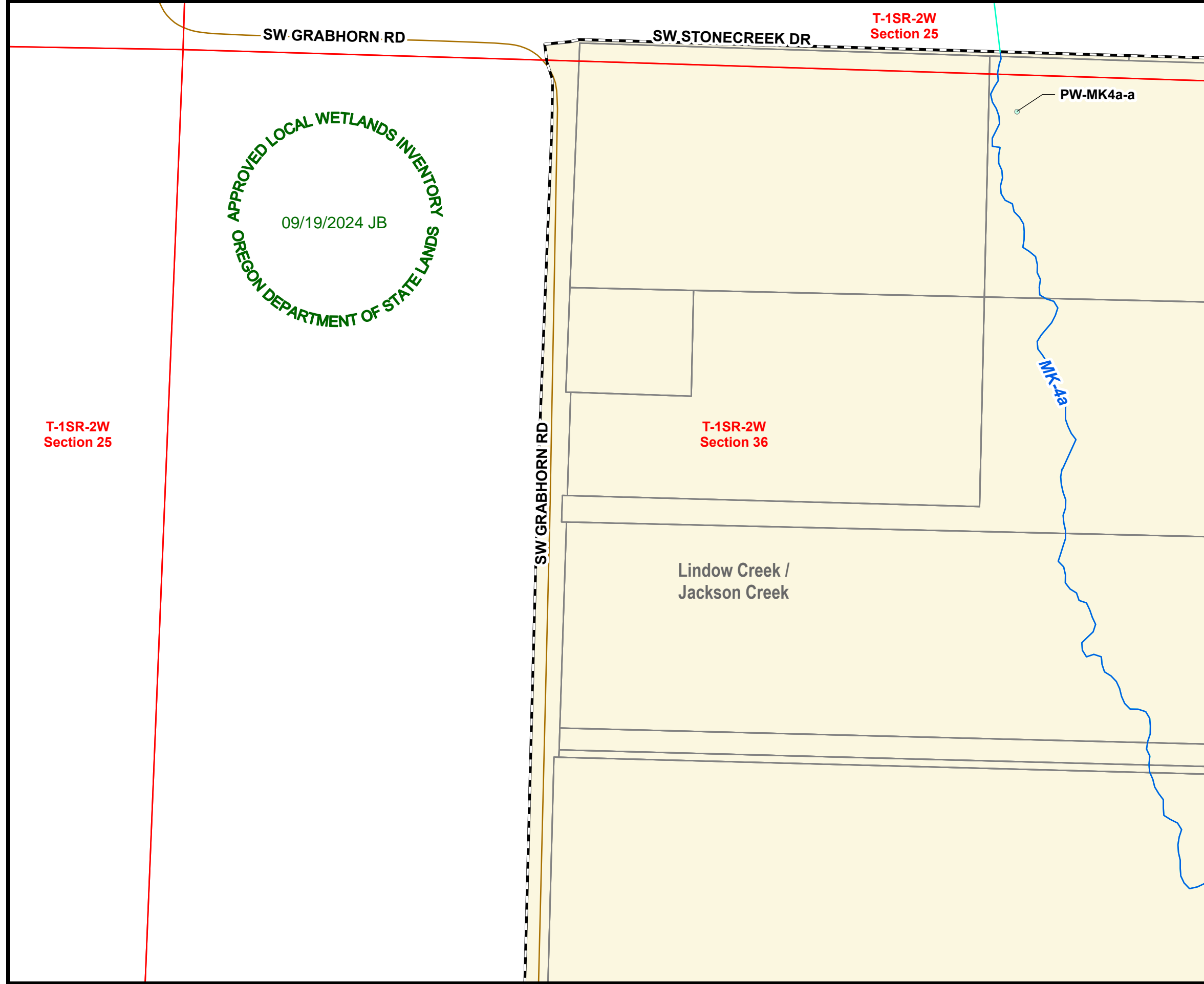
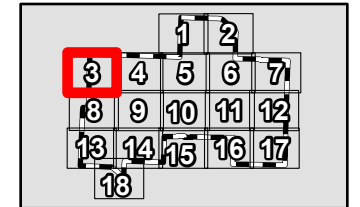
**Figure 5, Sheet 3 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

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 -  LWI Stream
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













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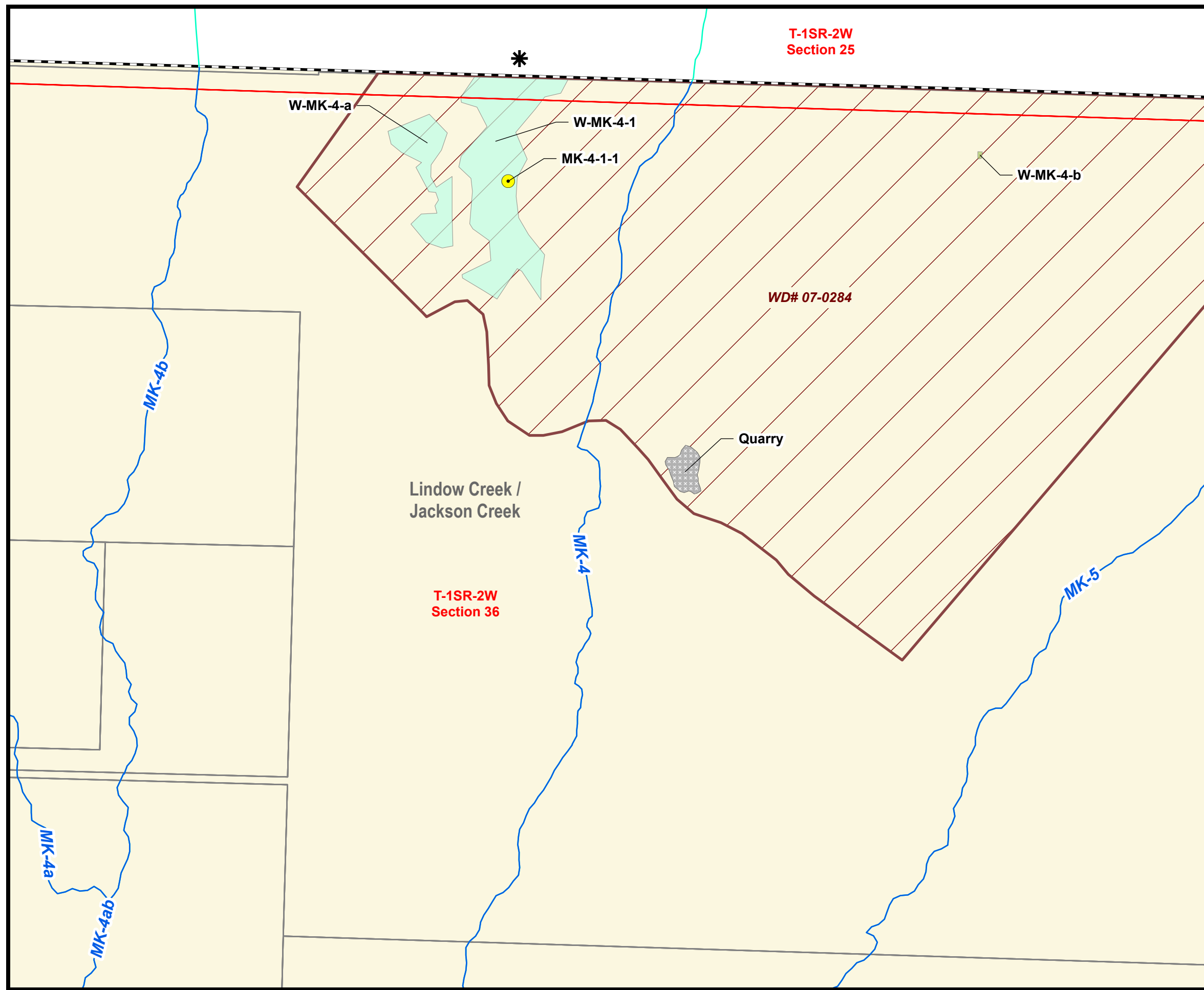
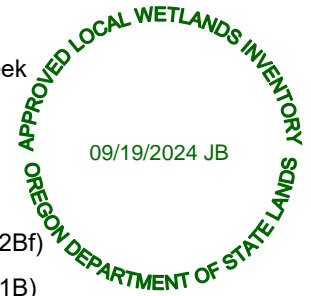
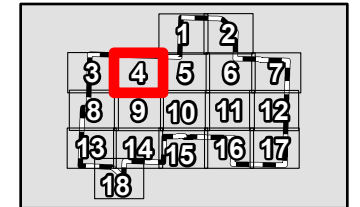
**Figure 5, Sheet 4 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
- Watershed Boundary**
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 -  Summer Creek
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 -  Beaverton City Limits
 -  Washington County Tax Lot
 -  Street
- 0 150 300 Feet



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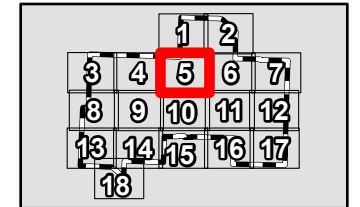
Figure 5, Sheet 5 of 18 Local Wetlands Inventory Map

City of Beaverton Cooper Mountain Community Plan Area

LOCAL WETLANDS INVENTORY

Legend

- LWI Study Area
- LWI Stream
- NHD Stream
- Sample Plot
- Feature Extends Outside Study Area



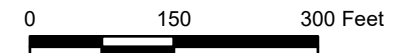
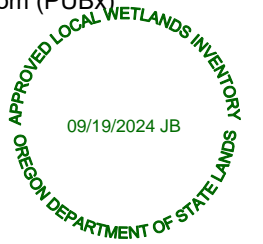
Watershed Boundary

- Johnson Creek South
- Lindow Creek/Jackson Creek
- Summer Creek
- Tualatin River Tributary

LWI Wetlands

- Palustrine Emergent (PEM2Bf)
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- Quarry
- PLSS Section
- Other Delineation Study Area
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- Street



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LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

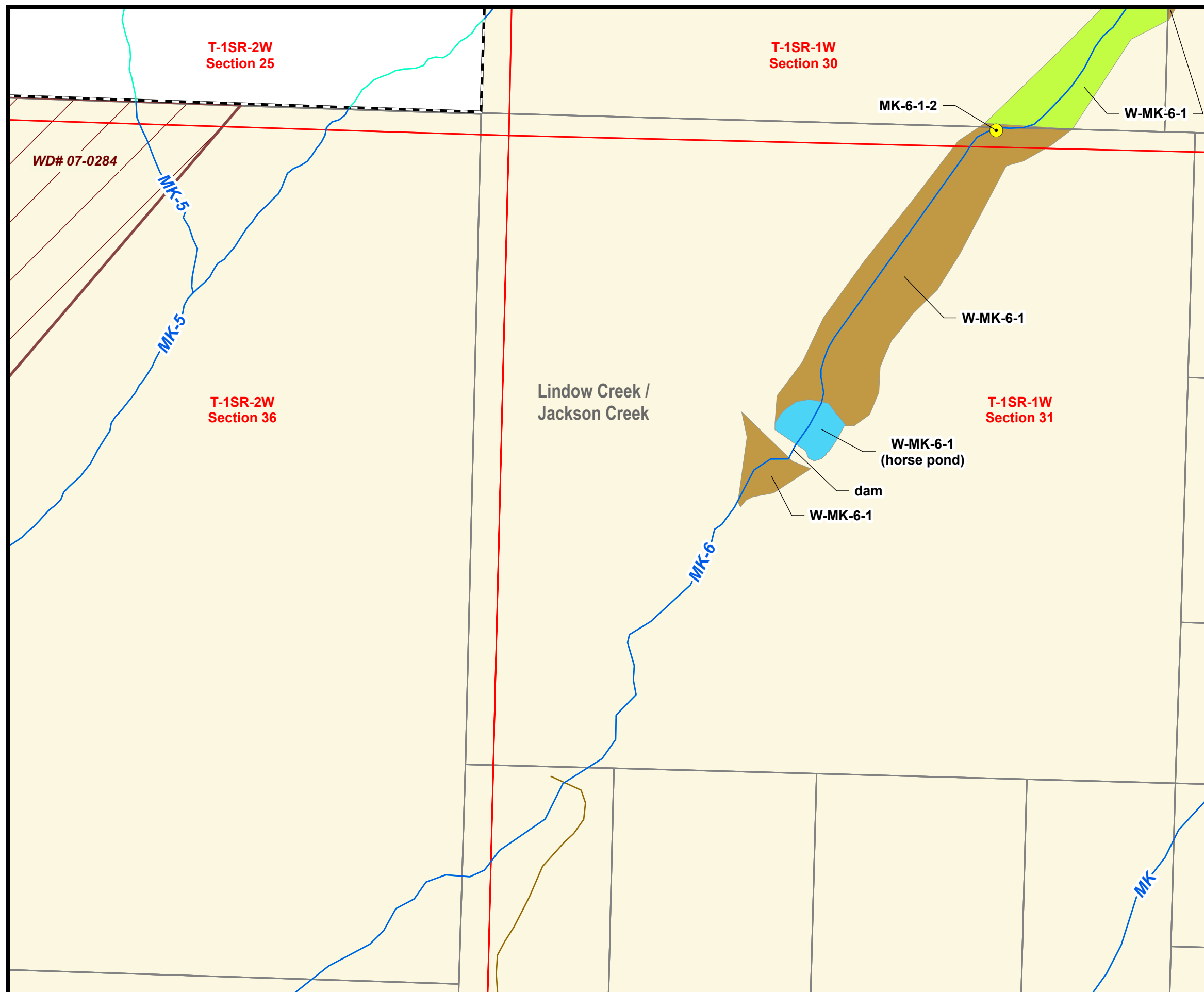
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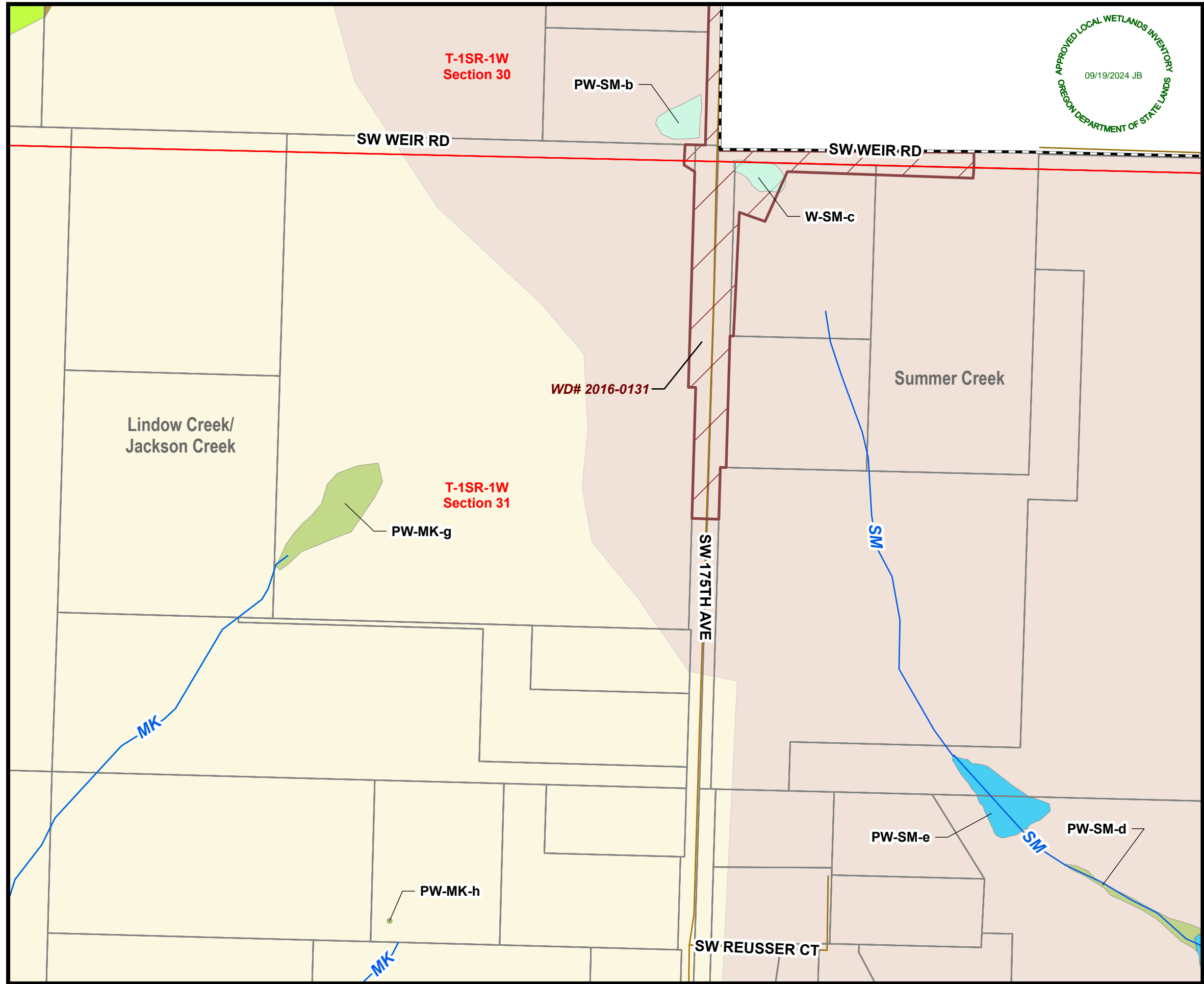


North

Printed date:
April 2024

Printed with corrections:
September 2024





**Figure 5, Sheet 6 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

- LWI Study Area
- LWI Stream
- NHD Stream
- Sample Plot
- Feature Extends Outside Study Area
- Watershed Boundary**
 - Johnson Creek South
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 - Beaverton City Limits
 - Washington County Tax Lot
 - Street

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18				

Data Sources:
LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

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














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**Figure 5, Sheet 7 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

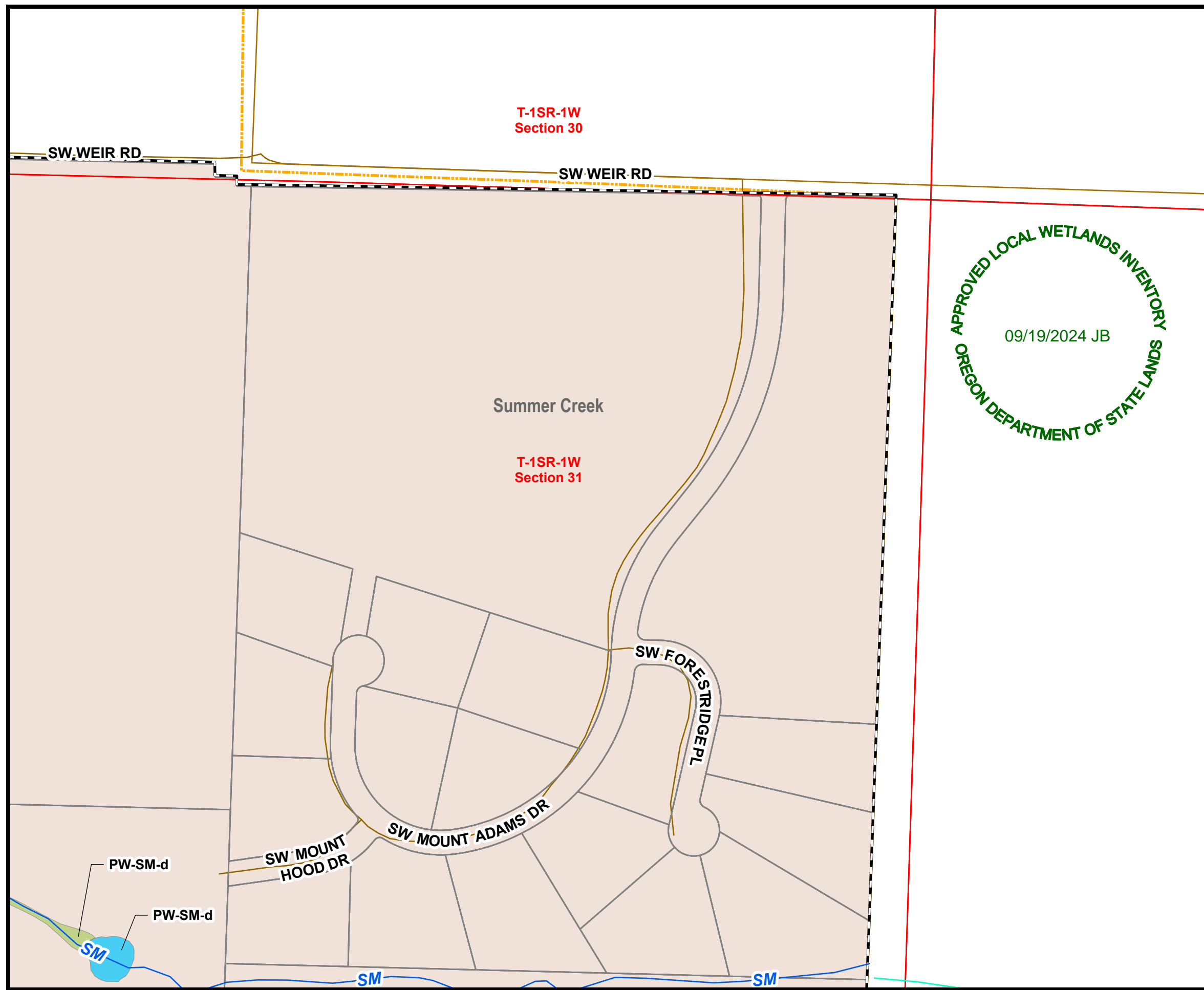
LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
- Watershed Boundary**
-  Johnson Creek South
 -  Lindow Creek/Jackson Creek
 -  Summer Creek
 -  Tualatin River Tributary
- LWI Wetlands**
-  Palustrine Emergent (PEM2Bf)
 -  Palustrine Emergent (PEM1B)
 -  Palustrine Forested (PFO1B)
 -  Palustrine Scrub-Shrub (PSS1B)
 -  Palustrine Unconsolidated Bottom (PUBx)
 -  Quarry
 -  PLSS Section
 -  Other Delineation Study Area
 -  Beaverton City Limits
 -  Washington County Tax Lot
 -  Street
- 0 150 300 Feet

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APPROVED LOCAL WETLANDS INVENTORY
 09/19/2024 JB
 OREGON DEPARTMENT OF STATE LANDS



Data Sources:
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














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**Figure 5, Sheet 8 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
- Watershed Boundary**
-  Johnson Creek South
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APPROVED LOCAL WETLANDS INVENTORY
09/19/2024 JB
OREGON DEPARTMENT OF STATE LANDS

**T-1SR-2W
Section 0**

Lindow Creek /
Jackson Creek

**T-1SR-2W
Section 36**

W-MK-1



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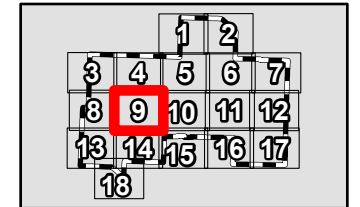
**Figure 5, Sheet 9 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**





LOCAL WETLANDS INVENTORY

Legend












-  LWI Study Area
-  LWI Stream
-  NHD Stream
-  Sample Plot
-  Feature Extends Outside Study Area

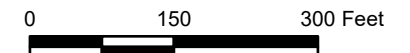


Watershed Boundary

-  Johnson Creek South
-  Lindow Creek/Jackson Creek
-  Summer Creek
-  Tualatin River Tributary

LWI Wetlands

-  Palustrine Emergent (PEM2Bf)
-  Palustrine Emergent (PEM1B)
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-  Palustrine Unconsolidated Bottom (PUBx)
-  Quarry
-  PLSS Section
-  Other Delineation Study Area
-  Beaverton City Limits
-  Washington County Tax Lot
-  Street



Data Sources:

LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

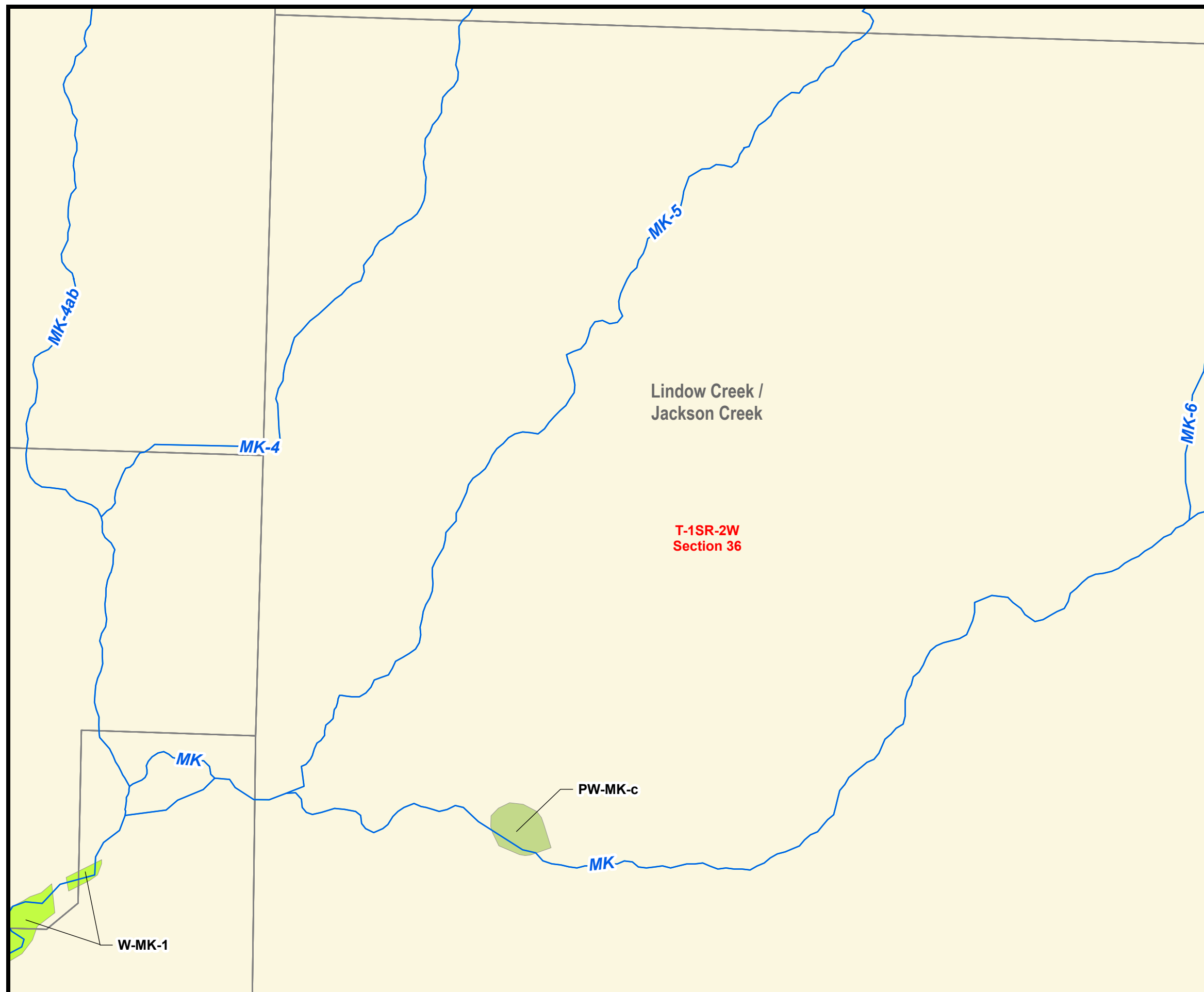
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















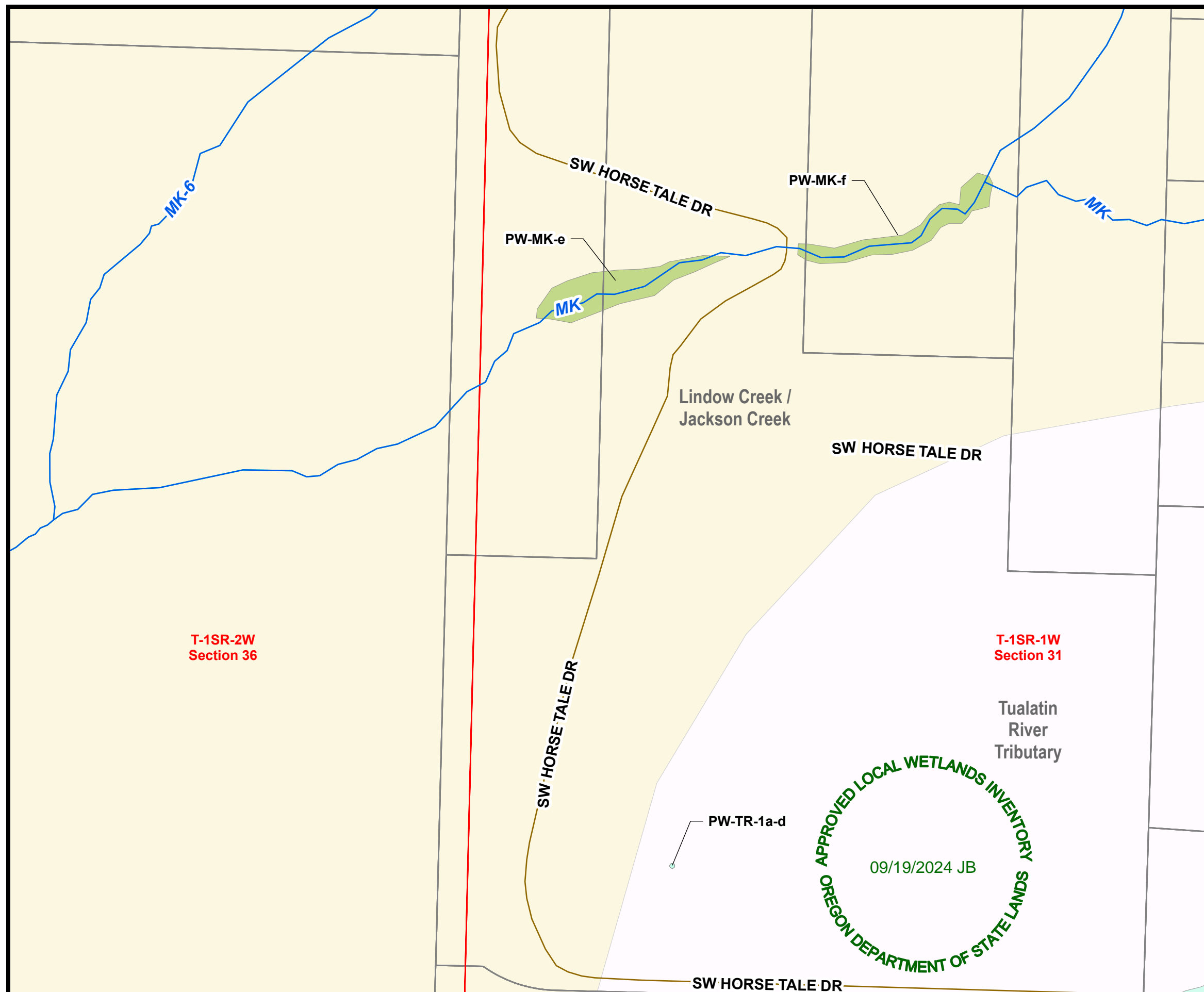
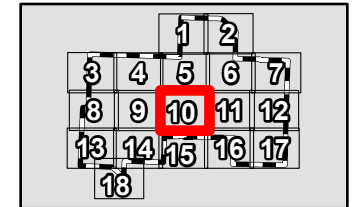
**Figure 5, Sheet 10 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
- Watershed Boundary**
-  Johnson Creek South
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 -  Street
- 0 150 300 Feet



Data Sources:
LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

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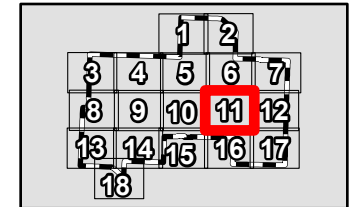
**Figure 5, Sheet 11 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**





LOCAL WETLANDS INVENTORY

Legend






-  LWI Study Area
-  LWI Stream
-  NHD Stream
-  Sample Plot
-  Feature Extends Outside Study Area








Watershed Boundary

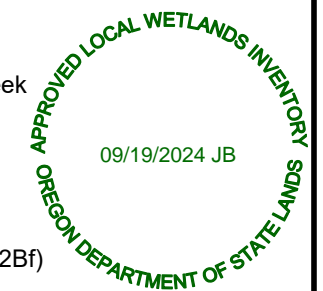
-  Johnson Creek South
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-  Summer Creek
-  Tualatin River Tributary

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 Street

Data Sources:
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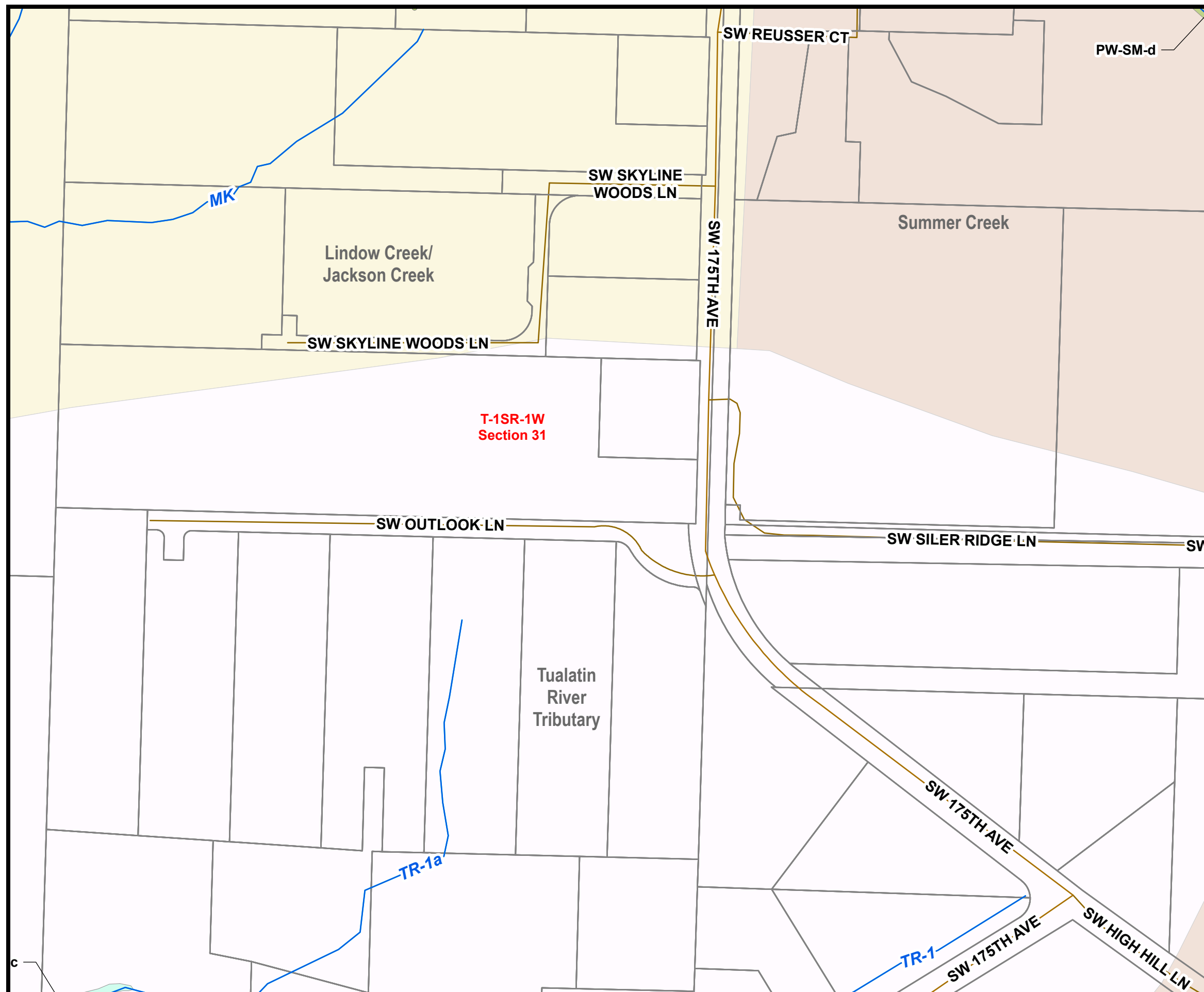
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
















**Figure 5, Sheet 12 of 18
Local Wetlands Inventory Map**

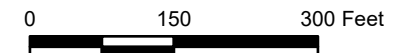
**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
-  LWI Stream
-  NHD Stream
-  Sample Plot
-  Feature Extends Outside Study Area
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 -  Washington County Tax Lot
 -  Street

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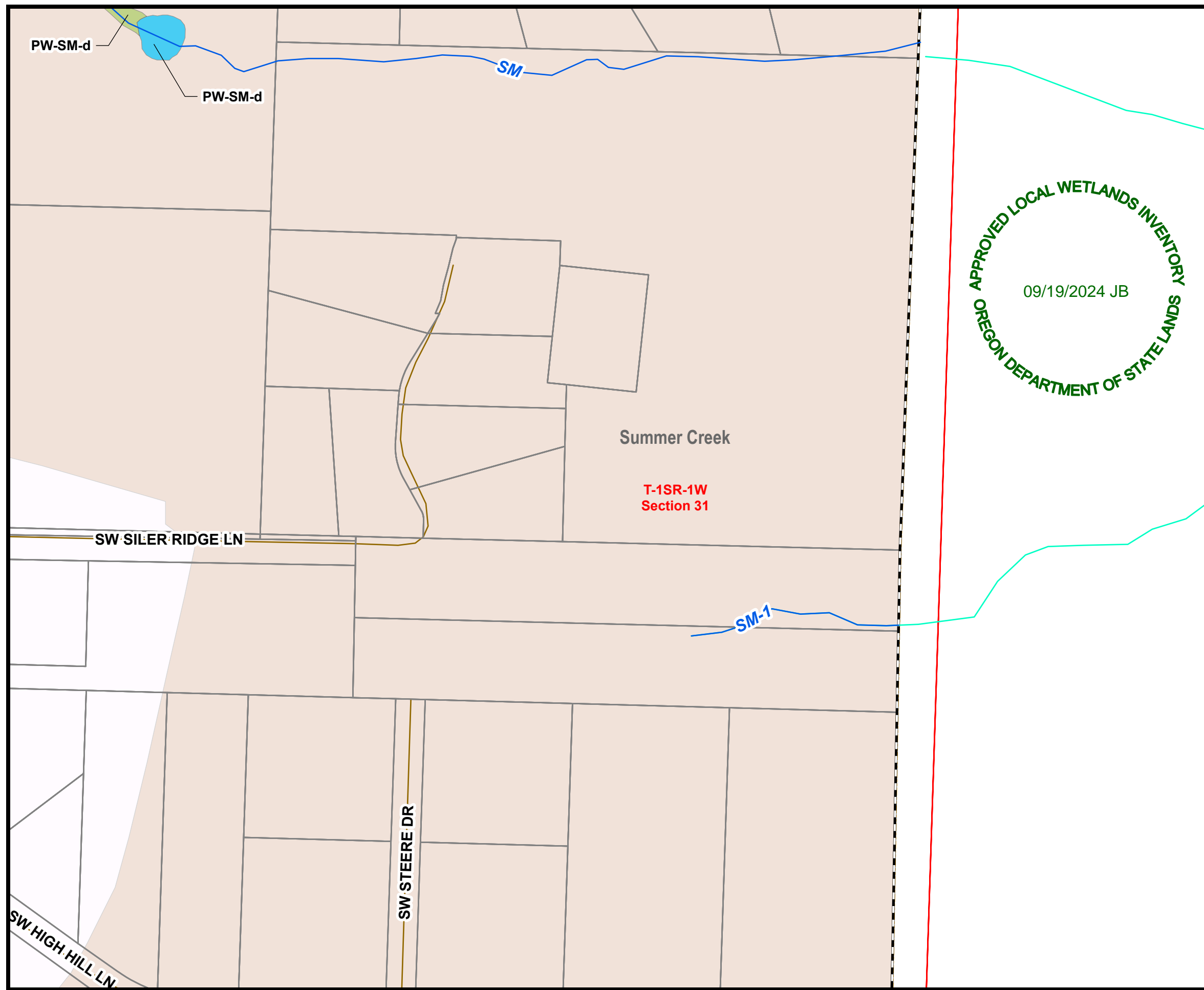
Data Sources:
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NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

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APPROVED LOCAL WETLANDS INVENTORY
09/19/2024 JB
OREGON DEPARTMENT OF STATE LANDS

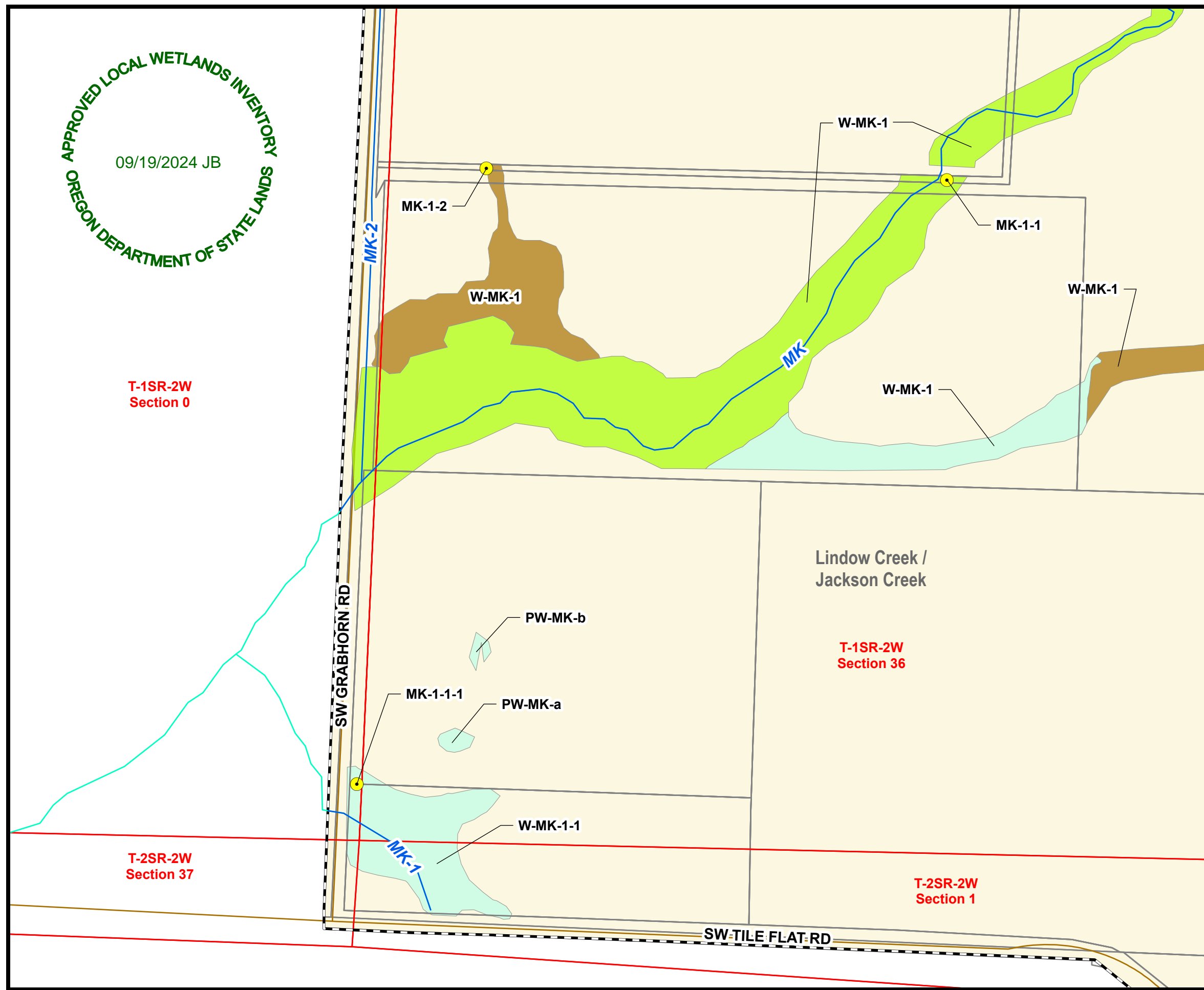


Figure 5, Sheet 13 of 18
Local Wetlands Inventory Map

City of Beaverton
Cooper Mountain Community
Plan Area

LOCAL WETLANDS INVENTORY

Legend

- LWI Study Area
 - LWI Stream
 - NHD Stream
 - Sample Plot
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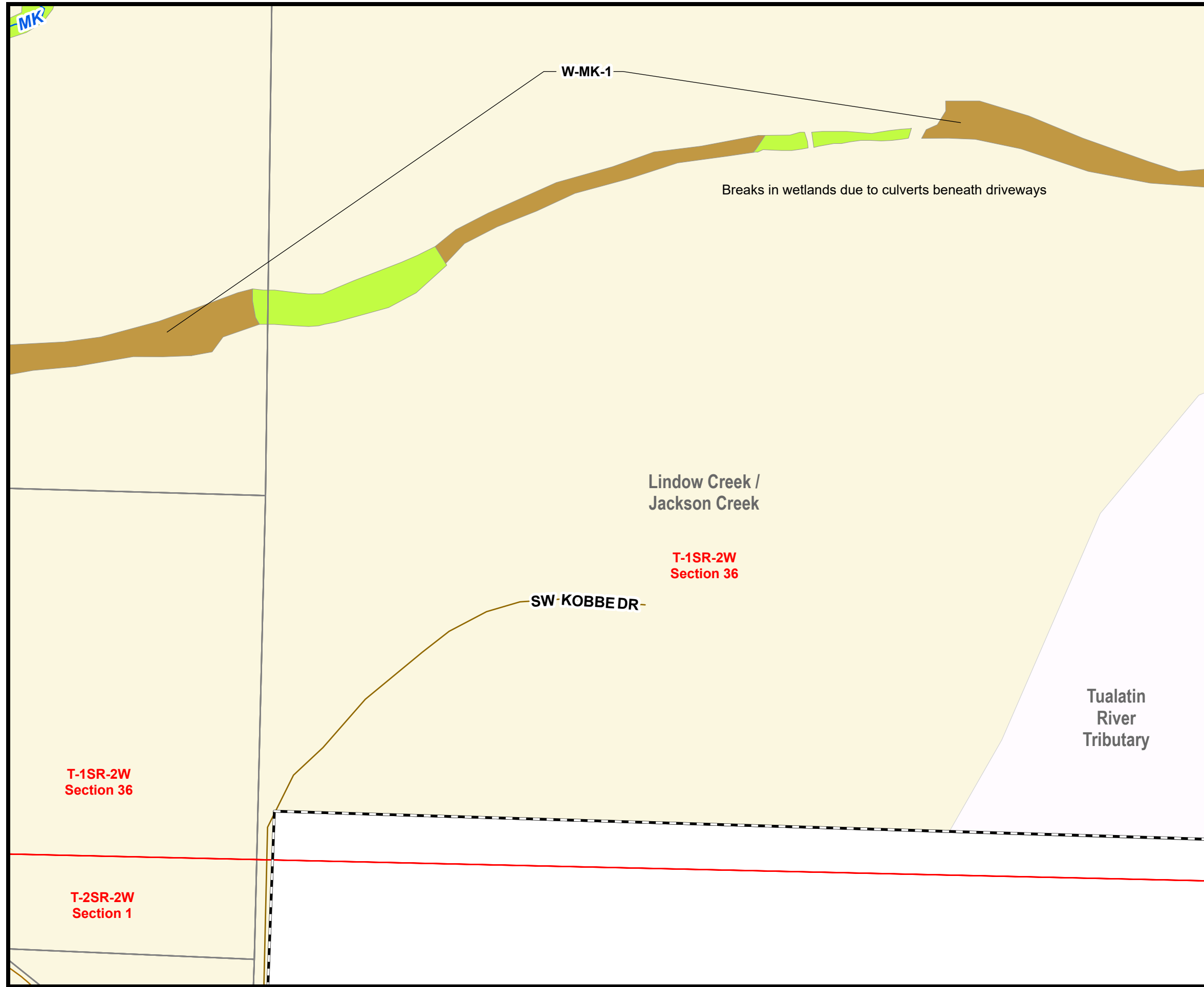
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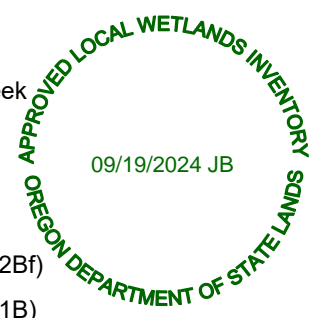
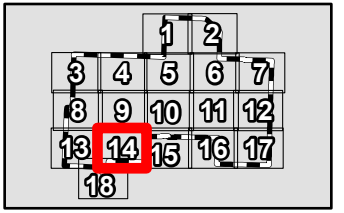
**Figure 5, Sheet 14 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

- LWI Study Area
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














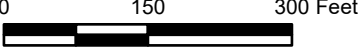
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**Figure 5, Sheet 15 of 18
Local Wetlands Inventory Map**

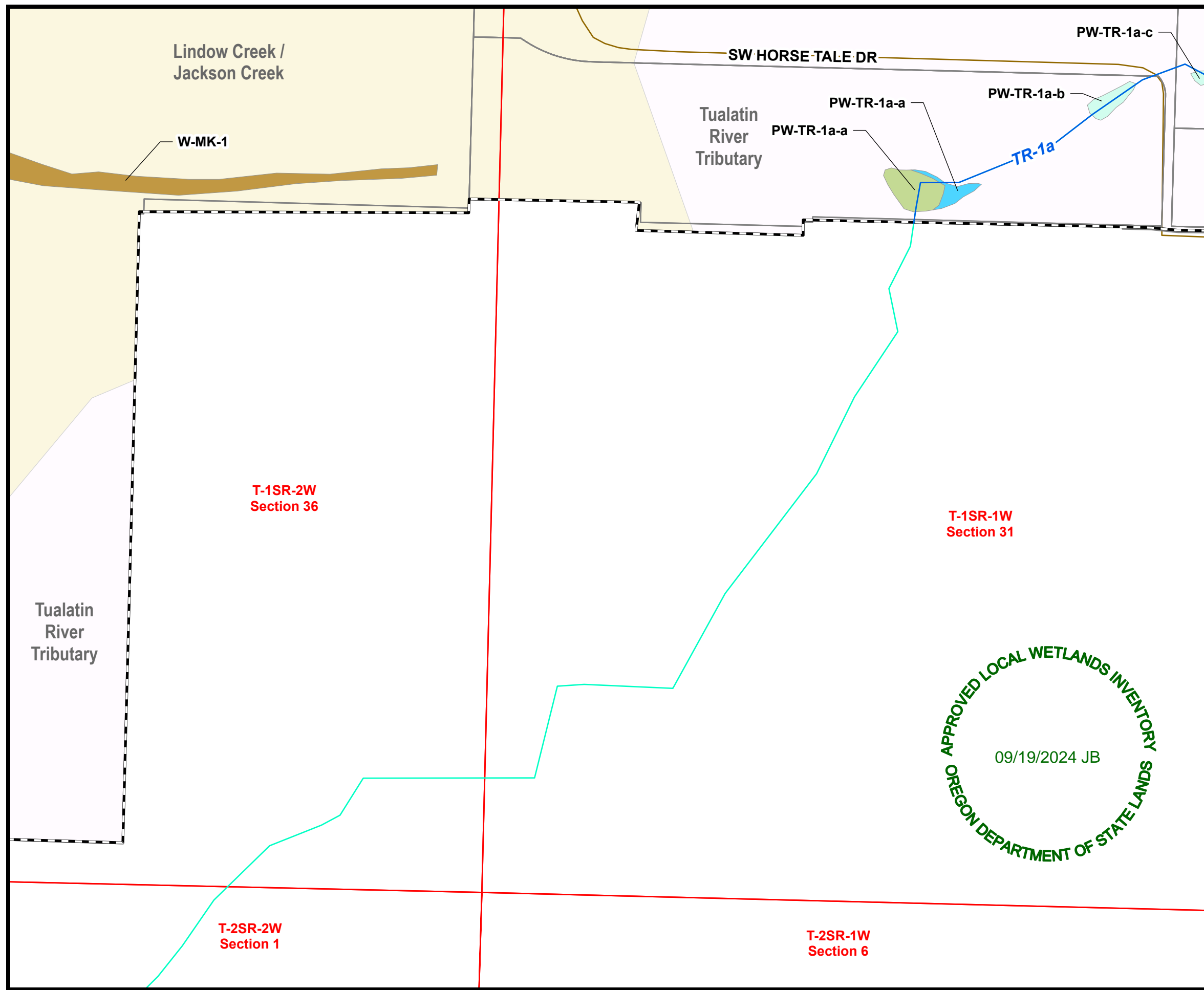
**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

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April 2024





















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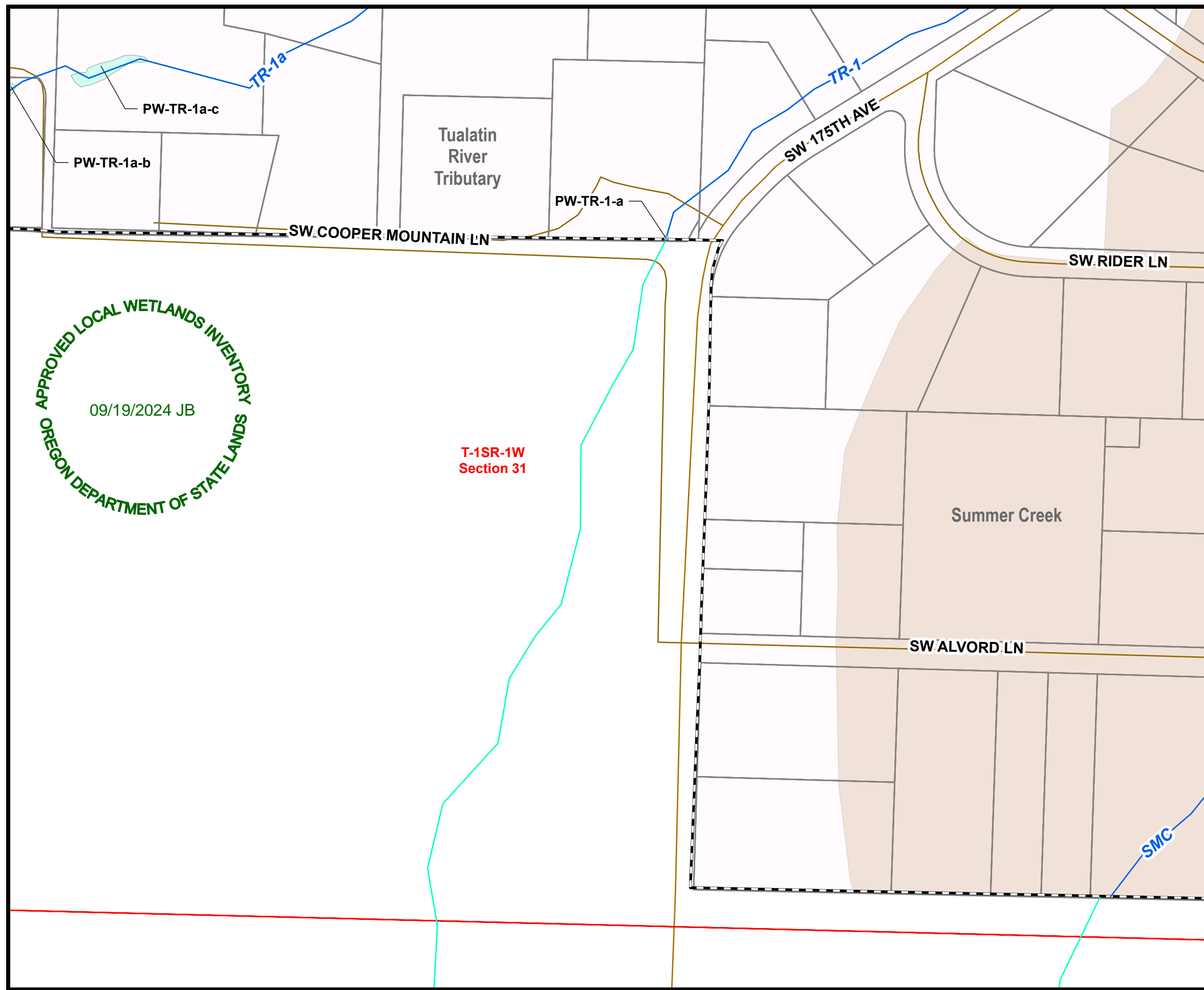
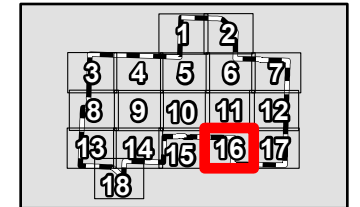
**Figure 5, Sheet 16 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

-  LWI Study Area
 -  LWI Stream
 -  NHD Stream
 -  Sample Plot
 -  Feature Extends Outside Study Area
- Watershed Boundary**
-  Johnson Creek South
 -  Lindow Creek/Jackson Creek
 -  Summer Creek
 -  Tualatin River Tributary
- LWI Wetlands**
-  Palustrine Emergent (PEM2Bf)
 -  Palustrine Emergent (PEM1B)
 -  Palustrine Forested (PFO1B)
 -  Palustrine Scrub-Shrub (PSS1B)
 -  Palustrine Unconsolidated Bottom (PUBx)
 -  Quarry
 -  PLSS Section
 -  Other Delineation Study Area
 -  Beaverton City Limits
 -  Washington County Tax Lot
 -  Street
- 0 150 300 Feet



APPROVED LOCAL WETLANDS INVENTORY
09/19/2024 JB
OREGON DEPARTMENT OF STATE LANDS

T-1SR-1W
Section 31

Data Sources:
LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

Disclaimer: Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.



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**Figure 5, Sheet 17 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

LOCAL WETLANDS INVENTORY

Legend

- LWI Study Area
- LWI Stream
- NHD Stream
- Sample Plot
- Feature Extends Outside Study Area

		1	2	
3	4	5	6	7
8	9	10	11	12
13	14	15	16	17
	18			

Watershed Boundary

- Johnson Creek South
- Lindow Creek/Jackson Creek
- Summer Creek
- Tualatin River Tributary

LWI Wetlands

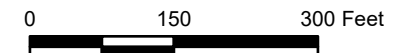
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- Other Delineation Study Area

- Beaverton City Limits

- Washington County Tax Lot

- Street



Data Sources:

LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

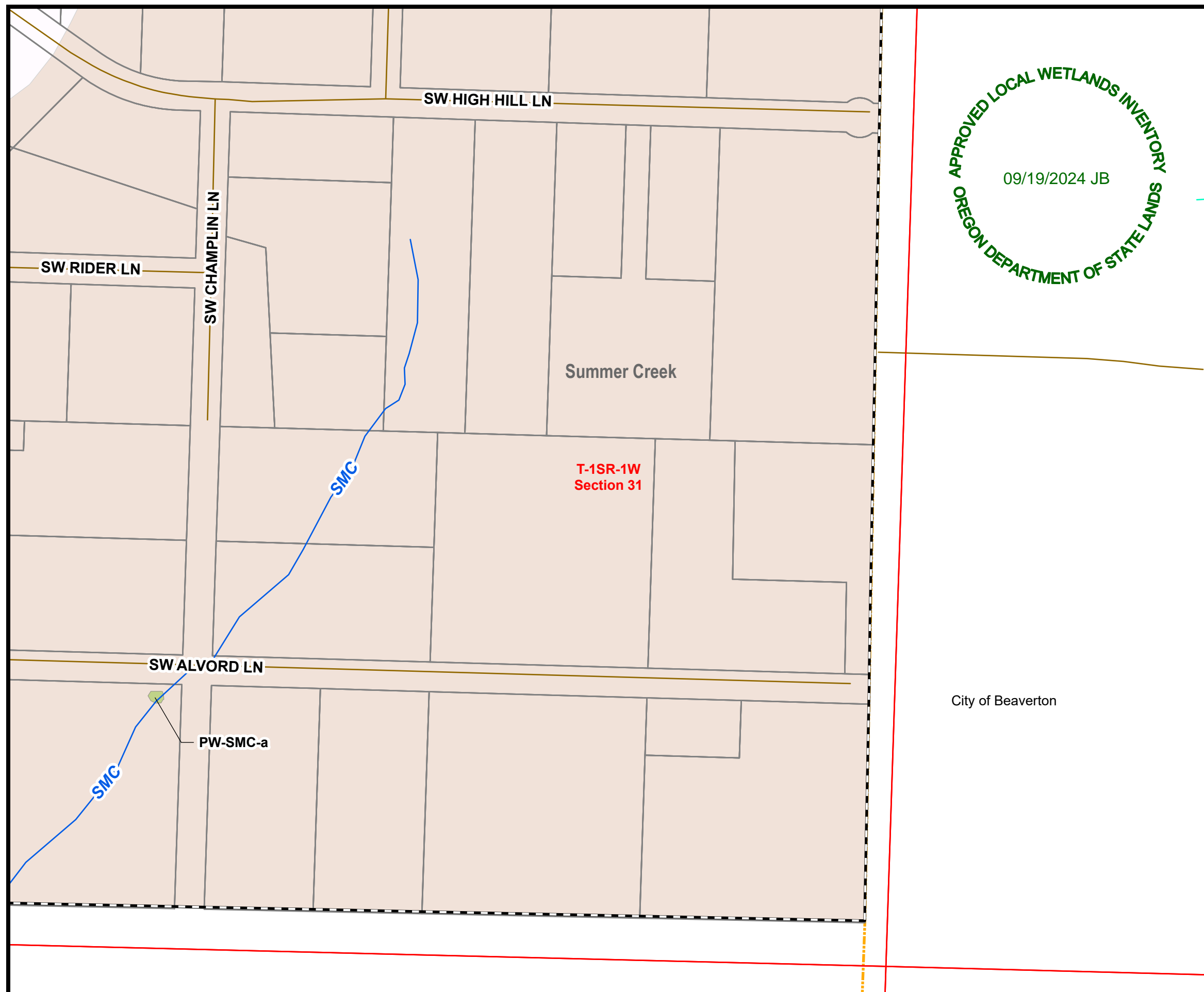
Disclaimer: Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.



North

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














APPROVED LOCAL WETLANDS INVENTORY
09/19/2024 JB
OREGON DEPARTMENT OF STATE LANDS

**Figure 5, Sheet 18 of 18
Local Wetlands Inventory Map**

**City of Beaverton
Cooper Mountain Community
Plan Area**

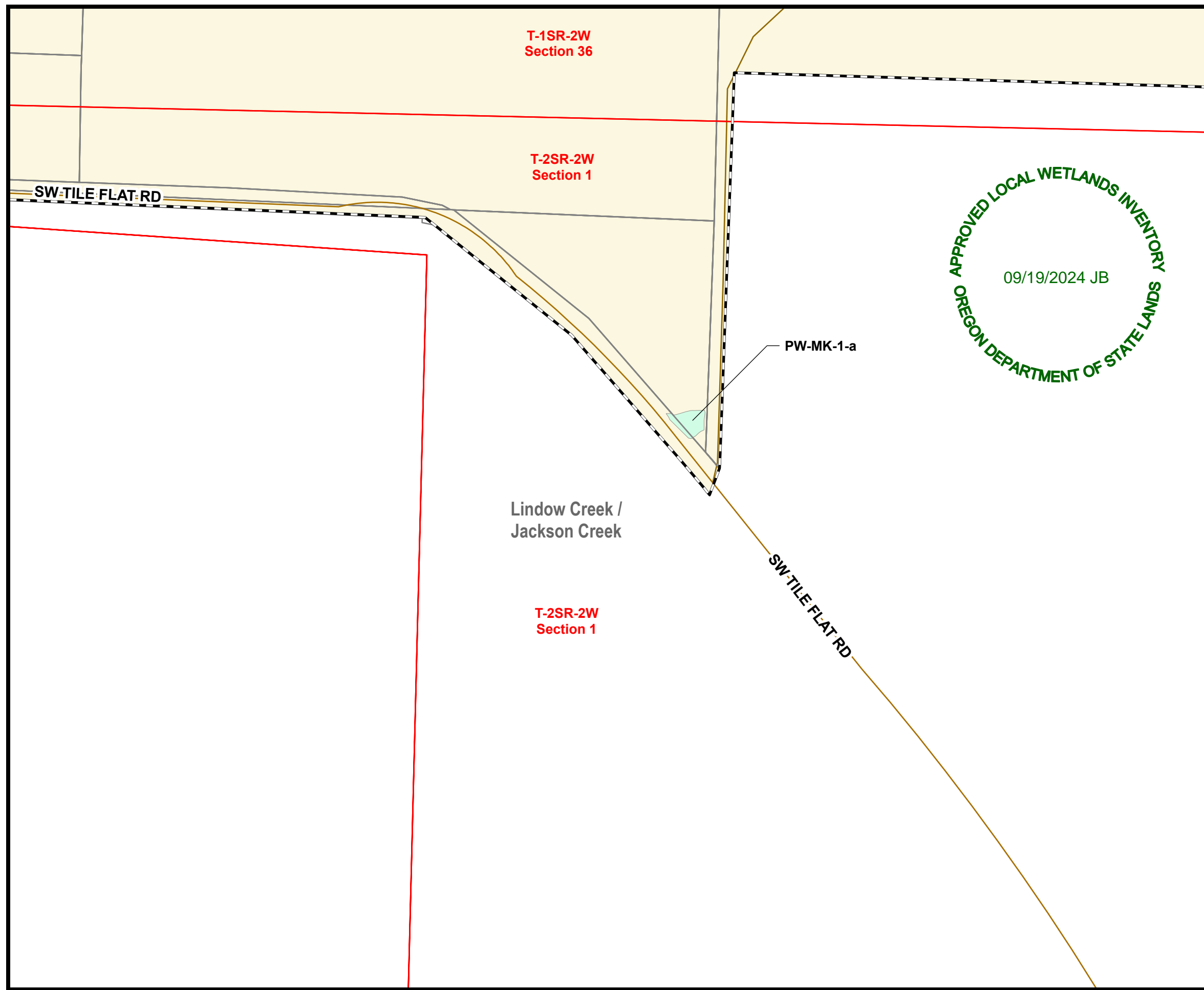
LOCAL WETLANDS INVENTORY

Legend

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 -  LWI Stream
 -  NHD Stream
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 -  Feature Extends Outside Study Area
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-  Johnson Creek South
 -  Lindow Creek/Jackson Creek
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 -  Beaverton City Limits
 -  Washington County Tax Lot
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13	14	15	16	17	

APPROVED LOCAL WETLANDS INVENTORY
 09/19/2024 JB
 OREGON DEPARTMENT OF STATE LANDS



Data Sources:
 LWI Study Area: City of Beaverton, 2020; LWI Streams: USGS NHD modified by DEA; LWI Wetlands: DEA; Metro RLIS

Disclaimer: Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.



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EXHIBIT 5 INVENTORY MAP



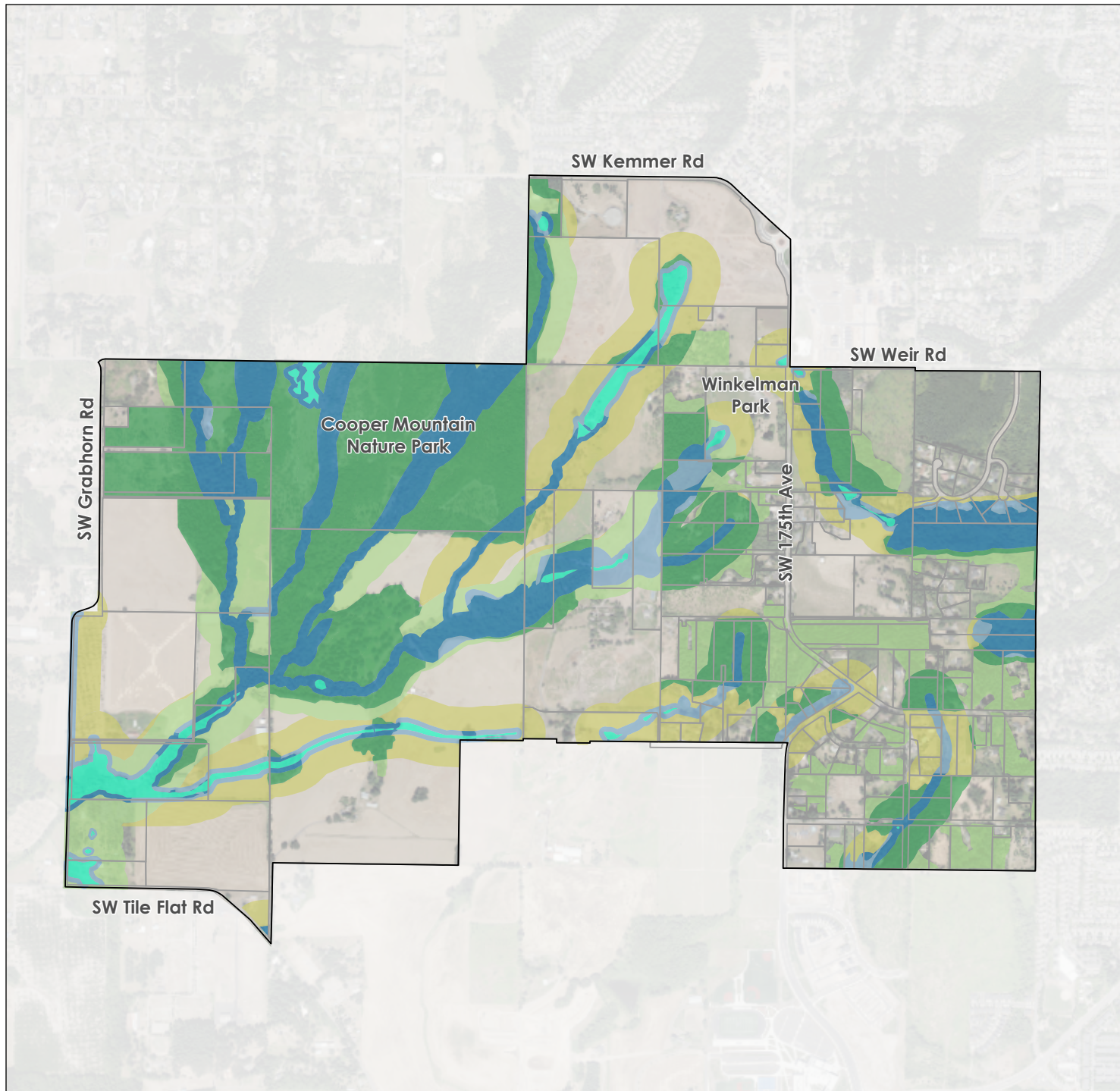
COOPER MOUNTAIN
COMMUNITY PLAN

Natural Resources

- Cooper Mountain Community Plan Boundary
- Cooper Mountain Taxlots

Habitat Rank - July 2024

- Riparian Class 1
- Riparian Class 2
- Upland Class A
- Upland Class B
- Upland Class C
- LWI Feature



RLIS 2019 Aerial Photo
Prepared by : COB GIS

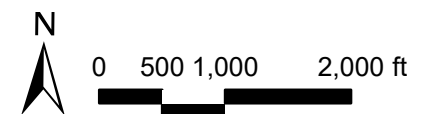


Exhibit 6 includes proposed amendments to Comprehensive Plan Volume I related to the Cooper Mountain Community Plan but also including some citywide changes.

- Language that has been skipped is indicated by “***”

Beaverton Transportation System Plan

Chapter 2: Goals and Policies

The entire Goal 6.2.9 is proposed to be added to Chapter 2. To make it easier to read, it is not all shown in red and underlined.

Goal 6.2.9: In the Cooper Mountain Community Plan area, provide safe, comfortable, convenient access to important destinations while supporting transportation options, including walking and biking.

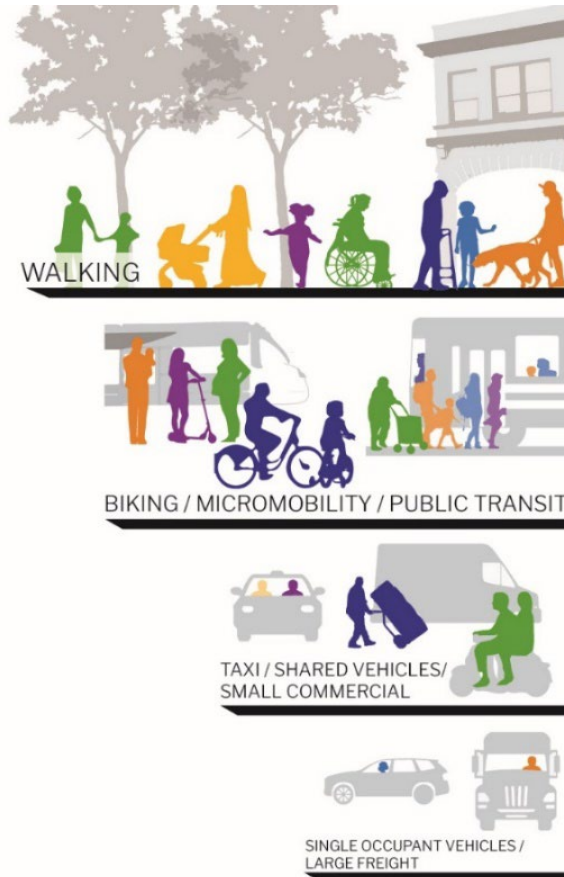
Policies:

ACTIVE TRANSPORTATION POLICIES

- Policy a)** Extend Beaverton's bicycle network by connecting bicycle facilities in Cooper Mountain to existing adjacent facilities and planned facilities Beaverton's Active Transportation Plan. Classify new bike facilities consistent with Beaverton's Active Transportation Plan and in coordination with Tualatin Hills Park & Recreation District for facilities that covered in its Trails Functional Plan.
- Policy b)** The city shall plan for and make transportation policy, design, and investment decisions consistent with its Complete Streets policy. Streets in the Cooper Mountain Community Plan area shall:
- Be designed with the goal of preventing all death and serious injuries.
 - Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.

- iii. Provide easy, dignified, and affordable access to places for people who cannot drive, or choose not to drive, for the trip they need to make.
- iv. Reflect the fact that everyone is a pedestrian and benefits from generous, attractive, and socially activated walking environments.
- v. Make walking, biking, and transit a viable and desirable transportation option for people of all ages and abilities.
- vi. Be designed to advance the city toward its goal of 100 percent greenhouse gas emissions reduction by 2050.
- vii. Facilitate an equitable, communitywide transition from gas-powered vehicles to electric vehicles.
- viii. Accommodate the movement of goods and services to sustain a vibrant local, regional, and state economy.
- ix. Comply with federal, state, and regional regulations.
- x. Be planned, designed, built, and maintained in accordance with the design principles and modal hierarchy in Beaverton's complete street policy below.

Complete street policy modal hierarchy



Policy c) Design the pedestrian and bike network so it is the most direct, enjoyable, and easiest way for people to access key destinations in the neighborhood.

- Policy d)** Provide low-stress, comfortable bike and pedestrian facilities for all ages and abilities, including along arterials, collectors, and neighborhood routes, and support people walking, bicycling, and using other modes of active transportation in Cooper Mountain.
- Policy e)** Coordinate with THPRD to implement Cooper Mountain’s trails, and with Metro for trails connecting to the Nature Park, as follows:
- i. Integrate the multi-use paths/trails planned for SW Kemmer, SW 175th, SW Tile Flat, and SW Grabhorn as part of street improvements.
 - ii. Illuminate paved multi-use trails, where feasible, to provide safer nighttime travel routes for people walking and biking. Consider the use of “dark sky” lighting techniques or other strategies to reduce disturbance to wildlife.
 - iii. Coordinate with THPRD on planning for the McKernan Creek Regional Trail.
 - iv. Provide opportunities for scenic viewpoints and environmental education along the McKernan Creek Regional Trail.
 - v. Coordinate the McKernan Creek Regional Trail with the Utility Plan when possible.
 - vi. Extend community trails from South Cooper Mountain, consistent with the Active Transportation Concept Map and THPRD Trails Functional Plan.
 - vii. Coordinate with THPRD and Metro on connecting active transportation facilities to the Nature Park’s nature trails, where feasible, consistent with the Active Transportation Map and THPRD’s Trails Functional Plan.
- Policy f)** In collaboration with THPRD, plan, design, and implement a pedestrian-bike bridge to connect the Cooper Lowlands and Grabhorn Meadow neighborhoods, applying the following principles:
- i. Minimize impact to McKernan Creek and riparian habitat.
 - ii. Provide passage for deer and other large mammals, such as by elevating the bridge to allow animals to pass underneath.
 - iii. Work with natural resource stakeholders during the design process.
 - iv. Coordinate bridge design and construction with THPRD’s Trails Functional Plan, and where feasible, with the Cooper Mountain Utility Plan.
- Policy g)** Integrate Americans with Disabilities Act standards and guidelines into the design and implementation of active transportation facilities, and for trails, meet THPRD standards established in THPRD’s Trails Functional Plan that balance accessibility with prohibitive impacts that include harm to significant cultural or natural resources; requirements of construction methods that are against federal, state, or local regulations; or terrain characteristics that prevent compliance.

TRANSIT POLICIES

- Policy h)** Ensure the mix and intensity of uses, community destinations, street design, and other characteristics of the Community Plan area support the future provision of transit service to the area.

- Policy i)** Coordinate with TriMet regarding future fixed route transit service.
- Policy j)** Coordinate with Washington County regarding future on-demand, microtransit service.
- Policy k)** Coordinate with TriMet and other mobility providers to promote access to public transportation and private mobility services and the ability to transfer between those services easily and efficiently.

COMPLETE AND CONNECTED STREETS POLICIES

- Policy l)** Implement the city’s Complete Streets Policy and tailor street designs to their land use context. Center people who have been negatively impacted by policy choices or those who are most vulnerable in our current system, including communities of color; children and their caregivers; seniors; and people with disabilities.
- Policy m)** Coordinate with Washington County on arterial planning, funding, improvements, and jurisdictional responsibilities.
- Policy n)** Design arterial streets consistent with the city’s Complete Streets Policy, Transportation System Plan (TSP), and the elements listed below.
 - i. Realign the “kink” on SW 175th.
 - ii. The cross-sections for Cooper Mountain arterials should include:
 1. Two general purpose travel lanes, one in each direction;
 2. Center turn lanes between the general purpose lanes as needed. When turn lanes are not required, median islands or similar treatments should be incorporated to promote speed management.
 3. Additional vehicle turn lanes at intersections to address safety needs of all users of the shared right of way that are designed to provide protection and priority to people of all ages and abilities walking, cycling, and taking transit.
 4. Arterials on the edge of the urban growth boundary shall have rural edges on the rural side and a separated multi-use path on the urban side.
 5. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
 6. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with

wheels, including people in the “interested but concerned¹” user category.

7. Wildlife-friendly crossing at the SW 175th “kink” realignment area and SW Grabhorn Road crossing of McKernan Creek.
8. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.

Policy o) Design and build collector streets consistent with the city’s Complete Streets Policy, TSP, and the following:

- i. The cross-sections for Cooper Mountain collectors should include:
 1. Two general purpose travel lanes, one in each direction.
 2. Center turn lanes between the general purpose lanes as needed. When turn lanes are not required, median islands or similar treatments should be incorporated to promote speed management.
 3. Additional vehicle turn lanes at intersections to address safety needs of all users of the shared right of way that are designed to provide protection and priority to people of all ages and abilities walking, cycling, and taking transit.
1. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
2. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned²” user category.
4. A wildlife-friendly crossing where Route 1 crosses McKernan Creek and where the pedestrian-bike bridge crosses McKernan Creek between Cooper Lowlands and Grabhorn Meadow.

¹ Interested but Concerned Bicyclists are the largest group identified by the research and have the lowest tolerance for traffic stress. Those who fit into this group tend to avoid bicycling except where they have access to networks of separated bikeways or very low-volume streets with safe roadway crossings. Source: U.S. Department of Transportation Federal Highway Administration Bikeway Selection Guide (2019)

² Interested but Concerned Bicyclists are the largest group identified by the research and have the lowest tolerance for traffic stress. Those who fit into this group tend to avoid bicycling except where they have access to networks of separated bikeways or very low-volume streets with safe roadway crossings. Source: U.S. Department of Transportation Federal Highway Administration Bikeway Selection Guide (2019)

5. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.
6. The McKernan Creek Trail continued on the south side of Weir Road.
7. The McKernan Creek Trail along portions of the “Route 1” north-south collector in a way that minimizes impacts to slopes and natural resources.

Policy p) Design and build neighborhood routes consistent with the city’s Complete Streets Policy, TSP, and the following:

- i. The cross-sections for Cooper Mountain neighborhood routes should include:
 1. Two general purpose travel lanes, one in each direction.
 2. Ten-foot general purpose travel lanes unless a transit route or truck route necessitates additional width along the neighborhood route.
 3. Safe, protected, and comfortable crossings that minimize crossing distances and give priority at intersections for people walking and using bicycles, mobility devices for people with disabilities, or other small mobility devices.
 4. Facilities designed to make the biking experience enjoyable and comfortable for people using bicycles or other small devices with wheels, including people in the “interested but concerned” user category.
 5. Planter/furnishing zone widths of 8 feet with sufficient soil volume or equivalent configurations to ensure larger trees can thrive and contribute to Cooper Mountain’s tree canopy goals.
- ii. The Cooper Lowlands Neighborhood Route south of and adjacent to McKernan Creek is planned as the access to lands north of the Community Park. The neighborhood route shall include the McKernan Creek Regional Trail where it is adjacent to natural resources area along McKernan Creek.
- iii. The High Hill Neighborhood Route will connect Siler Ridge Road to South Cooper Mountain. As the road is designed, it should take into account topography, tree preservation, and existing homes.
- iv. Incorporate street design elements that support vehicle speed and volume management such as roundabouts, curb extensions, and traffic diverters.

Policy q) Cooper Mountain streets shall connect to South Cooper Mountain streets and other abutting existing streets or streets planned for in the TSP except where the city concludes the connections are not feasible or desirable because of significant natural resources.

Policy r) Design bridges/culverts (vehicular and pedestrian-bike) for safe passage of deer and other large mammal in the following locations:

- i. Where Route 1 crosses McKernan Creek.
- ii. The realignment of SW 175th Avenue.
- iii. The pedestrian/bike bridge between the Cooper Lowlands and Grabhorn Meadow neighborhoods.
- iv. The SW Grabhorn Road crossing of McKernan Creek.

Exhibit 7 includes proposed amendments to Comprehensive Plan Volume IV related to the Cooper Mountain Community Plan. It adds Figure 4-11a.

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

Beaverton Transportation System Plan

Chapter 4 Future Needs & Improvement Plans

The Beaverton Transportation System Plan Update addresses system needs for today and identifies additional facilities required to serve future growth. This chapter summarizes the assumptions and methodology used to forecast traffic growth and presents improvements to address the long-term system improvements for all travel modes.

Motor Vehicles

The following section summarizes the general design of the motor vehicle system and identifies future needs.

Functional Classification

The current functional classification of streets in Beaverton was updated to reflect the expanded TSP study area, on-going regional planning, the functional needs of Beaverton, and consistency with the Regional Transportation Plan. Classifications of principal arterial, arterial, collector, neighborhood route and local have been developed based on connectivity (defined in the 2020 TSP), which is the best indicator of function. Figure 4-11 summarizes the functional classification recommendations. Streets designated in the RTP be designed with a modal orientation that reflects the function of the street and the character of surrounding land uses as defined in Chapter 1 of the RTP (see Appendix M)28.

Access Management

Access management is important, particularly on high volume roadways, for maintaining traffic flow and mobility. Where local and neighborhood streets function to provide access, collector and arterial streets serve greater traffic volume. Numerous driveways, or street intersections, increase the number of conflicts and potential collisions and decrease mobility and traffic flow. Beaverton, as with every other city, needs a balance of streets that provide access with streets that serve mobility. The 2020 TSP included the following access management recommendations:

- As property redevelops, an evaluation of compliance with relevant access management policies is made for areas proximate to freeway interchange

- If an existing access point is found non-compliant and it is the sole vehicular access for the property, a temporary access permit is issued that allows the property owners to continue access until such a time that alternative means can be made available
- In addition, the applicant will agree to potential cross-easements for circulation between adjoining properties
- When adjoining property re-develops that has compliant alternatives for vehicular access, the temporary permit of the first property owner is terminated and the non-compliant access is closed.

The City of Beaverton and Washington County minimum spacing standards are listed in Table 4-8.

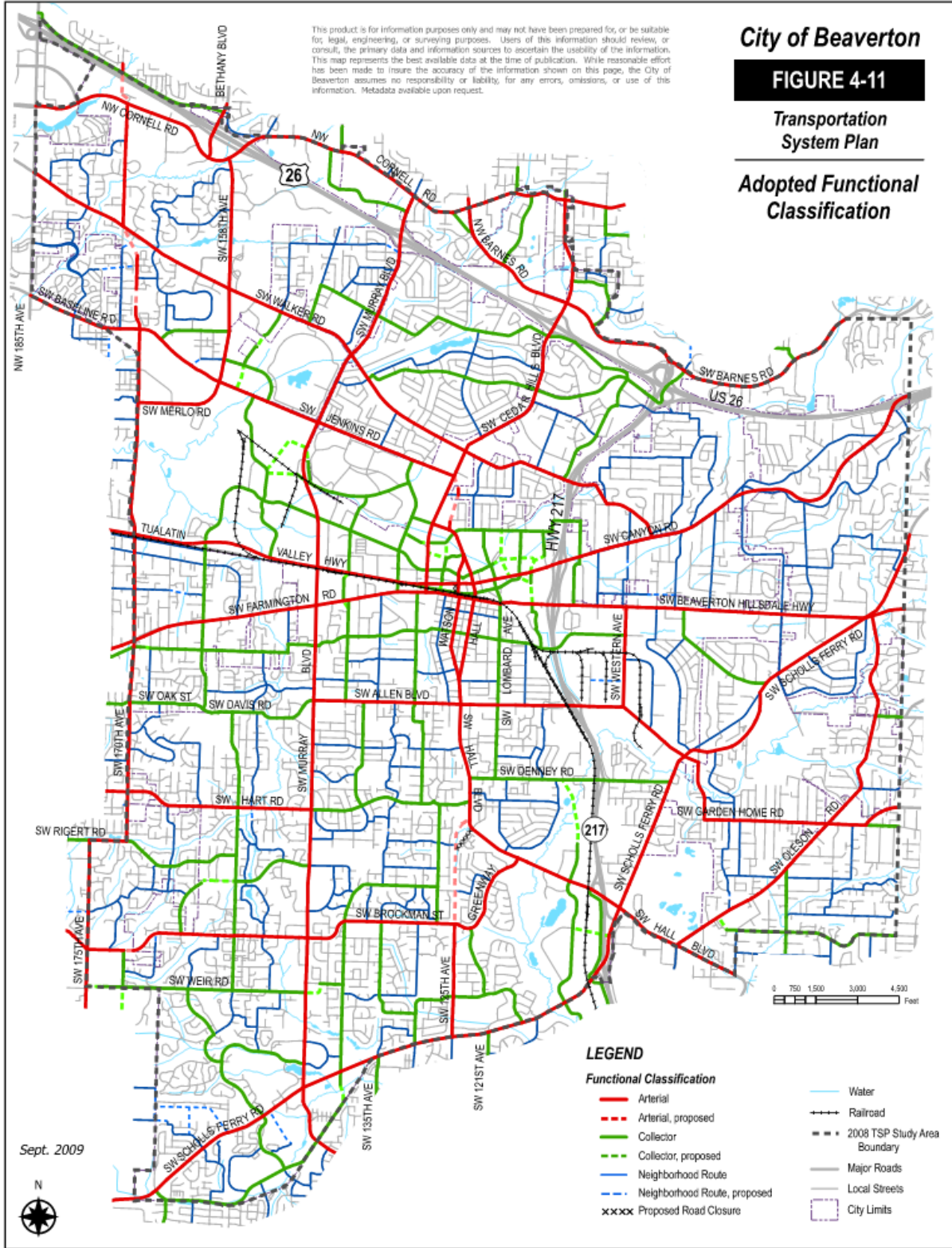
This product is for information purposes only and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review, or consult, the primary data and information sources to ascertain the usability of the information. This map represents the best available data at the time of publication. While reasonable effort has been made to insure the accuracy of the information shown on this page, the City of Beaverton assumes no responsibility or liability, for any errors, omissions, or use of this information. Metadata available upon request.

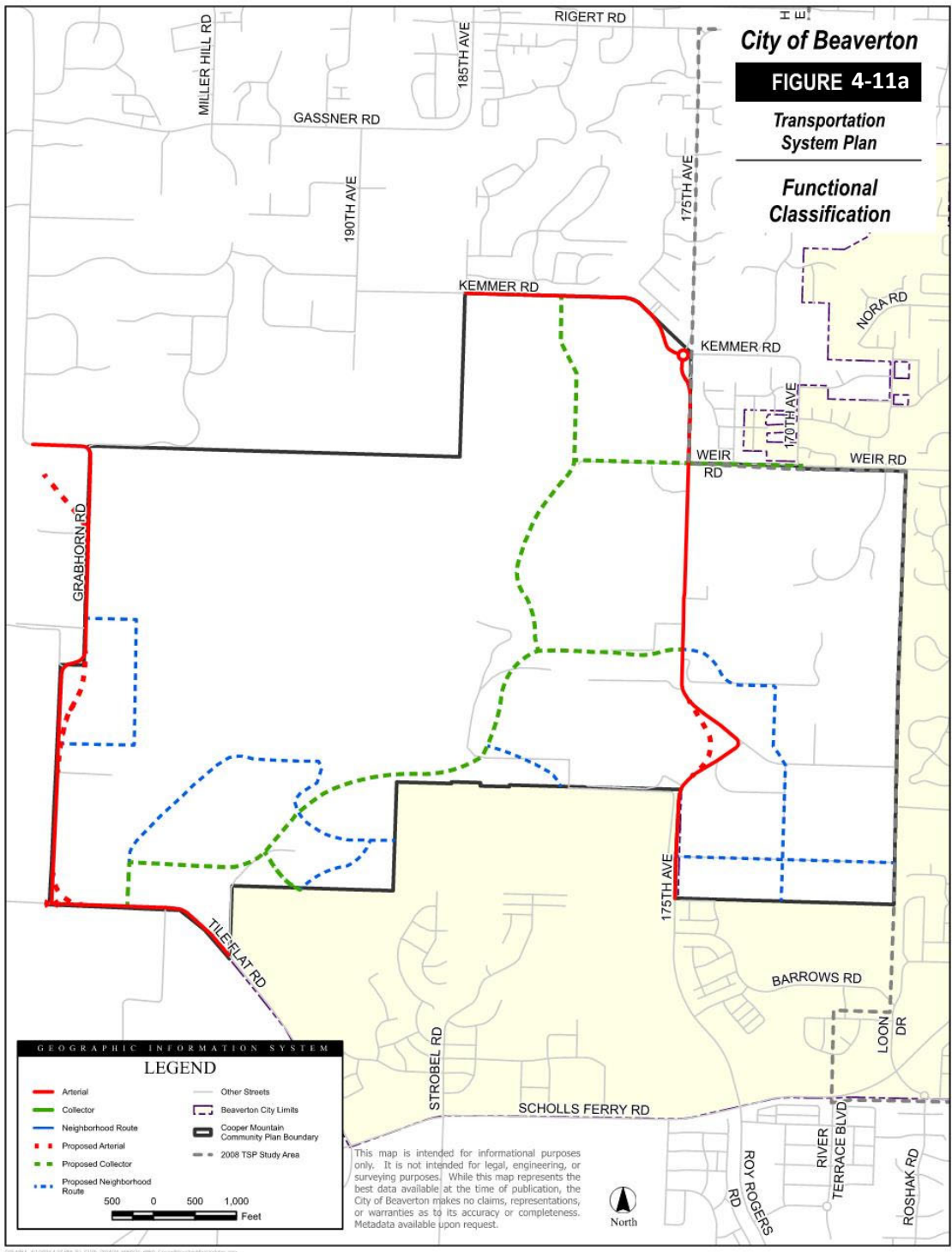
City of Beaverton

FIGURE 4-11

Transportation System Plan

Adopted Functional Classification





Transportation System Plan APPENDIX O

This is a list of future Cooper Mountain area projects that would be added to the TSP. When the Transportation System Plan is updated in the next couple years, these projects can be evaluated to determine if they are on the constrained or unconstrained lists regarding future funding.

Cooper Mountain Transportation Project List

Cooper Project ID	Location	Category	Project Description	Total Estimated Cost (2023)
1	Grabhorn Road at Stonecreek Drive	Arterial	Realign the curve along SW Grabhorn Road near SW Stone Creek Drive, as a County arterial with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$6,900,000
2	Grabhorn Road, southern curve	Arterial	Realign the curve along SW Grabhorn Road north of SW Tile Flat Road, as a County arterial with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$3,610,000
3	Grabhorn/Tile Flat Intersection	Intersection	Reconstruct the SW Grabhorn Road intersection with SW Tile Flat Road to install a roundabout or signalized intersection with protected bicycle and pedestrian crossings	\$5,880,000
4	175 th Avenue between Outlook Lane and Cooper Mountain Lane	Arterial	Realign SW 175 th Avenue between SW Outlook Lane and Cooper Mountain Lane, as a County arterial with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$7,630,000
5	185 th Extension	Arterial	Extend SW 185 th Avenue from Gassner Road to Kemmer Road as a County arterial with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$10,290,000

Cooper Project ID	Location	Category	Project Description	Total Estimated Cost (2023)
6a	McKernan Collector, south of Kemmer Road	Collector	Create a new City collector street between SW Kemmer Road and the bridge across McKernan Creek, with two general purpose travel lanes, one in each direction, and a shared-use bicycle and pedestrian path.	\$13,050,000
6b	McKernan Creek Crossing and Culvert	Collector	Create a new crossing over McKernan Creek, including a City collector street, with two general purpose travel lanes, one in each direction, and protected bicycle and pedestrian facilities, to extend the collector to the SW Siler Ridge Lane extension.	\$10,910,000
7	Weir Road, west of 175th	Collector	Extend SW Weir Road from SW 170th Avenue to the new north-to-south collector street, as a City collector, street with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$8,250,000
8	Siler Ridge Collector, McKernan Crossing to 175th	Collector	Extend SW Siler Ridge Lane from SW 175th Avenue to the new McKernan collector, as a City collector street with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$10,900,000
9	Siler Ridge Collector, Tile Flat to McKernan Crossing	Collector	Extend SW Siler Ridge Lane from SW Tile Flat Road to the new McKernan Collector, as a City collector street, with two general purpose travel lanes, one in each direction, a center turn lane where required, and protected bicycle and pedestrian facilities.	\$31,380,000
10	Mountainside Way Extension	Collector	Extend SW Mountainside Way to the SW Siler Ridge Lane collector, as a City collector street, with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$2,110,000

Cooper Project ID	Location	Category	Project Description	Total Estimated Cost (2023)
11	McKernan Creek Neighborhood Route	Neighborhood Route	Create a new City neighborhood route along McKernan Creek, north of the SW Siler Ridge Lane extension with, two general purpose travel lanes, one in each direction, and a shared-use bicycle and pedestrian path.	\$10,390,000
12	SW Bittern Lane Extension	Neighborhood Route	Extend SW Bittern Lane to SW Alvord Lane, as a City neighborhood route, with two general purpose travel lanes, one in each direction, and protected bicycle and pedestrian facilities.	\$1,510,000
13	Tile Flat Road, Barrows to Grabhorn	Arterial	Reconstruct SW Tile Flat Road from SW Barrows Road to SW Grabhorn Road, as a County arterial, with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$6,170,000
14a	Grabhorn Road, north of Tile Flat Road	Arterial	Reconstruct SW Grabhorn Road north of SW Tile Flat Road, as a County arterial with two general purpose travel lanes, one in each direction, with a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$4,030,000
14b	Grabhorn Road, south of Stonecreek	Arterial	Reconstruct SW Grabhorn Road south of SW Stonecreek Drive, as a County arterial with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$3,770,000
15a	175 th Avenue, Barrows to Cooper Mountain Lane	Arterial	Reconstruct SW 175 th Avenue from SW Barrows Road to SW Cooper Mountain Lane, as a County arterial, with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$3,750,000
15a	175 th Avenue, Outlook Lane to Kemmer	Arterial	Reconstruct SW 175 th Avenue from SW Outlook Lane to SW Kemmer Road, as a County arterial with two general purpose traffic lanes, one in each direction, a center turn	\$8,060,000

Cooper Project ID	Location	Category	Project Description	Total Estimated Cost (2023)
			lane where required, and a shared-use bicycle and pedestrian path.	
16	Kemmer Road, east of 175th	Arterial	Reconstruct SW Kemmer Road from SW 175th Avenue to the SW 185th Avenue extension, as a County arterial with two general purpose travel lanes, one in each direction, a center turn lane where required, and a shared-use bicycle and pedestrian path.	\$9,240,000
17	Weir Road, east of 175th	Collector	Reconstruct SW Weir Road from SW 175th Avenue to SW Mt Adams Drive, as a City collector street, with two general purpose travel lanes, one in each direction, a center turn lane where required, and protected bicycle and pedestrian facilities.	\$4,060,000
18	175th /Weir Road	Intersection	Construct the intersection at SW 175th Avenue and SW Weir Road by installing a traffic signal (when warrants are met) and providing protected bicycle and pedestrian crossings.	\$1,490,000
19	175th /Siler Ridge	Intersection	Construct the intersection at SW 175th Avenue and SW Siler Ridge Lane by installing a traffic signal (when warrants are met) and providing protected bicycle and pedestrian crossings.	\$1,490,000
20	Grabhorn/Gassner	Intersection	Reconstruct the SW Grabhorn Road intersection with SW Gassner Road by adding southbound and westbound left-turn lane and protected bicycle and pedestrian crossings.	\$1,400,000
21	Farmington/Grabhorn	Intersection	Reconstruct the south leg of the SW Farmington Road intersection with SW Grabhorn Road to create a 5-lane section on Grabhorn Road at the intersection, including protected bicycle and pedestrian crossings.	\$2,270,000
22	Farmington/Clark Hill	Intersection	Reconstruct the SW Farmington Road intersection with SW Clark Hill Road by adding a westbound vehicle left-turn lane.	\$700,000

Cooper Project ID	Location	Category	Project Description	Total Estimated Cost (2023)
23	170 th /Rigert	Intersection	Reconstruct the SW 170 th Avenue intersection with SW Rigert Road by installing a roundabout with protected bicycle and pedestrian crossings.	\$6,520,000
25	Alvord Lane, east of 175 th	Neighborhood Route	Extend SW Alvord Lane from SW 175 th Avenue to the SW Bittern Lane extension, as a City neighborhood route, with two general purpose travel lanes, one in each direction, and protected bicycle and pedestrian facilities.	\$5,540,000
26	Siler Ridge Lane, east of 175 th	Neighborhood Route	Reconstruct SW Siler Ridge Lane east of SW 175 th Avenue, as a City neighborhood route, with two general purpose travel lanes, one in each direction, and protected bicycle and pedestrian facilities.	\$2,640,000
27	New Route, Alvord to Mountainside	Neighborhood Route	Construct a new City neighborhood route, between the SW Alvord Lane extension and the SW Mountainside Way extension, with two general purpose travel lanes, one in each direction, and protected bicycle and pedestrian facilities.	\$2,650,000
28	Alvord Lane, east of Siler Ridge	Neighborhood Route	Extend SW Alvord Lane to the SW Siler Ridge Lane extension, as a City neighborhood route, with two general purpose travel lanes, one in each direction, and protected bicycle and pedestrian facilities.	\$3,010,000
29	New Route, Grabhorn neighborhood	Neighborhood Route	Construct a new City neighborhood route, connecting to SW Grabhorn Road in two locations, with two general purpose lanes, one in each direction, and protected bicycle and pedestrian facilities.	\$5,600,000

TRANSPORTATION NEEDS & IMPROVEMENTS

TO: Cooper Mountain Community Plan PMT
FROM: Carl Springer, Kevin Chewuk and Rochelle Starrett | DKS
DATE: December 8, 2020

Purpose and Overview

The purposes of this memorandum are to:

1. Review and summarize prior and ongoing transportation planning studies for the greater Cooper Mountain and River Terrace areas
2. Identify key transportation issues and constraints for advancing urban development
3. Summarize transportation improvements that have been recently built and identify those that have not
4. Identify critical transportation issues yet to be resolved

The studies and projects discussed in this report have been under review for many years. This is reflective of the many transportation challenges, particularly funding, that exist for implementing needed transportation solutions and improving the area's transportation system. It is also reflective of the scale of the improvements that are needed, for example the extension of Tile Flat Road to connect to the River Terrace area and the introduction of transit to the area. This memo provides a snapshot of the needs, issues and constraints as they are currently known, and the implications for the Cooper Mountain Community Plan project.

The Cooper Mountain Community Plan's working goals are listed below. They provide the high-level outcomes that transportation needs and solutions should be aligned with. The working goals are:

- Create equitable outcomes for residents, including historically under served and underrepresented communities.
- Provide new housing in a variety of housing types and for all income levels.
- Preserve, incorporate, connect, and enhance natural resources.
- Improve community resilience to climate change and natural hazards.
- Provide public facilities and infrastructure needed for safe, healthy communities.
- Provide safe, convenient access to important destinations while supporting transportation options, including walking and biking.
- Provide opportunities for viable commercial uses, including places to work and places to buy goods and services.



- Identify feasible, responsible funding strategies to turn the vision into a reality.

Recent and Ongoing Transportation Studies

Previous planning efforts for the South Cooper Mountain and River Terrace areas have identified a variety of issues and constraints of the existing transportation system, as well as projects to improve it. These studies include the South Cooper Mountain Community Plan, the River Terrace Community Plan in Tigard, the Urban Reserve Transportation Study (URTS) in Washington County, South Beaverton Transit Feasibility Study, and TriMet's Southwest Service Enhancement Plan. Together, these planning efforts set up a framework for an accessible and connected network of new streets, and facilities for pedestrians and bicyclists and for implementation of transit service in the future.

Key Issues and Constraints

The Cooper Mountain Community Planning effort is an opportunity to further shape the transportation system framework of the area established by previous studies. Through the Cooper Mountain Community Plan, prior transportation system recommendations and outstanding issues and constraints for the Plan area summarized in the following sections will be reviewed to ensure they align with current goals and desired outcomes for the Plan area.

Pedestrians and Bicyclists

The Cooper Mountain Community Plan area is largely rural today, characterized by high speed roadways that have not been improved to urban standards and generally lack accommodation for pedestrian and bicycle users. Significant segments of major streets connecting the study area to nearby services and amenities, including Scholls Ferry Road, 175th Avenue, Tile Flat Road and Grabhorn Road, lack pedestrian and bicycle accommodations.

Segments of Scholls Ferry Road and 175th Avenue have recently been improved to include pedestrian and bicycle facilities along the frontage of new development, and a short segment along Kemmer Road between 190th Avenue and 175th Avenue also provides a sidewalk on one side of the street, near the Cooper Mountain Nature Park. However, most existing roadways in the Plan area require users to walk or bike along the edge of the roadway due to the lack of facilities. The posted speeds along many of these roadways often range between 45 and 55 miles per hour and are generally not conducive to shared walking and biking travel.

The expansion of pedestrian and bicycle facilities near the Cooper Mountain Community Plan area will continue to incrementally occur over time as new development occurs and facilities are required as part of all new or reconstructed roadways. This includes the buildout of the pedestrian and bicycle networks planned as part of the South Cooper Mountain Community Plan, such as the on-street facilities associated with the Barrows Road extension to SW Tile Flat Road and SW Mountainside Way extension to SW Grabhorn Road (see Table 3 later in this document for more details).



The Cooper Mountain Community Plan area will establish a high-quality pedestrian and bicycle network to support access to residents' basic needs through safe, comfortable, and convenient facilities. The network will focus on the movement of people over the movement of vehicles and allow residents of all income levels equitable access to opportunities provided by the transportation system. This network of on-street pedestrian and bicycle facilities, off-street trails and shared use paths, and street crossing opportunities will allow all users to seamlessly reach destinations, including transit stops, schools, critical services, parks, open spaces and natural areas, and areas of employment.

Transit

Transit service is not currently provided in the study area, and the nearest stop is located nearly two miles away at SW Scholls Ferry Road/SW Teal Boulevard/SW Horizon Boulevard intersection (greater than the typical trip length for the average walking or biking trip). However, TriMet plans to extend Route 56 down Scholls Ferry Road to serve South Cooper Mountain in FY 22/23.

Park and ride facilities are provided for transit users at several locations in Beaverton, with the closest to the study area being along Davis Road near Murray Boulevard and along Scholls Ferry Road, just north of Highway 217.

The future transit service expansion brings service closer to existing and future Cooper Mountain residents. This service extension will allow users to connect with other regional transit service at the Washington

Square Transit Center, making more goods and services throughout the Portland metropolitan area accessible. Although most Cooper Mountain residents will still be more than ¼ mile from transit stops associated with the service expansion into the South Cooper Mountain neighborhood, all residents should have direct, safe, and convenient access to transit. Any improvements should not preclude additional expansion of transit service into the Cooper Mountain Community Plan area and should be coordinated with bicycle and pedestrian improvements.

TriMet Line 56 currently connects Washington Square Mall, Raleigh Hills, Hillsdale and Portland City Center. TriMet's 2015 Southwest Service Enhancement Plan calls for the expansion of Line 56 to Progress Ridge and South Cooper Mountain. With passage of the 2017 state transportation package, TriMet moved forward with plans to expand their service boundary and implement new service to Progress Ridge and South Cooper Mountain starting FY 21/22.

In March 2020, the City Council approved a Resolution supporting a proposed service boundary expansion into South Cooper Mountain. However, the impacts on transit due to the COVID-19 pandemic have since delayed TriMet's plans. TriMet hopes to expand Line 56 in either September 2022 or March 2023 (FY 2022/23), one year later than originally anticipated. That is the earliest they foresee, but it may have to be later if revenues continue to decline.



Street Connectivity

The existing roadways in the Cooper Mountain Community Plan area are significantly constrained by the sloping topography, which leads to high grades, narrow roads, and sharp turns. The topography combined with the rural development patterns significantly limits existing roadway connectivity in the Plan area. North-south vehicle traffic through the area are limited to indirect routes via SW Tile Flat Road, SW Grabhorn Road, SW 175th Avenue, and SW Roy Rogers Road. East-west routes, including SW Farmington Road and SW Scholls Ferry Road, are more direct through the area, although there is limited east-west local street connectivity beyond these corridors. The limited street connectivity also creates longer trip distances for users that walk or bike.

The South Cooper Mountain Community Plan included roadway extensions to complete the network and fill the connectivity gaps. Some of these roadways have been constructed with new development and many others are conditioned to be constructed with development in the near future (see Table 3 later in this document for more details). The Cooper Mountain Community Plan should plan for further extensions of these roadways into and through the area. This network will allow local trips to occur without traveling on the major regional roadway network but should be designed to fit seamlessly into the neighborhood and not become a barrier for pedestrian or bicycle travel.

Intersection Operations

Recent traffic operational analysis at nearby intersections identified areas in need of improvements. These improvements were identified to address anticipated traffic growth resulting from development in the South Cooper Mountain Community Plan area, as well as other regional traffic growth. The traffic operations analysis completed to identify these locations relied on adopted mobility targets that were current when the analysis was originally completed. These targets are one tool used to identify projects to support motor vehicle travel, although additional criteria is considered with the motor vehicle needs (e.g. pedestrian and bicycle needs) to ensure the transportation system is accessible and connected for all users.

Mobility targets for streets and intersections provide a metric for assessing the impacts of new development on the existing transportation system and for identifying where capacity improvements may be needed. They are the basis for requiring improvements needed to sustain the transportation system as growth and development occur. The City of Beaverton¹, Washington County¹, Metro¹ and Oregon Department of Transportation (ODOT standards are consistent with the regional standards) have adopted standards that apply to nearby intersections.

Many of the previously identified locations have since had improvements implemented, such as the installation of traffic signals at the SW Scholls Ferry Road/SW Tile Flat Road,



SW Roy Rogers Road/SW Bull Mountain Road and SW Roy Rogers Road/SW Beef Bend Road intersections, and roundabout at the SW Kemmer Road/SW 175th Avenue intersection. A summary of the previously forecasted congested locations, along with the recommended improvement status, is shown in Table 1.

Table 1: Previously Identified Operational Issues from South Cooper Mountain and River Terrace Community Plans

Forecasted Congested Locations	Recently Constructed Improvements
SW Riger Road/ SW 170th Avenue	None; Planned traffic signal or roundabout
SW Kemmer Road/ SW 175th Avenue	Roundabout
SW Scholls Ferry Road/SW Tile Flat Road	Traffic signal
SW Roy Rogers Road/SW Bull Mountain Road	Traffic signal
SW Roy Rogers Road/SW Beef Bend Road	Traffic signal
SW Scholls Ferry Road (SW Horizon Boulevard/SW Teal Boulevard to west of SW Roy Rogers Road/SW 175th Avenue)	Widening to 5-lanes

The Urban Reserves Transportation Study (URTS) more recently completed an assessment of transportation needs within the urban reserve areas of Washington County, including within the Cooper Mountain Community Plan area. The URTS work assumed all the Washington County urban reserve areas would be fully developed by 2040. This is a conservative look in some areas given that the urban reserves represent a 50-year land supply and may not be fully developed by the 2040 horizon of the study. The new transportation projects identified through this process are intended to supplement the County system to make the long-term growth supportable. Most of the identified supplemental projects are not in the County's current TSP; these projects will be refined and adopted through the various local Concept Plans or TSPs that are currently underway (including the Cooper Mountain Community Plan). Ongoing coordination between the cities and county is required to determine the final alignments, timing, and funding sources for these projects.

The URTS reconfirmed the increased congestion through 2040 previously forecasted in the South Cooper Mountain Concept Plan along several major corridors in the area, including:

- SW Roy Rogers Road
- SW 175th Avenue
- SW Tile Flat Road
- SW Grabhorn Road



The URTS study suggested potential improvements to consider, including controlling access, Transportation System Management and Operations (TSMO), or other capacity enhancements. It also suggests constructing parallel routes, including through the Cooper Mountain Community Plan area, to provide travel options for local trips and help manage capacity of these major roadways. This study also identified future intersection capacity needs, summarized below in Table 2.

Table 2: Identified Nearby Future Operational Issues from the Urban Reserve Transportation Study

Forecasted Congested Locations	Identified Improvements
SW 170th Avenue/SW Rigert Road	New traffic signal or roundabout (included in South Cooper Mountain Community Plan)
SW Clark Hill Road/SW Tile Flat Road	New traffic signal or roundabout; (not included in South Cooper Mountain Community Plan)
SW Scholls Ferry Road/SW Clark Hill Road	None; Future study needed
SW Clark Hill Road/SW Farmington Road	None; Future study needed
SW 185th Avenue/SW Bany Road	None; Future study needed
SW Tile Flat Road/SW Barrows Road Extension	None; Future study needed

Previously Recommended Transportation Projects

Recommended projects from the recent studies are summarized below in Table 3 and shown in Figures 1 and 2. Some of these projects have been constructed with new development and many others are conditioned to be constructed with development in the near future. These projects include street extensions and roadway upgrades with pedestrian and bicycle facilities, intersection improvements or crossing enhancements for vehicles, pedestrian and bicyclists, shared use paths, and other projects. Some of the previously identified shared use path projects are adjacent to existing or planned roadways. Although these projects are shown as separate projects from the roadway element, they combine to provide complete streets for all users. The Cooper Mountain Community Plan will address appropriate locations to construct on-street pedestrian or bicycle facilities (including roadway adjacent shared use paths), or off-street shared use path facilities to ensure that all new roadways are constructed as complete streets.



Table 3: Summary of Previously Identified Projects from South Cooper Mountain Community Plan

ID	Project Description	Status*	Cost Estimate (2020) **
Projects Constructing or Realigning Streets On-Site			
1	Extend 185th Avenue from Gassner Road to Kemmer Road as a 3-lane County arterial.	Planned	\$6,626,000
2	Realign 175th Avenue between Outlook Lane and Cooper Mountain Lane, as a 3-lane County arterial.	Planned	\$6,552,000
3	Realign the curve along Grabhorn Road near Stone Creek Drive, as a 3-lane County arterial.	Planned	\$5,263,000
4	Realign the curve along Grabhorn Road north of Tile Flat Road, as a 3-lane County arterial.	Planned	\$3,371,000
5	Realign Grabhorn Road east to provide a through connection with Tile Flat Road, as a 3-lane County arterial.	Planned	\$5,419,000
6a	Create a new east-to-west 3-lane City Collector street from Tile Flat Road to the new north-to-south Collector Street.	Development Condition of Approval; Incomplete	\$3,745,000
6b	Create a new east-to-west 3-lane City Collector street from the new north-to-south Collector Street to 175th Avenue.	Development Condition of Approval; Incomplete	\$12,620,000
6c	Create a new east-to-west 3-lane City Collector street from 175th Avenue to Loon Drive.	Development Condition of Approval; Partially complete	\$9,813,000
7	Extend Tile Flat Road between Scholls Ferry Road and the Roy Rogers Road/Bull Mountain Road intersection, as a 3-lane County arterial.	Planned	\$21,604,000
8a	Create a new north-to-south 2-lane City collector street between Grabhorn Road and the UGB, just south of the Alvord Lane Extension	Development Condition of Approval; Incomplete	\$10,888,000
8b	Create a new north-to-south 2-lane City collector street between the UGB, just south of the Alvord Lane Extension and Scholls Ferry Road	Development Condition of Approval; Incomplete	\$12,677,000
8c	Create a new north-to-south 2-lane City collector street between Scholls Ferry Road and the Tile Flat Road extension.	Development Condition of Approval; Incomplete	\$2,226,000



ID	Project Description	Status*	Cost Estimate (2020) **
Projects Improving Existing or Proposed Intersections			
9	Construct a traffic signal or roundabout at the Rigert Road/170th Avenue intersection.	Planned	\$2,301,000
10	Construct a roundabout at the Kemmer Road/175th Avenue intersection.	Completed	\$2,876,000
11	Construct a westbound right turn lane at the Scholls Ferry Road/ Horizon-Teal Boulevard intersection.	Planned	\$576,000
Projects Upgrading Existing County Streets to Urban Standards			
12	Improve Scholls Ferry Road from Roy Rogers Road-175th Avenue to Tile Flat Road as a 5-lane County arterial.	Development Condition of Approval; Incomplete	\$9,393,000
13a	Improve Tile Flat from Scholls Ferry Road to the UGB, north of the new east-to-west Collector Street, as a 3-lane County arterial.	Development Condition of Approval; Incomplete	\$3,480,000
13b	Improve Grabhorn Road from the UGB, north of the new east-to-west Collector Street, to the UGB, near Stone Creek Drive, as a 3-lane County arterial.	Planned	\$4,797,000
13c	Improve Grabhorn Road from the UGB, near Stone Creek Drive, to Gassner Road, as a 3-lane County arterial.	Planned	\$4,987,000
14a	Improve 175th Avenue from Scholls Ferry Road to the UGB, north of Alvord Lane, as a 3-lane County arterial.	Development Condition of Approval; Completed	\$8,162,000
14b	Improve 175th Avenue from the UGB, north of Alvord Lane, to Kemmer Road as a 3-lane County arterial.	Planned	\$4,533,000
15	Improve Kemmer Road from 175th Avenue to the 185th Avenue extension as a 3-lane County arterial.	Planned	\$2,980,000
16	Improve Gassner Road from Grabhorn Road to the 185th Avenue extension as a 2-lane County collector.	Planned	\$2,848,000
Projects to Construct Community Shared-Use Path or Enhanced Street Crossings***			
17a	Construct a community shared-use path (South Cooper Loop Trail) along the east side of Grabhorn Road and Tile Flat Road, between Scholls Ferry Road and the UGB.	Development Condition of Approval; Incomplete	\$650,000



ID	Project Description	Status*	Cost Estimate (2020) **
17b	Construct a community shared-use path (South Cooper Loop Trail) along the east side of Grabhorn Road and Tile Flat Road, between the UGB and the west side of the Cooper Mountain Nature Park.	Planned	\$1,456,000
18	Construct a community shared-use path (South Cooper Loop Trail) along the north side of Scholls Ferry Road, between Tile Flat Road and 175th Avenue.	Development Condition of Approval; Incomplete	\$1,151,000
19a	Construct a community shared-use path (South Cooper Loop Trail) along the west side of 175th Avenue, between Scholls Ferry Road and the UGB.	Development Condition of Approval; Completed	\$1,622,000
19b	Construct a community shared-use path (South Cooper Loop Trail) along the west side of 175th Avenue, between the UGB and Weir Road.	Planned	\$1,513,000
20	Construct a community shared-use path, along the south side of the proposed neighborhood route between the proposed north-to-south collector street and 175th Avenue.	Development Condition of Approval; Incomplete	\$748,000
21	Construct a community shared-use path, along the north side of the proposed neighborhood route connecting the proposed north-to-south collector street with the proposed east-to-west collector street, east of 175th Avenue	Development Condition of Approval; Incomplete	\$645,000
22	Install crosswalk and pedestrian activated flasher on 175th Avenue at Weir Road.	Planned	\$93,000
Projects Identified in Previous Studies or Plans that were Re-Affirmed by the South Cooper Mountain Concept Plan			
-	Widen 209th Avenue-Grabhorn Road to five-lanes, north of Leland Drive.	Planned	\$31,508,000
-	Widen Farmington Road to five-lanes through the 185th Avenue intersection.	Planned	\$27,608,000
-	Add a westbound right turn lane at the Murray Boulevard/Beard Road-Brockman Road intersection.	Planned	\$277,000
-	Install a traffic signal at the Roy Rogers Road/Bull Mountain Road intersection.	Completed	\$409,000
-	Widen Roy Rogers Road-175th Avenue to five-lanes from Scholls Ferry Road to just south of Beef Bend Road.	Under construction - estimated completion 12/31/21	\$38,059,000



ID	Project Description	Status*	Cost Estimate (2020) **
23	Construct a regional shared-use path (Cooper Mountain Regional Trail) between the 175th Avenue/Weir Road intersection, the 185th Avenue/Gassner Road intersection (along the west side of the 185th Avenue extension), and the Grabhorn Road/Gassner Road intersection.	Planned	\$3,354,000

* Project status provided by Luke Pelz, City of Beaverton; ** 2020 cost estimate derived by factoring original 2015 cost estimate in the South Cooper Mountain Concept Plan; *** **Shared use paths are listed here for project identification and costing purposes as they were previously identified in the 2013 South Cooper Mountain Community Plan. Beaverton's current policy approach which plans and develops shared use paths as part of complete streets will be applied to refine these projects in the current planning process.**



Figure 1. Previously Identified Transportation Projects from the South Cooper Mountain Community Plan

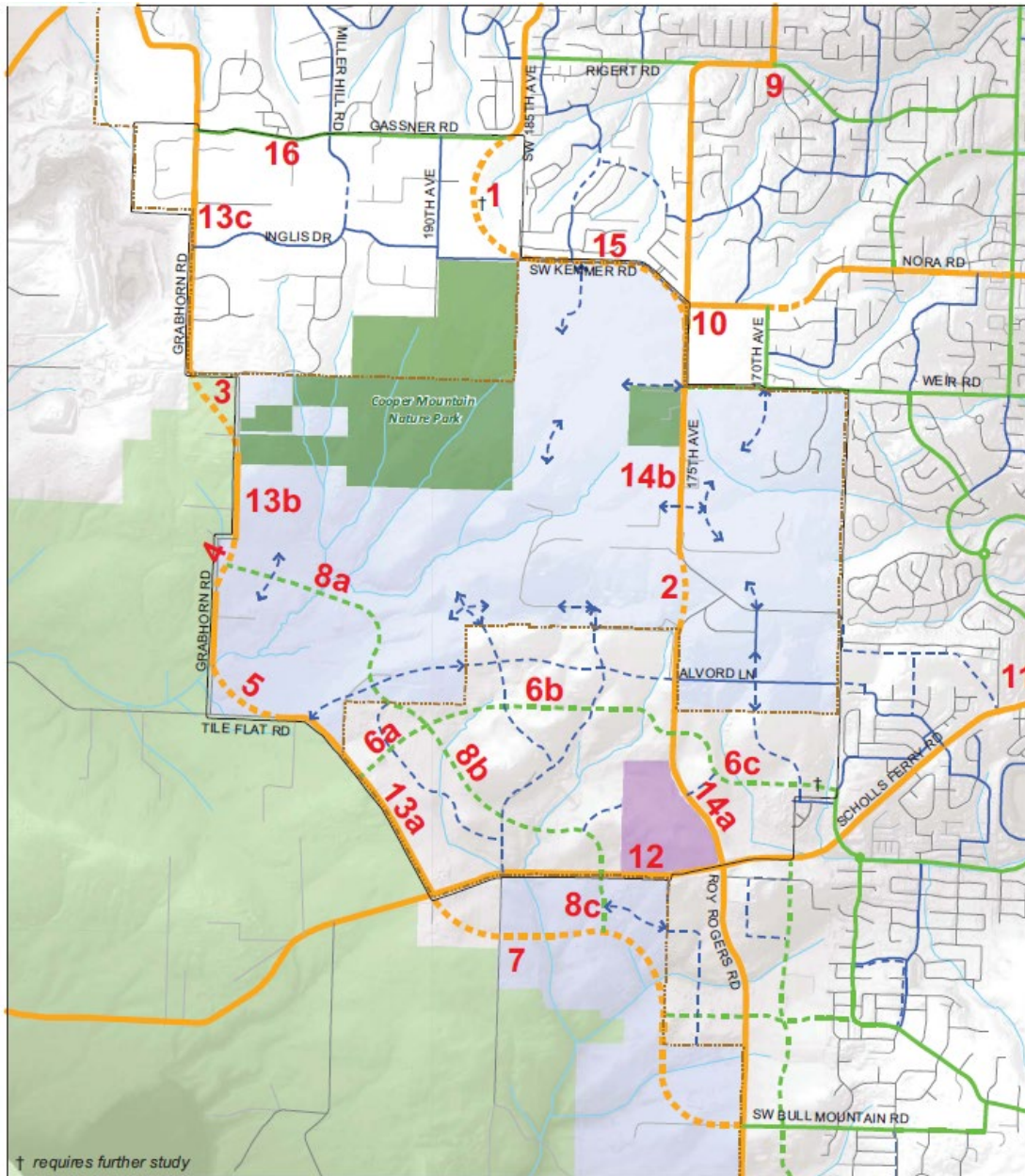
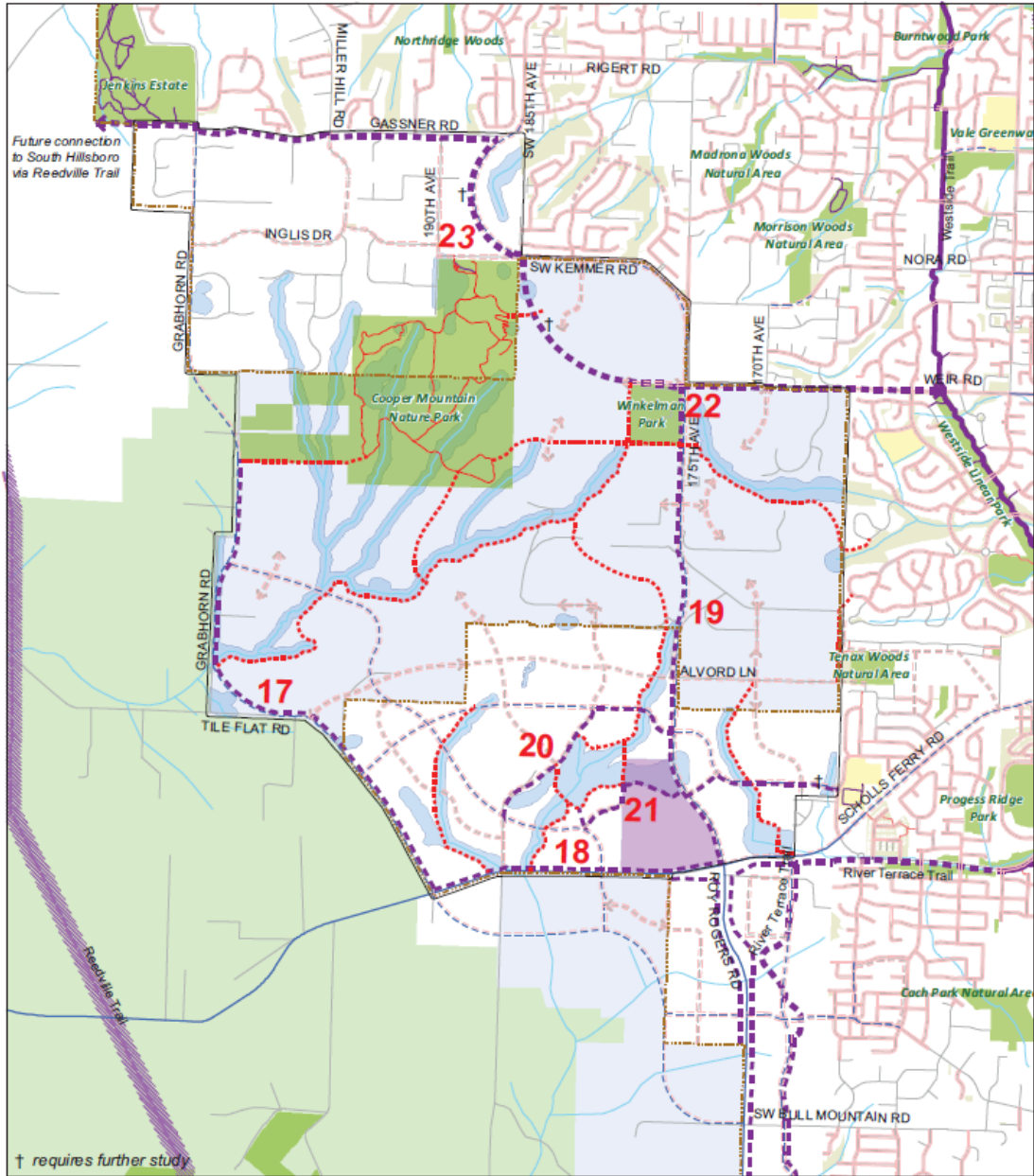


Figure 2. Previously Identified Pedestrian and Bicycle Projects from the South Cooper Mountain Community Plan



The URTS identified supplemental projects needed to support additional development in Washington County's urban reserve areas. Washington County staff and URTS Technical Advisory Committee members identified the following projects for additional feasibility analysis (see Figure 3). Many of these projects were previously recommended in the South Cooper Mountain Community Plan, as indicated below. Additional refinement and coordination with local agencies will be needed to determine the appropriate scale and design of these projects, including provisions for pedestrian and bicycle facilities.

1. SW 175th Avenue Widening and Realignment (SW Weir Road to SW Barrows Road)
 - This is consistent with Project 2 and 14b from the South Cooper Mountain Community Plan.
2. SW 185th Avenue Extension (SW Gassner Road to SW Kemmer Road)
 - This is consistent with Project 1 from the South Cooper Mountain Community Plan.
3. SW Tile Flat Road Extension (SW Bull Mountain Road to SW Beef Bend Road)
 - This is consistent with Project 7 from the South Cooper Mountain Community Plan.
4. SW Cornelius Pass Road Extension (SW Rosedale Road to SW Farmington Road)
5. SW Farmington Road Widening (SW 209th Avenue to SW Cornelius Pass Road Extension)
6. Local circulation within urban reserves, including Cooper Mountain
 - Consistent with Project 6a, 6b, 8a, 8b, and 8c from the South Cooper Mountain Community Plan.

Figure 3. URTS Projects to be Further Studied





Implications for the Cooper Mountain Community Plan

Through the Cooper Mountain Community Plan, prior transportation system recommendations and outstanding issues and constraints for the Plan area will be reviewed to ensure they align with current goals and desired outcomes for the Plan area. Based on the findings in this memo, the following is a summary of the key transportation recommendations for the Cooper Mountain Community Plan.

- Refine previously planned projects through the Cooper Mountain Community Plan area to ensure they align with current objectives.
- Focus on the movement of people over the movement of vehicles.
- Establish a high-quality pedestrian and bicycle network to support access to residents' basic needs through safe, comfortable, and convenient facilities.
- Coordinate future transit service expansion with bicycle and pedestrian improvements to ensure that all residents have safe and convenient access to transit.
- Complete on-street and off-street network connectivity gaps that allow for shorter trip distances for users that walk or bike.
- Identify roadway extensions to complete the network and allow local trips to occur without traveling on major roadways.
- Design roadway improvements to fit seamlessly into the neighborhood and not become a barrier for pedestrian or bicycle travel.
- Define funding and implementation plans for the area's priority projects that will likely be led by the public sector.

Cooper Mountain Community Plan Project

Proposed Beaverton 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 “***”

Commentary:

This section has been updated to include the Cooper Mountain Zoning Districts in Section 10.25 (Classification of Zoning Districts) and add a new section 10.32 (Overlays).

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

Effective on: 6/1/2012

10.25. Classification of Zoning Districts and Overlay Zones.

The City is divided into the following zoning districts, each of which shall include a suffix letter designator with its map symbol to indicate its classification. Each zone provides a set of regulations governing the uses, lot size, building setbacks, height, and other development standards. Property may also be subject to an overlay. An overlay zone establishes additional regulations beyond the base zone to address specific community objectives. In some cases, an overlay zone may provide exceptions to or supersede the regulations of the base zone.

Commentary:

The proposed amendments update the zoning district classification table to incorporate the proposed new zones for Cooper Mountain, including two residential districts, one commercial district, and one multiple-use district as well as two new overlays: Cooper Mountain Parks Overlay and Resource Overlay.

The Resource Overlay map has different approval processes because the initial geography was established based on available information (including but not limited to aerial photographs and topographic maps).

The city anticipates that once properties are annexed and development is proposed, on-the-ground, site-specific data will provide more accurate information on the location of the protected resources, which will inform the precise location of the Resource Overlay boundary as property owners supply that information and apply for modifications.



Classification of Zoning Districts

ZONING DISTRICT	ABBREVIATION
Residential Districts [ORD 4822; June 2022]	
Multi-Unit Residential	MR
<u>Cooper Mountain - Multi-Unit Residential</u>	<u>CM-MR</u>
Residential Mixed A	RMA
Residential Mixed B	RMB
Residential Mixed C	RMC
<u>Cooper Mountain - Residential Mixed</u>	<u>CM-RM</u>
Commercial Districts [ORD 3352; January 1984]	
Neighborhood Service Center	NS
Community Service	CS
<u>Cooper Mountain - Community Service</u>	<u>CM-CS</u>
Corridor Commercial	CC
General Commercial	GC
Industrial Districts	
Office Industrial	OI
Office Industrial - Nike Campus	OI-NC
Industrial	IND
Multiple Use Districts	
Regional Center - Mixed Use	RC-MU
Regional Center - Beaverton Central	RC-BC
Regional Center - Old Town	RC-OT
Regional Center - Downtown Transition	RC-DT
Regional Center - East	RC-E
Office Industrial - Washington Square	OI-WS
Commercial - Washington Square	C-WS
Town Center - Multiple Use	TC-MU
Town Center - High Density Residential	TC-HDR
<u>Cooper Mountain – High Density Residential</u>	<u>CM-HDR</u>
Station Community - Multiple Use	SC-MU
Station Community - High Density Residential	SC-HDR
Station Community - Sunset	SC-S
Station Community - Employment Sub Area 1 & 3	SC-E1 & 3
Overlays	
<u>Historic Overlay</u> HO	
[ORD 4005; February 1998] [ORD 4058; September 1999] [ORD 4075; December 1999] [ORD 4224; August 2002] [ORD 4265; October 2003] [ORD 4542; June 2010] [ORD 4799; January 2021] [ORD 4822, June 2022]	

10.30 Zoning Map.

1. The boundaries of the zoning districts established in this Code are indicated on a map entitled "Zoning Map of the City of Beaverton" which shall hereinafter be referred to as the "City zoning map". The City zoning map and all amendments and changes thereto, and all legends, symbols, notations, references, and other matters shown thereon, are hereby adopted by reference.
2. Amendments to the City zoning map may be made in accordance with Section 40.97. of this Code. Copies of all map amendments shall be dated with the effective date of the document adopting the map amendment and shall be maintained without change, together with the adopting document, on file in the office of the City Recorder. -[ORD 4224; August 2002]
3. The Director shall maintain an up-to-date copy of the City zoning map to be revised from time to time so that it accurately portrays changes of zone boundaries. The Zoning Map may be maintained in digital form. [ORD 3739; September 1990] [ORD 4224; August 2002]

[ORD 3494, 03/27/1986; ORD 3739, 09/08/1990; ORD 4224, 09/19/2002]

Effective on: 6/1/2012

10.32. Overlays.

An overlay zone establishes additional regulations beyond the base zone to address specific community objectives. In some cases, an overlay zone may provide exceptions to or supersede the regulations of the base zone. The overlay zones applicable to land within the City are:

<u>Overlays</u>	
<u>Historic Overlay</u>	<u>HO</u>
<u>Resource Overlay</u>	<u>RO</u>
<u>Cooper Mountain Parks Overlay</u>	<u>CMPO</u>

The Director will maintain an updated version of the Resource Overlay that will reflect changes if the overlay is adjusted through approved Development Code applications (in Section 40.70) to revise the Resource Overlay. Adjustments to the Historic Overlay and the Cooper Mountain Parks Overlay require approval by City Council in accordance with Section 40.97. The overlay maps may be maintained in digital form.

Commentary:

The proposed amendment clarifies that the city may consider approving zoning prior to annexation to be effective upon annexation. It also clarifies that that scenario applies to concept, neighborhood, and community plans and is consistent with the Washington County – Beaverton Urban Planning Area Agreement. In that case, the city may approve the zoning in advance but apply it upon annexation, when the city has jurisdiction over the property or properties that are annexed.

10.40. Annexation.

1. Any area annexed to the City shall retain the zoning classification of its former jurisdiction until changed by the City. In the interim period, the City shall enforce the zoning regulations of the former jurisdiction along with any conditions, limitations or restrictions applied by the former jurisdiction as though they were a part of this Code, except that the provisions of Chapters 30 through 80 of this Code shall supersede comparable provisions of the zoning regulations in force in the former jurisdiction at the time of annexation.
2. The City may consider the zoning for any area proposed for annexation at the same time as it considers annexation of the area or at a later time. The zoning decision shall not be a final decision for the purposes of judicial review until the date that the question of annexation has received all approvals required by City and State law and has become effective. [ORD 4135; December 2000] [ORD 4224; August 2002] [ORD 4397; August 2006]
3. [ORD 4135; December 2000] The process for zoning map amendments that are associated with annexations shall be as follows:
 - Section V.B of the Washington County - Beaverton Urban Planning Area Agreement (UPAA) says: "Upon annexation, the City shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the County. The City shall maintain a list of County land use designations and corresponding City Comprehensive Plan and zoning designations." This list has been adopted as Table 1 in Section 1.5.2. of the Comprehensive Plan. For parcels where the table provided in that section identifies a specific City zoning designation and leaves no discretion about which zoning district to assign, the City Council may adopt the required zoning map amendment without a public hearing pursuant to Section 40.97.15.3. (Non-Discretionary Annexation Related Zone Change) of this Code. [ORD 4224; August 2002] [ORD 4759; March 2019]
 - For parcels where Table 1 in Section 1.5.2. of the Comprehensive Plan does not identify a specific City zone and discretion is required, a public hearing shall be held pursuant to Section 40.97.15.4. (Discretionary Annexation Related Zone Change) of this Code. The Planning Commission may conduct the public hearing on the zone change unless State law requires the City Council to hold a public hearing in which case the hearing will be conducted by the City Council in accordance with Section 50.50 and the Planning Commission hearing will not be required. Upon annexation, the City shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the County as required by the UPAA. Criteria for annexation-related zone changes requiring discretion are in Section 40.97.15.4.C. [ORD 4224; August 2002] [ORD 4397; August 2006] [ORD 4759; March 2019] [ORD 4809; September 2021]
4. [ORD 4224; August 2002] Development, uses, or both which have received approval from the former jurisdiction shall continue to be approved and subject to the conditions of approval established by the former jurisdiction, if any. After the effective date of either Annexation Related Zone Change application, any change to any development or uses annexed into the City shall be subject to the City zoning regulations in effect at the time of the proposed change.
5. The City may consider zoning prior to annexation in anticipation of that zoning being effective upon annexation. This includes zoning consistent with Washington County – Beaverton Urban Planning Area Agreement Section V.B. for concept, neighborhood, and community plans adopted by the City prior to annexation.

[ORD 4135, 12/28/2000; ORD 4224, 09/19/2002; ORD 4312, 07/22/2004; ORD 4397, 08/10/2006; ORD 4759, 03/22/2019; ORD 4809, 09/16/2021]

Effective on: 9/16/2021

Cooper Mountain Community Plan

Proposed Beaverton 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 “***”

CHAPTER 20 - LAND USES

20.05. Residential Land Use Districts

20.05.20. Land Uses

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

Table 20.05.20.A Residential - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		MR	RMA	RMB	RMC
Residential					
1. Care	A. Care Facilities	P	P	P	P
2. Dwellings ¹⁷	A. Accessory Dwelling Units	P	P	P	P
	B. Single-Detached Dwelling ¹²	N ¹	P	P	P
	C. Duplex	P ⁸	P	P	P
	D. Triplex and Quadplex	P ⁸	P	P	P
	E. Townhouse	P	P	P	P
	F. Cottage Cluster	N	P	P	P
	G. Multi-Dwelling	P	P	N	N
	H. Home Occupation	P	P	P	P
	I. Manufactured and Mobile Homes ³	N	P ⁴	P	P
	J. Manufactured Home Parks	N	P	P	N
	K. Planned Unit Development	C	C	C	C
L. Home Testing of Consumer Electronic Products ¹³	P	P	P	P	
	M. Single-Room Occupancies	P	P	P	P
Commercial					

Table 20.05.20.A Residential - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		MR	RMA	RMB	RMC
3. Care	A. Hospitals	C	C	C	C
	B. Medical Clinics	C	C	C	C
	C. Child Care Facilities	C	C	C	C
	D. Residential Care Facilities	C	C	C	C
4. Lodging	A. Temporary Living Quarters	C ⁵	C ⁵	C ⁵	N
5. Animal Care ¹⁴	A. Major	C	C	C	C
	B. Minor	C	C	C	C
6. Storage	A. Self Storage Facilities	C	C	N ⁹	N
	B. Storage Yards ⁶	C	C	C	C
7. Marijuana Dispensary, Retail Marijuana Sales, Wholesale Marijuana Sales, Marijuana Processing		N	N	N	N
Civic¹⁵					
8. Cemetery		C	C	C	C
9. Education	A. Educational Institutions	C	C	C	C
	B. Commercial Schools	N	N	N	N
10. Places of Worship		C	C	C	C
11. Public Buildings and Uses	A. Non-Profit Public Services in Public Buildings	P ⁷	N	N	N
	B. Public Buildings	C	C	C	C
	C. Public Sewer and Water and Utility Transmission Lines	P	P	P	P
	D. Public Sewer, Water Supply, Water Conservation and Flood Control Facilities Other than Transmission Lines	C	C	C	C
12. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	C	C	C
	B. Public Dog Parks or Dog Runs	C	C	C	C
	C. Public Recreational Facilities	C	C	C	C
	D. Community Gardens	P	P	P	P
13. Shelters	A. Domestic Violence Shelters	P	P	P	P
	B. Emergency Shelters	P ²	P ²	P ²	P ²
	C. Mass Shelters	P	P	P	P
14. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C
15. Vehicle Camping ¹⁶		P	P	P	P
16. Wireless Communications Facilities		P	P	P	P

<p>Table 20.05.20.A Residential - Category and Specific Use</p>	<p>P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions</p>			
	MR	RMA	RMB	RMC
<ol style="list-style-type: none"> 1. Existing single-detached dwellings as of June 30, 2022 and their accessory uses and structures are Permitted uses in the MR zone and can be expanded or can be rebuilt if destroyed. New single-detached dwellings are Prohibited. [ORD 4822; June 2022] 2. Emergency Shelters may occur where allowed pursuant to Section 10.70.10. [ORD 4838; March 2023] 3. The placement of a manufactured home is subject to the design and placement criteria found in Section 60.20.20. 4. [Footnote repealed and reserved.] [ORD 4822; June 2022] 5. Limited to uses of Boarding, Rooming, and Lodging House. 6. Storage yards for recreational vehicles, boats, and trailers owned by residents in a residential development or planned unit development. 7. Only when abutting or directly across the street from Regional Center zones. 8. In the MR zone, all units of a duplex, triplex, or quadplex must be attached. [ORD 4822; June 2022] 9. Existing self-storage facilities as of June 30, 2022 are Conditional uses in the RMB zone. New self-storage facilities are Prohibited. [ORD 4822; June 2022] 10. [Footnote repealed and reserved.] [ORD 4804; August 2021] 11. [Footnote repealed and reserved.] [ORD 4822; June 2022] 12. Compact Detached Dwellings on lots fronting common greens, shared courts, or public streets may be permitted on sites that are two acres or greater in size through the Conditional Use-Planned Unit Development process. [ORD 4654; March 2015] 13. Home Testing of Consumer Electronic Products uses shall: [ORD 4786; July 2020] <ol style="list-style-type: none"> a. be limited to the hours of 7:00 AM and 7:00 PM, Monday through Saturday, in which technicians are allowed to occupy the residence; b. have at least two off-street parking spaces for technicians, so no on-street parking would occur with the use; c. be limited to two vehicles on-site at any one time; d. have a 24-hour on-site security system; e. have a contract for landscape and maintenance services to ensure that the home testing properties are well maintained for the neighborhood; f. be limited to no more than three home testing dwelling units within a quarter mile radius at any time; g. be limited to single-detached dwelling units; and [ORD 4822; June 2022] h. comply with the noise and odor limits contained in the City Code. 14. Animal Care uses provided as a private amenity to residents in multi-dwellings or on a common area serving multiple households. [ORD 4782; April 2020] [ORD 4822; June 2022] 15. Public Art shall be permitted pursuant to Section 60.50.25.13. [ORD 4782; April 2020] 16. Vehicle Camping may occur only where allowed through a program established by Council resolution and administered by the Mayor. The use is subject to the special requirements found in Section 60.50.25.14. Vehicle Camping uses do not require Conditional Use for extended hours of operation. [ORD 4779; March 2020] 17. Residential developments in the SCMCP area shall provide a variety of housing types consistent with the permitted and conditional uses of the applicable zone(s). The variety of housing shall be provided for sites: [ORD 4822; June 2022] <ol style="list-style-type: none"> a. Up to 15-acres (gross), a minimum of one (1) housing type; b. Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types; c. Greater than 30-acres (gross), a minimum of three (3) housing types d. For bullets a-c above, a minimum of 10 percent of each housing type shall be provided. 				

[ORD 3166, 04/30/1980; ORD 3184, 08/06/1980; ORD 3236, 01/28/1982; ORD 3293, 11/25/1982; ORD 3899, 06/02/1994; ORD 4036, 04/02/1999; ORD 4048, 07/08/1999; ORD 4079, 12/09/1999; ORD 4102, 05/04/2000; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4112, 07/14/2000; ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4397, 08/10/2006; ORD 4487, 08/21/2008; ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4595, 02/08/2013; ORD 4654, 03/25/2015; ORD 4659, 07/10/2015; ORD 4674, 02/10/2016; ORD 4702, 01/04/2017; ORD 4779, 03/06/2020; ORD 4782, 04/17/2020; ORD 4786, 07/03/2020; ORD 4804, 08/13/2021; ORD 4822, 06/30/2022; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

20.10. Commercial Zoning Districts

20.10.20. Land Uses

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

Table 20.10.20.A Commercial - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		NS	CS	CC	GC
Additional Requirements by Districts [ORD 4782; April 2020]		See 20.10.30	See 20.10.35	See 20.10.40	
Residential					
1. Care	A. Care Facilities	P	P	P	P
2. Dwellings ¹⁹	A. Accessory Dwelling Units	P	P	P	P
	B. Single-Detached Dwelling ¹⁰	N	N	N	N
	C. Duplex ¹¹	P ¹	P	P	P
	D. Triplex and Quadplex ¹¹	P ¹	P	P	P
	E. Townhouse	P ¹	P	P	P
	F. Cottage Cluster	N	N	N	N
	G. Multi-Dwelling	P ¹	P	P	P
	H. Home Occupation	P	P	P	P
	I. Manufactured and Mobile Homes	N	N	N	N
	J. Manufactured Home Parks	N	N	N	N
	K. Planned Unit Development	C	C	C	C
	L. Single-Room Occupancies	P ¹	P	P	P
Commercial					
3. Animal	A. Animal Care, Major	C	C	C	C
	B. Animal Care, Minor	P	P	P	P
4. Care	A. Hospitals	C	C	C	C
	B. Medical Clinics	C	C	C	C
	C. Child Care Facilities	C	P	P	P

Table 20.10.20.A Commercial - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		NS	CS	CC	GC
	D. Residential Care Facilities	C	C	C	C
5.	Eating and Drinking Establishment	P	P	P	P
6.	Financial Institutions	P	P	P	P
7.	Live/Work Uses	P	P	P	P
8.	Office	P ²	P	P	P
9.	Parking as the Principal Use	N	N	C	P
10.	Retail Trade ³	P	P	P	P
11.	Meeting Facilities	C	P C ⁷	P	P
12.	Marijuana Dispensary ¹³	N	P	P	P
13.	Retail Marijuana Sales ¹⁶	N	P	P	P
14.	Service Business/ Professional Services	P	P	P	P
15.	A. Self Storage Facilities	N	N	C	P
	B. Storage Yards	N	N	C	P
16.	Temporary Living Quarters	N	C	P	P
17.	A. Automotive Service, Major	C	C	N	C
	B. Automotive Service, Minor	C	P	C	P
	C. Bulk Fuel Dealerships	C	P	C	P
	D. Sales or Lease	N	N	N	P
	E. Rental	N	C	C	P
18.	Drive-Up Window Facilities	P	P	P	P
19.	Food Cart Pods ¹⁴	P ¹⁵	P	P	P
Civic¹⁷					
20.	Cemetery	N	N	N	N
21.	A. Commercial Schools	C	P	P	P
	B. Educational Institutions	P	P	P	P
22.	Places of Worship	C	P C ⁷	P	P
23.	Public Buildings, Services and Uses	C	C	C	C
24.	A. Public Parks, Parkways, Playgrounds, and Related Facilities	P	P	P	P
	B. Public Dog Parks or Dog Runs	C	C	C	C
	C. Recreational Facilities	P	P	P	P
25.	A. Domestic Violence Shelters	P	P	P	P
	B. Emergency Shelters	P ¹²	P ¹²	P ¹²	P ¹²
	C. Mass Shelters	P	P	P	P
26.	Social Organizations	C	P C ⁷	P	P
27.	Transit Centers	N	C	C	N

Table 20.10.20.A Commercial - Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		NS	CS	CC	GC
28. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C
	B. Transmission Lines	P	P	P	P
29. Vehicle Camping ¹⁸		P	P	P	P
30. Wireless Communications Facilities		P	P	P	P
Hours of Operation					
31. Uses Operating between 10:00 p.m. and 7:00 a.m. ^{5, 13, 16}		P C ⁶	P C ^{6, 7}	P	P C ⁸

Table 20.10.20.A Commercial - Category and Specific Use	P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
	NS	CS	CC	GC

The following Use Restrictions refer to superscripts found in Section 20.10.20.

1. Only 50% of the contiguous area, excluding public right-of-way and private street, within any NS zone may be developed residentially. Residential uses in a building above non-residential uses are not subject to the 50% maximum. [ORD 4822; June 2022]
2. No freestanding office structure or group of office structures shall exceed a combined total of 15,000 square feet.
3. No sales or outdoor storage of animals or livestock are allowed with this use.
4. [Repealed ORD 4673; March 2016]
5. Applicable to all uses, excluding marijuana dispensaries and retail marijuana sales. [ORD 4648; November 2014] [ORD 4674; February 2016]
6. Office, Domestic Violence Shelter, Emergency Shelter, and Mass Shelter uses do not require a Conditional Use for extended hours of operation. [ORD 4838; March 2023]
7. If property is greater than 500 feet from an existing Residential use in a Residential zone the use is Permitted. If property is within 500 feet from an existing Residential use in a Residential zone the use requires Conditional Use approval except for Domestic Violence Shelter, Emergency Shelter, and Mass Shelter uses. [ORD 4838; March 2023]
8. Conditional Use required when abutting a Residential Zone except for Domestic Violence Shelter, Emergency Shelter, and Mass Shelter uses. [ORD 4838; March 2023]
9. On a location containing an existing tower supporting one carrier and shall be consistent with other approvals. [ORD 4595; February 2013]
10. Existing single-detached dwellings as of June 30, 2022 and their accessory uses and structures are Permitted uses and can be rebuilt if destroyed. Building additions of up to 500 square feet of an existing single-detached dwelling are Permitted. New single-detached dwellings are Prohibited. [ORD 4822; June 2022]
11. All units of a duplex, triplex, or quadplex must be attached.
12. Emergency Shelters may occur where allowed pursuant to Section 10.70.10. [ORD 4838; March 2023]
13. Marijuana dispensary shall:
 - a. be subject to the provisions of ORS 475B.858; and [ORD 4697; December 2016] [ORD 4782; April 2020]
 - b. be allowed to operate only between the hours of 7:00 AM and 10:00 PM. Hours of operation may not be extended through the Conditional Use process as identified in this Code. [ORD 4648; November 2014]
14. Food Cart Pods, and their amenities, as described in Section 60.11, are exempt from the Site Development Standards of 20.10.15 but are subject to the standards of 60.11 of the Development Code. [ORD 4662; September 2015]
15. Permitted only when abutting a Collector or higher street classification. [ORD 4662; September 2015]
16. Retail Marijuana Sales shall:
 - a. be subject to the provisions of ORS 475B.109-119 and OAR Chapter 845, division 25; [ORD 4782; April 2020]
 - b. be located 1,000 feet from any existing Marijuana Dispensary or Retail Marijuana Sales use, except for instances of colocation within the same premises of Marijuana Dispensary and Retail Marijuana Sales uses when such colocation is permitted by state law; and
 - c. be allowed to operate only between the hours of 7:00 AM and 10:00 PM. Hours of operation may not be extended through the Conditional Use process as identified in this Code. [ORD 4674; February 2016]
17. Public Art shall be permitted pursuant to Section 60.50.25.13. [ORD 4782; April 2020]
18. Vehicle Camping may occur only where allowed through a program established by Council resolution and administered by the Mayor. The use is subject to the special requirements found in Section 60.50.25.14. [ORD 4779; March 2020]
19. Residential developments in the SCMCP area shall provided a variety of housing types consistent with the permitted and conditional uses of the applicable zone(s). The variety of housing shall be provided for site: [ORD 4822; June 2022]
 - a. Up to 15-acres (gross), a minimum of one (1) housing type;
 - b. Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types;
 - c. Greater than 30-acres (gross), a minimum of three (3) housing types.

[ORD 3136, 10/29/1979; ORD 3162, 04/03/1980; ORD 3184, 08/06/1980; ORD 3185, 09/17/1980; ORD 3204, 02/26/1981; ORD 3231, 12/08/1981; ORD 3290, 10/05/1982; ORD 3352, 01/19/1984; ORD 3739, 09/08/1990; ORD 3975, 03/07/1997; ORD 4071, 11/25/1999; ORD 4248, 05/08/2003; ORD 4332, 01/01/2005; ORD 4542, 06/17/2010; ORD 4595, 02/08/2013; ORD 4648, 11/28/2014; ORD 4659, 07/10/2015; ORD 4662, 09/11/2015; ORD 4674, 02/10/2016; ORD 4702, 01/04/2017; ORD 4779, 03/06/2020; ORD 4782, 04/17/2020; ORD 4804, 08/13/2021; ORD 4822, 06/30/2022; ORD 4838, 03/09/2023]

Effective on: 8/18/2023

20.20. Multiple Use Zoning Districts

20.20.20. Land Uses

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

[ORD 4576; January 2012] [ORD 4578; March 2012] [ORD 4706; May 2017] [ORD 4779; March 2020] [ORD 4782; April 2020] [ORD 4826; September 2022]

Table 20.20.20.A Multiple Use - Category and Specific Use		P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
		RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
Residential											
1. Dwellings ⁷⁰	A. Single-Detached Dwelling	N ⁶	N	N	N ⁶	N ⁶	N ⁶	N ⁶	N	N ⁵	N ⁵
	B. Duplex	P C ¹	N	N	P	P	N ⁴	N ⁴	P ⁶⁶	N	N
	C. Triplex and Quadplex	P	N	N	P	P	P	P	P ⁶⁶	N	N
	D. Townhouse	P	N	N	P	P	P ⁴	P ⁴	P ⁶⁶	N	N
	E. Cottage Cluster	N	N	N	N	N	N	N	N	N	N
	F. Multi-Dwelling	P ⁴⁴	P ²	P ³	P ⁴⁴	P ⁴⁴	P ⁴⁴	P ⁴⁴	P ^{44, 66}	N	N
	G. Home Occupation	P	P	P	P	P	P	P	P	N	N
	H. Planned Unit Development	C	C	C	C	C	C	C	C ⁶⁶	C	C
	J. Single-Room Occupancies	P	P	P	P	P	P	P	P ⁶⁶	N	N
	J. Accessory Dwelling Unit	P	N	N	P	P	P	P	N	P	P
2. Wireless Communications Facilities⁷¹											
		P	P	P	P	P	P	P	P	P	P
Commercial											
3. Animal	A. Animal Care, Major	N	N	N	N	N	N	N	N	N	N
	B. Animal Care, Minor	P	P	P	P	P	P	P	P	P	P
4. Care	A. Hospitals	P	P	C	C	N	P	C	P	N	N
	B. Medical Clinics	P	P	P	P ⁷	P ⁸	P	P ⁸	P	P ^{9,10}	P ^{9,10}

Table 20.20.20.A Multiple Use - Category and Specific Use		P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
		RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
	C. Child Care Facilities	P	P	P	P	P	P	P	P	P ⁹	P ⁹
	D. Residential Care Facilities	P	P	P	P	P	P	P	P	N	N
5.	Commercial Amusement	P C ¹¹	N	P C ¹²	C	C	C ¹³	C ¹³	P	N	N
6.	Drive Up Window Facilities ¹⁴	C	N P ¹⁶	P	C	C	C	N ¹⁰	N P C ^{17,18}	N ¹⁰	N ¹⁰
7.	Eating and Drinking Establishments	P	P ¹⁹	P	P	P ^{9,13}	P ⁹	P ^{10,13}	P	P ^{9,10}	P ^{9,10}
8.	Financial Institutions	P	P ²⁰	P	P	P	P	P	P	P ^{9,10}	P ^{9,10}
9.	Live/Work Uses	P	P	P	P	P	P	P	P	N	N
10.	Meeting Facilities	C P ²¹	C P ²¹	C P ²¹	C P ²¹	N	C P ²¹	N	C P ²¹	C P ²¹	C P ²¹
11.	Office	P	P	P	P ²²	P ^{8,23}	P	P ⁸	P	P	P
12.	Parking as the Principal Use	C	C	C	C N ²⁴	C	C	C	C	C N ²⁴	C N ²⁴
13.	Rental Business	P	P	P ²⁵	P ^{7, 22, 26}	P ^{26,27}	P ²⁷	P ²⁷	P ^{28,29}	P ²⁵	N
14.	Rental of Equipment Only	N	P ⁶¹	N	N	N	N	N	N	N	N
15.	A. Retail Trade	P ^{26, 30, 31}	P C ³²	P ²⁵	N P ^{22, 26, 33}	P ^{13,26}	P ^{9, 25, 34}	P ^{13,25}	P ²⁵	P ^{9,28} C ³⁵	P ^{9,28}
	B. Bulk Retail	N	N	N	N	N	N	N	N	N	N
16.	Service Business/Professional Services	P ^{9,36}	P C ³²	P ²⁵	N P ^{22, 26, 33}	P ^{13,26}	P ⁹	P ⁹	P	P ^{9, 10, 28}	P ^{9, 10, 28}
17.	Marijuana Dispensaries	N	N	N	N	N	N	N	N	N	N
18.	Retail and Wholesale Marijuana Sales	N	N	N	N	N	N	N	N	N	N
19.	A. Self Storage	N	N	P ³⁷	N	N	N	N	N	N	N
	B. Storage Yards	C ³⁸	N	N	N	N	N	C ³⁹	N	N	P ⁴⁰
20.	Temporary Living Quarters	C ⁴¹	N	P	C ⁴¹	C ⁴¹	P ⁴¹	C ⁴¹	C ⁴²	C ⁴²	C ⁴²
21.	A. Automotive Service, Major	C ²⁵	N	N	C N ⁴³	N	N	N	N	N	N
	B. Automotive Service, Minor	P	N	C	C	C ²⁵	N P C ¹⁷	C ²⁵	N P C ¹⁷	N	N
	C. Bulk Fuel Dealerships	N	N	N	N	N	N	N	N	N	N
	D. Sales or Lease	C ⁴⁵	N	N	C ^{9, 22, 26}	N	P ^{9,28}	P ^{9,46}	P ^{28,47}	N	N
	E. Rental	C ⁴⁵	N	N	C ^{9, 22, 26}	N	P ^{9,28}	P ^{9,46}	P ²⁸	P	P
22.	Food Cart Pods ⁶⁸	P	P	P	P	N	P	N	P	N	N
Civic¹⁹											
23.	A. Commercial Schools	P	C	P	P C N ^{33,48}	P ¹³	P	P	P	P ⁹	C ⁹
	B. Educational Institutions	P	C P ⁶⁷	P	P	P	P	P	P	P ⁹	C ⁹
24.	Places of Worship	P	P	P	P	P	P	P	P	P	P
25.	Public Buildings, Services and Uses	C	P	C	C	C	C	C	C	C P ⁴⁹	C P ⁴⁹

Table 20.20.20.A Multiple Use - Category and Specific Use		P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
		RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
26. Railroad Tracks and Facilities	A. Passenger	p ⁵⁰	P	P	P	P	P	P	P	P	P
	B. Freight	P	p ⁵¹	P	N	N	N	N	N	p ⁵¹	p ⁵¹
27. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities ⁷¹	C	p ⁵²	P	P	P	P	P	P	p ⁵³	p ⁵³
	B. Public Dog Parks or Dog Runs ⁷¹	C	C	C	C	C	C	C	C	C	C
	C. Recreational Facilities	p ¹¹	p ¹³	P	C	C	C ⁵⁴	C ⁵⁴	P	N	N
28. Shelters	A. Domestic Violence Shelters	P	P	P	P	P	P	P	P	P	P
	B. Emergency Shelters	p ⁶³	p ⁶³	p ⁶³	p ⁶³	p ⁶³	p ⁶³	p ⁶³	p ⁶³	p ⁶³	p ⁶³
	C. Mass Shelters	P	P	P	P	P	P	P	P	P	P
29. Social Organizations		p ⁴⁸	N	P C ⁴⁸	P C ⁴⁸	P C ⁴⁸	P C ⁴⁸	P C ⁴⁸	P	C	C
30. Transit Centers ⁷¹		N	P	P	C	C	C	C	P	P	P
31. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines ⁷¹	C	C	C	C	N	C	C	C	C	C
	B. Transmission Lines ⁷¹	P	P	P	P	P	P	P	P	P	P
32. Vehicle Camping ⁶⁹		P	P	P	P	P	P	P	P	P	P
Industrial											
33. Manufacturing, Fabricating, Assembly, Processing, and Packing		P C ⁵⁵	p ^{56,57}	N	p ⁶⁰	N	p ²⁸	N	p ²⁸	p ^{56,57}	p ^{56,57}
34. Marijuana Processing		N	N	N	N	N	N	N	N	N	N
35. Warehousing ⁵⁸		P	P	P	P	P	N	N	P	p ⁵⁹	p ⁵⁹
36. Laboratory		P C ⁵⁵	p ^{56,57}	N	p ⁶⁰	N	p ²⁸	N	p ²⁸	p ^{56,57}	p ^{56,57}
<p>The following Use Restrictions refer to superscripts found in Section 20.20.20.</p> <ol style="list-style-type: none"> Duplexes are Conditionally permitted in the RC-E and existing duplexes are Permitted. [ORD 4659; July 2015] [ORD 4799; January 2021] Permitted above a Permitted or Conditionally approved non-residential use (second story and above), provided at least 15% of the ground floor of the building consists of leasable commercial floor area, and such commercial space fronts onto a street. For the purposes of this footnote, "Multi-dwelling" means one or more units above a non-residential use. [ORD 4822; June 2022] Ground floor residential use is not permitted. Residential use is allowed only above a Permitted or Conditionally approved non-residential use; provided at least 15 percent of the ground floor of the building consists of leasable commercial floor area, and such commercial space fronts onto a street. For the purposes of this footnote, "Multi-dwelling" means one or more units above a non-residential use.[ORD 4822; June 2022] Existing duplexes and existing two-unit townhouses are Permitted and may be replaced. Three or more unit townhouses are Permitted. [ORD 4822; June 2022] Single-detached dwellings and their accessory uses and structures in existence as of September 19, 2002 are Permitted. [ORD 4224; September 2002] [ORD 4584; June 2012] [ORD 4822; June 2022] 											

Table 20.20.20.A Multiple Use - Category and Specific Use	P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions										
	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3	
6.											Single-detached dwellings in existence as of June 30, 2022 and their accessory uses and structures are Permitted uses and can be rebuilt if destroyed. Building additions of up to 500 square feet of an existing single-detached dwelling are Permitted. New single-detached dwellings are Prohibited. [ORD 4822; June 2022]
7.											Buildings larger than 50,000 sq ft are subject to approval of a Conditional Use.
8.											This use is allowed only in multiple use developments. Office uses shall not exceed 50% of the proposed residential floor area within the multiple use development, and shall be Permitted only when minimum residential densities are met.
9.											The maximum building footprint size for a building involving a single use shall be 10,000 square feet. In addition, the maximum square footage for these uses within a multiple use development shall be 25% of the total square footage of the development. [ORD 4584; June 2012]
10.											Drive-through uses are Prohibited; walk-ups Permitted. [ORD 4706; May 2017]
11.											Except for theaters, a building with a gross ground floor area larger than 20,000 square feet is subject to the approval of a Conditional Use.
12.											A new use that will not be enclosed in a building shall be a Conditional Use.
13.											These uses are Permitted only within multiple use developments, and shall have a maximum size of 10,000 square feet, provided that the minimum residential densities are met. [ORD 4659; July 2015]
14.											Applicable to uses providing this service.
15.											Drive-up window facilities beyond 500 feet of a light rail station platform are Conditionally permitted and are Prohibited within 500 feet of a light rail station platform.
16.											Eating and drinking establishments drive-up windows Prohibited; walk-ups Permitted.
17.											The use is Prohibited within a physical distance of ¼ mile of a light rail transit station platform, Conditional between ¼ mile and ½ mile of a station platform, and Permitted if greater than ½ mile of a station platform.
18.											Drive-through facilities are not permitted within 30 feet of a Major Pedestrian Route.
19.											Public Art shall be permitted pursuant to Section 60.50.25.13. [ORD 4782; April 2020]
20.											Drive-through uses lawfully established prior to June 17, 2010 are Permitted. [ORD 4584; June 2012]
21.											Buildings larger than 10,000 square feet, for a single use, are subject to approval of a Conditional Use. [ORD 4782; April 2020]
22.											No more than 50% of any one property may be developed for a single use type until a commitment has been made to develop a different class of use equivalent to at least 20% of the floor area occupied by the primary use.
23.											Small free-standing office uses are allowed within multiple use developments as defined in CHAPTER 90 of this ordinance, provided they do not exceed more than 50% of the residential floor area provided within the development, and that minimum residential densities are met.
24.											Provided parking is in a parking structure; surface parking as the primary use is Prohibited. [ORD 4659; July 2015]
25.											Activity is conducted wholly within an enclosed structure and no sales or outdoor storage of animals or livestock are allowed with this use.
26.											This activity is conducted wholly within an enclosed structure. Accessory open air sales or display related to the principal use may be permitted, provided that the outdoor space devoted to these uses does not occupy an area greater than the equivalent of 15% of the building gross floor area, excluding activities associated with a Temporary Use Permit. No outdoor sales or outdoor storage of animals or livestock are allowed with this use. [ORD 4659; July 2015] [ORD 4782; April 2020]
27.											These uses are Permitted only within multiple use developments and shall have a maximum size of 5,000 square feet, provided that the minimum residential densities are met.
28.											This activity is conducted wholly within an enclosed structure. No accessory open-air sales, display, or storage and no sales or outdoor storage of animals or livestock are allowed with this use.
29.											Use shall not be over 5,000 square feet in gross floor area.
30.											Retail trade: Permitted uses for building materials, home equipment and improvements, or landscape or nurseries sales shall not occupy more than 15,000 gross square foot of space in an individual building, site or parcel.
31.											Automobile parts or equipment as the principle use is Prohibited.

Table 20.20.20.A Multiple Use - Category and Specific Use	P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
32. Ancillary showrooms and retail are Permitted if comprising not more than 10% of gross building floor area, and provided that no individual retail use exceeds 2,000 square feet of gross building floor area. Retail is Conditional if use is between 10% and 20% of gross building floor area and no individual retail business use exceeds 5,000 square feet of gross building floor area. No freestanding uses are allowed. No sales or outdoor storage of animals or livestock are allowed with this use. [ORD 4659; July 2015]										
33. Individual uses larger than 50,000 square feet are Prohibited except on those parcels which are less than three net acres in size as formed by a grid of public or private streets.										
34. These uses are Permitted only within multiple uses developments, as long as the floor area of this use does not exceed 25% of the total proposed floor area within a multiple use development.										
35. Furniture and appliance stores are Prohibited. Hardware and home improvement stores not exceeding 10,000 square feet in gross floor area are Conditionally permitted.										
36. Repair other than auto repair.										
37. Use Permitted if lawful as of June 17, 2010; otherwise permitted as accessory to a primary Permitted use. [ORD 4659; July 2015]										
38. Only as an accessory use to a Permitted or Conditionally permitted use.										
39. Conditionally permitted for fully operable vehicles for sale, lease, or rent within one-quarter mile of the north side of the Tualatin Valley Highway Corridor land use designation between SW Murray Boulevard and SW Lloyd Avenue:										
a. Except as otherwise provided in this paragraph, this activity shall be conducted wholly within an enclosed structure. No accessory open air sales, display, or storage are allowed with this use, except that the prohibition against storage shall not apply to storage yards for fully operable vehicles for sale, lease, or rent.										
b. These storage yards may be authorized for a period of time up to and including five (5) years. Upon expiration of an approved time period storage yard use shall cease until a new authorization through a separate Conditional Use permit is approved.										
c. Within the approved storage yards open air sales or the display of fully operable vehicles for sale, lease, or rent is prohibited.										
d. The following existing site conditions must be present as of January 1, 2003 in the South Tektronix Station Community Plan Area, and more specifically located on the north side of the Tualatin Valley Highway Corridor land use designation between SW Murray Boulevard and SW Lloyd Avenue, in order for lots in this area to be authorized for the development of storage yards for fully operable vehicles for sale, lease, or rent.										
i. Are currently being used for the storage of fully operable vehicles for sales, lease, or rent.										
ii. Are currently shielded from public view with a sight-obscuring chain link fence.										
iii. Currently have established landscaping outside the fence along public right-of-way.										
iv. Are currently lighted to prevent vandalism.										
v. Are currently surfaced with compacted gravel or paving.										
e. Other site improvements, in addition to the following existing site conditions, may be required by the decision-making authority as conditions of approval for a development application.										
40. For building or landscaping materials; contractor's equipment, transit vehicles, and related vehicle or equipment maintenance activities.										
41. Motels are Prohibited.										
42. Limited to Hotels and Extended Stay Hotels.										
43. Only mechanical car washes open to the public are a Conditional Use; Other Automotive Service, Major uses are Prohibited.										
44. For the purposes of this footnote, "Multi-dwelling" is inclusive of one or more units above a permitted or Conditionally approved non-residential use. [ORD 4822; June 2022]										
45. All uses established after December 9, 1999 shall be conducted wholly within an enclosed structure. Accessory open air sales or display related to Permitted uses in existence on a site at the time this Code was adopted may be expanded on that site.										
46. Except as otherwise provided in this paragraph, this activity shall be conducted wholly within an enclosed structure. No accessory open air sales, display, or storage are allowed with this use, except that the prohibition against storage shall not apply to storage yards for fully operable vehicles for sale, lease, or rent within one-quarter mile of the north side of the Tualatin Valley Highway Corridor land use designation between SW Murray Boulevard and SW Lloyd Avenue.										
47. The maximum building footprint size for a building involving a single use shall be 10,000 square feet.										

Table 20.20.20.A Multiple Use - Category and Specific Use	P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
48. Buildings larger than 10,000 square feet are subject to approval of a Conditional Use.										
49. Permitted, including utility uses, if established as of February 7, 2002, otherwise Conditionally permitted.										
50. Such as transit stops, submitted for development after May 21, 2004.										
51. Such as switching yards, spur or holding tracks and freight depots, but not within 200 feet of a residential zone.										
52. Exclusive of spectator sports facilities.										
53. Limited to 0.5 acres in size, unless located on top of a building or structured parking.										
54. For individual uses greater than two gross acres, in addition to the criteria found in Section 40.15.15.3.C. for Conditional Use, the use must be transit supportive. [ORD 4584; June 2012]										
55. Laboratories, manufacturing uses that exceed 10,000 square feet in floor area require Conditional Use approval.										
56. Laboratories, manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities shall meet the following requirements: <ul style="list-style-type: none"> a. Activities are entirely enclosed within a building or structure whose appearance is compatible with normal industrial or office building design. b. Odors, noise, vibrations or other emissions are controlled within the confines of the building or structure. c. Are not for servicing or use by the general public. d. Do not entail outdoor storage of raw materials, finished products, animals or livestock. e. Do not entail movement of heavy equipment on and off the site, except truck deliveries. f. Do not involve bringing live animals or the waste or by product of dead animals to the site. g. Do not involve outdoor testing of products or processes on the site. h. Do not involve highly combustible, explosive or hazardous materials or waste. i. Examples of uses which normally meet all of the above characteristics include but are not limited to: printing, publishing, communications equipment, electronic components, measuring, analyzing and controlling instruments manufacturing. 										
57. Any use having the primary function of storing, utilizing, testing, experimenting or manufacturing of explosive material is Prohibited.										
58. As an accessory use, not to exceed 25% of the primary use.										
59. Use Restriction 58 does not apply to lawfully established warehouse uses existing prior to effective date of this zone.										
60. Permitted only within multiple use developments, as long as the floor area of this use does not exceed 50% of the total proposed floor area within a multiple use development.										
61. Exclusive of trucks, vehicles, or heavy equipment.										
62. On a location containing an existing tower supporting one carrier and shall be consistent with other approvals. [ORD 4595; February 2013]										
63. Emergency Shelters may occur where allowed pursuant to Section 10.70.10. [ORD 4838; March 2023]										
64. [Footnote repealed and reserved.] [ORD 4804; August 2021]										
65. [Footnote repealed and reserved.] [ORD 4804; August 2021]										
66. [ORD 4578; March 2012] The requirements identified in Section 20.20.40. apply.										
67. [ORD 4600; February 2013] Job Training and Vocational Rehabilitation Services are allowed as a Permitted Use, all other Commercial Schools require Conditional Use approval.										
68. Food Cart Pods, and their amenities as described in Section 60.11, are exempt from the Site Development Standards of 20.20.15 but are subject to the standards of 60.11 of the Development Code. [ORD 4662; September 2015]										
69. Vehicle Camping may occur only where allowed through a program established by Council resolution and administered by the Mayor. The use is subject to the special requirements found in Section 60.50.25.14. [ORD 4779; March 2020] [ORD 4799; January 2021]										
70. Residential developments in the SCMCP area shall provide a variety of housing types consistent with the permitted and conditional uses of the applicable zone(s). The variety of housing shall be provided for sites: [ORD 4822; June 2022] <ul style="list-style-type: none"> a. Up to 15-acres (gross), a minimum of one (1) housing type; 										

Table 20.20.20.A Multiple Use - Category and Specific Use	P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
b. Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types; c. Greater than 30-acres (gross), a minimum of three (3) housing types; d. For bullets a-c above, a minimum of 10 percent of each housing type shall be provided. 71. Exempt from minimum Floor Area Ratio requirements.										

[ORD 4005, 02/05/1998; ORD 4036, 04/02/1999; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4121, 09/28/2000; ORD 4224, 09/19/2002; ORD 4246, 04/03/2003; ORD 4248, 05/08/2003; ORD 4312, 07/22/2004; ORD 4332, 01/01/2005; ORD 4354, 07/14/2005; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4578, 04/05/2012; ORD 4595, 02/08/2013; ORD 4600, 02/08/2013; ORD 4648, 11/28/2014; ORD 4659, 07/10/2015; ORD 4662, 09/11/2015; ORD 4674, 02/10/2016; ORD 4697, 12/02/2016; ORD 4702, 01/04/2017; ORD 4706, 05/19/2017; ORD 4779, 03/06/2020; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021; ORD 4804, 08/13/2021; ORD 4811, 10/14/2021; ORD 4822, 06/30/2022; ORD 4826, 09/15/2022; ORD 4838, 03/09/2023]

Effective on: 8/18/2023

Cooper Mountain Community Plan

Proposed Beaverton Code Amendments

- Commentary is for information only.
- Language that has been skipped is indicated by “***”

The entire Section 20.22 is proposed to be added to Chapter 20. To make it easier to read, it is not all shown in red and underlined.

Commentary:

Proposed amendments in Section 20.22 would establish new zoning districts for the Cooper Mountain urban growth boundary expansion area to implement the Cooper Mountain Community Plan.

Zones unique to the Cooper Mountain area were developed because existing city zones were not sufficient to implement the Community Plan.

Four districts were created to address different desired land use outcomes, including a commercial district, a multiple-use district, and two residential districts.

The proposed amendments also include site development standards and a land use table to establish allowed uses and other development standards.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 20 – ZONING DISTRICTS

20.22. Cooper Mountain Zoning Districts

20.22.05. Cooper Mountain Areas.

The Cooper Mountain zoning districts provide zones to implement the Cooper Mountain Community Plan with a range of housing types, commercial opportunities, natural resource protection, parks, trails, and transportation. This section contains Residential, Commercial, and Multiple Use zoning districts. Refer to Section 10.25 for the classifications.

20.22.10. Purpose.

1. Cooper Mountain – Community Service (CM-CS)

The CM-CS District is intended to require a minimum amount of commercial uses to provide access to goods and services within Cooper Mountain while allowing significant residential development with a focus on Multi-Dwellings and Middle Housing.

2. **Cooper Mountain – High Density Residential (CM-HDR)**

The CM-HDR District is intended to be primarily a residential district with a focus on Multi-Dwellings and Middle Housing. Commercial uses also are allowed.

3. **Cooper Mountain – Multi-Unit Residential (CM-MR)**

The CM-MR District is intended to result in predominantly residential developments with a focus on Multi-Dwellings and Middle Housing.

4. **Cooper Mountain – Residential Mixed (CM-RM)**

The CM-RM District is intended to allow a mix of housing types, including detached and attached housing, at the lowest number of units per acre of Cooper Mountain's zones. It also allows small-scale commercial uses in some locations.

Commentary:

Some things to note for Table 20.22.15 that are different than zoning districts in other parts of Beaverton:

- Maximum building heights are proposed to be higher than in other comparable Beaverton districts to allow additional flexibility for applicants to provide a wider variety of housing types, build taller buildings with smaller footprints to avoid natural resources, and ensure an adequate building height can be achieved on land with steeper slopes.
- Multi-dwellings with five or six units are proposed to be added to the Table because multi-dwellings with those specific number of units are proposed to be allowed in CM-RM. This appears in Table 20.22.15.B where the minimum lot area required to build multi-dwellings with five or six units is established.
- Maximum residential density is not used to limit the size of residential projects. Maximum floor area ratio is used instead. This controls the size of the building rather than the number of homes in the building, which provides flexibility for projects to include a wider variety of unit sizes, including smaller units. This promotes flexibility and could assist with affordability because, all things being equal, smaller homes typically cost less to rent or buy. Maximum floor area ratio is found in Table 20.22.15, row K. Floor area ratio is the square footage of the floors inside the building divided by the square footage of the lot. A one-story building that covered half the lot would have a 0.5 floor area ratio. On a 7,000-square-foot lot, a 1.2 floor-area ratio would allow a building with 8,400 square feet.
- Section 20.30 Additional Height Limitations in RMB and RMC was not applied to CM-RM because the limitations in that sub-section were added in 2022 through the Housing Options Project's efforts to allow middle housing within existing urban Beaverton neighborhoods. The standards are not necessary in Cooper Mountain because there is not an existing urban context. In other words, most new developments will not be infill developments on one lot surrounded by existing homes but rather larger "greenfield" developments that are creating new neighborhoods.

20.22.15. Site Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below.

Table 20.22.15 Cooper Mountain Site Development Standards				
Superscript Refers to Footnotes	CM-CS	CM-HDR	CM-MR	CM-RM
A. Minimum Land Area (square feet)	N/A	N/A	N/A	N/A
B. Minimum Lot Area ^{1, 2} (square feet)	N/A	N/A	N/A	
Single-Detached and Duplex	N/A	N/A	N/A	3,000
Triplex and Quadplex	N/A	N/A	N/A	4,000
Multi-Dwelling (5-6 units)	N/A	N/A	N/A	5,000 ²³
Townhouse	N/A	N/A	N/A	1,300 ¹⁶
Cottage Cluster	N/A	N/A	N/A	7,000
Single-Room Occupancies	N/A	N/A	N/A	3,000
C. Maximum Lot Area	N/A	N/A	N/A	6,000 ⁴
D. Maximum Residential Density ²⁶	N/A	N/A	N/A	N/A
E. Minimum Residential Density (units per acre) ^{3, 27}	34	34	34	10
F. Minimum Lot Width ^{2, 5}	N/A	N/A	14	20 ¹⁶
G. Yard Setbacks ²				
1. Front Minimum	0	0	10	10
2. Side Minimum ²²				
a. Abutting Lot	N/A	N/A	0, 3 or 5 ⁷	0, 3 or 5 ⁷
b. Abutting Street (public or private)	N/A	N/A	0, 3 or 5 ⁷	0, 3 or 5 ⁷
3. Side Maximum	N/A	N/A	N/A	N/A
4. Rear Minimum	N/A	N/A	10	15 ⁸
5. Minimum Side or Rear Yards Abutting Property Zoned Residential ⁹	10	10	N/A	N/A
6. Minimum Side or Rear Yards Abutting Cooper Mountain Nature Park property ²⁵	25	25	25	25
7. Garage and Carport Minimum ¹⁰	N/A	N/A	5 or 18.5 ¹¹	18.5
8. Garage Door to Rear Minimum ¹²	N/A	N/A	22	22
9. Minimum Between Buildings ¹³	N/A	N/A	6	6
I. Building Height				
1. Minimum	N/A	N/A	N/A	N/A
2. Maximum ¹⁴	65 ¹⁵	65	65	45
J. Floor Area Ratio (FAR)				

Table 20.22.15 Cooper Mountain Site Development Standards

Superscript Refers to Footnotes	CM-CS	CM-HDR	CM-MR	CM-RM
1. Minimum Floor Area Ratio	0.4	0.4	N/A	N/A
2. Minimum with Cooper Mountain Development Plan	0.3	0.3	N/A	N/A
K. Maximum Floor Area Ratio (FAR) ^{2, 17, 18}	2.0 ²⁴	2.0 ²⁴	1.5 ²⁴	Refer to Maximum FAR for each housing type in K.1. through K.6.
1. Single-Detached Dwelling	N/A	N/A	N/A	0.80
2. Duplex	N/A	N/A	N/A	0.90
3. Triplex and Quadplex	N/A	N/A	N/A	1.20
4. Townhouse	N/A	N/A	N/A	N/A
5. Cottage Cluster	N/A	N/A	N/A	N/A
6. Multi-Dwelling (5 to 6 units)	N/A	N/A	N/A	1.20
7. Non-Residential Uses and Conditional Uses	N/A	N/A	N/A	N/A
Wireless Communication Facilities				
L. Maximum Height				
1. WCF ¹⁹	80	80	80	80
2. Equipment Shelters ²⁰	12	12	12	12
3. Roof Mounted Antennas	Shall not extend above maximum height of underlying zone or increase the height of any building which is nonconforming due to height.			
M. Yard Setbacks ²¹				
1. Requirements	Shall comply with underlying zoning district requirements			
2. Other	Refer to 60.70.35.14.A and B			
	All Dimensions are in Feet.			

1. Minimum lot area standards apply to land divisions, except middle housing land divisions. For middle housing, the standards also determine the minimum lot size needed for each middle housing type to be built on an existing lot.
2. If a duplex, triplex, quadplex, or cottage cluster has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots.
3. Refer to Section [20.25.05](#) for exceptions to minimum density standards in the CM-RM district.
4. Only applies to lots with small-scale commercial uses in the CM-RM zone.
5. Corner lots may need to provide a greater minimum lot width to accommodate the sight clearance areas specified in the Engineering Design Manual.
6. Reserved.
7. Side setbacks are 5 feet except when a different dimension is described in this footnote. For townhouses, the minimum side setback is zero for the attached side of the townhouse and 5 feet for sides that are not attached. For land divisions, except for townhouses or middle housing land divisions, the perimeter side setbacks are 5 feet, but side setbacks internal to the land division

may be reduced to 3 feet with a total of 6 feet between buildings. In no case shall a building encroach into a Public Utility Easement (PUE).

8. The minimum rear setback to cottage cluster dwellings is 10 feet.

9. The 10-foot setback is applicable only to any portion of a building taller than 40 feet. The setback for any portion of a building 40 feet or shorter is 5 feet. Rear yard setback is applicable to only the portion of the rear yard that abuts a residential zone; otherwise, the minimum rear yard setback is 0 feet. For the purposes of this standard, “residential zone” is any of the zones under Residential Districts in Section 10.25.

10. Garage setbacks shall be measured from the elevation containing the garage door to the property line. Carport setbacks shall be measured from the elevation of the vehicle entrance of the carport to the property line. For all other garage and carport elevations besides the door/vehicle entrance, the building setbacks applies.

11. Either no greater than 5 feet or a minimum of 18.5 feet.

12. Measured from garage door elevation to opposite side of the alley right-of-way, common accessway, common driveway, or access easement line.

13. Minimum spacing between buildings on the same lot or in the same development. In CM-CS and CM-HDR, residential accessory structures including detached Accessory Dwelling Units shall not be located within 6 feet of the main building. Required separation distances for commercial and industrial zoned lots shall be determined by the applicable Building Code.

14. Maximum building height for all structures in a cottage cluster development is 25 feet.

15. Maximum building height of a building or portion of a building within 35 feet of a residentially zoned property, measured from the residential property line, is 45 feet or the maximum height permitted in the residential district, whichever is greater.

16. Townhouses in the CM-RM zone designed with rear-loaded parking areas, parking areas shared between two or more dwellings, or no off-street parking shall have a minimum lot size of 1,000 square feet and a minimum lot width of 14 feet. For the purpose of this footnote, parking areas may include driveways, parking spaces, garages, or carports.

17. Single-detached, duplex, triplex, quadplex, or 5- to 6-unit multi-dwelling structures in existence as of [effective date of ordinance], that exceed the applicable maximum FAR standard are allowed to expand up to 500 square feet in floor area above the maximum FAR permitted in the zone. If such existing structures are unintentionally destroyed, they may be rebuilt to exceed the maximum FAR by 500 square feet.

18. Accessory dwelling units added to an existing single-detached dwelling as of [effective date of ordinance], are excluded from the maximum FAR limitations.

19. Inclusive of antenna.

20. At-grade equipment shelters.

21. Applicable to all WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters.

22. For buildings in commercial zones not abutting a residential use in a residential zone, minimum setback does not apply. Under the thresholds in Section 40.30, an application may be made for zero side yard setbacks on parcels abutting residential use in a residential zone.

23. In CM-RM, limited to one 5- or 6-unit multi-dwelling structure per lot.

24. See Section 20.25.10 to determine if a site with Resource Overlay or other environmental constraints qualifies for a higher maximum FAR.

25. This rear or side yard setback only applies for property lines shared with Cooper Mountain Nature Park. The setback shall be landscaped according to the landscape buffer Design Standards or Guidelines of Section 60.05.25.17.C, 60.05.60.2.S9, 60.05.60.3.S9, 60.05.60.4.S22, or 60.05.65, as applicable to the proposed development.

26. Up to six (6) single-room occupancy units on each lot or parcel are permitted within the CM-RM zoning district. This is not intended to exempt single-room occupancies from minimum density requirements of the underlying zone.

27. Single-room occupancies shall have a minimum of 4 attached units, regardless of lot size. This is not intended to exempt single-room occupancies from minimum density requirements of the underlying zone.

Commentary:

Because the following Subsection contains zoning districts in three different categories (Residential, Commercial, and Multiple Use), Table 20.22.20.A includes more land use categories than in other

Subsections of Chapter 20. The Table indicates whether each use is permitted, conditional, or prohibited and references relevant standards.

Some things to note that are different than other Beaverton zoning districts:

- Multi-dwellings of up to six units are allowed in CM-RM.
- Footnotes indicate for CM-RM which commercial uses are allowed as small-scale commercial uses in that district.
- Hours of operation standards are shown in a footnote that applies to all Commercial and Industrial uses, rather than listing Hours of Operation as a land use in the table.
- Drive-through uses are prohibited.

20.22.20. Land Uses

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for Cooper Mountain Zoning Districts.

Table 20.22.20.A Land Use Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		CM-CS	CM-HDR	CM-MR	CM-RM
Additional Requirements by District		See 20.22.30 through 20.22.40			
Residential					
1. Care	A. Care Facilities	P	P	P	P
	A. Accessory Dwelling Units	P	P	P	P
2. Dwellings	B. Single-Detached Dwelling	N ¹	N ¹	N ^{1,2}	P ²
	C. Duplex	P ⁷	P ⁷	P ⁷	P
	D. Triplex and Quadplex	P ⁷	P ⁷	P ⁷	P
	E. Townhouse	P	P	P	P
	F. Cottage Cluster	N	N	N	P
	G. Multi-Dwelling	P	P	P	P ²⁷
	H. Home Occupation	P	P	P	P
	I. Manufactured and Mobile Homes ⁴	P	P	P	P
	J. Manufactured Home Parks	N	N	N	P
	K. Home Testing of Consumer Electronic Products ¹⁰	N	N	P	P
	L. Single-Room Occupancies	P	P	P	P
Commercial³					
3. Animal Care	A. Major	C	C	C ¹¹	C ¹¹
	B. Minor	P	P	C ¹¹	C ¹¹

Table 20.22.20.A Land Use Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		CM-CS	CM-HDR	CM-MR	CM-RM
4. Care	A. Hospitals	P	P	C	C
	B. Medical Clinics	P	P	C	C
	C. Child Care Facilities	P	P	C	P ⁵
	D. Residential Care Facilities	P	P	C	P ³⁰ C
5. Commercial Amusement		C	C	N	N
6. Drive Up Window Facilities		N ⁹	N ⁹	N ⁹	N ⁹
7. Eating and Drinking Establishments		P	P	N	P ⁵
8. Financial Institutions		P	P	N	N
9. Food Cart Pods ¹⁶		P	P	N	N
10. Live/Work Uses ¹⁴		P	P	N	N ²⁹
11. Marijuana	A. Marijuana Dispensary ¹⁸	P	N	N	N
	B. Marijuana Processing	N	N	N	N
	C. Retail Marijuana Sales ⁸	P	N	N	N
	D. Wholesale Marijuana Sales	N	N	N	N
12. Meeting Facilities		P C ¹⁹	P C ¹⁹	N	N
13. Office		P	P	N	P ⁵
14. Parking as the Principal Use	A. Structures	C	C	N	N
	B. Surface	C	C	N	N
15. Retail ¹⁵	A. Bulk Retail	P	N	N	N
	B. Retail Trade	P	P	N	P ⁵
16. Rental Business		P ^{21, 26}	P ^{21, 26}	N	N
17. Service Business/Professional Services		P ²¹	P ²¹	N	P ⁵
18. Storage	A. Cold Storage Plants	N	N	N	N
	B. Self Storage Facilities	N	N	N	N
	C. Storage Yards	N	N	C ²⁸	C ²⁸
	D. Storage Yard for Building Materials	N	N	N	N
19. Temporary Living Quarters		P	P	C ⁶	P ²⁰ C ⁶
20. Vehicles	A. Auto, Truck and Trailer Rental	N	N	N	N
	B. Automotive Service, Major	N	N	N	N
	C. Automotive Service, Minor	P	N	N	N
	D. Bulk Fuel Dealerships	N	N	N	N
	E. Heavy Equipment Sales	N	N	N	N

Table 20.22.20.A Land Use Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		CM-CS	CM-HDR	CM-MR	CM-RM
	F. Rental	C ^{21, 22}	C ^{21, 22}	N	N
	G. Sales or Lease	N	N	N	N
	H. Trailer, Recreational Vehicle or Boat Storage	N	N	N	N
	I. Trailer Sales or Repair	N	N	N	N
	J. Vehicle Storage Yard	N	N	N	N
Civic^{3, 12}					
21. Cemetery		N	N	C	C
22. Education	A. Commercial Schools	P	P ²²	N	N
	B. Educational Institutions	P	P	C	C
	C. Job Training and Vocational Rehabilitation Services	P ²²	P ²²	N	N
23. Places of Worship		P	P	C	C
24. Public Buildings and Uses	A. Non-Profit Public Services in Public Buildings	P	P	C	C
	B. Public Buildings	P	P	C	C
	C. Public Sewer and Water and Utility Transmission Lines	P	P	P	P
	D. Public Sewer, Water Supply, Water Conservation and Flood Control Facilities Other than Transmission Lines	C	C	C	C
25. Railroad Tracks and Facilities	A. Passenger	P	P	C	C
	B. Freight	N	N	N	N
26. Recreation	A. Public Park	P	P	P	P
	B. Public Dog Parks or Dog Runs	P	P	P	P
	C. Public Recreational Facilities	P	P	C	C
	D. Private Recreational Facilities ¹⁷	P	P	C	C
	E. Community Gardens	P	P	P	P
27. Shelters	A. Domestic Violence Shelters	P	P	P	P
	B. Emergency Shelters	P ²⁵	P ²⁵	P ²⁵	P ²⁵
	C. Mass Shelters	P	P	P	P
28. Social Organizations		P	P	C	C

Table 20.22.20.A Land Use Category and Specific Use		P: Permitted C: Conditional N: Prohibited Superscript Refers to Use Restrictions			
		CM-CS	CM-HDR	CM-MR	CM-RM
29. Transit Centers		P	P	N	N
30. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C
	B. Transmission Lines	P	P	P	P
31. Vehicle Camping ¹³		P	P	P	P
32. Wireless Communications Facilities		P	P	P	P
Industrial ³					
33. Laboratory		p ^{23, 24}	p ^{23, 24}	N	N
34. Manufacturing, Fabricating, Assembly, Processing, and Packing		p ^{23, 24}	N	N	N
Other					
35. Planned Unit Development		C	C	C	C

1. Existing single-detached dwellings as of [effective date of ordinance] and their accessory uses are Permitted uses and can be expanded or can be rebuilt if destroyed. New single-detached dwellings are Prohibited.

2. Compact Detached Dwellings are prohibited.

3. Uses may be open to the public between the hours of 7:00 a.m. and 10:00 p.m., and staff may occupy the premises between the hours of 6:00 a.m. and 11:00 p.m. with the following exceptions:

- a. Office, Domestic Violence Shelter, Emergency Shelter, Mass Shelter, and Vehicle Camping uses may operate at any time.
- b. See footnote 8 for restrictions on Retail Marijuana Sales and footnote 18 for restrictions on Marijuana Dispensary uses.
- c. In the CM-CS zoning district:
 - i. Uses located in a building or portion thereof that is 500 feet or greater from a Residential zone may be open to the public between the hours of 10:00 p.m. and 7:00 a.m. with staff on the premises up to 60 minutes before and after public hours of operation.
 - ii. Uses located in a building or portion thereof that is less than 500 feet from a Residential zone require a Conditional Use to be open to the public between the hours of 10:00 p.m. and 7:00 a.m. With Conditional Use approval, staff may occupy the premises up to 60 minutes before and after public hours of operation, unless otherwise approved by the decision-making authority.

4. The placement of a manufactured home is subject to the design and placement criteria found in Section 60.20.20. In Cooper Mountain districts where single-detached dwellings are prohibited, manufactured homes are not allowed on individual lots by themselves.

5. These permitted uses shall only be allowed consistent with Section 20.22.35 rules for small-scale commercial uses in CM-RM.

6. Limited to uses of Boarding, Rooming, or Lodging House uses

7. All units of a duplex, triplex, or quadplex must be attached.

8. Retail Marijuana Sales shall:

- a. be subject to the provisions of ORS 475B.109-119 and OAR Chapter 845, division 25;
- b. be located 1,000 feet from any existing Marijuana Dispensary or Retail Marijuana Sales use, except for instances of colocation within the same premises of Marijuana Dispensary and Retail Marijuana Sales uses when such colocation is permitted by state law; and
- c. be allowed to operate only between the hours of 7:00 AM and 10:00 PM. Hours of operation may not be extended through the Conditional Use process as identified in this Code.

9. Drive-through uses are Prohibited; walk-ups Permitted. In CM-RM, walk-up windows are only allowed as an accessory to a small-scale commercial use allowed in Section 20.22.35.

10. Home Testing of Consumer Electronic Products uses shall:

- a. be limited to the hours of 7:00 AM and 7:00 PM, Monday through Saturday, in which technicians are allowed to occupy the residence;
 - b. have at least two off-street parking spaces for technicians, so no on-street parking would occur with the use;
 - c. be limited to two vehicles on-site at any one time;
 - d. have a 24-hour on-site security system;
 - e. have a contract for landscape and maintenance services to ensure that the home testing properties are well maintained for the neighborhood;
 - f. be limited to no more than three home testing dwelling units within a quarter mile radius at any time;
 - g. be limited to single-detached dwelling units; and
 - h. comply with the noise and odor limits contained in the City Code.
11. Animal Care uses provided as a private amenity to residents in multi-dwellings or on a common area serving multiple households.
12. Public Art shall be permitted pursuant to Section 60.50.25.13.
13. Vehicle Camping may occur only where allowed through a program established by Council resolution and administered by the City Manager. The use is subject to the special requirements found in Section 60.50.25.14.
14. Non-residential uses that are part of a Live/Work use shall be uses that are permitted in the zone.
15. No outdoor storage or sales of animals or livestock are allowed with this use.
16. Food Cart Pods and their amenities, as described in Section 60.11, are exempt from the Site Development Standards of 20.22.15 but are subject to the standards of 60.11 of the Development Code.
17. Privately owned facilities, such as fitness clubs, racquetball or handball clubs, tennis courts or swimming pools exclusive of spectator sports facilities.
18. Marijuana dispensary shall:
- a. be subject to the provisions of ORS 475B.858; and
 - b. be allowed to operate only between the hours of 7:00 AM and 10:00 PM. Hours of operation may not be extended through the Conditional Use process as identified in this Code.
19. Buildings larger than 10,000 square feet, for a single use, are subject to approval of a Conditional Use.
20. Limited to single-room occupancy structures in CM-RM. Single-room occupancy structures are residential developments with no fewer than four attached units that are independently rented, lockable, and provide living and sleeping space for the exclusive use of an occupant but that require the occupant share sanitary or food preparation facilities with other units in the occupancy. Single-room occupancy structures shall be limited to six units per lot.
21. This activity shall be conducted wholly within an enclosed structure. Accessory open air sales or display related to the principal use may be permitted, provided that the outdoor space devoted to these uses does not occupy an area greater than the equivalent of 15 percent of the building gross floor area, excluding activities associated with a Temporary Use Permit. No outdoor sales or outdoor storage of animals or livestock are allowed with this use.
22. The maximum building footprint size for a building involving a single use shall be 10,000 square feet. In addition, the maximum square footage for these uses within a multiple use development shall be 25 percent of the total square footage of the development.
23. Permitted only within multiple use developments, as long as the floor area of this use does not exceed 50 percent of the total proposed floor area within a multiple use development.
24. Uses subject to additional restrictions below.
- a. Outdoor manufacturing activity, including but not limited to testing of products or processes, is prohibited.
 - b. Outdoor storage is prohibited, including both raw materials and finished products.
 - c. Movement of heavy equipment on and off the site, except truck deliveries, is prohibited.
 - d. Exterior display or storage of industrial equipment, such as tools, equipment, vehicles, products, materials, or other objects that are part of or used for the business operation is prohibited.
 - e. Processes involving live animals or the waste or by product of dead animals is prohibited.
 - f. Electrical disturbances that interfere with the normal operation of equipment or instruments on adjacent properties are prohibited.
 - g. Processes involving highly combustible, explosive or hazardous materials or waste is prohibited.
 - h. Potential nuisances are subject to Beaverton Code Chapter 5.05.IV Nuisances Affecting Public Health.
25. Emergency Shelters may occur where allowed pursuant to Section 10.70.10.
26. The maximum floor area for this use shall be 5,000 square feet. This use shall be conducted wholly within an enclosed structure.
27. Limited to one five- or six-unit multi-dwelling structure, and no other dwellings, per lot.
28. Storage yards for recreational vehicles, boats, and trailers owned by residents in a residential development or Planned Unit Development.

29. Live/work uses shall only be allowed in CM-RM consistent with the small-scale commercial standards in Section 20.22.35.
30. Residential Care Facility is a Permitted use in CM-RM within a Planned Unit Development – Cooper Mountain consistent with Section 40.15.15.6 and Section 60.36.

Commentary:

The proposed amendments include Cooper Mountain environmental regulations to implement the natural resources preservation goals of the community plan and comply with federal, state, and local environmental regulations. Generally, the environmental regulations apply within the Resource Overlay. Reference Section 60.37 Resource Overlay to learn more.

20.22.25. Cooper Mountain Resource Overlay

1. Resource Overlay

- A. The Resource Overlay provides a framework for protection of Metro Title 13 lands and Statewide Planning Goal 5 resources within Cooper Mountain. Properties that contain the Resource Overlay shall be subject to the rules in Section 60.37.

Commentary:

The proposed amendments require commercial uses in the Cooper Mountain – Community Service zone to ensure residents and visitors to the Cooper Mountain area have access to needed and desired goods and services. This section requires a minimum amount of commercial square footage on properties where the CM-CS zone is applied, in alignment with a market study conducted during the Cooper Mountain Community Plan project that identified the potential market demand for commercial in the area. The proposed amendments provide standards that require the commercial to be built in the first phase of development with a discretionary path to allow the commercial development to occur in future phases. The CM-CS zone also allows additional commercial beyond the minimum required.

20.22.30. CM-CS Commercial Requirements

Minimum commercial requirement within CM-CS district. New development on sites within the CM-CS district shall include commercial square footage consistent with the following requirements. For the purposes of this Subsection, land uses in the Commercial section of Table 20.22.20.A count toward the commercial square footage minimum requirements, except for Food Cart Pods; Hospitals and Residential Care Facilities under Care; Parking as a Principal Use; and Temporary Living Quarters. Live/Work Uses may count toward the commercial square footage minimum requirements if the commercial component of the Live/Work unit is on the ground floor, satisfies the standards of the Oregon Structural Specialty Code for Commercial Structures, and has an entry within 30 feet of and visible from a public street right of way.

1. **Minimum commercial square footage:** Each site shall provide a minimum of 6,000 square feet of leasable commercial square footage per gross acre of land zoned CM-CS on the site, with the minimum required square footage on any site being 6,000 square feet and the maximum required leasable commercial square footage required on any one site being 30,000 square feet.
 - A. Commercial square footage in Live/Work units may only count for a maximum of 5 percent of the minimum square footage requirement. (For example, if the minimum square footage requirement for a site were 10,000 square feet, a maximum of 500 square feet of Live/Work commercial square footage could count toward that minimum requirement.)

- B. If 30,000 square feet of leasable commercial space with a certificate of occupancy is present within 600 feet of the site at the time of a development application, no minimum commercial square footage requirement applies to the site. Distance from the site shall be measured from the outer edge of the site boundary and shall include all commercial square footage consistent with Section 20.22.30 that is entirely within 600 feet of the site boundary.
2. **Commercial square footage timing:** Required minimum commercial square footage shall be provided with the first phase of development on each site. Non-commercial development is allowed concurrent with commercial development meeting the minimum requirement or after the minimum commercial square footage minimum standard has been met. Phased developments that do not provide the required minimum commercial square footage with the first phase of development shall meet the requirements of the Cooper Mountain Development Plan in Section 40.20.10.5.C which is subject to review through a Design Review Three application.

Commentary:

The proposed amendments allow small-scale commercial uses in the Cooper Mountain – Residential Mixed zone to provide entrepreneurship opportunities and to facilitate the availability of goods, services, and gathering places within Cooper Mountain neighborhoods. The proposed amendments also contain provisions that limit the location and size of the uses to promote small-scale commercial uses that can co-exist alongside residential uses without excessive noise or late operating hours that could disturb residents’ sleep. The proposed amendments generally allow the small-scale commercial uses on lots near parks, properties zoned Cooper Mountain – Multi-unit Residential or near certain Neighborhood Routes. The proposed amendments also limit the building scale of the buildings that contain a small-scale commercial use, so it is similar to the scale of the residential buildings allowed in the zone.

20.22.35. CM-RM Small-scale Commercial

Limited small-scale commercial uses shall be Permitted within the Cooper Mountain – Residential Mixed (CM-RM) zoning district consistent with the provisions of this Subsection.

1. **Allowed uses.**
- A. **Permitted Uses.** The following uses shall be Permitted within CM-RM:
1. Child Care Facilities
 2. Eating and Drinking Establishments
 3. Office
 4. Retail Trade
 5. Service Business/Professional Service
- B. **Location:** The Permitted Uses in Section 20.22.35.1.A shall be allowed within CM-RM only on lots that do not contain a Multi-Dwelling and where any part of the lot is:
1. Within 100 feet of a Tualatin Hills Park & Recreation District Neighborhood Park; or
 2. Within 300 feet of private property zoned CM-MR; or
 3. Within 100 feet of a street right of way within the CM-RM zone that is designated a Neighborhood Route in Beaverton’s Transportation System Plan.
- C. **Multiple uses:** Other uses allowed in CM-RM and uses allowed consistent with Section 20.22.35.1.A and 1.B may occupy the same site. Live/work uses are allowed consistent with this section.

2. **Site development standards.** The site development standards of Section 20.22.15 apply. If standards in this Subsection conflict with the standards in Section 20.22.15, standards specified here supersede the standards in Section 20.22.15.
 - A. Maximum site size on which uses listed in Section 20.22.35.1.A are allowed: 6,000 square feet.
 - B. Maximum square footage, not including square footage for outdoor activities allowed in Section 20.22.35.4, that can be occupied by a small-scale commercial use shall be:
 1. For Child Care Facilities, the maximum floor area occupied on a site shall be the maximum square footage allowed under the floor area ratio calculation for a quadplex based on the Site Development Standards in Section 20.22.15. Only one Child Care Facility is allowed per site.
 2. For all other uses:
 - a. On a site with zero or one residential units: 1,500 square feet.
 - b. On a site with two or more residential units: 1,500 square feet per residential unit, with a maximum of 1,500 square feet within any individual residential unit on the site.
 - C. **Density and dwelling types:** A stand-alone small-scale commercial use occupying a structure that does not contain a residential use shall count as a residential unit for the purposes of calculating minimum density and for the purposes of determining the dwelling type on the site. For example, a stand-alone small-scale commercial use occupying a structure that does not contain a residential use plus one other building with a residential unit in it would be considered a duplex for the dwelling type and two units for the purposes of calculating density.
 - D. **Applying floor area ratio maximums on sites with small-scale commercial:** The maximum floor area ratio on a site with small-scale commercial use(s) shall be:
 1. For a proposed development where no residential use exists or is proposed on the site: the maximum floor area ratio for a quadplex from Section 20.22.15.
 2. For a proposed development with a combination of residential and small-scale commercial uses: the maximum floor area ratio for the residential use(s) on the site from Section 20.22.15.
3. **Limitations on permitted uses in Section 20.22.35.1.A.** In addition to meeting the other relevant standards of the Development Code, the uses shall be limited by the following standards:
 - A. Small-scale commercial uses shall not occupy any structure that is part of a Cottage Cluster, except Child Care Facilities in common buildings associated with a Cottage Cluster.
 - B. Small-scale commercial uses shall not occupy any structure that contains a Care Facilities; Manufactured and Mobile Homes; Multi-dwellings; or Temporary Living Quarters use.
 - C. Limitations on Home Occupations in buildings or units with both residential and small-scale commercial.
 1. If a structure with only one residential unit contains both a residential use and a small-scale commercial use allowed by this Subsection, a separate Home Occupation shall not be allowed. Administrative functions related to the small-scale commercial business in the building shall be allowed within the residential unit, even if the space used for those administrative duties would cause the small-scale commercial use to exceed the size limitation in Section 20.22.35.2.B. No other activities related to the permitted uses allowed in 20.22.35.1.A shall be allowed within the residential unit, including but not limited to retail sales, child care, and provision of services.
 2. If a structure with more than one residential unit, such as a plex with two to four units, contains a residential use and a small-scale commercial use allowed by this Subsection, a separate Home Occupation shall not be allowed for the unit/space occupied by the small-scale commercial use. Administrative functions related to the small-scale commercial business shall be allowed only within the residential unit associated with and physically connected to that small-scale commercial use by a shared entrance or an internal connection. The administrative functions are allowed even if the space used for those administrative duties would cause

the small-scale commercial use to exceed the size limitation in Section 20.22.35.2.B. No other activities related to the permitted uses allowed in 20.22.35.1.A shall be allowed within the residential unit, including but not limited to retail sales, child care, and provision of services. A separate residential unit in that same structure that does not contain a small-scale commercial use may apply for a Home Occupation.

- D. No stand-alone small-scale commercial uses shall be allowed on a townhome lot or any lot less than 3,000 square feet. Small-scale commercial uses are allowed on Middle Housing Land Division Child Lots only if a dwelling unit exists on the lot and remains a dwelling unit during the operation of any small-scale commercial use on that lot.
 - E. No on-site use or storage of dry cleaning chemicals is allowed.
 - F. Hours of operation.
 - 1. Except for Child Care Facilities, hours of operation may not be extended through the Conditional Use process as identified in this Code.
 - 2. Except for Child Care Facilities, in no case shall small-scale commercial uses operate between 10 p.m. and 7 a.m., including staff activities.
 - 3. No outdoor activities unrelated to the picking up and dropping off of children shall occur at Child Care Facilities between 10 p.m. and 7 a.m.
 - G. For Child Care Facilities, Section 60.50.25.7 shall apply.
4. **Outdoor activity.** On-site outdoor activity associated with small-scale commercial uses shall be limited to the following:
- A. Outdoor breaks for small-scale commercial employees. No smoking or vaping shall be allowed within 20 feet of any adjacent property containing a residential use or within 20 feet of any on-site or off-site building air intakes including entrances, exits, windows that open, or ventilation intakes that serve an enclosed area.
 - B. Outdoor play areas for children associated with Child Care Facilities.
 - C. Outdoor dining areas associated with Eating and Drinking Establishments. Outdoor dining shall be allowed in the front setback. Outdoor dining areas, or portions thereof, outside the front setback shall be allowed subject to the following restrictions:
 - 1. The outdoor dining area outside of the front setback shall not exceed 600 square feet.
 - 2. The outdoor dining area shall be set back at least 15 feet from the rear property line and 5 feet from all side property lines, as measured from the edge of the dining area surface or the edge of the roofline of an associated shade structure, if present, whichever point is closest to the property line.
 - 3. The outdoor dining area shall be closed to the public between the hours of 9 p.m. and 7:00 a.m. Light fixtures illuminating the outdoor dining area must be turned off between 9:30 p.m. and 7 a.m.
 - 4. An outdoor dining area outside of the front setback that does not comply with C.1 through C.3 above is a Conditional Use.
 - D. Accessory open air sales and/or display associated with Retail Trade uses shall be allowed only within the front setback and shall not exceed 150 square feet per site. No outdoor sales or outdoor storage of animals or livestock are allowed with this use.
5. **Additional standards.**
- A. If any outdoor activity associated with the small-scale commercial use is located outside the front setback, a fully sight obscuring fence or wall of at least 5 feet tall but not taller than 6 feet shall be provided to screen the outdoor activity from view from all abutting lots. Chain link fences with slats are prohibited.
 - B. Amplified sound of any kind is prohibited outdoors.
 - C. Minimum Required Solid Waste Facilities and Location. Residential uses on the lot shall provide Solid Waste Facilities and screening consistent with Section 60.05.60, as applicable to the proposed dwelling type. For

commercial uses allowed in this Subsection, additional Solid Waste Facilities capacity shall be provided in a way that ensures waste storage, disposal facilities, recycling containers and associated materials outside of a building are fully screened from view in accordance with Sections 60.05.60.2.S17, 60.05.60.3.S18, or 60.06.60.4.S36, as applicable.

Commentary:

The proposed amendments include additional housing requirements for the CM-RM district to implement the Cooper Mountain Community Plan’s desired outcomes for housing variety, middle housing production, and inclusive neighborhoods. The proposed amendments include requirements for minimum housing variety within each development and a minimum integration – or mixing – of those housing types spatially. The housing integration requirement would provide people with a better chance of finding housing that meets their needs (regarding size and configuration) within each neighborhood and the opportunity to live among people with a variety of housing needs as well.

This section also includes requirements that allow a property owner to divide their land in a way that doesn’t meet minimum density yet, such as allowing a property to be divided and sold for future development, while ensuring that the future development will need to meet minimum density and these housing variety and integration requirements.

20.22.40. CM-RM Housing Variety and Integration Requirements

Development in the CM-RM zoning district shall be subject to the housing variety and integration requirements of this Subsection.

1. Applicability.

- A. Minimum requirements for housing variety and integration apply when the net acreage of a Parent Parcel is 3 acres or larger. If the net acreage of a Parent Parcel is less than 3 acres, Section 20.22.40 does not apply. For the purposes of Section 20.22.40, areas designated as “Cooper Landslide Hazard” on Figure 8.6.1 of Comprehensive Plan Volume 1, Chapter 8, may be subtracted from gross acreage for the purposes of determining net acreage.
- B. If a Parent Parcel that is 3 net acres or larger is proposed to be divided by a Land Division in accordance with Section 40.45 in a way that would result in one or more lots that do not meet the applicable minimum density requirement of Section 20.22.15, the proposed lot(s) shall comply with the following requirements:
 - 1. Lots between 1 and 4 gross acres shall be subject to the requirements of Section 20.22.40 applicable to a 3-net acre Parent Parcel at the time of future development.
 - 2. Lots less than 1 gross acre that retain one or more existing, legal dwellings are exempt from Section 20.22.40 at the time of future development, provided the applicant demonstrate prior to Land Division approval the potential for future partitioning or subdividing of the lot to meet the applicable minimum density standard of Section 20.22.15 in accordance with Section 20.25.05.1.D.2.c.
 - 3. Lots less than 1 gross acre that do not retain one or more existing, legal dwellings and do not meet the applicable minimum density requirement of Section 20.22.15 are prohibited.
 - 4. In all cases, if the net acreage of a Parent Parcel is 3 acres or larger, the development shall comply with the requirements of Section 20.22.40 applicable to the size of the Parent Parcel, regardless of any previous Land Division action.

2. General Provisions.

- A. Minimum requirements for housing variety and integration in Section 20.22.40 provide a clear and objective standard. Deviations from the standards of this Subsection shall be subject to review through a Planned Unit Development application.
 - B. If the minimum percentage of units required at any development phase does not result in a whole number of units, then the value shall be rounded as follows: If the value ends with a decimal that is equal to or greater than 0.5, then the value is rounded up to the nearest whole number. If the value ends with a decimal that is less than 0.5, then the value is rounded down to the nearest whole number.
 - C. For the purposes of this Subsection, sites designated for small-scale commercial consistent with Section 20.22.35 with no existing or proposed residential use on a property shall not count toward the minimum housing variety or minimum housing integration requirements.
 - D. **Multi-phase Development.** If an application to develop a Parent Parcel that is greater than 3 net acres proposes to do so over multiple phases, then that development shall meet the housing variety requirements of Section 20.22.40.3 using one of the two methods below. Each phase shall meet the housing integration requirements of Section 20.22.40.4.
 1. Each phase of the development shall independently comply with the requirements of Section 20.22.40.3. The minimum required number of dwelling categories for each phase shall be based on the size of the Parent Parcel pursuant to Section 20.22.40.3.A; or
 2. The development shall provide in each phase of development:
 - a. At least one of the dwelling categories in Section 20.22.40.3.A until the minimum number of categories required is reached for the Parent Parcel; and
 - b. At least 30 percent of the total units in the phase shall be from one of the dwelling categories in Section 20.22.40.3.A consistent with Section 20.22.40.3.
3. **Minimum Requirements for Housing Variety.** At least 30 percent of housing units in each development shall be one or more of the following dwelling types: Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units.
- A. **Categories:** In meeting the 30 percent standard, developments 3 to 15 net acres shall provide dwelling types from at least two of the categories below, and developments larger than 15 net acres shall provide dwelling types from at least three of the categories below.
 1. Triplex or Quadplex
 2. Duplex or Townhouse
 3. Cottage Cluster
 4. Multi-dwelling with five or six units
 - B. **Amount from each category:** For each category selected to meet this standard, at least 5 percent of the total housing units in that development must be from that category.
 - C. **Visitability Option:** A development may count visitable units that are consistent with Section 60.50.25.16 toward the 30 percent minimum requirement in Section 20.22.40.3, up to a maximum of 5 percent of total units.
 1. Visitable single-detached homes shall count as 1 unit in the 30 percent calculation and when determining the 5 percent of total units.

2. Visitable duplexes, townhomes, cottage cluster units, detached triplex units, and detached quadplex units shall count as 0.5 units in the 30 percent calculation and when determining the 5 percent of total units. The 0.5 unit is in addition to the 1 unit already counting toward the 30 percent calculation because these dwelling types are in the categories in Section 20.22.40.3.A.
4. **Minimum Requirements for Housing Integration.** A development shall provide integrated housing types by meeting the requirements of this Subsection.
- A. For the purposes of this Subsection, the term “Housing Variety Grouping” means at least three abutting lots designated for a Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster, or Multi-dwelling with five or six units. The three abutting lots may be designated for any combination of those housing types.
 - B. Applications shall designate which groups of abutting housing types are considered a Housing Variety Grouping to meet this standard.
 1. Housing Variety Groupings designated to meet this standard shall be separated from each other by least 50 feet as measured by the shortest distance between the perimeter lot lines of the two groupings.
 2. Housing Variety Groupings shall be located such that 75 percent of lots designated for Single-Detached Dwellings and Manufactured and Mobile Homes are within 300 feet of the Housing Variety Groupings within the site or, in the case of multi-phase development, within the boundaries of each phase. Lots designated for Single-Detached Dwellings or Manufactured or Mobile Homes are considered within 300 feet of a Housing Variety Grouping if any part of the lot is within 300 feet.
 3. Units from the housing categories in Section 20.22.40.3.A that exceed the required percentages in Section 20.22.40.3 are allowed outside Housing Variety Groupings. There is no limit on the number of Housing Variety Groupings in an application. In addition, additional abutting groupings of the housing types in Section 20.22.40.3.A as well as other permitted housing types not within a Housing Variety Grouping are allowed.

Figure 20.22.40.1 Example of how to meet the housing integration standards

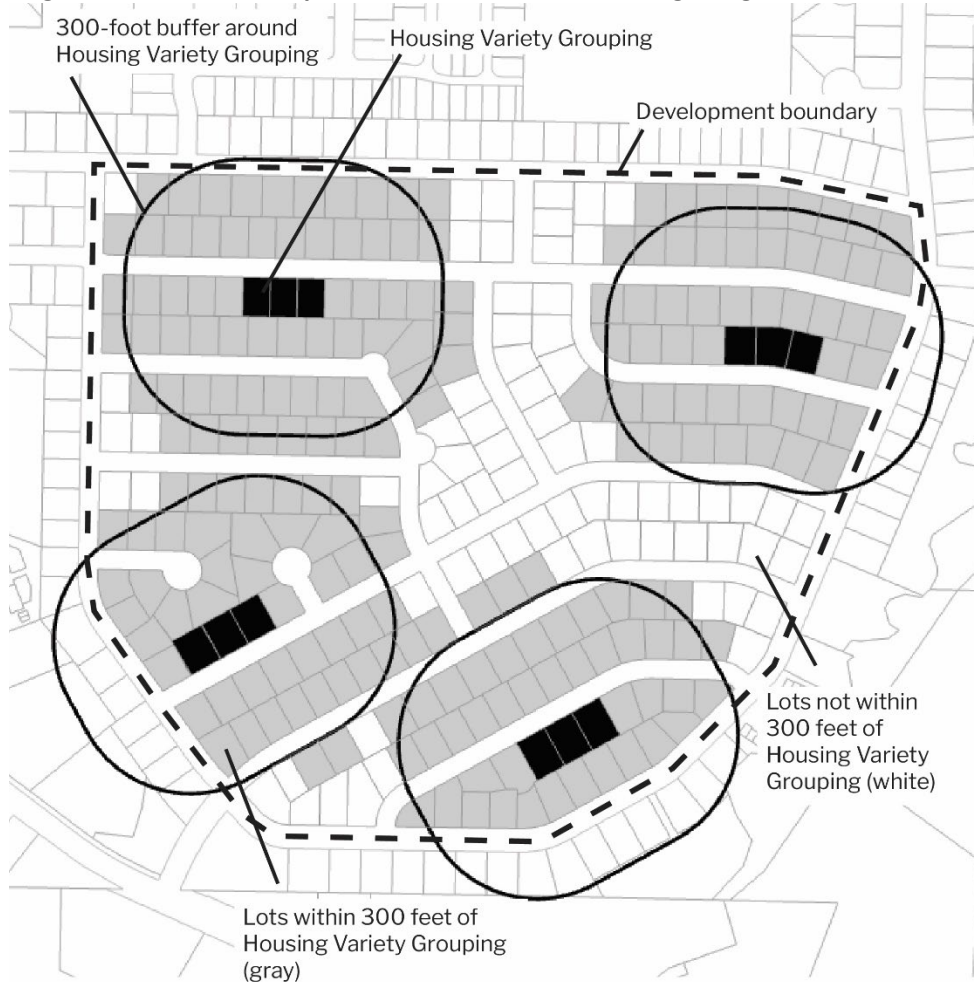


Figure caption: Four Housing Variety Groupings are shown with lots filled in with black. Four buffers are shown with a thin black line to indicate 300 feet from the outer edges of the Housing Variety Groupings. Lots within 300 feet of those groupings in the proposed development are filled in with gray. Other lots remain filled in with white. This graphic is intended to be illustrative to explain the Development Code standards and is not regulatory.

Commentary:

The Cooper Mountain Parks Overlay is established to identify likely feasible locations for parks and open space within Cooper Mountain and provide a regulatory path to ensure the development of parks and open space. Developments are incentivized to dedicate open space to THPRD for public park purposes. This Subsection also includes a discretionary option for alternative locations of Parks Overlay open space locations through a Type 2 Preliminary Partition or Preliminary Subdivision land use application.

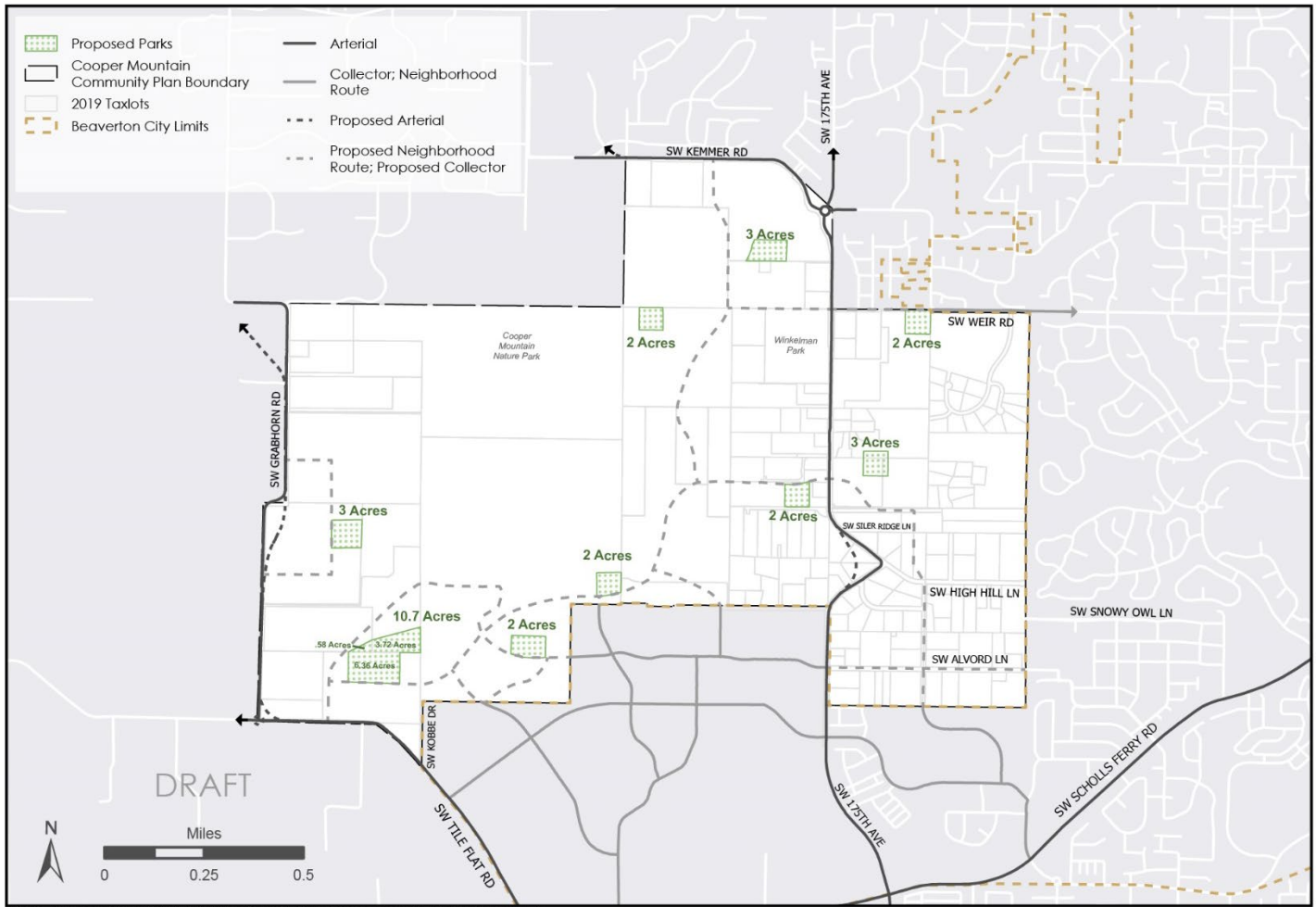
The Parks Overlay locations are geared toward sites that are able to accommodate common park and open space features such as a playground, playing fields, lawns, and other amenities that require relatively flat ground. Land use and site development standards are found in Chapter 20 with additional design standards and other requirements found in Chapter 60.

20.22.45. Cooper Mountain Parks Overlay

1. **Purpose.** The Cooper Mountain Parks Overlay indicates the desired locations for new parks/open space, consistent with the Comprehensive Plan. The Cooper Mountain Parks Overlay promotes parks/open space in areas throughout Cooper Mountain in locations feasible for development of park amenities. The overlay also designates a Community Park to provide park/open space opportunities that require more space.
2. **Exceptions.** This Section does not apply to the Cooper Mountain Nature Park or Winkelman Park.
3. **Location of Parks Overlay open space.**
 - A. **Neighborhood Parks.** A 2- to 3-acre area designated for open space as indicated by the Cooper Mountain Parks Overlay.
 - B. **Community Park.** An area designated for open space as indicated by the Cooper Mountain Parks Overlay.
 - C. **Alternative Parks Overlay open space locations.** An applicant may propose an alternative Parks Overlay open space location through the discretionary review processes in Section 40.45.15.4 Preliminary Partition or Section 40.45.15.5 Preliminary Subdivision. The alternative location shall meet the following standards:
 1. For Neighborhood Parks, the alternative location shall:
 - a. Have at least 75 percent Parks Overlay Open Space Developable Area with minimum length and width dimensions of 200 feet.
 - b. Serve a similar geographic area.
 2. For Community Parks, the alternative location shall:
 - a. Have at least 75 percent Parks Overlay Open Space Developable Area with minimum length and width dimensions of 500 feet.
 - b. Be within one-quarter mile of a planned or existing trail identified in Figure 6.2b of Comprehensive Plan Volume 1, Chapter 6.
 - c. Be south of McKernan Creek and Winkelman Park and west of SW 175th Avenue.
 - d. Balance community active and passive recreation needs with the ecological health of sensitive natural resources on site, while also considering compatibility and integration with adjacent land uses.
 3. For all Neighborhood Parks and Community Parks, the alternative location shall:
 - a. Maintain one contiguous area.

- b. Be easily accessible via neighborhood streets, sidewalks, and/or trails, and have at least one non-auto route connecting the open space to the surrounding neighborhood that is accessible to people with disabilities.

Figure 20.22.45.1: Cooper Mountain Parks Overlay park sizes



4. **Requirements.** If a property includes Parks Overlay, required open space shall first be placed inside the Parks Overlay according to these provisions.
 - A. At the time of Initial Development, including any land division process, required open space shall be provided within the Parks Overlay geography or geographies on the site in the amount shown in Figure 20.22.45.1 but not to exceed the open space requirement of Sections 60.05.25, 60.05.60, and 60.05.65.
 - B. If less open space is required than the size of the Parks Overlay on the property, the open space shall be located within the Parks Overlay so that it maintains one contiguous open space area with any Parks Overlay open space areas mapped on abutting properties along at least 80 percent of the portion of the shared property line where the Parks Overlay is shown on the abutting property.
 - C. If more open space is required than the size of the Parks Overlay on the property, the additional open space shall be located elsewhere on the site and may be placed inside the Resource Overlay.

D. The open space shall be set aside in a tract and shall meet the special use regulations in Section 60.50.25.15 Parks Overlay Open Space in the Cooper Mountain Community Plan area.

5. **Dedication option.**

- A. Property owners are not required to dedicate open space in the Parks Overlay but may do so voluntarily.
- B. If more open space is required than the size of the Parks Overlay on the property, open space in the Parks Overlay that is dedicated to the Tualatin Hills Park & Recreation District or other public agency per Section 60.15.15.3 shall count 150 percent toward the open space requirement. The additional credit shall not be used to reduce the open space required to be within the Parks Overlay that is shown in Figure 20.22.45.1 but may be used to meet requirements for open space outside the Parks Overlay.

Cooper Mountain Community Plan

Proposed Beaverton 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 “***”

Commentary:

The proposed amendments include modifications to the density and bulk requirements to improve organization, clarify standards, and incorporate new zones into the language. Standards related to density have been consolidated in the “Residential Density” section. Standards related to floor area ratio have been consolidated in the Floor Area Ratio section. The proposed amendments also include language to clarify and improve the requirements regarding floor area ratio. Some related amendments also are found in Chapter 90: Definitions, including Floor Area, Floor Area Ratio, and Density, Net.

20.25. Density and Bulk

[ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

20.25.05. Residential Density.

1. Minimum Residential Density.

- A. New residential development in all Residential, Commercial, and Multiple Use districts which permit residential development must achieve at least the minimum density for the zoning district in which they are located, unless otherwise permitted by this Code.

Except for projects in the Downtown Design District, projects proposed at less than the minimum density must demonstrate on a site plan or other means, how, in all aspects, future intensification of the site to the minimum density or greater can be achieved without an adjustment or variance. If meeting the minimum density will require the submission and approval of an adjustment or variance application(s) above and beyond application(s) for adding new primary dwellings or land division of property, meeting minimum density shall not be required. [ORD 4799; January 2021]

For the purposes of this section, new residential development in all zones shall mean intensification of the site by adding at least one new dwelling, except for accessory dwelling units, -or land division of the property. New residential development is not intended to refer to additions to existing structures, rehabilitation, renovation, remodeling, or other building modifications or reconstruction of existing structures. [ORD 4799; January 2021]

Minimum residential density shall be calculated as follows: [ORD 4822; June 2022]

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

2. For the RMA, RMB, and RMC zoning districts, except for multi-dwellings:
 - a. Refer to the definition of Acreage, Net.
 - b. Multiply the net acreage by the minimum residential density provided in Section 20.05.15. to determine the minimum number of dwellings that must be built on the site.
3. For all other situations:
 - a. Refer to the definition of Acreage, Net.
 - b. Multiply the net acreage by the minimum residential density provided in the relevant site development standards for that zoning district.
4. If the resulting number in step 1.b, 2.b, or 3.b is not a whole number, the number shall be rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number shall be rounded up to the nearest whole number. If the decimal is less than 0.5, then the number shall be rounded down to the nearest whole number.

B. Residential Density Averaging. Minimum residential density averaging may occur consistent with the following.

1. Except for sites within RMA, RMB, ~~and~~ RMC, ~~and~~ CM-RM, residential densities may be averaged across a site if the entire site is within a single zoning district and within a single, contiguous ownership.
- ~~1-2.~~ For sites entirely within the Cooper Mountain Community Plan area including sites that include CM-RM, residential densities may be averaged across a site if the entire site is within a single, contiguous ownership regardless of the number of zones applied to the site. The development in all zones on the site shall meet the land use and site development standards for that zone, including allowed uses and minimum lot size.
- ~~2-3.~~ For sites that do not qualify for residential averaging in Section 20.25.05.1.B.1 or 2, residential density averaging may be allowed through the Planned Unit Development process if consistent with applicable provisions in Section 60.35.
- ~~3-4.~~ For the purposes of Sections 20.25.05.1.B.1 and 20.25.05.1.B.2, properties within a single, contiguous ownership may also include those properties separated only by a street. [ORD 4584; June 2012] [ORD 4822; June 2022]

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

D. Exceptions to Minimum Density Standards in the RMA, RMB, ~~and~~ RMC, ~~and~~ CM-RM districts. [ORD 4822; June 2022]

1. An existing single-detached dwelling, as of June 30, 2022, for RMA, RMB and RMC and as of [effective date of ordinance] for CM-RM, that is at least 1,200 square feet in floor area, may count as two units for the purpose of calculating minimum density.
2. For an existing lot that does not meet minimum density, applications for development must meet one of the following:
 - a. Meet minimum density by constructing enough units on the lot;
 - b. Meet minimum density by dividing the lot; and/or
 - c. Demonstrate the potential for future partitioning, subdividing or development of the lot in accordance with the requirements of the Development Code. Plans must demonstrate how driveways, pedestrian ways, and utilities can adequately serve future potential development on the **oversized** lot. Easements

and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.

2. Maximum Residential Density.

- A. Calculation:** Maximum residential density is calculated based upon gross site acreage.
- B. Permitted Density.** Except as otherwise approved through the Planned Unit Development process, phased development may be proposed so long as each phase complies with the minimum density.
- C. Residential Density Averaging.** Maximum residential density averaging may occur consistent with the following.
 - 1.** Except for sites within RMA, RMB, ~~or RMC, or CM-RM, CM-MR, CM-CS, or CM-HDR,~~ residential densities may be averaged across a site if the entire site is within a single zoning district and within a single, contiguous ownership.
 - 1.2.** For sites that do not qualify for residential averaging in 20.25.05.2.C.1, residential density averaging may be allowed through the Planned Unit Development process if consistent with applicable provisions in Section 60.35.
 - 2.3.** For the purposes of Sections 20.25.05.2.C.1, properties within a single, contiguous ownership may also include those properties separated only by a street. [ORD 4584; June 2012] [ORD 4822; June 2022]

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

Effective on: 6/30/2022

20.25.10. Floor Area Ratio

1. Floor Area.

- A. Minimum Floor Area Ratio:** Unless otherwise specified, minimum Floor Area Ratio is the ratio of gross floor area in square feet to net square footage on a site.
- B. Maximum Floor Area Ratio:** Except in RMA, RMB ~~and~~ RMC, and CM-RM, maximum Floor Area Ratio is the ratio of gross floor area in square feet to net square footage on the site. In ~~the RMA, RMB and~~ RMC and CM-RM zones, maximum Floor Area Ratio is the ratio of gross floor area in square feet to net square footage on a lot.
- C. Floor Area Ratios for Multiple Use Developments:** Multiple Use Developments with single-use residential buildings are governed by residential density and FAR provisions, as calculated by Section 20.25.10.4, below.

2. Permitted Floor Area Ratio. Except as otherwise approved through the Planned Unit Development process, phased development may be proposed so long as each phase complies with the minimum Floor Area Ratio requirements.

2.3. Accommodating Floor Area. Outside the Cooper Mountain Community Plan area, Floor Area may be accommodated on a site where undevelopable areas cannot practicably allow development. The Floor Area allowance may be transferred from undevelopable areas to developable areas. Where higher Floor Area is proposed greater than the Code allowance, Planned Unit Development approval is necessary. In the Cooper Mountain Community Plan area, sites in CM-CS, CM-HDR, and CM-MR that have Resource Overlay and environmentally constrained lands as identified in the Net Acreage definition that combined are equal to or greater than 30 percent of the site shall have a maximum Floor Area Ratio that is 20 percent higher than that identified in Section 20.22.15.

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

For Multiple Use Developments with single use residential buildings, residential densities and non-residential FARs shall be implemented as follows: [ORD 4584; June 2012]

Figure 20.25.10.A Development Intensity Calculations

RESIDENTIAL-ONLY CALCULATION						
Net buildable acres	X	Percentage of proposed residential use	X	Minimum residential density	=	Minimum dwelling units required
5 acres		20%		TC-MU = 24 units per acre		24 units
NON-RESIDENTIAL CALCULATION						
Net buildable acres	X	Percentage of proposed non-residential use	X	Square feet in an acre (43,560)	X	Minimum Floor Area Ratio
5 acres		80%		174,240 square feet		TC-MU = 0.5 FAR
					=	Minimum non-residential square footage
						87,120 square feet

Gray text provides an example calculation for a 5-acre site in the TC-MU zone.

[ORD 4799; January 2021]

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

5.6. Phased Development. ~~Planned Unit Development and Design Review Build-Out Concept Plan.~~ Projects may use the Planned Unit Development (PUD); ~~or the~~ Design Review Build-Out Concept Plan (DRBCP) process, as outlined in Section 40.20.10.5.A; ~~or the~~ Cooper Mountain Development Plan (CMDP) process, as outlined in Section 40.20.10.5.C, to develop a site in phases to achieve the minimum FAR established in this section. Such projects must demonstrate in the submittal plans how future development of the site, to the minimum development standards established in this ordinance or greater, can be achieved at ultimate build out of the PUD, ~~or~~ DRBCP, or CMDP. The DRBCP may be used if the only Site Development Requirement being phased, altered, or otherwise varied is the minimum FAR. If any other Site Development Requirement is being phased, altered, or otherwise varied, the PUD process is to be used. [ORD 4822; June 2022]

[ORD 4584; June 2012]

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

Effective on: 6/30/2022

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Cooper Mountain Community Plan Project

Proposed Beaverton Code Amendments

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CHAPTER 40 - APPLICATIONS

40.15 Conditional Use

Commentary: Section 40.15.15.6 - Planned Unit Development Application

The existing Planned Unit Development (PUD) application was updated to include new Cooper PUD requirements of Section 60.36 which will apply to PUD applications for sites within the Cooper Mountain Community Plan area. Properties in Cooper Mountain will not be required to apply for a PUD but may choose to apply in order to seek approval of the flexibility or alternatives offered for certain development by Section 60.36. This section also clarifies existing processes for phased PUD projects.

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

- A. Threshold. A Planned Unit Development is an application process which: [ORD 4578; March 2012]
1. May be chosen by the applicant when one or more of the following thresholds apply: [ORD 4578; March 2012]
 - a. The Planned Unit Development (PUD) may be applied to Commercial, Industrial, Multiple Use, and Residential properties outside of the Cooper Mountain Community Plan area that are that have a total gross site area of 2 acres or greater in size within any City zoning district. [ORD 4584; June 2012]
 - b. The PUD may be applied to one or more properties of any size within the Cooper Mountain Community Plan area.
 - c. When a land division of 2 acres or greater in size within any City zoning district requires collectively more than 3 of the following land use applications or combination thereof: [ORD 4584; June 2012]
 - (1) Minor Adjustment;
 - (2) Major Adjustment;
 - (3) ~~Flexible Zero Yard Setbacks~~; or
 - (4) Variance.

[ORD 4578; March 2012]

2. [ORD 4578; March 2012] Is required prior to, or concurrent with, other development applications when development is proposed on land within the SC-S (Station Community - Sunset) zoning district. Sign applications excepted. [ORD 4597; February 2013]
3. Is required for developments located within the TC-MU or TC-HDR zone AND: is a phased development project, or is development of a site that is greater than 5 acres. [ORD 4697; December 2016]
4. Is required when development within the South Cooper Mountain Community Plan Area does not comply with the applicable standards in Sections [60.05.20.1.A](#), [60.05.20.3.A](#), [60.05.25.15](#), [60.05.60.2.S5](#), [60.05.60.3.S6](#), [60.05.60.4.S20](#) and [60.55.25.2](#) and no corresponding guidelines exists.

[ORD 4822; June 2022]

- B. Procedure Type. The Type 3 procedure, as described in Section [50.45](#). of this Code, shall apply to an application for PUD approval. The decision making authority is the Planning Commission.
- C. Approval Criteria. In order to approve a PUD application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 1. The proposal satisfies the threshold requirements for a PUD application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The proposal is consistent with all applicable provisions of Section 60.35, except for proposals within the Cooper Mountain Community Plan area which shall be consistent with the applicable provisions of Section 60.36.
 4. The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless otherwise provided by Section [60.35.10.03](#) or Section 60.36.15.
 5. The proposal complies with the applicable policies of the Comprehensive Plan.
 6. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.
 7. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the surrounding area of the subject site.
 8. The width of proposed lots or staggering of building setbacks within detached residential developments vary so as to break up the monotony of long blocks and provide for a variety of home shapes and sizes, while giving the perception of open spaces between homes.
 9. The lessening of the Site Development Requirements results in significant benefits to the enhancement of the site, building, ~~and-or~~ structural design, or in significant public benefits related to the preservation of natural features, enhanced integration with ~~and~~ the surrounding neighborhood, increased housing options, or other benefits that warrant the requested flexibility as outlined in Section 60.305.15.
 10. The proposal provides improved open space that is accessible and usable by persons living nearby. Open space meets the following criteria unless otherwise determined by the Planning Commission through Section [60.35.15](#). or Section 60.36.25, as applicable:
 - a. The dedicated land forms a single parcel of land except where the Planning Commission determines two (2) parcels or more would be in the public interest and complement the overall site design.

- b. The shape of the open space is such that the length is not more than ~~three (3)~~ times the width and the purpose of which is to provide usable space for a variety of activities except where the Planning Commission determines a greater proportioned length would be in the public interest and complement the overall site design.
- c. The dedicated land(s) is located to reasonably serve all lots ~~for of~~ the development, for which the dedication is required.

- 11. ~~[ORD 4578; March 2012]~~ For proposals within the SC-S (Station Community - Sunset) zoning district, the requirements identified in Sections 20.20.40.2. and 20.20.40.3. are satisfied. [ORD 4578; March 2012]
- 12. If the application proposes to develop the PUD over multiple phases, the decision making authority may approve a time schedule of not more than five (5) years for the multiple development phases. If a phased PUD has been approved, development applications for the future phases of the PUD shall be filed within ~~five (5)~~ years unless the PUD has received an extension approval pursuant to Section 50.93. of the Development Code. [ORD 4654; March 2015]
- 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 PUD shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The PUD application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

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

~~F.~~ Phasing. ~~A PUD may be developed in a single phase or in multiple phases with approval of the Planning Commission. If the application proposes to develop the PUD in a single phase, the decision shall expire two (2) years after the date of decision. Refer to Section 50.90.~~

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

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

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

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

7. **Modification of a Nonconforming Use. [ORD 4696; December 2016]**

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

- 1. The proposal includes the modification, movement, or reconstruction of a nonconforming use or nonconforming structure which was adversely impacted or made nonconforming by a governmental agency action.

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

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

1. The proposal satisfies the threshold requirements for a Modification of a Nonconforming Use application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The structure or use proposed to be modified, moved, or reconstructed is a lawful nonconforming structure or use of land that was made nonconforming by a governmental agency action, as identified in Section 30.25.3 or Section 30.30.2 of the Development Code.
 4. The structure or use is adversely impacted or destroyed as a result of a governmental agency action.
 5. The reconstructed or relocated use does not occupy an area greater than that occupied prior to the relocation.
 6. This Modification of a Nonconforming Use application was made prior to the adverse impact or destruction of the use or structure.
 7. The reconstructed or relocated use is on the same property or an abutting property under the same ownership.
 8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
- D. Submission Requirements. An application for a Modification of a Nonconforming Use shall be made by the owner of the subject property, or the owner’s authorized agent, on a form provided by the Director and shall be filed with the Director. The Modification of a Nonconforming Use application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Modification of a Nonconforming Use 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.

[ORD 3236, 01/28/1982; ORD 3293, 11/25/1982; ORD 3555, 04/17/1987; ORD 3556, 04/23/1987; ORD 3739, 09/08/1990; ORD 3918, 02/01/1995; ORD 3921, 04/04/1995; ORD 4046, 06/03/1999; ORD 4071, 11/25/1999; ORD 4111, 07/14/2000; ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4265, 10/09/2003; ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4430, 04/19/2007; ORD 4473, 03/27/2008; ORD 4498, 01/15/2009; ORD 4578, 04/05/2012; ORD 4584, 06/01/2012; ORD 4597, 02/08/2013; ORD 4652, 03/06/2015; ORD 4654, 03/25/2015; ORD 4659, 07/10/2015; ORD 4696, 12/02/2016; ORD 4697, 12/02/2016; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 8/18/2023

40.20 Design Review

Commentary: Section 40.20.10

The Code Maintenance Project, a bundle of text amendments that went into effect on October 3, 2024, included an amendment that modified the Design Review Two application thresholds and approval criteria to allow projects to address up to three Design Guidelines in lieu of three applicable Design Standards. Proposals that meet the Design Review Compliance Letter thresholds can also address up to three Design Guidelines and be processed as a Design Review Two application. This language was taken from the Downtown Design Review and Single-Detached and Middle Housing Design Review applications; however, the Downtown Design Review Design Standards and Guidelines in Chapter 70 and the Single-Detached and Middle Housing Design Review Standards and Guidelines in Section 60.05.60 have a one-to-one ratio so there are never more than three corresponding Design Guidelines for three Design Standards. The Design Standards and Guidelines in Sections 60.05.15 through 60.05.50 do not have a one-to-one ratio. For example, there are four corresponding Design Guidelines for Design Standard 60.05.15.1.B, which means that as currently written, addressing the Guidelines in lieu of this Standard would always require a Design Review Three application, which was not the intention of this amendment. Therefore, the thresholds and approval criteria for the Design Review Two and Design Review Three applications was modified to reflect the intention that an applicant can address the corresponding Design Guidelines, no matter how many are applicable, for up to three Design Standards through a Design Review Two application.

Section 40.20.10.5 was modified to provide the ability for projects to meet minimum floor area ratio and/or minimum required commercial standards in a phased manner inside the Cooper Mountain Community Plan area. Section 40.20.10.5.A was modified to exclude projects within Cooper Mountain, and Section 40.20.10.5.C was added for projects within Cooper Mountain. New code language was added to support projects within the Cooper Mountain Community Plan area that may use a Cooper Mountain Development Plan (CMDP), approved through a Type 3 process, to develop a site in phases.

Also, new approval criteria require new housing development to conform to a previously approved Land Division Housing Plan or an approved Land Division Housing Plan Amendment. A Land Division Housing Plan will be required as a part of a Land Division application for the creation of lots to develop single-detached dwellings or middle housing when the project does not include a concurrent Design Review application. The Land Division Housing Plan will demonstrate that the future development of housing on the proposed lots will meet applicable Chapter 20 requirements such as minimum density, lot size, and, in Cooper Mountain's CM-RM zoning district, the housing variety and integration requirements. See Section 40.45 for more details about the Land Division Housing Plan and Land Division Housing Plan Amendment application.

40.20.10. Applicability.

1. The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located. [ORD 4584; June 2012]
2. Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following: [ORD 4584; June 2012]

- A. All uses listed as Conditional Uses in the RMB and RMC zoning districts. [ORD 4584; June 2012] [ORD 4822; June 2022]
 - B. All uses listed as Permitted and Conditional Uses in the RMA, ~~and~~ MR, and CM-MR Residential zoning districts, except those that are exempt, per Section 40.20.10.3, and except those subject to Single-Detached and Middle Housing Design Review in the RMA district, per Section 40.21.10. [ORD 4584; June 2012] [ORD 4822; June 2022]
 - C. All non-residential uses listed as Permitted, all Conditional Uses, and Compact Detached Housing in the CM-MR and CM-RM zoning districts, except those that are exempt per Section 40.20.10.3, and except those subject to Single-Detached and Middle Housing Design Review per Section 40.21.10.
 - D. All uses listed as Permitted and Conditional Uses in all Commercial, Industrial, and Multiple-Use zoning districts, except Downtown Zoning Districts, which are subject to the provisions of Section 40.23.
 - E. Site grading.
 - F. Domestic Violence Shelters and Mass Shelters in any zoning district. [ORD 4838; March 2023]
3. Design Review approval shall not be required for the following:
- A. Single-detached dwellings and middle housing in the RMA, RMB, and RMC zoning districts, which are subject to Single-Detached and Middle Housing Design Review, per Section 40.21.10. Also, other uses listed as Permitted Uses in the RMC and RMB zoning districts, with the exception of Domestic Violence Shelters and Mass Shelters per Section 40.20.10.2.~~EF~~. [ORD 4584; June 2012] [ORD 4822; June 2022] [ORD 4838; March 2023]
 - B. Single-detached dwellings and middle housing, small-scale commercial uses described in Section 20.22.35, and multi-dwelling structures with five or six units on one lot in the CM-RM zoning district.
 - C. Residential accessory structures for Permitted uses in the RMA, RMB, ~~and~~ RMC, and CM-RM zones as well as single-detached dwellings Permitted in any Multiple Use, Residential or Commercial zoning district which meet applicable provisions of Section 60.50.05 Residential Accessory Structures. [ORD 4542; June 2010] [ORD 4822; June 2022]
 - D. Existing single-detached dwellings in the MR and CM-MR zoning districts and in Commercial, Industrial, and Multiple-Use zoning districts. [ORD 4782; April 2020] [ORD 4822; June 2022]
 - E. Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.
 - F. Painting of any building in any zoning district.
 - G. Wireless communication facilities.
 - H. Food Cart Pods and their amenities, as described in Section 60.11. [ORD 4662; September 2015]
 - I. Uses, activities, and structures located on a private parking lot and approved pursuant to the Open Air Beaverton program. [ORD 4819; January 2022]
 - J. Emergency Shelters. [ORD 4838; March 2023]
 - K. Demolition or other reduction in square footage of an existing building.
 - L. Accessory structures, non-habitable buildings, or permanent structures not considered buildings, with a footprint of 120 square feet or less and no greater than one-story for ~~p~~Permitted uses in ~~e~~Commercial, ~~i~~Industrial, and ~~m~~Multiple ~~u~~Use zones and for Conditional Uses in any zone. They shall not be placed closer than ten (10) feet to any property line abutting a street. For all other sides, the structure may be as close as five (5) feet to the property line unless the underlying zone allows for less restrictive setback standards, the accessory structure, non-habitable building, or structure may apply the underlying zone’s setback standards. Regardless of the setback, no accessory structure, non-habitable building, or structure shall be placed or constructed over an easement.

- M. All uses listed as Permitted and Conditional Uses in the Downtown Design Districts RC-BC, RC-OT, RC-MU, and RC-DR, per section 40.23.10.3.
4. Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, and redevelopments associated with them, will be treated according to the following principles:
- A. Development constructed or approved prior to December 15, 2004, is not subject to Design Review standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:
1. If structural damage or destruction is less than or equal to fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction can be replaced as legally existed on the site before the casualty loss.
 2. If structural damage or destruction is more than fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction must meet the provisions of this Code in every regard unless otherwise authorized by the provisions of this Code.
- [ORD 4531; April 2010]
- B. Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards or guidelines.
- C. Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable. [ORD 4531; April 2010]
5. Design Review approval is required for all applicable new and existing developments. The City recognizes, however, that meeting minimum Floor Area Ratio (FAR) in an early phase of a multi-phased development on a large site may be difficult. The City also recognizes that creating high quality pedestrian environments along public streets is a priority. In recognition of these and other issues, the following options are available.
- A. Projects outside the Cooper Mountain Community Plan area may use a Design Review Build-out Concept Plan (DRBCP), approved through a Type 3 process, to develop a site by demonstrating conceptually full compliance at build-out with the design review standards and/or guidelines established in Section 60.05. Such projects shall demonstrate in a DRBCP how future development of the site, to the minimum applicable floor area ratio (FAR), while meeting the development standards contained in CHAPTER 20 of the Beaverton Development Code and to the minimum applicable design standards contained in Section 60.05 or greater, can be achieved at ultimate build out of the DRBCP. A DRBCP shall:
1. Include a plan and narrative intended to address feasibility of constructing future phases, consistent with applicable development standards of the Development Code within the total site area where the project is proposed, and may include abutting properties if under same ownership.
 2. Not rely on the removal of a structure proposed in an early phase in order to demonstrate compliance in later phases.
 3. Compliance with any applicable Design Standards and/or Guidelines shall not be deferred to future phases of a DRBCP.

[ORD 4531; April 2010] [ORD 4706; May 2017]

- B. When a development site abuts two (2) or more Arterial Streets that are also designated Major Pedestrian Routes, application of the applicable design standards may be moved from along the Arterial Streets. This alternative is to provide parking lot drive aisles developed as internal private streets, and to locate buildings along the internal private streets, subject to the following:
1. The internal private streets shall extend from the Arterial Street to another public street, or back to an Arterial Street in such a way that street continuity is maintained along the entire internal street, and with abutting properties.
 2. A public access easement shall be required along the internal private streets.
 3. Buildings shall occupy a minimum percentage of the frontage of the internal private streets that is equal to the amount of lineal building frontage that would have been required under the standards for the Major Pedestrian Routes, and a minimum of 50% of the internal private streets shall have building frontage on both sides of the street.
 4. All applicable design standards contained in Section 60.05., particularly 60.05.15.6. *Building location and orientation along streets in Commercial and Multiple Use districts zones*, 60.05.15.7 *Building scale along Major Pedestrian Routes*, 60.05.20.4 *Street frontages and parking areas*, 60.05.20.6 *Off-Street parking frontages-in Multiple Use zones*, and 60.05.20.9 *Ground floor uses in parking structures* shall be met by buildings along the internal private streets. [ORD 4584; June 2012]
- C. Projects within the Cooper Mountain Community Plan area may use a Cooper Mountain Development Plan (CMDP), approved through a Type 3 process, to develop a site in phases, where the first phase does not meet the minimum floor area ratio (FAR) requirements established in Section 20.22.15 or the CM-CS minimum commercial requirement established in Section 20.22.30. Such projects shall demonstrate through a phasing plan how future development of the site will meet the applicable FAR or commercial requirement at ultimate buildout while meeting the other applicable Site Development Standards contained in Section 20.22.15 and applicable Design Standards and/or Guidelines contained in Section 60.05. A CMDP shall:
1. Include a plan and narrative that addresses the feasibility of constructing future phases, consistent with applicable development standards and/or guidelines of the Development Code within the total site area where the project is proposed, and may include abutting properties and properties across streets if under same ownership; and
 2. Not rely on the removal of a structure proposed in an early phase to demonstrate compliance in later phases; and
 3. Not defer compliance with any applicable Design Standards and/or Guidelines to future phases of a CMDP; and
 4. Include a conceptual utility plan to demonstrate how future-phase development will be served for each phase; and
 5. 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
 6. For minimum FAR, demonstrate that the first phase of development provides at least 75 percent of the minimum FAR as defined in Section 20.22.15; and
 7. For minimum commercial requirements:
 - a. Provide a phasing plan that demonstrates how the future development of the site will meet the minimum leasable commercial space standards in Section 20.22.30 without relying on commercial square footage constructed on other sites; and

- b. Record a deed restriction on the property to require commercial development on land where the phasing plan shows future commercial will be developed at a later date to meet the standards in Section 20.22.30.

[ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4662, 09/11/2015; ORD 4706, 05/19/2017; ORD 4782, 04/17/2020; ORD 4819, 01/14/2022; ORD 4822, 06/30/2022; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

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. Modification of up to 15 percent on-site landscaping with no reduction in required landscaping.
 - f. Modification of off-street parking and maneuvering area with no increase to the paved area of the site. [ORD 4782; April 2020] [ORD 4844; August 2023]
 - g. Addition or modification of new fences, retaining walls, or both. [ORD 4531; April 2010]
 - h. Changing of existing grade.
 - i. Removal of Landscape Trees [ORD 4365; October 2005] [ORD 4659; July 2015]
 - j. Addition of no more than twenty-five (25) percent landscape features that consist only of natural materials. [ORD 4397; August 2006]
 - k. Addition or modification of on-site lighting. [ORD 4531; April 2010] [ORD 4584; June 2012]
 - l. New construction or modification of accessory structures, non-habitable buildings, or permanent structures not considered a building, in ~~e~~C~~ommercial~~, ~~i~~I~~ndustrial~~, ~~m~~M~~ultiple~~ ~~u~~U~~se~~ zones, or for approved ~~e~~C~~onditional~~ uses in any zone, which has a footprint of up to and including 1,000 square feet and is a use ~~p~~P~~ermitted~~, or for approved ~~e~~C~~onditional~~ uses, 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.~~ ~~[ORD 4531; April 2010] [ORD 4584; June 2012]~~
- ~~5-4.~~ 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., and 20.22.15.~~ 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. [ORD 4782; April 2020] [ORD 4844; August 2023]~~
 - ~~i. Pedestrian circulation.~~

~~[ORD 4578; March 2012]~~~~
 6. The proposal complies with all applicable provisions in CHAPTER 60 (Special Regulations).
 7. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance. [ORD 4782; April 2020]
 8. 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.
 9. Proposals for Community Gardens comply with Section 60.05.25.145 of CHAPTER 60. Community Gardens are exempt from Criteria 4, 5, 6, ~~and 7, and 8~~ above. [ORD 4659; July 2015] [ORD 4782; April 2020]
 10. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 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.

2. **Design Review Two.**

- A. Threshold. An application for Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal:
 1. New construction of up to and including 50,000 gross square feet of non-residential floor area where the development does not abut any Residential District. [ORD 4462; January 2008]
 2. New construction of up to and including 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential District. [ORD 4462; January 2008]
 3. New construction of multi-dwellings in any zone where multi-dwellings are a Permitted or Conditional Use. [ORD 4822; June 2022]
 4. New construction of duplexes, triplexes, quadplexes, or townhouses in the MR and CM-MR zones or in any Commercial or Multiple Use zone where such housing types are a Permitted or Conditional Use. [ORD 4822; June 2022]
 5. Reconstruction of single-detached residential dwellings in Multiple Use zoning districts where reconstruction of existing single-detached dwellings is a Permitted Use. [ORD 4542; June 2010] [ORD 4822; June 2022]
 6. Building additions in Residential, Commercial, Industrial, or Multiple Use zones less than 30,000 gross square feet of floor area that do not qualify for consideration under the Thresholds for Design Review Compliance Letter. [ORD 4531; April 2010] [ORD 4659; July 2015]
 7. Any change in excess of 15 percent of the square footage of on-site landscaping or pedestrian circulation area with the exception for an increase in landscape art of up to 25 percent. [ORD 4397; August 2006]
 8. Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds paving. [ORD 4782; April 2020]
 9. New parks in non-residential zoning districts.
 10. New construction or modification of accessory structures, non-habitable buildings or permanent structures, not considered a building in ~~e~~C~~o~~mmercial, ~~i~~n~~d~~ustrial, ~~m~~u~~l~~tiple ~~u~~s~~e~~ zones, or for Permitted non-residential uses and approved ~~e~~C~~o~~nditional ~~s~~U~~s~~es, which has a footprint greater than 1,000 square feet and up to 10,000 square feet in size. [ORD 4584; June 2012] [ORD 4782; April 2020]
 11. A project meeting the Design Review Compliance Letter threshold(s) which addresses the corresponding Design Guidelines for up to ~~three~~(3) applicable ~~e~~D~~e~~sign guidelines Standards.
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Design Review Two. The decision making authority is the Director.

- C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Design Review Two application.
 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 is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards) or the corresponding Design Guidelines (Sections 60.05.35. through 60.05.50) for no more than three applicable Design Guidelines Standards (Sections 60.05.35. through 60.05.50) and the remaining applicable Design Standards.
 5. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) and no more than three applicable Design Guidelines (Sections 60.05.35. through 60.05.50); or can demonstrate that the proposed additions or modifications are moving towards compliance with specific Design Standards if any of the following conditions exist:
 - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable standard; or
 - b. The location of existing structural improvements prevent the full implementation of the applicable standard; or
 - c. The location of the existing structure to be modified is more than 300 feet from a public street.

If the above listed conditions are found to exist and it is not feasible to locate a proposed addition in such a way that the addition abuts a street, then all applicable design standards except the following must be met: Building location and orientation along streets in Commercial and Multiple Use zones (Section 60.05.15.6); Ground floor elevations on commercial and multiple use buildings (Section 60.05.15.8); and Off-Street parking frontages (Section 60.05.20.6).

 - ~~d. If in a Multiple Use District, building location, entrances and orientation along streets, and parking lot limitations along streets (Standards 60.05.15.6 and 60.05.20.8)~~
 - ~~e. If in a Multiple Use or Commercial District, ground floor elevation window requirements (Standard 60.05.15.8).~~
 6. For reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district, the reconstructed dwelling is no more than 500 square feet larger in floor area than the original dwelling. [ORD 4822; June 2022]
 7. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance. [ORD 4782; April 2020]
 8. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 9. 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 Design Review Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Two application shall be accompanied by the information required by the

application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

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

3. **Design Review Three.**

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

- 1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district. [ORD 4397; August 2006] [ORD 4410; December 2006] [ORD 4462; January 2008] [ORD 4584; June 2012]
- 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential zoning district. [ORD 4410; Nov. 2006] [ORD 4462; December 2007] [ORD 4584; June 2012]
- 3. Building additions in Residential, Commercial, Industrial or Multiple Use zones more than 30,000 gross square feet of floor area. [ORD 4531; April 2010]

~~4. —ORD 4531; April 2010~~

~~5.4.~~ Construction of an accessory structure, non-habitable building or permanent structure, not considered a building, in ~~e~~Commercial, ~~i~~Industrial, ~~m~~Multiple ~~u~~Use zones, or for Permitted non-residential uses and approved Conditional Uses in ~~r~~Residential zones, which exceeds 10,000 square feet in size. [ORD 4782; April 2020]

~~6.5.~~ Projects proposed utilizing the options described in Section 40.20.10.5.

~~7.6.~~ New parks in Residential zoning districts.

~~8.7.~~ A project meeting the Design Review Compliance Letter thresholds which addresses the corresponding Design Guidelines for more than ~~three (3)~~ applicable ~~d~~Design guidelines Standards.

~~9.8.~~ A project meeting the Design Review Two thresholds which addresses the corresponding Design Guidelines for more than ~~three (3)~~ applicable ~~d~~Design guidelines Standards.

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

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

- 1. The proposal satisfies the threshold requirements for a Design Review Three application.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. For proposals meeting Design Review Three application thresholds numbers 1 through ~~7~~ 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).
- 4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the

additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
 - b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or
 - c. The location of the existing structure to be modified is more than 300 feet from a public street.
5. The proposal complies with the grading standards outlined in Section [60.15.10](#) or approved with an Adjustment or Variance. [ORD 4782; April 2020]
 6. For DRBCP proposals which involve the phasing of required floor area and CMDP proposals which involve the phasing of required floor area or the minimum commercial requirement, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP or CMDP. [ORD 4584; June 2012]
 7. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 8. For proposals meeting Design Review Three application Threshold numbers [87](#) or [98](#), where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections [60.05.15](#) through [60.05.30](#) (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; April 2010]
 9. For proposals meeting Design Review Three application Threshold numbers [87](#) or [98](#), where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections [60.05.35](#) through [60.05.50](#) (Design Guidelines). [ORD 4531; April 2010]
 10. 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 Review Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Three application shall be accompanied by the information required by the application form, and by Section [50.25](#). (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Review Three application to ensure compliance with the approval criteria.
- 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 3325, 07/07/1983; ORD 3441, 04/02/1985; ORD 3624, 09/01/1988; ORD 3739, 09/08/1990; ORD 3921, 04/04/1995; ORD 3965, 11/07/1996; ORD 3976, 05/15/1997; ORD 4061, 10/15/1999; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4112, 07/14/2000; ORD 4118, 09/14/2000; ORD 4224, 09/19/2002; ORD 4248, 05/08/2003; ORD 4265, 10/09/2003; ORD 4312, 07/22/2004; ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4397, 08/10/2006; ORD 4404, 10/19/2006; ORD 4410, 12/14/2006; ORD 4462, 01/10/2008; ORD 4498, 01/15/2009; ORD 4531, 04/01/2010; ORD 4532, 04/01/2010; ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4659, 07/10/2015; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Commentary: Section 40.21. Single-Detached and Middle Housing Design Review

These proposed amendments would change this section to add references to Cooper Mountain zoning districts and specific standards in Cooper Mountain zones, such as small-scale commercial uses and Multi-Dwellings with 5 or 6 units.

Also, new approval criteria require new housing development to conform to a previously approved Land Division Housing Plan or an approved Land Division Housing Plan Amendment. A Land Division Housing Plan will be required as a part of a Land Division application for the creation of lots to develop single-detached dwellings or middle housing when the project does not include a concurrent Single-Detached and Middle Housing Design Review application. The Land Division Housing Plan will demonstrate that the future development of housing on the proposed lots will meet applicable Chapter 20 requirements such as minimum density, lot size, and, in Cooper Mountain’s CM-RM zoning district, the housing variety and integration requirements. See Section 40.45 for more details about the Land Division Housing Plan and Land Division Housing Plan Amendment application.

40.21. Single-Detached and Middle Housing Design Review

[ORD 4822, 06/30/2022]

40.21.05 Purpose

[ORD 4822; June 2022]

The purpose of Single-Detached and Middle Housing Design Review is to promote neighborhoods that build community and are welcoming to everyone. Design rules are intended to provide opportunities for neighbors to socialize, encourage tree planting, promote safe and comfortable connections to sidewalks and streets and support architectural variety.

Single-Detached and Middle Housing Design Review process is divided into two major components: Design Standards and Design Guidelines. Most Design Standards have a corresponding Design Guideline. In some cases, Design Standards do not have a corresponding Design Guideline, which means the Design Standard must be met.

The Design Standards are intended to provide a clear and objective approach to designing a project. Depending on the design thresholds, designing a project to the standards would result in an administrative review process.

An applicant for Single-Detached and Middle Housing Design Review approval can address design review requirements through a combination of satisfying applicable Design Standards, and in instances where it elects not to utilize Design Standards, satisfy the corresponding applicable Design Guidelines. In cases reviewed through a public hearing, the hearing and decision will focus on whether or not the project satisfies the requirements of the applicable Design Guidelines only.

The purpose of Single-Detached and Middle Housing Design Review as summarized in this Section is carried out by the approval criteria listed herein.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

40.21.10. Applicability

[ORD 4822; June 2022]

1. Development of single-detached dwellings (including manufactured homes) and middle housing in the RMA, RMB, ~~and RMC~~, and CM-RM zoning districts shall be subject to Single-Detached and Middle Housing Design Review. For Design Review of attached forms of middle housing outside of the RMA, RMB, and RMC districts, refer to Section 40.20 (Design Review) or Section 40.23 (Downtown Design Review) for development in the RC-BC, RC-OT, RC-MU, and RC-DY zones.
2. The scope of Single-Detached and Middle Housing Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located.
3. Considering the thresholds for Single-Detached and Middle Housing Design Review One, Two, or Three applications, and unless exempted by Section 40.21.10.4., approval shall be required for the following:
 - A. Development of single-detached dwellings (including manufactured homes) in the RMA, RMB, ~~and RMC~~, and CM-RM zoning districts.
 - B. Development of middle housing (duplexes; triplexes; quadplexes; townhouses; and cottage clusters, including Community Buildings) in the RMA, RMB, ~~and RMC~~, and CM-RM zoning districts.
 - C. Development of small-scale commercial uses described in Section 20.22.35 in the CM-RM zoning district.
 - D. Development of multi-dwelling structures with five or six units on one lot in the CM-RM zoning district.
4. Single-Detached and Middle Housing Design Review approval shall not be required for the following:
 - A. Creation of middle housing through the addition to, or conversion of, an existing single-detached dwelling.
 - B. Residential accessory structures, except carports for cottage clusters and detached garages, shall meet applicable standards of Section 60.50.05 Residential Accessory Structures.
 - C. Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.
 - D. Painting of any building.
 - E. Demolition or other reduction in square footage of an existing building.
5. Single-Detached and Middle Housing Design Review approval through one of the procedures noted in Section 40.21.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, and redevelopments associated with them, will be treated according to the following principles:
 - A. Development constructed or approved prior to June 30, 2022 is not subject to Design Review standards and guidelines and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to June 30, 2022 are not considered nonconforming if they do not meet design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:
 1. If structural damage or destruction is less than or equal to fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction can be replaced as legally existed on the site before the casualty loss.

2. If structural damage or destruction is more than fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction must meet the provisions of this Code in every regard unless otherwise authorized by the provisions of this Code.
- B. Proposed new free-standing building(s), excluding accessory structures unless otherwise indicated in Section 60.50.05, within an existing development will be subject to all applicable design standards or guidelines.
- C. Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

40.21.15. Application

[ORD 4822; June 2022]

There are three (3) Single-Detached and Middle Housing Design Review applications which are as follows: Single-Detached and Middle Housing Design Review One, Single-Detached and Middle Housing Design Review Two, and Single-Detached and Middle Housing Design Review Three.

1. Single-Detached and Middle Housing Design Review One.

- A. Threshold. An application for Single-Detached and Middle Housing Design Review One shall be required when one or more of the following thresholds describe the proposal:
 1. Addition, elimination, or change in location of windows which are subject to Section 60.05.60.2, Section 60.05.60.3, ~~and~~ Section 60.05.60.4, and Section 60.05.65. Changes to windows not regulated by these sections are exempt from the Single-Detached and Middle Housing Design Review application.
 2. Addition, elimination, or change in location of doors which are subject to Section 60.05.60.2, Section 60.05.60.3, ~~and~~ Section 60.05.60.4, and 60.05.65. Changes to doors that are not regulated by these sections are exempt from the Single-Detached and Middle Housing Design Review application.
 3. Removal of Landscape Trees.
 4. New construction of single-detached dwellings or middle housing in the RMA, RMB, ~~or~~ RMC, or CM-RM zoning district.
 5. Floor area additions for single-detached dwellings or middle housing in the RMA, RMB, ~~or~~ RMC, or CM-RM zoning districts.
 6. Any modification to garages, off-street parking areas, or vehicle circulation area which increase the width of garages, outdoor on-site parking, or maneuvering areas adjacent to ~~from~~ the public or private street.
 7. Construction of a detached garage.
 8. Addition of a carport(s) to a Cottage Cluster development.
 9. New construction of or floor area additions for small-scale commercial uses described in Section 20.22.35 in the CM-RM zoning district.
 10. New construction of or floor area additions for multi-dwelling structures with five or six units on one lot in the CM-RM zoning district.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Single-Detached and Middle Housing Design Review One. The decision-making authority is the Director.

- C. Approval Criteria. In order to approve a Single-Detached and Middle Housing Design Review One application, the - 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 Single-Detached and Middle Housing Design Review One 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 meets all applicable Site Development Requirements of Sections 20.05.15 or Section 20.22.15, as applicable, and of Section 20.25.05 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.
 5. A proposal for a small-scale commercial use in the CM-RM zoning district meets all applicable provisions of Section 20.22.35.
 6. The proposal, which is not an addition to an existing building, is consistent with all applicable Design Standards in Section 60.05.60. (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) or in Section 60.05.65 (Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District), as applicable.
 7. 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 design standards of Section 60.05.60 or 60.05.65, as applicable.
 8. The proposal complies with all other applicable provisions in CHAPTER 60 (Special Requirements).
 9. The proposal complies with the grading standards outlined in Section 60.15.10. or approved with an Adjustment or Variance.
 10. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 11. 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 Single-Detached and Middle Housing Design Review One 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 Single-Detached and Middle Housing Design Review One 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 Single-Detached and Middle Housing Design Review One 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.
2. **Single-Detached and Middle Housing Design Review Two.**
- A. Threshold. An application for Single-Detached and Middle Housing Design Review Two shall be required when the following threshold describes the proposal:

1. A project meeting the Single-Detached and Middle Housing Design Review One thresholds which chooses to meet one or more Type 2 Design Guidelines.
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Single-Detached and Middle Housing Design Review Two. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Single-Detached and Middle Housing Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 1. The proposal satisfies the threshold requirements for a Single-Detached and Middle Housing Design Review Two 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 meets all applicable Site Development Requirements of Section 20.05.15. or Section 20.22.15 of the Development Code, as applicable, 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.
 5. A proposal for a small-scale commercial use in the CM-RM zoning district meets all applicable provisions of Section 20.22.35.
 6. If the development is proposed on an existing lot that does not meet minimum density, the proposal meets the requirements of Section 20.25.05.1.D.
 7. The proposal is consistent with all applicable Design Standards or applicable Type 2 Design Guidelines in Section 60.05.60. (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) or in Section 60.05.65 (Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District), as applicable.
 8. The proposal complies with all other applicable provisions in CHAPTER 60 (Special Requirements).
 9. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance.
 10. The proposal complies with all applicable provisions of Section 40.03.1 (Facilities Review Committee).
 11. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 12. 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 Single-Detached and Middle Housing Design Review Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Single-Detached and Middle Housing Design Review Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Single-Detached and Middle Housing Design Review Two 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.

3. Single-Detached and Middle Housing Design Review Three.

- A. Threshold. An application for Single-Detached and Middle Housing Design Review Three shall be required when the following threshold describes the proposal:
1. A project meeting the Single-Detached and Middle Housing Design Review One thresholds which chooses to meet one or more applicable Type 3 Design Guidelines.
- B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Single-Detached and Middle Housing Design Review Three. The decision making authority is the Planning Commission.
- C. Approval Criteria. In order to approve a Single-Detached and Middle Housing Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Single-Detached and Middle Housing Design Review Three 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 meets all applicable Site Development Requirements of Section 20.05.15. or Section 20.22.15. of the Development Code, as applicable, 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.
 5. A proposal for a small-scale commercial use in the CM-RM zoning district meets all applicable provisions of Section 20.22.35.
 6. If the development is proposed on an existing lot that does not meet minimum density, the proposal meets the requirements of Section 20.25.05.1.D.
 7. The proposal is consistent with all applicable Type 3 Design Guidelines of Section 60.05.60. (Design Standards and Guidelines for Single-Detached Dwellings and Middle Housing) or of Section 60.05.65 (Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District), as applicable, except where the applicant elects to respond to the applicable corresponding Design Standard(s) or applicable Type 2 guideline(s).
 8. The proposal complies with all applicable provisions in CHAPTER 60 (Special Requirements).
 9. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance.
 10. The proposal complies with all applicable provisions of Section 40.03.1 (Facilities Review Committee).
 11. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 12. 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 Single-Detached and Middle Housing Design Review Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Single-Detached and Middle Housing Design Review Three application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Single-Detached and Middle Housing Design Review Three 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 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary: Section 40.23. Downtown Design Review

These proposed amendments would add approval criteria that require new housing development to conform to a previously approved Land Division Housing Plan or an approved Land Division Housing Plan Amendment. A Land Division Housing Plan will be required as a part of a Land Division application for the creation of lots to develop middle housing when the project does not include a concurrent Downtown Design Review application. The Land Division Housing Plan will demonstrate that the future development of housing on the proposed lots will meet applicable Chapter 70 requirements such as minimum density and lot size. See Section 40.45 for more details about the Land Division Housing Plan and Land Division Housing Plan Amendment application.

40.23. Downtown Design Review

[ORD 4799, 01/08/2021]

40.23.05. Purpose.

[ORD 4799; January 2021]

The purpose of Downtown Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by ensuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

To achieve this purpose, the Downtown Design Review process is divided into two major components; Design Standards and Design Guidelines. Both standards and guidelines implement Design Principles, which are more general statements that guide development of the built environment. Most Design Standards have a corresponding Design Guideline.

The Design Standards are intended to provide a clear and objective approach to designing a project. Depending on the design thresholds, designing a project to the standards would result in an administrative review process.

An applicant for Downtown Design Review approval can address design review requirements through a combination of satisfying applicable Design Standards, and in instances where it elects not to utilize Design Standards, satisfy the corresponding applicable Design Guidelines. In cases reviewed through a public hearing, the hearing and decision will focus on whether or not the project satisfies the requirements of the applicable Design Guidelines only.

The purpose of Downtown Design Review as summarized in this Section is carried out by the approval criteria listed herein.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

40.23.10. Applicability.

[ORD 4799; January 2021]

1. Sites within the Downtown Design District shall be subject to Downtown Design Review. For sites outside of the Downtown Design District, refer to Section 40.20 (Design Review)
2. The scope of Downtown Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located.
3. Considering the thresholds for the Downtown Design Review Compliance Letter, Downtown Design Review Two, or Downtown Design Review Three applications, and unless exempted by Section 40.23.10.4. (Downtown Design Review), approval shall be required for the following:
 - A. All uses listed as Permitted and Conditional Uses in the RC-BC, RC-OT, RCMU, and RC-DT zoning districts.
 - B. Site grading.
4. Downtown Design Review approval shall not be required for the following:
 - A. Maintenance of a building, structure, or site in a manner that is consistent with previous approvals.
 - B. Painting of any building in any zoning district.
 - C. Wireless communication facilities.
 - D. Food Cart Pods and their amenities, as described in Section 60.11.
 - E. Uses, activities, and structures located on a private parking lot and approved pursuant to the Open Air Beaverton program. [ORD 4819; January 2022]
 - F. Residential accessory structures in any Downtown zoning district which meet applicable provisions of Section 60.50.05 Residential Accessory Structures.
 - G. Existing single-detached dwellings.
 - H. Demolition or other reduction in square footage of an existing building.
 - I. Alteration of a Landmark, Emergency Demolition of a Landmark and Demolition of a Landmark, subject to
 - J. Historic Review (Section 40.35), other than:
 1. Floor area additions (attached or detached).
 2. On-site modifications to vehicular or pedestrian circulations areas or landscaping.
 - K. Accessory structures, non-habitable buildings, or permanent structures not considered buildings, with a footprint of 120 square feet or less and no greater than one-story for ~~p~~Permitted uses and ~~e~~Conditional uses in any zone. They shall not be placed closer than ten (10) feet to any property line abutting a street. For all other sides, the structure may be as close as five (5) feet to the property line unless the underlying zone allows for less restrictive setback standards, the accessory structure, non-habitable building, or structure may apply the underlying zone's setback standards. Regardless of the setback, no accessory structure, non habitable building, or structure shall be placed or constructed over an easement.
5. Downtown Design Review approval through one of the procedures noted in Section 40.23.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, and redevelopments associated with them, will be treated according to the following principles:
 - A. Development constructed or approved prior to December 15, 2004, is not subject to Design Review standards and guidelines and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards. If existing development is structurally damaged or destroyed by casualty, replacement shall occur as follows:
 1. If structural damage or destruction is less than or equal to fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction can be replaced as legally existed on the site before the casualty loss.

2. If structural damage or destruction is more than fifty percent (50%) of the existing gross floor area of the existing development, the area of damage or destruction must meet the provisions of this Code in every regard unless otherwise authorized by the provisions of this Code.
 - B. Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards or guidelines.
 - C. Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable.
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 [ORD 4844; August 2023]
 - 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; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

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. Modification of up to 15 percent on-site landscaping with no reduction in required landscaping.
 - f. Modification of off-street parking with no increase in paved area. [ORD 4844; August 2023]
 - g. Addition or modification of new fences, retaining walls, or both.
 - h. Changing of existing grade.
 - i. Removal of Landscape Trees.
 - j. Addition of no more than twenty-five (25) percent landscape features that consist only of natural materials.
 - k. 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 accessory structures, non-habitable buildings, or structures not considered 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.
- B. **Procedure Type.** The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Design Compliance Letter. The decision making authority is the Director.
- C. **Approval Criteria.** In order to approve a Downtown 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 Downtown 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 Development Standards of Sections 70.15.10 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.
 5. The proposal is consistent with all applicable Design Standards of 70.20 (Downtown Design Standards and Guidelines).
 6. The proposal complies with all applicable provisions in CHAPTER 60 (Special Requirements).
 7. 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.
 8. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 9. 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 Downtown 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 Downtown 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 Downtown 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.
- 2. Downtown Design Review Two.**
- A. Threshold. An application for Downtown Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal:
1. New construction of up to and including 50,000 gross square feet of non-residential floor area where the development does not abut any Residential District.
 2. New construction of up to and including 30,000 gross square feet of non-residential floor area where the development abuts any Residential District.
 3. New construction of detached or attached residential dwellings.
 4. Building additions less than 30,000 gross square feet of floor area that do not qualify for consideration under the Thresholds for Design Review Compliance Letter.
 5. Any change in excess of 15 percent of the square footage of on-site landscaping or pedestrian circulation area.
 6. Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds paving or parking spaces.
 7. New construction of a park.
 8. New construction of non-habitable buildings, accessory structures, or structures not considered buildings, larger than 1,000 square feet in gross building area.
 9. A project meeting the Downtown Design Review Compliance Letter threshold(s) which does not meet up to three applicable design standard(s).
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Downtown Design Review Two. The decision making authority is the Director.
- C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Downtown Design Review Two 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 is consistent with all applicable Design Standards in Section 70.20, or no more than three applicable Design Guidelines and the remaining applicable Design Standards.
 5. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 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 Downtown Design Review Two shall be made by the owner of the subject property, or the owner’s authorized agent, on a form provided by the Director and shall be filed with the Director. The Downtown Design Review Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Downtown Design Review Two 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.
- 3. Downtown Design Review Three.**
- A. Threshold. An application for Downtown Design Review Three shall be required when an application is subject to applicable design guidelines and one or more of the following thresholds describe the proposal:
1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district.
 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts any Residential zoning district.
 3. Building additions more than 30,000 gross square feet of floor area.
 4. Projects proposing a Phased Downtown Development Plan (PDDP) as described in Section 40.23.10.6.
 5. Projects requesting to waive one more Design Guidelines, as described in Section 40.23.10.7.
 6. The project proposes to exceed the maximum height of the zone utilizing Design Guidelines in Section 70.20.10.1.
 7. A project meeting the Downtown Design Review Compliance Letter thresholds which does not meet more than three applicable design standard(s).
 8. A project meeting the Downtown Design Review Two thresholds which does not meet more than three applicable design standards.
- B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Downtown Design Review Three. The decision making authority is the Planning Commission.
- C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Downtown Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Design Review Three application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The proposal is consistent with all applicable Design Guidelines of Section 70.20 except where the applicant elects to respond to the applicable corresponding Design Standard(s). Where no Design Guideline is offered, the proposal is consistent with the Design Standard.

4. For PDDP proposals, the proposed project shall demonstrate how minimum floor area will be met at ultimate buildout and applicable Development Standards in Section 70.15 and applicable design regulations in Section 70.20 can be realistically achieved at each phase of buildout.
 5. For proposals requesting Design Guidelines to be waived, the project shall demonstrate that the development better meets the applicable Downtown Design District Design Principles and Intent Statement(s) preceding the Design Guideline(s) than the Design Guideline requested to be waived.
 6. If applicable, the proposal complies with a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.
 7. 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 Downtown Design Review Three shall be made by the owner of the subject property, or the owner’s authorized agent, on a form provided by the Director and shall be filed with the Director. The Downtown Design Review Three application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Downtown Design Review Three 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 4799, 01/08/2021; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Commentary: Section 40.40 Home Occupation

This Home Occupation application was modified to describe limitations specific to small-scale commercial uses in CM-RM. These are needed for clarity because both small-scale commercial uses and home occupations are allowed.

40.40. Home Occupation

[ORD 3255, 06/17/1982; ORD 3457, 09/05/1985; ORD 3494, 03/27/1986; ORD 3613, 07/01/1988; ORD 3992, 10/09/1997; ORD 4224, 09/19/2002]

40.40.05. Purpose.

The purpose of the Home Occupation application is to provide recognition of the needs or desires of people to engage in small scale business ventures at home. It recognizes the potential advantages for reducing commuter travel when people work at home. It is also recognized that such uses, if not carefully regulated, may be incompatible with the purposes of Residential districts. It is the intent of this section that these uses be allowed so long as they are not in violation of the terms of this section and do not alter the residential character of the neighborhood, infringe upon the right of neighboring residents to the peaceful enjoyment of their neighborhood homes, or otherwise be detrimental to the community at large. This Section is carried out by the approval criteria listed herein. [ORD 4397; August 2006]

[ORD 4224, 09/19/2002; ORD 4397, 08/10/2006]

Effective on: 6/1/2012

40.40.10. Applicability.

The provisions of this section apply to all home occupations as defined in [CHAPTER 90](#) of this Code, except for the following situations:

1. Garage, Yard, or Estate sales from the site that occur for no more than three (3) consecutive days on not more than two (2) occasions during a calendar year.
2. Production of produce or other vegetative agricultural products grown on the premises. The temporary or seasonal sale of produce or other vegetative agricultural products grown on the premises is subject to the provisions of [Section 40.80](#) (Temporary Use).
3. Prohibited home occupation uses are:
 - A. Any use not conducted within a wholly enclosed building.
 - B. Automotive services, Major.
 - C. Automotive services, Minor.
 - D. Junk and Salvage Operations.
 - E. Storage or sale of fireworks.
 - F. Any use that consists of the manufacturing, processing, generation, or storage of materials that constitute a fire, explosion, or health hazard as defined by the Building Code, Fire Code, or both.
4. [Limitations on home occupations in buildings or units with both residential and small-scale commercial uses in the CM-RM zoning district:](#)
 - A. [If a structure with only one residential unit contains both a residential use and a small-scale commercial use allowed by Section 20.22.35, a separate Home Occupation is not allowed.](#)
 - B. [If a structure with more than one residential unit, such as a plex with two to four units, contains a residential use and a small-scale commercial use allowed by Section 20.22.35, a separate Home Occupation is not allowed for the unit/space occupied by the small-scale commercial use. A separate residential unit in that same structure that does not contain a small-scale commercial use may apply for a Home Occupation.](#)

[ORD 3457, 09/05/1985; ORD 3494, 03/27/1986; ORD 4071, 11/25/1999; ORD 4224, 09/19/2002]

Effective on: 9/19/2002

40.40.15. Application.

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

1. **Home Occupation One.**
 - A. Threshold. An application for Home Occupation One shall be required when one or more of the following thresholds apply:
 1. A home occupation is proposed where no outside customers or employees visit the premises. [ORD 4697; December 2016]
 - B. Procedure Type. The Type 1 procedure, as described in [Section 50.35](#) of this Code, shall apply to an application for Home Occupation One. The decision making authority is the Director.
 - C. Approval Criteria. In order to approve a Home Occupation One 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 Home Occupation One 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. There are no outside volunteers or employees who do not reside on the premises. [ORD 4697; December 2016]
 5. No clients or customers of the proposed home occupation visit the premises for a reason related to the home occupation. [ORD 4697; December 2016]
 6. There will be no exterior alteration to the residence. [ORD 4697; December 2016]
 7. The home occupation is being undertaken only by an occupant of the residence.
 8. The proposed home occupation is participating in and is consistent with the City's Business License Program and other agency licenses as appropriate to the proposed use.
 9. The on-site operation of the proposed home occupation shall be conducted entirely within the dwelling, a conforming accessory structure, or both. No exterior storage of materials or equipment will occur on the premises. [ORD 4404; October 2006]
 10. The proposed home occupation will not change the use classification of the dwelling unit or accessory structure, as determined by the City Building Official applying the State Building Code.
 11. The proposed home occupation and associated storage of materials and products shall not occupy more than 700 gross square feet of floor area.
 12. The subject property will continue to be used and maintained as a residence and will conform to all requirements of this and other City Codes as they pertain to residential property.
 13. The home occupation, including deliveries from other businesses, does not include the use of tractor trailers, fork lifts, or similar heavy equipment.
 14. There will be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation.
 15. There will be no exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 3/4 ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property provided such parking complies with all parking restrictions.
 16. The proposal will not involve storage or distribution of toxic or flammable materials, spray painting or spray finishing operations, or similar activities that involve toxic or flammable materials which in the judgment of the Fire Marshall pose a health or safety risk to the residence, its occupants or surrounding properties.
 17. There is no signage associated with the proposed home occupation aside from a name plate as allowed by Section 60.40.15. of the Development Code. [ORD 4584; June 2012]
 18. 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 Home Occupation One 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 Home Occupation One application shall be accompanied by the information required by the application form. [ORD 4584; June 2012]

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Home Occupation One 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. Previous approval of Home Occupation One application shall not be extended.
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:
 - 1. The proposal satisfies the threshold requirements for a Home Occupation Two application.
 - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 - 3. The proposed home occupation shall **have** a maximum of one (1) volunteer or employee who is not a resident on the premises. [ORD 4697; December 2016] [ORD 4782; April 2020]
 - 4. The proposed home occupation shall have no more than 8 daily customers or clients on the premises. [ORD 4697; December 2016] [ORD 4782; April 2020]
 - 5. All customer and client visits to the proposed home occupation shall occur only between the hours of 7:00 a.m. and 10:00 p.m. [ORD 4697; December 2016]
 - 6. If on-site parking is provided, a plan for additional parking may be approved if:
 - a. Not more than a total of 4 on-site parking spaces for the combined residential and home occupation uses are proposed.
 - b. The parking spaces, driveway, street access, landscaping, storm water drainage, and screening comply with this Code and other city standards. [ORD 4697; December 2016]
 - 7. The proposed home occupation is being undertaken by an occupant of the residence.
 - 8. The proposed home occupation is participating in and is consistent with the City's Business License Program and other agency licenses as appropriate to the proposed use.
 - 9. The on-site operation of the proposed home occupation shall be conducted entirely within the dwelling, a conforming accessory structure, or both. No exterior storage of materials or equipment shall occur on the premises.
 - 10. The proposed home occupation and associated storage of materials and products shall not occupy more than 700 gross square feet of floor area.
 - 11. The subject property will continue to be used and maintained as a residence and the proposed home occupation will not change the use classification of the dwelling unit or accessory structures as determined by the City Building Official. The proposal will conform to all requirements of this and other City Codes as they pertain to residential property. [ORD 4782; April 2020]

12. The home occupation, including deliveries from other businesses, shall not include the use of tractor trailers, forklifts, or similar heavy equipment.
13. There shall be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation.
14. There shall be no exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 3/4 ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property, provided such parking complies with applicable parking restrictions.
15. The proposal will not involve storage or distribution of toxic or flammable materials, spray painting or spray finishing operations, or similar activities that involve toxic or flammable materials which in the judgment of the Fire Marshall pose a health or safety risk to the residence, its occupants or surrounding properties.
16. There is no signage associated with the proposed home occupation aside from a name plate as allowed by Section 60.40.15. of the Development Code. [ORD 4584; June 2012]
17. Exterior remodeling will not alter the residential character of the building.
18. The proposal is consistent with all applicable provisions of CHAPTER 20 (Zoning Districts) unless the applicable provisions are subject to an adjustment, planned unit development, or variance which shall be already approved or considered concurrently with the subject proposal.
19. 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.
20. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
21. 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 4844; August 2023]

- D. Submission Requirements. An application for a Home Occupation Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Home Occupation Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Home Occupation Two 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. Previous approval of Home Occupation Two application shall not be extended.

[ORD 3457, 09/05/1985; ORD 3494, 03/27/1986; ORD 3613, 07/01/1988; ORD 3992, 10/09/1997; ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4404, 10/19/2006; ORD 4584, 06/01/2012; ORD 4697, 12/02/2016; ORD 4782, 04/17/2020; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Commentary: Section 40.45 Land Division and Reconfiguration

New code language in Sections 40.45.4, 40.45.5 and 40.45.11 create a requirement for Land Division applications that would create lots for development of single-detached dwellings or middle housing to submit a Land Division Housing Plan when the project does not include a concurrent Design Review application (Sections 40.20, 40.21, and 40.23). The Land Division Housing Plan will demonstrate that the proposed Land Division will be developed with housing in a way that complies with all applicable Chapter 20 or Chapter 70 requirements. If a developer wishes to change the housing plan for the subdivision prior to or concurrent with the submittal of the required Design Review application, a new Type 1 application process, called the Land Division Housing Plan Amendment, has been created for that purpose.

In addition, the proposed changes to the Land Division and Reconfiguration section would provide some miscellaneous updates and corrections, clarify the approval criterion related to oversized parcels in RMA, RMB, RMC, and CM-RM, and add references to Cooper Mountain zones.

40.45. Land Division and Reconfiguration

[ORD 4487; August 2008]

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

40.45.05. Purpose.

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of the boundaries of land within the City of Beaverton. This Section is carried out by the approval criteria listed herein.

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

Effective on: 8/21/2008

40.45.10. Applicability.

The provisions of this section apply to all subdivisions, partitions, developments involving the dedications of public right-of-way, and the reconfiguration of existing property lines. Code requirements for the vacation of public rights-of-way are in Section 40.75. (Street Vacations).

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

Effective on: 8/21/2008

40.45.15. Application.

There are ~~nine (9)~~ 11 types of applications under this Section, as follows: Property Line Adjustment; Replat One; Replat Two; Preliminary Partition; Preliminary Subdivision; Preliminary Fee Ownership Partition; Preliminary Fee Ownership Subdivision; Final Land Division; ~~and~~ Expedited Land Division; Middle Housing Land Division; and Land Division Housing Plan Amendment. [ORD 4584; June 2012]

1. Property Line Adjustment.

- A. Threshold. An application for Property Line Adjustment shall be required when one or more of the following thresholds apply [ORD 4405; October 2006]:

1. The changing of a common boundary of two (2) lots of record where the number of lots or parcels does not change; except a proposal meeting the threshold for a Replat One under Section 40.45.15.2., or Replat Two under Section 40.45.15.3., shall be processed as a Replat and not as a Property Line Adjustment. [ORD 4584; June 2012]
 2. More than one Property Line Adjustment application may be processed concurrently, provided the threshold in Section 40.45.15.1.A.1. is met.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Property Line Adjustment. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Property Line Adjustment application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The application satisfies the threshold requirements for a Property Line Adjustment.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The Property Line Adjustment does not conflict with any existing City land use approval, public easement, or previous condition of approval applied to the subject property.
 4. An additional lot or parcel is not created.
 5. The Property Line Adjustment is consistent with all applicable provisions of CHAPTER 20 (Zoning Districts) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or considered concurrently with the Property Line Adjustment. [ORD 4799; January 2021]
 6. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Regulations), unless the applicable provisions are modified by means of one or more applications which shall be already approved or considered concurrently with the Property Line Adjustment. [ORD 4822; June 2022]
 7. All critical facilities and services have, or can be improved to have, adequate capacity to serve the reconfigured lots.
 8. The proposal will not eliminate pedestrian or vehicle access to the affected properties.
 9. For proposals which create a parcel with more than one zoning designation, the portion of the lot within each zoning designation shall meet the minimum lot size and dimensional requirements of that zoning district.
 10. The application contains all required submittal materials as specified in Section 50.25.1. of the Development Code.
 11. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.
- [ORD 4404; October 2006] [ORD 4462; January 2008] [ORD 4487; August 2008]
- D. Submission Requirements. An application for a Lot Line 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 Lot Line 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 Property Line Adjustment application to ensure compliance with the approval criteria. All Property Line Adjustment decisions shall also require that:
1. The Applicant shall provide evidence to the City that a conveyance instrument conforming to the approved Property Line Adjustment has been recorded at Washington County.
 2. [ORD 4405; October 2006] The applicant for a Property Line Adjustment shall file a record of survey with the County as required by Oregon Revised Statutes Chapter 92. The record of survey shall be subject to review by the City as part of the Property Line Adjustment application, and shall not be subject to further review under Section 40.45.15.8. (Final Land Division). [ORD 4584; June 2012]
- [ORD 4487; August 2008]
- 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.
2. **Replat One. [ORD 4487; August 2008]**
- A. Threshold. An application for Replat One shall be required when any of the following thresholds apply:
1. The reconfiguration of lots, parcels, or tracts within a single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat; [ORD 4584; June 2012]
 2. The creation of a plat for land that has never been part of a previously recorded plat where no new lots or parcels are proposed. [ORD 4584; June 2012]
- [ORD 4584; June 2012]
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Replat involving only the consolidation of lots and not triggering any of the thresholds in Section 40.45.15.3.A.1. through 40.45.15.3.A.3. The decision making authority is the Director. [ORD 4584; June 2012]
- C. Approval Criteria. In order to approve a Replat One application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.
1. The application satisfies the threshold requirements for a Replat One. [ORD 4584; June 2012]
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.
 4. The application is consistent with applicable requirements of CHAPTER 20, and CHAPTER 60, and CHAPTER 70, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application. [ORD 4822; June 2022]
 5. Oversized lots or parcels ("oversized lots") resulting from the Replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. Oversized parcels in the RMA (except for multi-dwelling structures), RMB, RMC, and CM-RM zones shall be subject to provisions in Section 20.25.05.1.D. [ORD 4584; June 2012]

6. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.
7. The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties. [ORD 4584; June 2012]
8. For proposals which create a parcel with more than one zoning designation, the portion of the lot within each zoning designation shall meet the minimum lot size and dimensional requirements of that zoning district.
9. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

[ORD 4822; June 2022]

D. Submission Requirements.

1. An application for a Replat One shall be made by the owner(s) of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Replat One application shall be accompanied by the information required by the application form, and the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4584; June 2012]

[ORD 4584; June 2012]

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Replat One application to ensure compliance with the approval criteria. [ORD 4584; June 2012]
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. Refer to Section 50.90. [ORD 4584; June 2012]
- H. Extension of a Decision. Refer to Section 50.93.

3. **Replat Two.** [ORD 4487; August 2008] [ORD 4584; June 2012]

- A. Threshold. An application for Replat Two shall be required when any of the following thresholds apply:
 1. Within an existing plat, new right of way is dedicated to the public or existing right of way is vacated and more than one (1) property is affected by the dedication; provided, however, no public right-of-way shall be vacated without the applicant first obtaining approval under Section 40.75. (Street Vacations);
 2. Within an existing plat, a public easement is conveyed, removed, or modified in such a way that it affects more than one (1) property owner (i.e., multiple properties under different ownership);
 3. The reconfiguration of lots, parcels, or tracts affecting more than one (1) recorded plat, or where the perimeter boundary of a recorded plat would change as a result of the proposed reconfiguration. [ORD 4498; January 2009]
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Replat Two. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Replat Two application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.
 1. The application satisfies the threshold requirements for a Replat Two.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.

3. The application is consistent with applicable requirements of [CHAPTER 20](#), ~~and~~ [CHAPTER 60](#), and [CHAPTER 70](#), unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application. [ORD 4822; June 2022]
4. The proposed Replat Two does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.
5. Oversized lots or parcels ("oversized lots") resulting from the Replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. [Oversized parcels in the RMA \(except for multi-dwelling structures\), RMB, RMC, and CM-RM zones shall be subject to provisions in Section 20.25.05.1.D.](#)
6. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.
7. The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.
8. For proposals which create a parcel with more than one zoning designation, the portion of the lot within each zoning designation shall meet the minimum lot size and dimensional requirements of that zoning district.
9. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence. [ORD 4822; June 2022]

D. Submission Requirements.

1. An application for a Replat Two shall be made by the owner(s) of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Replat Two application shall be accompanied by the information required by the application form, and the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
2. The Director may consider and act upon a request to develop a Replat Two in phases. If the Replat Two is to be phased, the applicant shall propose a phasing program in writing at the time of the Replat Two application submittal. The applicant is responsible for providing a time schedule for the final platting of the various phases. In no case shall the total time period for the final platting of all stages be greater than five (5) years without filing a new application.

E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Replat Two 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. Except where a phasing program is approved under 40.45.15.2.D.2, the filing of a Final Land Division application in accordance with Section 40.45.15.78. shall occur within two (2) years of the date of Replat Two approval. For a phased project, the total time period for the filing of a final plat, shall not exceed five (5) years from the date of the City's final Replat Two approval decision. After five (5) years, unless otherwise vested, the Replat Two approval shall expire.

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

4. Preliminary Partition.

- A. Threshold. An application for Preliminary Partition shall be required when the following threshold applies:
1. The creation of up to and including three (3) new parcels from at least one (1) lot of record (parent parcel) in one (1) calendar year. [ORD 4487; August 2008] [ORD 4584; June 2012]
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Preliminary Partition. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Preliminary Partition application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The application satisfies the threshold requirements for a Preliminary Partition. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met. [ORD 4584; June 2012]
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The application is consistent with applicable requirements of CHAPTER 20, ~~and~~ CHAPTER 60, and CHAPTER 70, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application. If lots for single-detached or middle housing dwellings are proposed without a concurrent Design Review (Section 40.20), Single-Detached and Middle Housing Design Review (Section 40.21), or Downtown Design Review (Section 40.23) application, the submitted Land Division Housing Plan demonstrates that the proposed Partition meets applicable requirements of Chapter 20 and Chapter 70. [ORD 4822; June 2022]
 4. The proposed partition does not conflict with any existing City approval, except the City may modify prior approvals through the partition process to comply with current Code standards and requirements.
 5. Oversized parcels (oversized lots) resulting from the Partition shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed partition and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. Oversized parcels in the RMA (except for multi-dwelling structures), RMB, ~~and~~ RMC, and CM-RM zones shall be subject to provisions in Section 20.25.05. ~~d.1.D.~~ [ORD 4584; June 2012] [ORD 4822; June 2022]
 6. For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district. [ORD 4782; April 2020]
 7. If a Preliminary Partition is proposed in the CM-RM zoning district, the submitted Land Division Housing Plan demonstrates that any proposed non-exempt lot that is 4 gross acres or smaller is able to meet the housing variety and integration standards of Section 20.22.40 at the time of future development.
 - ~~7.8.~~ If required Cooper Mountain Parks Overlay open space is proposed in a location that is partially outside the Parks Overlay, the proposed location meets the alternative location standards of Section 20.22.45.3.C.
 - ~~8.9.~~ Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence. [ORD 4487; August 2008] [ORD 4822; June 2022]
- D. Submission Requirements. An application for a Preliminary Partition shall be made by the owner of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination

under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The application shall be accompanied by the information required by the application form, and by the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4487; August 2008]

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Preliminary Partition 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. The filing of a Final Land Division application in accordance with Section 40.45.15.78. shall occur within two (2) years of the date of Preliminary Partition approval. [ORD 4265; October 2003] [ORD 4487; August 2008]
 - H. Extension of a Decision. Refer to Section 50.93.
5. **Preliminary Subdivision.**
- A. Threshold. An application for Preliminary Subdivision shall be required when the following threshold applies:
 - 1. The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year. [ORD 4487; August 2008]
 - B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Preliminary Subdivision. The decision making authority is the Director.
 - C. Approval Criteria. In order to approve a Preliminary Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 - 1. The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met. [ORD 4584; June 2012]
 - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 - 3. The application is consistent with applicable requirements of [CHAPTER 20](#), ~~and~~ [CHAPTER 60](#), and [CHAPTER 70](#), unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application. [If lots for single-detached or middle housing dwellings are proposed without a concurrent Design Review \(Section 40.20\), Single-Detached and Middle Housing Design Review \(Section 40.21\), or Downtown Design Review \(Section 40.23\) application, the submitted Land Division Housing Plan demonstrates that the proposed Preliminary Subdivision meets applicable requirements of Chapter 20 and Chapter 70.](#) [ORD 4822; June 2022]
 - 4. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.
 - 5. Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. [Oversized parcels in the RMA \(except for multi-dwelling structures\), RMB, RMC, and CM-RM zones shall be subject to provisions in Section 20.25.05.1.D.](#) [ORD 4584; June 2012]

6. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.
7. For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district. [ORD 4584; June 2012] [ORD 4782; April 2020]
8. If a Preliminary Subdivision is proposed in the CM-RM zoning district, the submitted Land Division Housing Plan demonstrates that any proposed non-exempt lot that is 4 gross acres or smaller is able to meet the housing variety and integration standards of Section 20.22.40 at the time of future development.
9. If required Cooper Mountain Parks Overlay open space is proposed in a location that is partially outside the Parks Overlay, the proposed location meets the alternative location standards of Section 20.22.45.3.C.
10. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence. [ORD 4487; August 2008]

[ORD 4822; June 2022]

D. Submission Requirements.

1. An application for a Preliminary Subdivision shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Preliminary Subdivision application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
2. The Director may consider and act upon a request to develop a subdivision in phases. If the subdivision is to be phased, the applicant shall propose a phasing program in writing at the time of Preliminary Subdivision application submittal. The applicant is responsible for providing a time schedule for the final platting of the various phases. In no case shall the total time period for the final platting of all stages be greater than five (5) years without filing a new Preliminary Subdivision application.

[ORD 4487; August 2008]

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

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

G. Expiration of a Decision. Refer to Section 50.90. Except where a phasing program is approved under Section 40.45.15.4.C.7., the filing of a Final Land Division application in accordance with Section 40.45.15.7. shall occur within two (2) years of the date of Preliminary Subdivision approval. For a phased project, the total time period for the filing of a final plat, shall not exceed five (5) years from the date of the City's final Preliminary Subdivision Approval decision. After five (5) years, unless otherwise vested, the preliminary approval shall expire. [ORD 4265; October 2003] [ORD 4487; August 2008]

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

6. **Preliminary Fee Ownership Partition.**

A. Threshold. An application for Preliminary Fee Ownership Partition shall be required when the following threshold applies:

1. The creation of up to and including three (3) new parcels from at least one (1) lot of record in one (1) calendar year in a Commercial, Industrial or Multiple Use zone, where one or more of the proposed parcels does not meet one or more of the setback, lot coverage, floor area ratio, and/or lot dimension standards

of CHAPTER 20 (Zoning Districts) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, as applicable; and where modification to the same standard(s) is not requested through another type of application. [ORD 4265; October 2003] [ORD 4397; August 2006] [ORD 4487; August 2008] [ORD 4799; January 2021]

- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Preliminary Fee Ownership Partition. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Preliminary Fee Ownership Partition application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The application satisfies the threshold requirements for a Preliminary Fee Ownership Partition application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met. [ORD 4584; June 2012]
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the Preliminary Fee Ownership Partition process to comply with current Code standards and requirements.
 4. The parent parcel shall meet the minimum setback requirements for the applicable zoning district unless the setback is subject to an Adjustment, Variance, ~~Flexible Setback,~~ or Zero ~~Side~~-Yard Setback for a proposed Non-Residential Land Division application which shall be considered concurrently with the subject proposal.
 5. For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district. [ORD 4782; April 2020]
 6. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.
[ORD 4487; August 2008]
- D. Submission Requirements. An application for a Preliminary Fee Ownership Partition shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The application shall be accompanied by the information required by the application form, and by the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4487; August 2008]
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Preliminary Fee Ownership Partition 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. The filing of a Final Land Division application shall occur within two (2) years of the date of Preliminary Fee Ownership Partition approval. [ORD 4265; October 2003]
- H. Extension of a Decision. Refer to Section 50.93.

7. **Preliminary Fee Ownership Subdivision.**

- A. Threshold. An application for Preliminary Fee Ownership Subdivision shall be required when the following threshold applies:
1. The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year in a Commercial, Industrial or Multiple Use zone, where one or more of the proposed parcels does not meet the setback, lot coverage, floor area ratio, and/or lot dimension standards of [CHAPTER 20](#) (Zoning Districts) or [Section 70.15](#) (Downtown Zoning and Streets) if the site is located within the Downtown Design District, as applicable, and where modification to the same standard(s) is not requested through another type of application. [ORD 4265; October 2003] [ORD 4397; August 2006] [ORD 4487; August 2008] [ORD 4584; June 2012] [ORD 4799; January 2021]
- B. Procedure Type. The Type 2 procedure, as described in [Section 50.40](#) of this Code, shall apply to an application for Preliminary Fee Ownership Subdivision. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Preliminary Fee Ownership Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The application satisfies the threshold requirements for a Preliminary Fee Subdivision. If the parent parcel is subject to a pending Legal Lot Determination under [Section 40.47.](#), further division of the parent parcel shall not proceed until all of the provisions of [Section 40.47.15.1.C.](#) have been met. [ORD 4584; June 2012]
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The parent parcel shall meet the minimum setback requirements for the applicable zoning district unless the setback is subject to an Adjustment, Variance, ~~Flexible Setback~~, or Zero ~~Side~~-Yard Setback for a proposed Non-Residential Land Division application which shall be considered concurrently with the subject proposal.
 4. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the Preliminary Fee Ownership Subdivision process to comply with current Code standards and requirements.
 5. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provide for necessary public improvements for each phase as the project develops.
 6. For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district. [ORD 4584; June 2012] [ORD 4782; April 2020]
 7. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.
- [ORD 4487; August 2008]
- D. Submission Requirements.
1. An application for a Preliminary Fee Ownership Subdivision shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under [Section 40.47.](#), the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The application shall be accompanied by the information required by the application form, the information required by [Section 50.25](#). (Application Completeness), and any other information identified through a Pre-Application Conference.
 2. The Director may consider and act upon a request to develop a subdivision in phases. If the subdivision is to be phased, the applicant shall propose a phasing program in writing at the time of Preliminary Fee

Ownership Subdivision application submittal. The applicant is responsible for providing a time schedule for the final platting of the various phases. In no case shall the total time period for the final platting of all stages be greater than five (5) years without filing a new Preliminary Fee Ownership Subdivision application.

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Preliminary Fee Ownership Subdivision 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. Except where a phasing program is approved under 40.45.15.67.D.2, the filing of a Final Land Division application in accordance with Section 40.45.15.78 shall occur within two (2) years of the date of Preliminary Fee Ownership Subdivision approval. For a phased project, the total time period for the filing of a final plat, shall not exceed five (5) years from the date of the City's final Preliminary Fee Ownership Subdivision Approval decision. After five (5) years, unless otherwise vested, the preliminary approval shall expire. [ORD 4265; October 2003] [ORD 4487; August 2008]
 - H. Extension of a Decision. Refer to Section 50.93.
8. **Final Land Division.**
- A. Threshold. An application for Final Land Division shall be required when the following threshold applies:
 - 1. A proposal to finalize a previously approved Preliminary Partition, Preliminary Subdivision, Preliminary Fee Ownership Partition, Preliminary Fee Ownership Subdivision, Replat Two, Expedited Land Division, Preliminary Middle Housing Land Division, or Legal Lot Determination, as applicable. [ORD 4487; August 2008] [ORD 4584; June 2012] [ORD 4822; June 2022]
 - B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Final Land Division, except a Final Land Division shall not be required for a Replat One approval which involves only the consolidation of lots pursuant to Section 40.45.15.2.A.1. The decision making authority is the Director. [ORD 4498; January 2009]
 - C. Approval Criteria. In order to approve a Final Land Division application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 - 1. The application satisfies the threshold requirements for a Final Land Division.
 - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 - 3. The application contains all applicable submittal materials as specified in Section 50.25.1 of the Development Code. [ORD 4265; October 2003]
 - 4. The Final Land Division substantially conforms to the previously approved and unexpired Legal Lot Determination, Preliminary Partition, Preliminary Subdivision, Preliminary Fee Ownership Partition, Preliminary Fee Ownership Subdivision, Replat Two, Expedited Land Division, or Preliminary Middle Housing Land Division. [ORD 4584; June 2012] [ORD 4822; June 2022]
 - 5. Applications and documents related to the Final Land Division requiring further City approval shall be submitted to the City in the proper sequence.

[ORD 4487; August 2008]
 - D. Submission Requirements. An application for a Final Land Division shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, that if the preliminary land division approval was on an application signed by fewer than all the owners of the subject property, as allowed in conjunction with Section 40.47. (Legal Lot

Determination) the City may similarly approve a final plat application made by fewer than all the owners of the subject property. The Final Land Division application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

- E. Appeal of a Decision. Refer to Section 50.60.
- F. Expiration of a Decision. Refer to Section 50.90.
- G. Extension of a Decision. Refer to Section 50.93.

9. Expedited Land Division

An application for and any appeal of an Expedited Land Division shall be subject to the provisions in this Code and in ORS 197.360 through ORS 197.380. [ORD 4822; June 2022]

- A. Threshold. For an Expedited Land Division application to be considered, the following eligibility criteria must be met:
 - 1. The land is zoned for residential use and is within the urban growth boundary.
 - 2. The land is solely for the purpose of residential use, including recreational or open space uses accessory to residential use.
 - 3. The land division will not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect open spaces, scenic and historic areas, and natural resources.
 - 4. The land division satisfies minimum street or other right-of-way connectivity standards established by the City's acknowledged land use regulations.
 - 5. The land division will result in development that either:
 - a. Creates enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or
 - b. Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.
- B. Procedure Type. Unless the applicant requests to use the procedure set forth in Section 40.45.15.4. or 40.45.15.5.B., as applicable, the procedure described in Section 50.53. of this Code shall apply to an application for Expedited Land Division. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Preliminary Expedited Land Division application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 - 1. The application satisfies the eligibility requirements for an Expedited Land Division application.
 - 2. The application satisfies the approval criteria for a Preliminary Partition or Preliminary Subdivision (Section 40.45.15.4. or 40.45.15.5.), as applicable.
- D. Submission Requirements. In addition to the requirements of Section 40.45.15.4. or 40.45.15.5., as applicable, an application for an Expedited Land Division shall describe the manner in which the proposed division complies with each of the provisions of Section 40.45.15.9.A.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Preliminary Expedited Land Division application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.53.
- G. Expiration of a Decision. Refer to Section 50.90.

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

[ORD 4822; June 2022]

10. **Preliminary Middle Housing Land Division.** [ORD 4822; June 2022]

- A. Applicability. A middle housing land division is a partition or subdivision of a lot within the RMA, RMB, ~~or RMC~~, or CM-RM zoning districts on which middle housing has been developed, approved for development, or is concurrently proposed under the provisions of this Code and ORS 197.758. Middle housing land divisions are regulated by this Code and ORS 92.
- B. Threshold. An application for Preliminary Middle Housing Land Division shall be required when the following threshold applies:
1. The division of one (1) lot of record within the RMA, RMB, RMC or CM-RM zoning districts into ~~up to~~ four (4) new or fewer lots on which middle housing has been developed or approved for development under the provisions of this Code and ORS 197.758, or is proposed concurrently with this application.
 2. The division of one (1) lot of record within the RMA, RMB, RMC or CM-RM zoning districts into five (5) or more new lots on which a cottage cluster has been developed or approved for development under the provisions of this Code and ORS 197.758, or is proposed concurrently with this application.
- C. Procedure Type. Unless the applicant requests to use the procedure set forth in Section 40.45.15.4.B. or 40.45.15.5.B., as applicable, the procedure described in Section 50.53. of this Code shall apply to an application for Preliminary Middle Housing Land Division. The decision making authority is the Director. Concurrent land use applications shall be processed pursuant to BDC 50.15.
- D. Approval Criteria. In order to approve a Preliminary Middle Housing Land Division application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The application satisfies the threshold requirements for a Preliminary Middle Housing Land Division application. If the parent lot is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent lot shall not proceed until all of the provisions of Section 40.47.15.C. have been met.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the land division process to comply with current Code standards and requirements.
 4. The middle housing development complies with the Oregon Residential Specialty Code and the applicable BDC middle housing regulations, including but not limited to, the provisions in Chapters 20 and 60.
 5. Separate public utilities will be provided for each dwelling unit.
 6. Easements will be provided as necessary for each dwelling unit on the site for:
 - a. Locating, accessing, replacing, and servicing all utilities;
 - b. Pedestrian access from each dwelling unit to a private or public road;
 - c. Any common use areas or shared building elements;
 - d. Any dedicated driveways or parking; and
 - e. Any dedicated common area.
 7. Exactly one dwelling unit will be located on each resulting lot (referred to as middle housing child lots), except for lots or tracts used as common areas, on which no dwelling units will be permitted.

8. Buildings or structures on a resulting child lot will comply with applicable building codes provisions relating to new property lines.
 9. Where the subject site abuts a street that does not meet City standards, street frontage improvements will be constructed and, if necessary, additional right-of-way will be dedicated, pursuant to Section 60.55.
 10. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.
- E. Submission Requirements. In addition to the items listed in Section 40.45.15.4. or 40.45.15.5. (as applicable), an application for a Preliminary Middle Housing Land Division shall include the following:
1. A description of the manner in which the proposed division complies with each of the provisions of Section 40.45.15.10.D necessary to demonstrate:
 - a. How buildings or structures on a resulting child lot will comply with applicable building codes provisions related to new property lines; and
 - b. Notwithstanding the creation of new lots, how structures or buildings located on the newly created child lots will comply with the Oregon Residential Specialty Code.
 2. Copies of a plat showing the following details:
 - a. Separate utilities for each dwelling unit, demonstrating compliance with approval criterion 40.45.15.10.D.5.
 - b. Existing or proposed easements necessary for each dwelling unit on the plan, demonstrating compliance with approval criterion 40.45.15.10.D.6.
 3. Copies of all required easements in a form approved by the City Attorney.
- F. Conditions of Approval.
1. The decision making authority may impose conditions on the approval of a Preliminary Middle Housing Land Division application to:
 - a. Ensure compliance with the approval criteria.
 - i. If Middle Housing is not yet completed or approved, a condition shall be imposed requiring submission of approved building permits and/or land use applications demonstrating that the proposed development complies with the Oregon Residential Specialty Code and BDC middle housing regulations to demonstrate compliance with Criterion 4.
 - b. Prohibit further division of the resulting child lots.
 - c. Require that a notation appear on the final plat indicating:
 - i. The approval was given under ORS 92.
 - ii. The type of middle housing approved on the subject site and noting that this middle housing type shall not altered by the middle housing land division.
 - iii. Accessory dwelling units are not permitted on child lots resulting from a middle housing land division.
 - d. Require that all site improvements required to satisfy applicable standards of the BDC have been constructed prior to issuance of a Certificate of Occupancy for the development.
 2. In accordance with ORS 92, the decision making authority shall not impose conditions of approval requiring that a child lot require driveways, vehicle access, parking, or minimum or maximum street frontage.
- G. Appeal of a Decision. Refer to Sections 50.53.I. and J.

- H. Expiration of a Decision. The preliminary approval of a Middle Housing Land Division is void if and only if a final Middle Housing Land Division plat is not approved within three (3) years of the preliminary approval. Refer to Section 50.90.
 - I. Extension of a Decision. Refer to Section 50.93.
11. Land Division Housing Plan Amendment.
- A. Thresholds. An application for Land Division Housing Plan Amendment shall be required when one or more of the following thresholds apply:
 - 1. One or more of the following amendments are proposed to an approved Land Division Housing Plan associated with an existing Land Division approval:
 - a. A decrease in the number of dwelling units on one or more lots;
 - b. On lot(s) subject to the housing variety and integration standards of Section 20.22.40:
 - i. Changing the dwelling type on a lot to a different housing variety category of Section 20.22.40.3.A;
 - ii. Changing the dwelling type to a type that is not a part of a housing variety category of Section 20.22.40.3.A such as changing the dwelling type on a lot from a triplex to a single-detached dwelling; or
 - iii. Modifying or eliminating the approach to the Visitability Option of Section 20.22.40.3.C on one or more lots.
 - B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Land Division Housing Plan Amendment. The decision making authority is the Director.
 - C. Approval Criteria. In order to approve a Land Division Housing Plan Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 - 1. The application satisfies the threshold requirements for a Land Division Housing Plan Amendment.
 - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 - 3. The Land Division Housing Plan Amendment does not conflict with any existing City land use approval, public easement, or previous condition of approval applied to the subject site, except as amended by this application.
 - 4. The proposal is consistent with all applicable provisions of CHAPTER 20 (Zoning Districts) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or considered concurrently with the Land Division Housing Plan Amendment.
 - 5. The proposal is consistent with all applicable provisions of CHAPTER 60 (Special Requirements), unless the applicable provisions are modified by means of one or more applications which shall be already approved or considered concurrently with the Land Division Housing Plan Amendment.
 - 6. Lot lines are not proposed to be adjusted, and no new lots are created.
 - 7. The application contains all required submittal materials as specified in Section 50.25.1. of the Development Code.
 - 8. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

- D. Submission Requirements. An application for a Land Division Housing Plan Amendment shall be made by the owner(s) 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 Land Division Housing Plan Amendment application shall be accompanied by the information required by the application form, the information required 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 Land Division Housing Plan Amendment 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.

[ORD 3226, 11/04/1981; ORD 3355, 02/24/1982; ORD 3352, 01/19/1984; ORD 3494, 03/27/1986; ORD 3555, 04/17/1987; ORD 3556, 04/23/1987; ORD 3740, 08/21/1990; ORD 3739, 09/08/1990; ORD 3965, 11/07/1996; ORD 3976, 05/15/1997; ORD 3989, 08/14/1997; ORD 4006, 03/05/1998; ORD 4061, 10/15/1999; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4118, 09/14/2000; ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4397, 08/10/2006; ORD 4404, 10/19/2006; ORD 4405, 10/19/2006; ORD 4462, 01/10/2008; ORD 4487, 08/21/2008; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4652, 03/06/2015; ORD 4654, 03/25/2015; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary: Section 40.58 Sidewalk Design Modification

The proposed changes to the Sidewalk Design Modification application would add “Resource Overlay” to the list of environmental conditions that are described in the approval criteria.

40.58. Sidewalk Design Modification

[ORD 4418, 02/22/2007; ORD 4531, 04/01/2010]

40.58.05. Purpose.

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City’s street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

[ORD 4418, 02/22/2007; ORD 4531, 04/01/2010]

Effective on: 4/1/2010

40.58.10. Applicability.

The Sidewalk Design Modification application shall be applicable to all streets in the City. Sidewalks in Commercial and Multiple Use zones that are subject to and comply with Section 60.05.20.7 are exempt from the Sidewalk Design Modification application.

[ORD 4418, 02/22/2007; ORD 4531, 04/01/2010]

Effective on: 4/1/2010

40.58.15. Application.

There is a single Sidewalk Design Modification application which is subject to the following requirements.

- A. Threshold. An application for Sidewalk Design Modification shall be required when one of the following thresholds applies:
1. The sidewalk width, planter strip width, or both minimum standards specified in the *Engineering Design Manual* are proposed to be modified.
 2. The dimensions or locations of street tree wells specified in the *Engineering Design Manual* are proposed to be modified.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Sidewalk Design Modification. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. One or more of the following criteria are satisfied:
 - a. That there exist local topographic conditions, which would result in any of the following:
 - i. A sidewalk that is located above or below the top surface of a finished curb.
 - ii. A situation in which construction of the *Engineering Design Manual* standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.
 - b. That there exist local physical conditions such as:
 - i. An existing structure prevents the construction of a standard sidewalk.
 - ii. An existing utility device prevents the construction of a standard sidewalk.
 - iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.
 - c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, ~~or~~ Significant Tree Grove, or Resource Overlay.
 - d. That additional right of way is required to construct the *Engineering Design Manual* standard and the adjoining property is not controlled by the applicant.
 4. The proposal complies with provisions of Section 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements) and 60.55.30 (Minimum Street Widths).
 5. Applications and documents related to the request, which will require further City approval, have been submitted to the City in the proper sequence.
 6. The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

- D. Submission Requirements. An application for a Sidewalk Design Modification 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 Sidewalk Design Modification 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 Sidewalk Design Modification 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.

[ORD 4418, 02/22/2007; ORD 4531, 04/01/2010]

Effective on: 6/1/2012

Commentary: Section 40.70 – Resource Overlay

The proposed amendments in this new section would be for activities on properties that contain the Resource Overlay. There are five (5) resource overlay applications that will apply in Cooper Mountain. Most development activity will go through a Type 1 process to verify that the development plans meet the Resource Overlay requirements in Section 60.37. Applicants that believe the Resource Overlay has been drawn incorrectly can use a Type 1 process to request corrections based on more accurate technical information. A Type 3 boundary correction will be required for boundary changes that require more discretion to evaluate the findings of the natural resources report.

Properties that would like to propose an alternative mitigation procedure to protect significant natural resources can apply for an alternative review to demonstrate how the proposed development will meet the objectives of avoiding, limiting impacts, and then mitigating for impacts to significant natural resources.

40.70. Resource Overlay

40.70.05. Purpose.

The purpose of Resource Overlay applications is to implement the natural resource protections of the Resource Overlay. This Section provides for the review of allowed uses in the Resource Overlay and a path to correct the Resource Overlay boundary, separate from the development review process. This Section is carried out by the approval criteria listed herein.

40.70.10. Applicability.

1. The provisions of this Section apply for the following actions:
 - A. Land divisions and property line adjustments on properties that contain the Resource Overlay.
 - B. Proposed non-exempt clearing, grading, or site improvements within the Resource Overlay consistent with Section 60.37.30, such as land use applications and site development and building permits.
 - C. Proposed corrections or amendments to the boundary of the Resource Overlay.

40.70.15. Applications.

There are four Resource Overlay applications, which are subject to the following requirements.

1. Resource Overlay - Development

- A. Threshold. An application for Resource Overlay - Development shall be required when one or more of the following thresholds apply:
 - 1. Sites with proposed clearing, grading, or site improvements within the Resource Overlay, excluding activity that is exempt under Section 60.37.30.
 - 2. A Land Division is proposed in accordance with Section 40.45 on property that contains Resource Overlay.
 - 3. A Property Line Adjustment is proposed in accordance with Section 40.45 on property that contains the Resource Overlay.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Resource Overlay - Development. The decision-making authority is the Director.
- C. Approval Criteria. To approve an application for Resource Overlay - Development, 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 requirement for Resource Overlay - Development.
 - 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 is consistent with all applicable provisions of CHAPTER 20 (Zoning Districts) of the Development Code.
 - 5. The proposal complies with all applicable provisions in CHAPTER 60 (Special Requirements).
 - 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 Resource Overlay - Development shall be submitted 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 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. A Resource Overlay - Development application shall also include the following:
 - 1. Existing Conditions Map. For the entire subject property, a scaled map of the property that includes:
 - a. Location of the boundary of the Resource Overlay on the site.
 - b. Outline of any existing disturbance area, including the location of existing adjacent streets and paved areas, utilities, culverts, stormwater management facilities, or bridges.
 - c. Location of any known wetlands, waterways, or other waters on the site.
 - d. Location of the Floodplain Overlay and floodway boundary, as defined by the Federal Emergency Management Agency (FEMA).
 - e. Site topography at 2-foot contour intervals. On sites that are two acres or larger, topographic contours are only required for the portion of the property within the proposed disturbance area.
 - 2. Proposed Site Plan. A scaled map of the site that includes:
 - a. Proposed lot lines and easements.

- b. Detailed site plan of proposed development activity.
- c. Outline of total permanent and temporary disturbance areas, including proposed building footprints, site property improvements, utilities, grading, landscaping, and areas of disturbance during construction.
- d. Location and square footage of vegetation to be removed.
- e. Proposed site grading at 2-foot contour intervals.
3. Proposed Mitigation Plan. The application shall include a mitigation plan in accordance with Section 60.37.55.
4. A narrative demonstrating compliance with applicable standards in Section 60.37.
- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of an application for Resource Overlay - Development 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.
2. **Resource Overlay - Boundary Correction Type 1**
 - A. Threshold. An application for Resource Overlay - Boundary Correction Type 1 shall be required to make a basic boundary correction to the boundary of the Resource Overlay for one of the reasons outlined in Table 60.37.15.2. This includes the following reasons:
 1. The Resource Overlay map is inaccurate based on a clear misalignment of the GIS layers.
 2. The location of wetland or other water feature has been incorrectly identified or the stream classification is inaccurate.
 3. The upland habitat area not associated with a wetland or water feature does not accurately reflect the site conditions that were present on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB.
 - B. Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to a Resource Overlay - Boundary Correction Type 1. The decision-making authority is the Director.
 - C. Approval Criteria. To approve a Resource Overlay - Boundary Correction Type 1, 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 requirement for a Resource Overlay - Boundary Correction Type 1 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 complies with all applicable provisions in CHAPTER 60 (Special Requirements).
 5. The location of the proposed boundary of the Resource Overlay is consistent with the resource categories and classifications of Table 60.37.15.1 and the map correction documentation of Table 60.37.15.2.
 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 Resource Overlay - Boundary Correction Type 1 shall be submitted 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 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. A Resource Overlay - Boundary Correction Type 1 shall also include the following:

1. Boundary Correction Map. For the entire subject property, a scaled map of the property that includes:
 - a. Location of the existing boundary of the Resource Overlay on the property.
 - b. Location of any known wetlands or other waters on the property.
 - c. Location of the proposed modified boundary of the Resource Overlay on the property.
 2. Basic Boundary Correction Documentation, consistent with Section 60.37.15.
 3. A narrative demonstrating the proposed map boundary corrections are consistent with the applicable standards for a Resource Overlay Boundary Correction in Section 60.37.15.
- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Resource Overlay - Boundary Correction Type 1 application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.60.
3. **Resource Overlay - Boundary Correction Type 3**
- A. Threshold. An application for Resource Overlay - Boundary Correction Type 3 shall be required to correct the boundary of the Resource Overlay for a reason that does not meet the thresholds for Resource Overlay - Boundary Correction Type 1.
 - B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to a Resource Overlay - Boundary Correction Type 3. The decision making authority is the Planning Commission.
 - C. Approval Criteria. To approve a Resource Overlay - Boundary Correction Type 3 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 requirement for a Resource Overlay - Boundary Correction Type 3 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 complies with all applicable provisions in CHAPTER 60 (Special Requirements).
 5. The proposal demonstrates that the location and/or attributes of the inventoried natural resources on the site as described in the applicable Natural Resources Report is inaccurate and that natural resources meeting the criteria for inclusion in the Natural Resources Inventory were not present on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB.
 6. The location of the proposed boundary of the Resource Overlay is consistent with the detailed boundary correction documentation materials of Section 60.37.15.
 7. 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 Resource Overlay - Boundary Correction Type 3 shall be submitted 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 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. A Resource Overlay - Boundary Correction Type 3 shall also include the following:

1. Boundary Correction Map. For the entire subject property, a scaled map of the property that includes:
 1. Location of the existing boundary of the Resource Overlay on the property.
 2. Location of any known wetlands or other waters on the property.
 3. Location of the proposed modified boundary of the Resource Overlay on the property.
 2. Detailed Boundary Correction Documentation, consistent with Section 60.37.15.
 3. A narrative demonstrating the proposed map boundary corrections are consistent with the applicable standards for a Detailed Boundary Correction in Section 60.37.15.
 - E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Resource Overlay - Boundary Correction Type 3 application to ensure compliance with the approval criteria.
 - F. Appeal of a Decision. Refer to Section 50.65.
4. **Resource Overlay - Alternative Review**
- A. Threshold. An application for Resource Overlay - Alternative Review shall be required when one or more of the following thresholds apply:
 1. Sites with proposed clearing, grading, or site improvements within the Resource Overlay that do not comply with the standards of Sections 60.37.35 or 60.37.50 or with the mitigation standards of Section 60.37.45.
 2. A Land Division of property that contains Resource Overlay that does not comply with the applicable standards of Section 60.37.30.
 - B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to a Resource Overlay - Alternative Review. The decision-making authority is the Planning Commission.
 - C. Approval Criteria. To approve an application for Resource Overlay - Alternative Review, 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 requirement for a Resource Overlay - Alternative Review 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 complies with all applicable provisions in CHAPTER 60 (Special Requirements).
 5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.
 6. Special conditions or circumstances exist on the site that make it physically difficult or impossible to develop an otherwise acceptable proposal without disturbing the Resource Overlay beyond the allowable limits in Section 60.37.30 or 60.37.40.
 7. 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.
 8. The proposal does not result in greater impacts to the ecological functions provided by the habitat areas that will be disturbed in the Resource Overlay, compared to other practicable alternatives presented in the Alternatives Analysis and Impact Evaluation.

9. The proposed mitigation plan is consistent with the requirements of Section 60.37.45, or an alternative mitigation plan is consistent with the requirements of Section 60.37.50.1.B.
- D. Submission Requirements. An application for a Resource Overlay - Alternative Review shall be submitted 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 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. A Resource Overlay - Alternative Review shall also include the following:
 1. Alternatives Analysis and Impact Evaluation consistent with the standards in Section 60.37.50.
 2. Mitigation Plan for Alternative Review consistent with the standards in Section 60.37.50.
 3. A narrative demonstrating the proposed alternative mitigation plan is consistent with the applicable design guidelines for Alternative Review in Section 60.37.50.
- E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Resource Overlay - Alternative Review 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

Commentary: Section 40.90 Tree Plan

The proposed changes to the Tree Plan section would exempt pruning, removal, replacement, or mitigation of any trees or other vegetation within the Cooper Mountain Community Plan area which are subject to the Cooper Mountain - Tree Applications of Section 40.91 instead of the Tree Plan applications of this Section. These activities would potentially be subject to Tree Applications - Cooper Mountain of Section 40.91 or the Resource Overlay applications of Section 40.70.

40.90. Tree Plan

[ORD 4348; May 2005]

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

40.90.05. Purpose.

Healthy trees and urban forests provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

[ORD 3740, 08/21/1990; ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

40.90.10. Applicability.

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

1. Removal of up to four (4) Community Trees, or up to 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period. Properties one-half acre or less in size developed with a detached dwelling or middle housing may remove any number of Community Trees. [ORD 4822; June 2022]
2. Removal and pruning of any hazardous, dead, or diseased tree when the tree is identified as such by a certified arborist or by the City Arborist and the removal is required by the City.
3. In the event of an emergency requiring tree removal or pruning prior to the City Arborist's determination, if evidence justifies the emergency removal after the fact, then no tree plan is required for removal.
4. Minor pruning, as defined in [CHAPTER 90](#).
5. Pruning of trees consistent with the Vision Clearance requirements of the Engineering Design Manual. [ORD 4397; August 2006]
6. Pruning of trees by the utility provider for above ground utility power lines following acceptable arboricultural standards and practices.
7. Pruning of trees to maintain the minimum 8 foot clearance above a sidewalk.
8. Removal or pruning of the following nuisance tree species anywhere in the city: Lombardy Poplar (*Populus nigra*), and birch (*Betula sp.*). Where Lombardy Poplar or birch trees are part of an approved landscape plan, Design Review approval is required for the removal of the Landscape Trees. [ORD 4584; June 2012]
9. Removal and pruning of the following nuisance tree species in Significant Groves and SNRAs: Norway maple (*Acer platanooides*), Tree-of-Heaven (*Ailanthus altissima*), Golden Chain Tree (*Laburnum watereri*), and English or Common Hawthorn (*Crataegus monogyna*). [ORD 4584; June 2012]
10. Removal of a tree or nonnative vegetation listed as a Nuisance or Prohibited Plant on the City of Portland's Nuisance Plant List or in Clean Water Services' Design and Construction Standards. [ORD 4822; June 2022]
11. Within SNRAs and Significant Groves, planting of native vegetation listed on the Metro's Native Plant List or in Clean Water Services' Design and Construction Standards when planted with non-mechanized hand held equipment.
12. Removal of any tree associated with a public street and sidewalk improvement project that meet A. or B. and C: [ORD 4659; June 2015] [ORD 4697; December 2016]
 - A. Improvements within an existing public vehicular right-of-way; or
 - B. Improvements to a public vehicular right-of-way in order to meet functional classification standards, such as widening or half-street improvements; and
 - C. The proposed improvements do not exceed the minimum width standards of the Engineering Design Manual.
13. Trails within SNRAs and Significant Groves meeting all of the following:
 - A. Construction must take place between May 1 and October 30 with hand held equipment;
 - B. Trail widths must not exceed 30 inches and trail grade must not exceed 20 percent;
 - C. Trail construction must leave no scars greater than three inches in diameter on live parts of native plants; and
 - D. Trails must be placed outside the top of bank of any stream, river, or pond, and
 - E. Trails must be 100% pervious.
14. Street Trees are covered by the Beaverton Municipal Code and Section [60.15.15.6](#).
15. Landscape Trees are covered by Section [40.20](#). (Design Review) and Section [60.60](#). (Trees and Vegetation).

16. Enhancement activities conducted by a public agency for the sole purpose of improving the ecological health of forest and water resources.
17. Removal of a tree(s) by the City of Beaverton or Clean Water Services that is within five (5) feet of a section of existing sanitary or storm sewer line that is in need of emergency repair and/or maintenance within a SNRA when no reasonable alternative exists. [ORD 4397; August 2006]
18. Pruning, removal, replacement, or mitigation of any trees or other vegetation within the Cooper Mountain Community Plan area which are subject to the Tree Applications - Cooper Mountain applications of Section 40.91 or the Resource Overlay applications of Section 40.70.

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

Effective on: 6/30/2022

40.90.15. Application.

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

1. Tree Plan One.

- A. Threshold. An application for Tree Plan One shall be required when none of the actions listed in Section 40.90.10 apply and one or more of the following thresholds apply:
 1. Major pruning of Protected Trees once within a one year period.
 2. Mechanized removal of non-native or invasive vegetation and clearing and grubbing of vegetation within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.
 3. Mechanized re-planting of trees and shrubs, or both, or restoration planting within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.
 4. Trails greater than 30 inches in width, or trail grade exceeding 20 percent, trail surfaces less than 100% pervious surface, or any combination thereof within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services that do not result in tree removal.
- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Tree Plan One. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Tree Plan One application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 1. The proposal satisfies the threshold requirements for a Tree Plan One 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; September 2003]
 4. If applicable, pruning is necessary to improve tree health or to eliminate conflicts with vehicles or structures which includes, but is not limited to, underground utilities and street improvements.
 5. If applicable, the removal of vegetation or clearing and grubbing is necessary to accommodate physical development in the area in which the removal is proposed.
 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 Tree Plan One shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Tree Plan One 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 Tree Plan One application to ensure compliance with the approval criteria. In addition to the approval criteria, the decision making authority may also impose other conditions of approval to ensure that the proposed tree work meets all requirements listed in Section 60.60. (Trees and Vegetation).
 - 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. Previous approval of Tree Plan One proposal shall not be extended.
2. **Tree Plan Two**
- A. Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:
 - 1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1. [ORD 4584; June 2012]
 - 2. Multiple Use zoning district: Removal of up to and including 85% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services. [ORD 4584; June 2012]
 - 3. Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services. [ORD 4584; June 2012]
 - 4. Removal of a Significant Individual Tree(s).
 - B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Tree Plan Two. The decision making authority is the Director.
 - C. Approval Criteria. In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 - 1. The proposal satisfies the threshold requirements for a Tree Plan Two application.
 - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 - 3. If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.
 - 4. If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.
 - 5. If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.

6. If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.
7. If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles. [ORD 4584; June 2012]
8. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.
9. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.
10. The proposal is consistent with all applicable provisions of Section 60.60. (Trees and Vegetation) and Section 60.67. (Significant Natural Resources).
11. Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system. [ORD 4584; June 2012]
12. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
13. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

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

- D. Submission Requirements. An application for a Tree Plan Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Tree Plan Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.
 - E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Tree Plan Two application to ensure compliance with the approval criteria. In addition to the approval criteria, the decision making authority may also impose other conditions of approval to ensure that the proposed tree work meets all requirements listed in Section 60.60. (Trees and Vegetation).
 - 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. Previous approval of Tree Plan Two proposal shall not be extended.
3. **Tree Plan Three**
- A. Threshold. An application for Tree Plan Three shall be required when none of the actions listed in Section 40.90.10. or none of the thresholds listed in Section 40.90.15.1. or Section 40.90.15.2. apply and one or more of the following thresholds apply: [ORD 4782; April 2020]
 1. Multiple Use zoning districts: Removal of greater than 85% of the total DBH of Non-Exempt Surveyed Tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services. [ORD 4584; June 2012]
 2. Residential, Commercial, and Industrial zoning districts: Removal of greater than 75% of the total DBH of Non-Exempt Surveyed Tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services. [ORD 4584; June 2012]
 3. Removal of individual Historic Trees.

- B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Tree Plan Three. The decision making authority shall be the Planning Commission. [ORD 4532; April 2010]
- C. Approval Criteria. In order to approve a Tree Plan Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Tree Plan Three application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. If applicable, removal of a diseased tree or a tree is necessary because the tree has been weakened by age, storm, fire, or other condition.
 4. If applicable, removal is necessary to enhance the health of the grove or adjacent tree(s) to reduce maintenance, or to eliminate conflicts with structures or vehicles.
 5. If applicable, removal is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.
 6. If applicable, removal is the minimum necessary to accommodate physical development because no reasonable alternative exists for the development at another location on the site and variances to setback provisions of the Development Code will not allow the tree(s) to be saved or will cause other undesirable circumstances on the site or adjacent properties.
 7. If applicable, removal is necessary because a tree has become a nuisance by virtue of damage to personal property or improvements, either public or private, on the subject site or on an adjacent site.
 8. If applicable, removal is necessary to accomplish a public purpose, such as installation of public utilities, street widening, and similar needs where no reasonable alternative exists without significantly increasing public costs or reducing safety.
 9. If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.
 10. If applicable, removal of tree or trees within a Significant Grove will not reduce the size of the grove to a point where the remaining trees may pose a safety hazard due to the effects of windthrow.
 11. If applicable, removal of a tree within a Historic Grove will not substantially reduce the significance of the grove in terms of its original designation on the list of Historic Groves.
 12. The proposal is consistent with all applicable provisions of Section 60.60. (Trees and Vegetation) and Section 60.67. (Significant Natural Resources).
 13. Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.
 14. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
 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]
- D. Submission Requirements. An application for a Tree Plan Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Tree Plan Three application shall be accompanied by the information required by the application

form, and by Section 50.25. (Application Completeness), any other information identified through a Pre-Application Conference, and by a report from a qualified professional.

- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Tree Plan Three application to ensure compliance with the approval criteria. In addition to the approval criteria, the decision making authority may also impose other conditions of approval to ensure that the proposed tree work meets all requirements listed in Section 60.60. (Trees and Vegetation).
- F. Compliance with Approval. All conditions imposed on an approved Tree Plan Three shall be implemented prior to the removal, pruning, or planting of tree unless otherwise noted in the approval. Compliance with the conditions of approval shall be met as long as the trees exist unless otherwise specified or until modified through a City approval process.
- G. Appeal of a Decision. Refer to Section 50.70.
- H. Expiration of a Decision. Refer to Section 50.90.
- I. Extension of a Decision. Previous approval of Tree Plan Three proposal shall not be extended.

[ORD 4697; December 2016]

[ORD 3740, 08/21/1990; ORD 3830, 10/28/1992; ORD 3838, 02/09/1993; ORD 4071, 11/25/1999; ORD 4224, 09/19/2002; ORD 4238, 02/27/2003; ORD 4265, 10/09/2003; ORD 4348, 05/19/2005; ORD 4404, 10/19/2006; ORD 4462, 01/10/2008; ORD 4532, 04/01/2010; ORD 4584, 06/01/2012; ORD 4697, 12/02/2016; ORD 4782, 04/17/2020]

Effective on: 4/17/2020

Commentary: Section 40.91: Tree Applications - Cooper Mountain

This new section is for tree applications inside the Cooper Mountain Community Plan area only. The commentary boxes preceding each application provide additional information on when each application applies. There are five tree applications for the Cooper Mountain area.

40.91. Tree Applications – Cooper Mountain

40.91.05. Purpose.

This Section provides a permitting mechanism within the Cooper Mountain Community Plan area for regulating the removal and replacement of trees that are not associated with Initial Development activity and are, therefore, not subject to the tree preservation or tree canopy requirements of Sections 60.61.15 through 60.61.30. This Section also establishes Cooper Mountain Tree Plan applications for tree removal, preservation, and planting associated with Initial Development and for modifications of a previously approved Cooper Mountain Tree Plans prior to completion of Development.

40.91.10. Applicability.

Tree Applications - Cooper Mountain are not required for the following types of tree removal:

1. Removal of any tree outside of the protected portion of the Resource Overlay on a lot less than 3,500 square feet developed with an existing Single-Detached or Middle Housing residential use or a small-scale commercial use;
2. Removal of Nuisance Trees on the City of Beaverton Tree List;
3. Removal of any tree within the Resource Overlay that is either exempt pursuant to Section 60.37.25 or subject to the Resource Overlay - Development application of Section 40.70.15.1;

4. Removal of any tree less than 6-inch DBH, unless the tree was included as a part of an approved Cooper Mountain Tree Plan and is being removed prior to issuance of final occupancy or final inspection approval for a Development;
5. Removal of Agricultural Trees;
6. Removal of trees blocking a Sight Clearance Area for an intersection, including driveways; or
7. Removal of tree species that cannot typically attain a mature height of at least 16 feet as they are not considered trees for the purposes of this Code.

Commentary: Section 40.91.15.1-2 Cooper Mountain Tree Removal One and Two

Cooper Mountain Tree Removal One and Two applications evaluate tree removal proposals outside of Initial Development (Chapter 90 defines Initial Development). For example, these applications will apply to a residential property owner that proposes to remove one or more trees, unless the removal is exempt from these applications by Section 40.91.10 above.

Cooper Mountain Tree Removal One. Creates a clear and objective path for tree removal for situations such as removing dead trees, hazardous trees, or a certain number of trees per year based on lot size. Replanting is required with the Cooper Mountain Tree Removal One application.

Cooper Mountain Tree Removal Two. Creates a discretionary path for other tree removal situations, such as removing a higher number of healthy trees from a site based on lot size. Replanting is required, but paying a fee in-lieu of planting is available for the Cooper Mountain Tree Removal Two application.

40.91.15. Applications.

There are five Tree Applications - Cooper Mountain for the Cooper Mountain Community Plan area.

1. Cooper Mountain Tree Removal One.

A. Threshold. An application for Cooper Mountain Tree Removal One shall be required when none of the exemptions in Section 40.91.10 apply and one or more of the following thresholds apply:

1. Removal of one or more Dead Trees.
2. Removal of one or more Hazardous Trees.
3. Removal of one 6-inch DBH tree or larger, per 5,000 square feet of lot or tract area, per calendar year. In calculating the number of trees allowed for removal, a fraction shall be rounded down to the nearest whole number.

B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to Cooper Mountain Tree Removal One. The decision-making authority is the Director.

C. Approval Criteria. To approve a Cooper Mountain Tree Removal One 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 Cooper Mountain Tree Removal One 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. Tree replacement is proposed consistent with the replanting ratio required by Section 60.61.40.2.A (Tree Replacement and Maintenance Standards).

5. Proposed tree replacement is consistent with the replanting requirements of Section 60.61.40.2.C through G (Tree Replacement and Maintenance Standards).

6. For the removal of Dead or Hazardous Trees, a report prepared by an Arborist certified in International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ) techniques demonstrates that the tree(s) proposed for removal are Dead or Hazardous, consistent with Chapter 90 (Definitions).

7. If an Arborist certified in ISA TRAQ techniques determines that one or more trees pose an imminent threat to public health, safety, or welfare, the subject tree(s) may be removed, and the Cooper Mountain Tree Removal One application shall be processed retroactively. The burden of proof is on the applicant to demonstrate that the tree(s) presented an imminent threat prior to removal.

8. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements).

D. Submission Requirements. An application for a Cooper Mountain Tree Removal One 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 Cooper Mountain Tree Removal One application shall be accompanied by the information required by the application form, by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference. If a tree has sustained physical damage caused by activity in violation of Section 60.61 which has caused the tree to die or become hazardous, applicable penalties shall be satisfied prior to or concurrently with submittal of this application.

E. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Cooper Mountain Tree Removal One application to ensure compliance with the approval criteria. Tree replacement consistent with the Cooper Mountain Tree Removal One approval shall be completed within one year.

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.

2. Cooper Mountain Tree Removal Two.

A. Threshold. An application for Cooper Mountain Tree Removal Two shall be required when none of the exemptions in Section 40.91.10 apply and one or more of the following thresholds apply:

1. Removal of more than one 6-inch DBH tree or larger, per 5,000 square feet of lot or tract area, per calendar year.
2. Any non-exempt tree removal for which fee-in-lieu is proposed for any amount of required tree replacement consistent with Section 60.61.40.

B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to a Cooper Mountain Tree Removal Two application. The decision-making authority is the Director.

C. Approval Criteria. To approve a Cooper Mountain Tree Removal Two application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Cooper Mountain Tree Removal Two 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. Tree replacement is proposed consistent with one of the following options:
 - a. Replanting is consistent with the ratio required by Section 60.61.40.2.A (Tree Replacement and Maintenance Standards); or

- b. Tree replacement required by Section 60.61.40.2.A is proposed to be provided in part or in full through payment of an in-lieu fee consistent with Section 60.61.40.2.B (Tree Replacement and Maintenance Standards). A report prepared by a Certified Arborist demonstrates that replanting to the required ratio is not feasible or practical on the subject property or site. Payment of the applicable in-lieu fee has been submitted.
 - 5. Excluding fee-in-lieu replacement, proposed tree replacement is consistent with the replanting requirements of Section 60.61.40.2.C through G (Tree Replacement and Maintenance Standards).
 - 6. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements).
- D. Submission Requirements. An application for a Cooper Mountain Tree Removal Two shall be made by the owner of the subject property, or the owner’s authorized agent, on a form provided by the Director and shall be filed with the Director. The Cooper Mountain Tree Removal Two application shall be accompanied by the information required by the application form, 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 Cooper Mountain Tree Removal Two application to ensure compliance with the approval criteria. Tree replacement consistent with the Cooper Mountain Tree Removal Two approval shall be completed within one year.
- 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.

Commentary: 40.91.15.3-5 Cooper Mountain Tree Plan One, Two and Three

Cooper Mountain Tree Plan One provides a clear and objective pathway for Initial Developments that meet Minimum Tree Preservation Standards or Minimum Tree Canopy Standards, or modifications to previously approved plans that will be consistent with Minimum Tree Preservation Standards or Minimum Tree Canopy Standards. Modifications to previously approved plans are useful for changes that occur during the construction of a project such as if tree health declines significantly or the species to be planted needs to be changed. This is likely to occur during multi-year and multi-phased development projects.

Cooper Mountain Tree Plan Two provides a discretionary pathway for Initial Development when an applicant chooses to meet the Minimum Tree Preservation Guidelines or Type 2 Minimum Tree Canopy Guidelines. This application also considers modifications to previously approved Cooper Mountain Tree Plan Two or Three applications when the tree preservation changes are consistent with the Minimum Tree Preservation Guidelines or the Type 2 Minimum Tree Canopy Guidelines. Modifications to the Tree Canopy approach of a Cooper Mountain Tree Plan Three will also be considered through this Type 2 application as long as the changes result in the same amount of Tree Canopy or more than the existing approval.

Cooper Mountain Tree Plan Three provides a discretionary pathway for Initial Development when an applicant chooses to meet the Type 3 Minimum Tree Canopy Guidelines. If an applicant wishes to modify an existing Cooper Mountain Tree Plan Three approval in a way that reduces the amount of Tree Canopy on the site, this is considered a new Type 3 application and, therefore, requires Planning Commission approval.

3. Cooper Mountain Tree Plan One.

A. Threshold. An application for Cooper Mountain Tree Plan One shall be required when one of the following thresholds apply:

1. Initial Development of a site in accordance with Section 60.61.15 (Minimum Tree Preservation Standards) and Section 60.61.20 (Minimum Tree Canopy Standards).
2. One or more modifications to an existing Cooper Mountain Tree Plan One, Cooper Mountain Tree Plan Two, or Cooper Mountain Tree Plan Three approval prior to issuance of final occupancy or acceptance of final inspection for the associated Initial Development when:
 - a. Modification(s) are consistent with Section 60.61.15 (Minimum Tree Preservation Standards), as applicable;
or
 - b. Modification(s) are consistent with Section 60.61.20 (Minimum Tree Canopy Standards), as applicable.

B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to a Cooper Mountain Tree Plan One application. The decision-making authority is the Director.

C. Approval Criteria. To approve a Cooper Mountain Tree Plan One 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 Cooper Mountain Tree Plan One 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. A report prepared by a Certified Arborist demonstrates that the proposed Cooper Mountain Tree Plan One is consistent with the Minimum Tree Preservation Standards of Section 60.61.15 and the Minimum Tree Canopy Standards of Section 60.61.20.
5. For modification(s) to an approved Cooper Mountain Tree Plan, a report prepared by a Certified Arborist demonstrates that proposed tree preservation modification(s) are consistent with the Minimum Tree Preservation Standards of Section 60.61.15.
6. For modification(s) to an approved Cooper Mountain Tree Plan, a report prepared by a Certified Arborist demonstrates that proposed Tree Canopy modification(s) are consistent with the Minimum Tree Canopy Standards of Section 60.61.20.
7. The proposal is consistent with the tree protection, tree planting, and soil volume requirements of Section 60.61.35 (Technical Specifications for Tree Protection and Planting).
8. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements).

D. Submission Requirements. An application for a Cooper Mountain Tree Plan One 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 Cooper Mountain Tree Plan One application shall be accompanied by the information required by the application form, 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 Cooper Mountain Tree Plan One 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.

4. Cooper Mountain Tree Plan Two.

A. Threshold. An application for Cooper Mountain Tree Plan Two shall be required when one or more of the following thresholds apply:

1. Initial Development of a site in accordance with Section 60.61 when the project addresses the Minimum Tree Preservation Guidelines of Section 60.61.25 or the Type 2 Minimum Tree Canopy Guidelines of Section 60.61.30.1.
2. One or more modifications to an approved Cooper Mountain Tree Plan Two or Cooper Mountain Tree Plan Three prior to issuance of final occupancy or acceptance of final inspection for the associated Initial Development when:
 - a. Modification(s) are consistent with Section 60.61.25 (Minimum Tree Preservation Guidelines);
 - b. Modification(s) are consistent with Section 60.61.30.1 (Minimum Tree Canopy Guidelines Type 2); or
 - c. Modification(s) to an existing Cooper Mountain Tree Plan Three approval are consistent with Section 60.61.30.2 (Minimum Tree Canopy Guidelines Type 3).

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

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

1. The proposal satisfies the threshold requirements for a Cooper Mountain Tree Plan Two 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. A report prepared by a Certified Arborist demonstrates that the proposed Cooper Mountain Tree Plan Two or modification(s) to an approved Cooper Mountain Tree Plan Two or Three will provide tree preservation on the site consistent with either the Minimum Tree Preservation Standards of Section 60.61.15 or the Type 2 Minimum Tree Preservation Guidelines of Section 60.61.25.
5. A report prepared by a Certified Arborist demonstrates that the proposed Cooper Mountain Tree Plan Two or modification(s) to an approved Cooper Mountain Tree Plan Two will provide Tree Canopy on the site consistent with either the Minimum Tree Canopy Standards of Section 60.61.20 or the Type 2 Minimum Tree Canopy Guidelines of Section 60.61.30.1.
6. For modification(s) to an approved Cooper Mountain Tree Plan Three, a report prepared by a Certified Arborist demonstrates that the proposed Tree Canopy modification(s) are consistent with the Type 3 Minimum Tree Canopy Guidelines of Section 60.61.30.2 and do not cause the Tree Canopy percentage on the site to be reduced below the percentage of the Cooper Mountain Tree Plan Three approval proposed for modification.
7. The proposal is consistent with the tree protection, tree planting, and soil volume requirements of Section 60.61.35 (Technical Specifications for Tree Protection and Planting).
8. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements).

D. Submission Requirements. An application for Cooper Mountain Tree Plan Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Cooper Mountain Tree Plan Two application shall be accompanied by the information required by the application form, 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 Cooper Mountain Tree Plan Two 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.

5. Cooper Mountain Tree Plan Three.

A. Threshold. An application for Cooper Mountain Tree Plan Three shall be required when the following threshold applies:

1. Initial Development of a site in accordance with Section 60.61 when the project addresses the Type 3 Minimum Tree Canopy Guidelines of Section 60.61.30.2.

B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to a Cooper Mountain Tree Plan Three application. The decision-making authority is the Planning Commission.

C. Approval Criteria. To approve a Cooper Mountain Tree Plan Three application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirement for a Cooper Mountain Tree Plan Three 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. A report prepared by a Certified Arborist demonstrates that the proposed Cooper Mountain Tree Plan Three provides tree preservation on the site consistent with either the Minimum Tree Preservation Standards of Section 60.61.15 or the Minimum Tree Preservation Guidelines of Section 60.61.25.
5. A report prepared by a Certified Arborist demonstrates that the proposed Cooper Mountain Tree Plan Three provides Tree Canopy on the site consistent with the Type 3 Minimum Tree Canopy Guidelines of Section 60.61.30.2.
6. The proposal is consistent with the tree protection, tree planting, and soil volume requirements of Section 60.61.35 (Technical Specifications for Tree Protection and Planting).
7. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements).

D. Submission Requirements. An application for Cooper Mountain Tree Plan Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Cooper Mountain Tree Plan Three application shall be accompanied by the information required by the application form, 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 Cooper Mountain Tree Plan Three 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.

Commentary

The Tualatin Hills Park and Recreation District Annexation Waiver application is proposed for deletion because the park district provides park and recreation services to the entire city and the Cooper Mountain code was drafted with the intention that Community Parks and Neighborhood Parks in the parks overlay will become THPRD facilities. This will ensure Cooper Mountain residents and community members visiting the area will enjoy the same park and recreation services as the rest of the city.

~~40.93. Tualatin Hills Park and Recreation District Annexation Waiver~~

~~{ORD 4388; May 2006}~~

~~{ORD 4388, 05/18/2006}~~

~~40.93.05. Purpose:~~

~~The purpose of this section is to provide for the application of a Tualatin Hills Park and Recreation annexation waiver, which allows a waiver from the requirement to annex property into the Tualatin Hills Park and Recreation District as a condition of approval of any development as specified in Section 60.33 of the Development Code. {ORD 4584; June 2012}~~

~~{ORD 4388, 05/18/2006; ORD 4584, 06/01/2012}~~

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

~~40.93.10. Applicability:~~

~~A THPRD annexation waiver may only be requested by the property owner(s) for any development proposed outside of THPRD boundaries who wish to provide their own park and recreation facilities and services rather than annex the site to THPRD.~~

~~{ORD 4388, 05/18/2006}~~

~~Effective on: 5/18/2006~~

~~40.93.15. Application:~~

~~There is a single THPRD annexation waiver application which is subject to the following requirements.~~

~~1. THPRD Annexation Waiver.~~

~~A. Threshold. An application for a THPRD annexation waiver shall be required when the following threshold applies:~~

~~1. The property proposed for development is not in the Tualatin Hills Park and Recreation District (THPRD) and the applicant wishes to provide park and recreation facilities and services for the development rather than annex the site to THPRD.~~

~~B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for a THPRD annexation waiver.~~

~~C. Approval Criteria. In order to approve a THPRD annexation waiver 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 THPRD annexation-waiver application.~~
 - ~~2. All City application fees related to the application under consideration by the decision-making authority have been submitted.~~
 - ~~3. Detailed plans and documentation demonstrating compliance with Section 60.33.15. Park facilities shall be deemed similar if provided for the projected number of future residents and/or employees of the proposed development at cost, quality and services levels equal to or greater than the minimum set for the core park system in the THPRD Comprehensive Master Plan. Improvements within provided park facilities shall be deemed similar if at least two of the following are provided: a tennis court, a basketball court, a swimming pool, or a children's play structure; and at least one of the following is also provided: a baseball/softball field, a soccer field, or a community/recreation center. Recreation services shall be deemed similar if provided for future residents or employees of the proposed development at cost, quality and service levels equal to or greater than the minimum set for such services in the THPRD Comprehensive Master Plan and is consistent with applicable provisions within an adopted Community Plan. [ORD 4652; March 2015]~~
 - ~~4. 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 THPRD annexation-waiver 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 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 THPRD annexation-waiver 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.~~

~~[ORD 4388, 05/18/2006; ORD 4652, 03/06/2015]~~

~~Effective on: 3/6/2015~~

Commentary: Section 40.96 Wireless Facility

The proposed changes to the Wireless Facility application would add references to the Cooper Mountain Zoning Districts section.

40.96. Wireless Facility

[ORD 4332; January 2005]

[ORD 4332, 01/01/2005]

40.96.05. Purpose.

The purpose of the wireless facility application is to ensure the review and implementation of the regulations for the construction and use of wireless communication facilities in the City of Beaverton. The section is consistent with FCC Declaratory Rulings and current federal laws, and is intended to minimize potential adverse visual, aesthetic, and safety impacts of wireless communication facilities on residential neighborhoods, and on the community as a whole by establishing review standards for the use, placement, and design of wireless communication facilities. This Section is carried out by the approval criteria listed herein.

[ORD 4332, 01/01/2005; ORD 4595, 02/08/2013]

Effective on: 2/8/2013

40.96.10. Applicability.

The development, installation, and modification of wireless facilities listed in CHAPTER 20 (Zoning Districts) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, for each zoning district shall be subject to the provisions of this section. [ORD 4799; January 2021] [ORD 4804; August 2021]

[ORD 4332, 01/01/2005; ORD 4799, 01/08/2021; ORD 4804, 08/13/2021]

Effective on: 8/13/2021

40.96.15. Application.

There are three (3) Wireless Facility applications which are as follows: Wireless Facility One, Wireless Facility Two, and Wireless Facility Three.

1. Wireless Facility One.

- A. Threshold. An application for Wireless Facility One shall be required when one or more of the following thresholds apply:
1. In any zoning district, replacement of transmission equipment (antennas) or a collocation of a wireless communication facility on an existing tower or structure approved as a wireless facility that does not constitute a substantial change in size of the tower and is an eligible facility request as defined by federal law. [ORD 4804; August 2021]
 2. In any zoning district, attachment of a new wireless communication facility to existing or new buildings or structures that are not exclusively used for single-detached residential or multi-dwelling residential purposes, and that utilize stealth design. [ORD 4822; June 2022]
 3. In any zoning district, attachment of wireless communications facilities to existing structures, tower structures or pole structures that constitute a substantial change in size of the tower and is an eligible facilities request as defined by federal law that meets the height standard of the zoning district. [ORD 4804; August 2021]
 4. In industrial, multiple use, or commercial zoning districts, direct-to-home satellite service having antennas greater than one (1) meter in diameter.
 5. In industrial, multiple use, or commercial zoning districts, installation of up to and including two (2) ground or building roof-mounted satellite antennas greater than two meters in size.
 6. In any zoning district, installation of one (1) replacement tower for an existing tower approved to support one (1) carrier where the replacement tower will accommodate collocation opportunity while remaining consistent with previous land use approvals. [ORD 4804; August 2021]

7. In any zoning district, attachment of antennas to tower structures or pole structures other than those used for cellular phone service, street lights or traffic signals.
8. In any zoning district, installation of new ground or roof equipment to an existing wireless communication facility or base station.

[ORD 4595; February 2013]

- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Wireless Facility One. The decision making authority is the Director.
 - C. Approval Criteria. In order to approve a Wireless Facility One 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 Wireless Facility One 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 meets all applicable Site Development Requirements of Sections 20.05., 20.10., 20.15., 20.20, 20.22, and Section 70.15 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] [ORD 4595; February 2013] [ORD 4799; January 2021] [ORD 4804; August 2021]
 5. The proposal complies with all applicable provisions in CHAPTER 60 (Special RequirementsRegulations).
 6. The proposal is an "eligible facilities request" that does not substantially change the physical dimensions of such tower or base station. [ORD 4595; February 2013]
 7. The proposal does not conflict with any existing City approval, except the City may modify prior approvals through the WCF process to comply with federal, state and local laws. [ORD 4595; February 2013]
 8. The proposal is not on or within any right-of-way. [ORD 4702; January 2017]
 9. 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 Wireless Facility One 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 Wireless Facility One application shall be accompanied by the information required by the application form, by Section 60.70.50 (Required Studies and Information) and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4702; January 2017]
 - E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Wireless Facility One application to ensure compliance with the approval criteria.
 - F. Time Limit for Decision. Refer to Section 50.35 [ORD 4595; February 2013]
 - G. Appeal of a Decision. Refer to Section 50.60.
 - H. Expiration of a Decision. Refer to Section 50.90.
 - I. Extension of a Decision. Refer to Section 50.93.
2. **Wireless Facility Two.**

- A. Threshold. An application for Wireless Facility Two shall be required when one or more of the following thresholds apply:
1. In all industrial zoning districts, construction of a new wireless communication facility tower proposed to be set back at least fifty (50) feet from abutting residential or multiple use zoning districts.
 2. In residential zoning districts, direct-to-home satellite service having antennas greater than one (1) meter in diameter.
 3. In industrial zoning districts, attachment of a wireless communication facility to an existing or new building or structure, other than an existing tower or base station, not utilizing stealth design.
 4. In industrial, multiple use, or commercial zoning districts, installation of three (3) and up to five (5) ground or building roof-mounted satellite antennas greater than two (2) meters in size.
 5. In any zoning district, the collocation of a new wireless communication facility on an existing tower which the size of the tower constitutes as a substantial change as defined by federal law that exceeds height standards of the zoning district. [ORD 4804; August 2021]
- [ORD 4595; February 2013]
- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Wireless Facility Two. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Wireless Facility Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Wireless Facility Two application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.
 4. The proposal will not obstruct any existing or approved vehicular, pedestrian, or bicycle connection identified in the Comprehensive Plan.
 5. That the development has been designed to, where possible, incorporate and preserve existing trees and vegetation of significant size and species.
 6. That grading of the site shall take place with particular attention to minimizing the possible adverse effect of grading on the natural vegetation and physical appearance of the site.
 7. That the quality, location, size and aesthetic design of walls, fences, berms, hedges, screen planting and landscape areas have minimal adverse effect on existing or approved abutting land uses.
 8. All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.
 9. The proposal is consistent with all applicable Site Development Requirements of Sections 20.05., 20.10., 20.15., 20.20, 20.22, and Section 70.15 of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal. [ORD 4584; June 2012] [ORD 4595; February 2013] [ORD 4799; January 2021] [ORD 4804; August 2021]
 10. 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.

11. The proposal does not conflict with any existing City approval, except the City may modify prior approvals through the WCF process to comply with federal laws. [ORD 4595; February 2013]
12. The proposal is not on or within any right-of-way. [ORD 4804; August 2021]
13. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.
14. 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 Wireless Facility Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Wireless Facility Two application shall be accompanied by the information required by the application form, by Section 60.70.50 (Required Studies and Information) and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4702; January 2017]
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Wireless Facility Two 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. **Wireless Facility Three.**

- A. Threshold. An application for Wireless Facility Three shall be required when the following threshold applies:
 1. In all zoning districts, except industrial, construction of a wireless communication facility tower.
 2. In Industrial zoning districts, construction of a wireless communication facility tower proposed to be set back less than fifty (50) feet from abutting residential, or multiple use zoning districts.
 3. In any zoning districts except Industrial, attachment of a new wireless communication facility to an existing or new building or structure that does not utilize stealth design.
 4. In industrial, multiple use, or commercial zoning districts, more than five (5) satellite antennas greater than two (2) meters in diameter on one (1) lot.

[ORD 4595; February 2013]

- B. Procedure Type. The Type 3 procedure, as described in Section 50.45 of this Code, shall apply to an application for Wireless Facility Three. The decision making authority is the Planning Commission.
- C. Approval Criteria. In order to approve a Wireless Facility Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 1. The proposal satisfies the threshold requirements for a Wireless Facility Three application.
 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
 3. In relationship to the existing surroundings and future allowed uses, the location, size, shape, height, spatial and visual arrangement of the use and structure is compatible.
 4. The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.

5. The proposal will not obstruct any existing or approved vehicular, pedestrian, or bicycle connection identified in the Comprehensive Plan.
6. That the development has been designed to, where possible, incorporate and preserve existing trees and vegetation of significant size and species.
7. That grading of the site shall take place with particular attention to minimizing the possible adverse effect of grading on the natural vegetation and physical appearance of the site.
8. That the quality, location, size and aesthetic design of walls, fences, berms, hedges, screen planting and landscape areas have minimal adverse effect on existing or approved abutting land uses.
9. All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.
10. The proposal is consistent with all applicable Site Development Requirements of Sections 20.05., 20.10., 20.15., 20.20, 20.22, and Section 70.15 of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal. [ORD 4584; June 2012] [ORD 4595; February 2013] [ORD 4799; January 2021] [ORD 4804; August 2021]
11. 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.
12. The proposal does not conflict with any existing City approval, except the City may modify prior approvals through the WCF process to comply with federal, laws. [ORD 4595; February 2013]
13. The proposal is not on or within any right-of-way. [ORD 4804; August 2021]
14. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
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]

- D. Submission Requirements. An application for a Wireless Facility Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Wireless Facility Three application shall be accompanied by the information required by the application form, by Section 60.70.50 (Required Studies and Information) and by Section 50.25. (Application Completeness) and any other information identified through a Pre-Application Conference. [ORD 4702; January 2017]
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Wireless Facility Three 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 4332, 01/01/2005; ORD 4404, 10/19/2006; ORD 4584, 06/01/2012; ORD 4595, 02/08/2013; ORD 4702, 01/04/2017; ORD 4799, 01/08/2021; ORD 4804, 08/13/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Cooper Mountain Community Plan

EXHIBIT 10.4

Proposed Beaverton 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 “***”

Commentary:

This section proposes amendments to add decision expiration time periods for new applications created for Cooper Mountain. The proposed amendments also:

- Add phased Design Review Three projects to the 5-year expiration time period because phased development usually takes longer to complete than non-phased development.
- Revise the expiration time period for Planned Unit Developments, regardless of phasing, to five years from the two-year time period in the existing code. Planned Unit Developments usually are larger, more complex projects that take longer to process and complete. The five-year timeframe is more realistic.
- Remove the THPRD Annexation Waiver from the list because that application and section are proposed for deletion.
- Propose that expiration extensions are not available for applications related to the Resource overlay. See Section 50.93.
- Reorganize application lists in this section to alphabetize the application names.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 50 - PROCEDURES

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.
 - A. Five ~~(5)~~ years from the effective date of decision where phasing of the development is proposed:
 - ~~Planned Unit Development (Section 40.15.15.4.)~~
 - Design Review Three (Section 40.20.15.3.)

Preliminary Fee Ownership Subdivision (Section 40.45.15.7.)

Preliminary Subdivision (Section 40.45.15.5.)

Replat Two (Section 40.45.15.3.)

B. Five years from the effective date of decision:

Planned Unit Development (Section 40.15.15.6.)

~~B.C.~~ Three (3) years from the effective date of decision:

Middle Housing Land Division (Section 40.45.15.10)

~~C.D.~~ Two (2) years from the effective date of decision:

Accessory Dwelling Unit (Section 40.05.15.1.)

Alteration of a Landmark (Section 40.35.15.1.)

~~Commercial Timber Harvest (Section 40.90.15.4.)~~

~~Conditional Use (Section 40.15.15.4.)~~

Cooper Mountain Tree Plan One (Section 40.91.15.3.)

Cooper Mountain Tree Plan Two (Section 40.91.15.4.)

Cooper Mountain Tree Plan Three (Section 40.91.15.5.)

Demolition of a Landmark (Section 40.35.15.3.)

Design Review Two (Section 40.20.15.2.)

Design Review Three (Section 40.20.15.3.)

~~Single-Detached and Middle Housing Design Review One (Section 40.21.15.1.)~~

~~Single-Detached and Middle Housing Design Review Two (Section 40.21.15.2.)~~

~~Single-Detached and Middle Housing Design Review Three (Section 40.21.15.3.)~~

Downtown Design Review Two (Section 40.23.15.2.)

Downtown Design Review Three (Section 40.23.15.3.)

Emergency Demolition of a Landmark (Section 40.35.15.2.)

Expedited Land Division (Section 40.45.15.9.)

Final Land Division (Section 40.45.15.8.)

Food Cart Pod (Section 40.32.15.2.)

Housing Adjustment (Section 40.10.15.5)

Land Division Housing Plan Amendment (Section 40.45.15.11.)

Major Adjustment (Section 40.10.15.2.)

Major Adjustment - Affordable Housing (Section 40.10.15.4.)

Major Modification of a Conditional Use (Section 40.15.15.24.)

Mass Shelter (Section 40.65.15.1.)

Minor Adjustment (Section 40.10.15.1.)

Minor Adjustment - Affordable Housing (Section 40.10.15.3.)

Minor Modification of a Conditional Use (Section 40.15.15.12.)

~~Planned Unit Development (Section 40.15.15.4.) when there is no phasing to the development~~

New Conditional Use (Section 40.15.15.5.)

Preliminary Fee Ownership Partition (Section 40.45.15.6.)

Preliminary Fee Ownership Subdivision (Section 40.45.15.7.) when there is no phasing to the development

Preliminary Partition (Section 40.45.15.4.)

Preliminary Subdivision (Section 40.45.15.5.) when there is no phasing to the development

Property Line Adjustment (Section 40.45.15.1.)

Public Transportation Facility (Section 40.57.15.1.)

Replat One (Section [40.45.15.2.](#))
Replat Two (Section [40.45.15.32.](#)) when there is no phasing to the development
~~Mass Shelter (Section [40.65.15.1](#))~~
~~Resource Overlay - Development (Section [40.70.15.1.](#))~~
~~Resource Overlay - Alternative Review (Section [40.70.15.4.](#))~~
~~Single-Detached and Middle Housing Design Review One (Section [40.21.15.1.](#))~~
~~Single-Detached and Middle Housing Design Review Two (Section [40.21.15.2.](#))~~
~~Single-Detached and Middle Housing Design Review Three (Section [40.21.15.3.](#))~~
Tree Plan One (Section [40.90.15.1.](#))
Tree Plan Two (Section [40.90.15.2.](#))
Tree Plan Three (Section [40.90.15.3.](#))
~~THPRD Annexation Waiver (Section [40.93.15](#))~~
Variance (Section [40.95.15.1.](#))
Wireless Facility One (Section [40.96.15.1.](#))
Wireless Facility Two (Section [40.96.15.2.](#))
Wireless Facility Three (Section [40.96.15.3.](#))
Zero Side Yard Setback for a Proposed Non-Residential Land Division (Section [40.30.15.1.](#))

~~D-E.~~ One (1) year from the effective date of the decision:

~~Cooper Mountain Tree Removal One (Section [40.91.15.1.](#))~~
~~Cooper Mountain Tree Removal Two (Section [40.91.15.2.](#))~~

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 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-F.~~ 365 days from the effective date of the decision:

Legal Lot Determination (Section [40.47.15](#))

~~F-G.~~ No expiration date:

Director's Interpretation (Section [40.25.15.1.](#))
Discretionary Annexation Related Zoning Map Amendment (Section [40.97.15.4.](#))
Legislative Zoning Map Amendment (Section [40.97.15.2.](#))
Non-Discretionary Annexation Related Zoning Map Amendment (Section [40.97.15.3.](#))
Quasi-Judicial Zoning Map Amendment (Section [40.97.15.1.](#))
~~Resource Overlay - Boundary Correction Type 1 (Section [40.70.15.2.](#))~~
~~Resource Overlay - Boundary Correction Type 2 (Section [40.70.15.3.](#))~~
Street Vacation (Section [40.75.15.1.](#))
Text Amendment (Section [40.58.15.1.](#))
[ORD 4265; October 2003] [ORD 4332; January 2005] [ORD 4388; May 2006] [ORD 4397; August 2006]

[ORD 4487; August 2008] [ORD 4498; January 2009] [ORD 4584; June 2012] [ORD 4662; September 2015]
 [ORD 4758; March 2019] [ORD 4799; January 2021] [ORD 4822; June 2022] [ORD 4838; March 2023]

2. The effective date of the decision for Type 1, Type 2, Type 3, or Expedited or Middle Housing Land Division applications, which do not require an ordinance adoption, shall be the date that the city’s written decision is dated and mailed, unless appealed. If a Type 1, Type 2, Type 3, or Expedited or Middle Housing Land Division application is appealed, the effective date of the decision shall be the date of the appellate decision making authority's signed land use order is dated and mailed. The effective date of decision for a Type 4 or Type 3 application requiring ordinance adoption is thirty (30) calendar days after the City Council votes to approve or deny the ordinance, unless an emergency is declared in which case the ordinance is effective immediately upon signature of the Mayor. [ORD 4822; June 2022]
3. For a project that contains multiple applications approved concurrently, the expiration date for all these applications shall be on the latest expiration date. [ORD 4782; April 2020]
4. A decision shall expire according to Section 50.90.1 unless one of the following occurs prior to the date of expiration:
 - A. An application for an extension is filed pursuant to Section 50.93.; or
 - B. The development authorized by the decision has commenced as defined herein.
 1. The use of the subject property has changed as allowed by the approval;
 2. In the case of development requiring construction, a construction permit has been issued and substantial construction pursuant thereto has taken place; or
 3. In the case of development authorized to be done in phases, each phase must be commenced within the time specified in the approval, or within two (2) years of completion of the prior phase if no time is specified.
 4. The 45 day to five (5) year time begins from the effective date of the decision. Appeal of a decision to LUBA does not extend the time.
5. Because of the COVID-19 crisis, the time period for final decisions to expire shall be tolled from March 13, 2020 until December 31, 2021. For purposes of this section, "toll" means to stop the running of the time period, resulting in an automatic time extension. [ORD 4805; August 2021]

[ORD 4224, 09/19/2002; ORD 4265, 10/09/2003; ORD 4302, 06/10/2004; ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4388, 05/18/2006; ORD 4397, 08/10/2006; ORD 4430, 04/19/2007; ORD 4487, 08/21/2008; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4662, 09/11/2015; ORD 4758, 03/22/2019; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021; ORD 4805, 08/20/2021; ORD 4822, 06/30/2022; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

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.), Resource Overlay - Boundary Correction Type 1 (Section 40.70.15.2.), Resource Overlay - Boundary Correction Type 2 (Section 40.70.15.3.), 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]

3. A land use decision may be extended no more than two (2) times.
4. Extension of a land use decision for an application not listed in Section 50.93.2. may be granted for a period of time not to exceed two (2) years, will be subject to a Type 2 review procedure, and must be found to be consistent with the approval criteria listed in Section 50.93.6. [ORD 4544; July 2010]
5. Extension requests shall provide mailed public notice to those parties identified in Section 50.40.2. In addition, the notice shall be mailed to the parties of record contained in the initial land use decision and any prior extension of time decision. [ORD 4544; July 2010]
6. In order to approve an extension of time application, the Director shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied: [ORD 4365; October 2005] [ORD 4809; September 2021]
 - A. It is not practicable to commence development within the time allowed for reasons beyond the reasonable control of the applicant.
 - B. There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.
 - C. The previously approved land use decision is not being modified in design, use, or conditions of approval.

[ORD 4483; June 2008]

[ORD 4224, 09/19/2002; ORD 4365, 10/20/2005; ORD 4483, 06/05/2008; ORD 4532, 04/01/2010; ORD 4544, 07/22/2010; ORD 4584, 06/01/2012; ORD 4809, 09/16/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Cooper Mountain Community Plan Project

Proposed Beaverton 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 “****”

Commentary:

Chapter 60 provides special requirements on a variety of topics. To accomplish Cooper Mountain goals and desired outcomes, proposed amendments would alter Sections 60.05.05 to 60.05.55 as shown below. Unless they specifically refer to certain Cooper Mountain zones, the changes apply citywide.

Proposed amendments to the Development Code include:

- Section 60.05.11. Standards were rewritten regarding applicability of design standards to residential uses to improve clarity and integrate Cooper Mountain zones.
- Section 60.05.15. Building Design and Orientation Standards are proposed to change in the following ways:
 - 2. Roof forms, to allow a change in material to count toward articulation at the top of a building.
 - 3. Primary building entrances to allow more than one way to provide weather protection.
 - 6. Building location and orientation along streets in Commercial and Multiple Use Districts proposed changes provide requirements for Cooper Mountain based on the street classification facing the street.
 - 8. Standards are provided for the percentage of windows that should be incorporated in ground-floor non-residential uses.
- Section 60.05.20. Circulation and parking standards specific for Cooper Mountain are proposed to provide expectations for connections to the public street system, pedestrian circulation, and street frontages and parking areas. Some of these changes are to integrate references to Cooper Mountain zones in the code. Some changes are required to comply with Oregon Administrative Rule [660-012-0330](#), which includes the requirement that: “Motor vehicle parking, circulation, access, and loading may be located on site beside or behind buildings. Motor vehicle parking, circulation, access, and loading must not be located on site between buildings and public pedestrian facilities on or along the primary facing street.” The administrative rule does provide some exceptions, but many of the standards were written with this state requirement in mind.
- Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards:
 - Proposed changes would apply minimum landscape standards to net site area rather than gross site area to focus on the buildable area of the site.
 - Proposed changes would add clarify and make clear and objective rules related to balconies, patios, and community rooms and how they would count toward minimum common open space requirements. Section 60.05.25.3. These changes clarify some

provisions, provide additional options for satisfying open space requirements, and add standards that ensure the spaces are usable.

- Minimum landscape requirements for non-residential development and Mixed Use Development. Section 60.05.25.5.A.
- General landscaping requirements related to irrigation and plant diversity would apply citywide. Section 60.05.25.6.
- Cooper Mountain Open Space and Landscape Buffering. Proposed rules would create a new set of open space and buffering rules for Cooper Mountain. The open space rules promote open space for residents to enjoy as well as help the city meet its tree canopy targets for Cooper Mountain. The buffer standards developed specifically for Cooper are proposed to ensure buffering is provided where visual or noise impacts need to be addressed without requiring addition land, fences, and landscaping features where they are not needed. Section 60.05.25.17.
- Section 60.05.30 Lighting Design Standards are proposed to be updated to reduce light in natural areas, although many of the standards are in Section 60.05-1.I.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 60 - SPECIAL REQUIREMENTS

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60.05. Design Review Design Principles, Standards and Guidelines

[ORD 4332; January 2005]

[ORD 4332, 01/01/2005]

60.05.05. Purpose.

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

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

Effective on: 6/1/2012

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

Commentary:

Proposed amendments Section 60.05.11 clarify residential use applicability standards and modify them to address applicability for Cooper Mountain districts.

60.05.11. Applicability of Design Standards to Residential Uses.

[ORD 4822; June 2022]

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

1. ~~In RMA, RMB, and RMC, all allowed uses shall comply with Section 60.05.60, except Compact Detached Housing and Multi-dwelling structures. Compact Detached Housing and Multi-dwelling structures shall comply with Sections 60.05.15 through 60.05.30 or Sections 60.05.35 through 60.05.50.~~
2. ~~In CM-RM, all allowed uses shall comply with Section 60.05.60, except Compact Detached Housing and Multi-dwelling structures.~~
 - a. ~~Compact Detached Housing shall comply with Sections 60.05.15 through 60.05.30 or Sections 60.05.35 through 60.05.50.~~
 - b. ~~Multi-dwellings with 5 or 6 units shall comply with Section 60.05.65.~~
 - c. ~~In no case shall 60.05.15 through 60.05.30 or Sections 60.05.35 through 60.05.50 apply to the development of small-scale commercial uses in the CM-RM zoning district, which shall instead comply with Section 60.05.60.~~
3. ~~In all other districts, all allowed uses except single-detached dwellings (including Manufactured Homes) shall comply with Sections 60.05.15 through 60.05.30 or Sections 60.05.35 through 60.05.50.~~

Table 60.05.11. APPLICABILITY OF RESIDENTIAL DESIGN STANDARDS AND GUIDELINES

Housing Type	RMA, RMB, or RMC District	All-Other-Districts
Single-Detached Dwelling (including Manufactured Home)	60.05.60	N/A
Compact Detached Housing	N/A	60.05.15 — 60.05.30 or 60.05.35 — 60.05.50
Duplex	60.05.60	N/A
Attached Triplex or Quadplex	60.05.60	60.05.15 — 60.05.30 or 60.05.35 — 60.05.50
Detached Triplex or Quadplex	60.05.60	N/A
Townhouses	60.05.60	60.05.15 — 60.05.30 or 60.05.35 — 60.05.50
Cottage Cluster	60.05.60	N/A
Multi-Dwelling Structure	60.05.15 — 60.05.30 or 60.05.35 — 60.05.50	

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.05.12. Applicability of Design Standards and Guidelines to Accessory Structures, Non-habitable Buildings and Other Structures.

For some buildings and structures that are accessory to a primary structure or use on a site, are non-habitable, or permanent structures not considered buildings, certain Design Standards and Guidelines do not apply. Table 60.05.12- outlines the applicability of the Standards and Guidelines by structure type, size, visibility, proximity to a public street, and function.

Table 60.05.12 APPLICABILITY OF DESIGN STANDARDS AND GUIDELINES TO ACCESSORY STRUCTURES, NON-HABITABLE BUILDINGS OR STRUCTURES NOT CONSIDERED A BUILDING		
Type	Applicable Sections	Exempt from Sections
<p>Accessory structures, non-habitable buildings, or permanent structures not considered a building that meet the following:</p> <ul style="list-style-type: none"> Footprint 120 square feet or less; and No greater than one story <p>Accessory structures, non-habitable buildings, or permanent structures not considered a building that exceed these limits, are subject to applicable Design Review Standards or Guidelines.</p>	N/A	N/A
<p>Accessory structures, non-habitable buildings, or permanent structures not considered a building up to a 1,000 square feet, that meet the following:</p> <ul style="list-style-type: none"> Visible from and within 200 feet of an adjacent public street; and Located within 200 feet of an adjacent public street 	<p>60.05.15 or 60.05.35 60.05.20 or 60.05.40 60.05.25 or 60.05.45 60.05.30 or 60.05.50</p>	N/A
<p>Accessory structures, non-habitable buildings, or permanent structures not considered a building up to a 1,000 square feet, that meet one or more of the following:</p> <ul style="list-style-type: none"> Not visible from and within 200 feet of an adjacent public street; or Not located within 200 feet of an adjacent public street 	<p>60.05.15.5 or 60.05.35.5 60.05.20 or 60.05.40 60.05.25 or 60.05.45 60.05.30 or 60.05.50</p>	<p>60.05.15.1-4 and 60.05.15.6-9 or 60.05.35.1-4 and 60.05.35.6-9</p>
<p>Accessory structures, non-habitable buildings, or permanent structures not considered a building that are larger than 1,000 square feet</p>	<p>All standards applicable <u>60.05.15 or 60.05.35</u> <u>60.05.20 or 60.05.40</u> <u>60.05.25 or 60.05.45</u> <u>60.05.30 or 60.05.50</u></p>	N/A
<p>Buildings or structures used exclusively to screen:</p> <ul style="list-style-type: none"> All on-site service areas Outdoor storage areas Waste storage Disposal facilities Recycling containers 	<p>60.05.20 or 60.05.40 60.05.25 or 60.05.45 60.05.30 or 60.05.50</p>	<p>60.05.15.1-9 or 60.05.35.1-9</p>

<ul style="list-style-type: none"> Transformer and utility vaults and similar activities 		
Screening of roof-mounted equipment	60.05.15.5 or 60.05.35.5	All other Design Review Standards and Guidelines

60.05.15. Building Design and Orientation Standards.

Commentary:

This text was modified in each subsection of 60.05.15 through 60.05.50 to refer to applicability standards in 60.05.11 above rather than describing applicability for different districts and uses here.

All standards apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the standards below.

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

1. Building articulation and variety.

- A. Multi-dwellings in all applicable Residential zones, and townhouses in the MR and CM-MR zones, shall be limited in length to ~~two hundred (200)~~ feet. [ORD 4542; June 2010] [ORD 4822; June 2022]
- B. Buildings that have any portion of any elevation visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant entrances devoted to Permanent Architectural Features designed to provide articulation and variety. These permanent features include, but are not limited to, windows, bays and offsetting walls that extend at least ~~eighteen inches (18")~~ 18 inches, recessed entrances, doors, loading doors and bays, and changes in material types. Different shapes, sizes, and applications of the same material are not considered changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is: [ORD 4584; June 2012]
 1. ~~Thirty (30)~~ percent in applicable Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]
 2. ~~Fifty (50)~~ percent in Commercial zones where glazing is less than ~~thirty five (35)~~ percent pursuant to Section 60.05.15.8.A.3.
 3. ~~Fifteen (15)~~ percent in Industrial zones. [ORD 4462; January 2008]

In Industrial zones, where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities, the above standards shall apply only to elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances. [ORD 4531; April 2010] [ORD 4659; July 2015]

- C. The maximum spacing between the Permanent Architectural Features (to meet the requirements of Section 60.05.15.1.AB), both vertically and horizontally, shall be no more than: [ORD 4782; April 2020]
 1. ~~Forty (40)~~ feet in applicable Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]
 2. ~~Sixty (60)~~ feet in Industrial zones.
 3. ~~Fifteen (15)~~ feet in detached residential developments in Multiple Use zones for walls facing streets, common greens, and shared courts. [ORD 4542; June 2010]

- D. In addition to the requirements of Section 60.05.15.1.B and C., detached and attached residential building elevations facing a street, common green, or shared court shall not contain an undifferentiated wall area greater than 150 square feet within which a box with the minimum dimensions of 10 feet by 15 feet can fit. For the purposes of this standard, undifferentiated means lacking Permanent Architectural Features. [ORD 4542; June 2010]

Commentary:

Proposed amendments would modify requirements for roof forms to allow a change in material to count toward articulation at the top of a building. This provides more ways for an applicant to comply with this standard.

2. Roof forms.

- A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.
- B. Sloped roofs on residential uses in applicable residential Residential zones and on all uses in multiple-use Multiple Use and commercial Commercial zones shall have eaves, exclusive of rain gutters, that must project from the building wall at least ~~twelve (12)~~ inches. [ORD 4584; June 2012]
- C. All roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall that must project vertically above the roof line at least ~~twelve (12)~~ inches or architecturally treated, such as with a decorative cornice or change in material, at or above the top floor with a minimum height of 2 feet. [ORD 4584; June 2012]
- D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.
- E. Smaller feature roofs are not subject to the standards of this Section.

Commentary:

Proposed amendments for primary building entrances would allow more than one way to provide weather protection.

3. Primary building entrances.

- A. Primary entrances, which are the main point(s) of entry ~~where the majority of for all~~ building users ~~will enter and leave~~, shall ~~be covered~~ include weather protection that is at least 6 feet wide and 4 feet deep by; recessed recessing the entry, providing an awning or other projecting element, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep using a combination of those methods.

Commentary:

Public Parks will not be subject to Conditional Use review in Cooper Mountain so language was added to the Exterior Building Materials design standard so that these standards will still apply to parks.

4. Exterior building materials.

- A. For Permitted non-residential uses and Conditional Uses in applicable Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of ~~thirty (30)~~ percent of each elevation that is entirely or partially visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances, may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable uses

in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment. [ORD 4542; June 2010] [ORD 4584; June 2012]

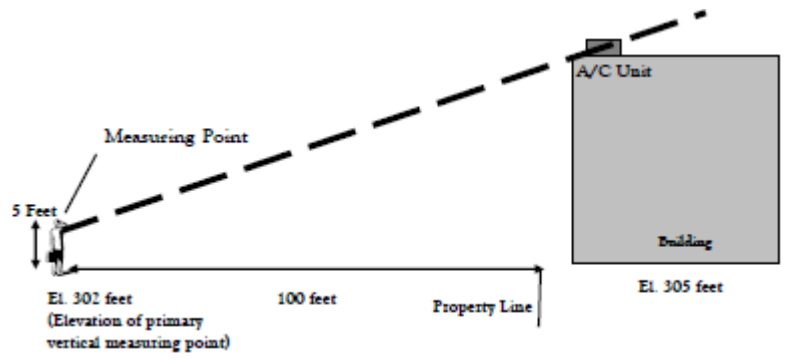
This standard shall also apply to all uses in the Industrial zones, except for buildings containing manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principal use of the site where this standard shall apply only to the primary elevation that is entirely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

[ORD 4531; April 2010]

- B. For Permitted non-residential uses and Conditional Uses in applicable Residential zones and all uses in Commercial and Multiple Use zones, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than ~~three (3)~~ feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In Industrial districts, foundations may extend up to ~~four (4)~~ feet above the finished grade level. [ORD 4584; June 2012]

5. **Roof-mounted equipment.**

- A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:
 1. A parapet wall; or
 2. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or
 3. Setback from the street-facing elevation such that it is not visible from the public street(s); or
 4. Screened from view by another building. [ORD 4782; April 2020]
- B. As shown in the diagram below, the vertical measuring distance for required screening shall be measured at ~~five (5)~~ feet above the finished or existing grade at the property line or public right-of-way abutting the development site's front yard setback for a distance of ~~one hundred (100)~~ lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines. [ORD 4531; April 2010] [ORD 4782; April 2020]



- C. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.

Commentary:

Proposed changes to building location and orientation requirements would mean building location and orientation in Cooper Mountain would be based on the street classification. In the rest of the city, it is based on designated major pedestrian routes. Those have not been established in Cooper Mountain, and the area generally lacks streets. The proposed approach provides a clear and objective way to determine building location and orientation without relying on designated pedestrian routes.

6. **Building location and orientation along streets in Commercial and Multiple Use zones.** [ORD 4584; June 2012]
- A. Buildings in Multiple Use zones, except those in the CM-HDR zone, shall occupy a minimum public street frontage as follows:
1. 50 percent of the street frontage where a parcel abuts a Class 1 Major Pedestrian Route.
 2. 35 percent of the street frontage where a parcel abuts a Class 2 Major Pedestrian Route.
 3. 35 percent of the street frontage where a parcel does not abut any Major Pedestrian Route and the parcel exceeds 60,000 gross square feet. [ORD 4462; January 2008]
 4. 50 percent of the street frontage for detached residential projects where the parcel abuts any street, common green or shared court. [ORD 4542; June 2010] [ORD 4576; January 2012]
- B. [ORD 4462; January 2008] Except in the CM-CS zone, Buildings buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet.
- C. All buildings in the CM-CS zone and non-residential and multiple use buildings in the CM-HDR zone shall occupy a minimum public street frontage as follows:
1. 50 percent of the abutting primary public street frontage. When a parcel abuts more than one public street, the primary public street frontage shall be determined in the following descending order:
 - a. Property line abutting a designated Neighborhood Route street or the property line where any portion is across the street from a Public Park, as determined by the applicant;
 - b. Property line abutting a designated Collector street; or
 - c. In the absence of a public street frontage meeting a. or b. above, the applicant shall designate the primary public street frontage at the time of initial development.
 2. 35 percent of the abutting secondary public street frontage where a parcel abuts more than one public street. When a parcel abuts more than two public streets, the applicant shall designate the secondary public street frontage at time of initial development, and there shall be no public street frontage requirement on any remaining abutting public streets.
 3. The following shall be subtracted from the calculations of total primary and secondary public street frontages:
 - a. The width of driveway throats;
 - b. Areas determined to be unbuildable due to sight clearance and sight distance requirements in the Engineering Design Manual;
 - c. Existing Public Utility Easements;
 - d. Plazas, including Pedestrian Plazas, up to 20 percent of the total public street frontage per site;
 - e. Natural Areas; and
 - f. The width of the travel surface of trails, up to a maximum of 20 feet. This exemption does not apply when any portion of a trail travels parallel to any portion of a property line abutting a street.
- D. Buildings subject to ~~the a~~ street frontage standard shall be located no farther than 20 feet from the property line. To meet the street frontage standard, no part of the ground floor elevation used to meet the standard shall be located farther than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.5.B or 60.05.25.5.C. [ORD 4584; June 2012]
- E. Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes. Where a site has more than one corner on a Major Pedestrian Route, this requirement must be met at only one corner.
- F. Buildings subject to ~~the a~~ street frontage standard shall have at least one primary building entrance oriented toward an abutting public street or public pedestrian way. In the CM-CS and CM-HDR zones, buildings subject to this Subsection shall have at least one primary building entrance oriented toward the primary public street

frontage. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall be oriented toward one abutting Class 1 Major Pedestrian Route or shall be oriented to a Class 1 Major Pedestrian Route corner. [ORD 4706; May 2017]

1. A minimum of one primary building entrance shall not be set back more than 20 feet from the abutting public street or public pedestrian way. [ORD 4706; May 2017]
2. Pedestrian connections to street oriented primary building entrances shall not cross vehicular circulation and parking areas. [ORD 4706; May 2017]

G. Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards.

7. Building scale along Major Pedestrian Routes.

- A. The height of any portion of a building at or within 20 feet of the property line as measured from the finished grade at the property line abutting a Major Pedestrian Route shall be a minimum of ~~twenty-two (22)~~ feet and a maximum of ~~sixty (60)~~ feet. Building heights greater than ~~sixty (60)~~ feet are allowed if the portion of a building that is greater than ~~sixty (60)~~ feet in height is at least ~~twenty (20)~~ feet from the property line that abuts the Major Pedestrian Route. In all cases, building height shall meet the requirement of ~~Section 20.20.20 Chapter 20~~ for the specific zoning district. [ORD 4462; January 2008] [ORD 4531; April 2010]
- B. Detached residential dwellings are exempt from the minimum height standard in Section 60.05.15.7.A. Building heights shall meet the requirements of Chapter 20 for the specific zoning district. [ORD 4542; June 2010]
- C. The maximum heights specified in Chapter 20 shall not be exceeded, unless separately authorized through an adjustment or variance application, Planned Unit Development, or where credits are earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4.B.2. [ORD 4531; April 2010]

Commentary:

Proposed amendments specify the percentage of windows that should be incorporated in buildings with ground-floor non-residential uses in Cooper Mountain.

8. Ground floor elevations in Commercial and Multiple Use zones.

- A. Except those used exclusively for residential use, ground floor elevations entirely or partially visible from and within 200 feet of a public street, Major Pedestrian Route, or a public park, public plaza or other public open space, and elevations that include a primary building entrance or multiple tenant entrances, shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings.
 1. Class 1 Major Pedestrian Routes: ~~Fifty (50)~~ percent.
 2. Primary public street frontages in CM-CS and CM-HDR: 50 percent.
 3. Class 2 Major Pedestrian Routes: ~~Thirty-five (35)~~ percent.
 4. Secondary public street frontages in CM-CS and CM-HDR zoning districts: 35 percent.
 5. Buildings on parcels in excess of 25,000 gross square feet within a Commercial or a Multiple Use zoning district: ~~Thirty-five (35)~~ percent.

Except in the CM-CS zone, less less glazing may be provided in a Commercial zoning district when increased building articulation and architectural variety is provided pursuant to Section 60.05.15.1.B.2. of this Code.

For the purpose of this standard, the ground floor elevation area is the area of the façade located between ~~three (3)~~ feet above grade to ~~ten (10)~~ feet above grade and the entire length of the elevation. Glazing located between grade and ~~twelve (12)~~ feet above grade can count towards meeting the minimum glazing requirement in Section 60.05.15.8.A.1-3. Glazing located below grade or more than ~~twelve (12)~~ feet above grade does not count towards satisfying this standard.

- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk shall provide weather protection to the following minimum percent of the length of those elevations. [ORD 4584; June 2012]
1. Class 1 Major Pedestrian Routes: ~~Fifty (50)~~ percent.
 2. Class 2 Major Pedestrian Routes: ~~Thirty-five (35)~~ percent.
- C. Except for buildings with a ground floor used exclusively for residential use, multiple use and non-residential buildings taller than 30 feet in the CM-CS and CM-HDR zoning districts shall have a defined base on building elevations visible from and within 200 feet of a public street and on elevations that include a primary building entrance or multiple tenant entrances by using one of the following methods:
1. Floor-to-floor height of the ground floor is a minimum of 3 feet taller than the average of the remaining floor-to-floor heights.
 2. Ground-floor level is set back a minimum of 2 feet from the primary building wall for at least 70 percent of the building elevation length.
 3. All floors above the ground-floor level are set back a minimum of 2 feet from the ground-floor level for at least 70 percent of the building elevation length.
 4. A datum line is provided between the ground floor and second floor. The datum line shall be a minimum of 4 inches in depth and height. The datum line may be a minimum of 2 inches in depth and height if the primary exterior building material, excluding windows, changes between the first and second floor. The datum line may project or be recessed.
9. **Compact Detached Housing design.** [ORD 4584; June 2012]
- A. Primary building entrances and porches accessing a primary entrance shall face streets, common greens or shared courts and must meet the requirements of Section 60.05.15.3. Porches, if provided, shall have clear dimensions of at least ~~six (6)~~ feet wide and ~~four (4)~~ feet deep, and shall be covered by a roof. The primary entrance must be within 4 feet of grade, as measured as the average grade along the foundation of the longest wall of the building elevation containing the primary entrance or porch. [ORD 4576; January 2012]
- B. Elevations on residential units facing streets, common greens and shared courts shall have a minimum of 25 percent of the elevation area on each floor permanently treated with windows.
- C. Windows shall be vertical or square in proportion. Horizontal windows may be created when vertical windows or a mixture of vertical and other shaped windows are grouped together, or there is a row of clerestory windows across the top of the grouped windows.
- D. [ORD 4576; January 2012] Alleys (including access easements) and shared courts are the preferred options to serve garages and shall be provided on all lots except where topography or other identified physical constraints preclude their use. Within a project, the majority of units shall have garages accessed from alleys or shared courts.
- E. When parking is provided in a garage facing a street or shared court, the following standards must be met:
1. No more than ~~fifty (50)~~ percent of the horizontal length of the ground floor elevation facing a street or shared court shall be an attached garage door entrance (i.e., garage doorway) or 12 feet long, whichever is greater.
 2. Garages shall be recessed at least ~~one and one half (1.5)~~ feet from the ground floor front of the dwelling.
 3. There may be no more than two individual garage doors per dwelling unit.
 4. [ORD 4576; January 2012] The width of the driveway (at the back of the sidewalk) shall not exceed 12 feet for single lane and 16 feet for double lane driveways.
 5. [ORD 4576; January 2012] A maximum of 50% percent of the units within a project shall have driveways 16 feet in width. No two lots of this configuration shall be adjacent to one another.
- F. Garages that face a street or shared court shall contain one or more of the following design features. Garages shall not terminate the view into shared courts from a public street unless they contain two or more of the following design features:

1. Garage trellis or pergola extending at least 12 inches from the building face.
 2. Windows on 15% percent of the garage door.
 3. Decorative hardware.
 4. Natural wood finish.
 5. A recess of at least ~~three (3)~~ feet.
 6. Multiple materials finish or colors are used.
- G. Residential structures must have a roof that meets or exceeds the requirements of Section 60.05.15.2.
- H. There must be architectural detailing that varies from unit to unit. Architectural detailing includes but is not limited to the following list. Some design features include requirements that exceed a minimum standard found elsewhere in this code. Each dwelling shall utilize at least ~~five (5)~~ of the following design features:
1. The use of different exterior siding materials. In general, materials should change on horizontal planes, not vertical planes. Types of siding materials include:
 - a. Horizontal lap siding, including simulated horizontal lap siding where the boards in the pattern are 6 inches or less in width;
 - b. Vertical cedar siding;
 - c. Beveled siding,
 - d. Shingles
 - e. Stucco
 - f. Brick
 - g. Stone
 - h. Scored masonry
 - i. Changes in a combination of texture, pattern or color of a single material
 2. A primary sloped roof that is no flatter than 6/12 and no steeper than 12/12. (Exceeds the requirements of Section 60.05.15.2.).
 3. A tile or shake roof.
 4. One or more dormers on the front elevation.
 5. Three or more gables.
 6. Elevations on residential units facing streets, common greens and shared courts having at least 40 percent of the elevation area on each floor permanently treated with windows (Exceeds the requirements of Section 60.05.15.9.B.).
 7. Window shutters on windows which face streets, common greens or shared courts.
 8. Bay or bowed windows on the front elevation.
 9. Trim marking roof lines, porches, windows and doors on all elevations. The trim must be at least ~~3-1/2~~ 3.5 inches wide.
 10. Weather protection for primary building entrances that exceed the minimum area requirements of Section 60.05.15.3 by 25% percent. [ORD 4584; June 2012]
 11. Porches on the front elevation that have clear dimensions of at least eight feet wide and six feet deep, and are covered by a roof supported by structurally integral columns or brackets.
 12. Balcony on the same façade as the main entrance. The balcony must be at least 48 square feet and a minimum 8 feet wide and must be accessible from the interior living space of the house.
 13. An attached garage with a gable or hip roof, or with a second story above the garage.
 14. Building face or roof offsets (minimum 12 inch offset) on the front elevation.

15. Permanent planter boxes of at least 25 square feet constructed as an extension of a front elevation or primary building entrance.
 16. A landscaped courtyard of at least 100 square feet located as a transition element between a primary building entrance and a street, common green or shared court. The landscaping within the courtyard shall exceed the minimum requirements of Section 60.05.25.4 by 15% percent. [ORD 4576; January 2012]
 17. Other architectural or design elements that apply to at least 10 percent of the front elevation and result in visual interest, variety and beauty.
- I. [ORD 4576; January 2012] Building elevations shall not be repeated across a street, shared court or common green from each other or on adjacent parcels. In these instances, elevations shall have at least 5 different design details as described in Section H. above. [ORD 4782; April 2020]
- J. [ORD 4576; January 2012] The following minimum setbacks apply:
1. Front yard fronting common greens and shared courts - 3 feet
 2. Front yard fronting street - 5 feet to building, 3 feet to porch or stoop
 3. Side yard - 3 feet, or 8 feet if abutting a street [ORD 4584; June 2012]
 4. Rear yard - 0 feet
 5. Garage entrance setback from street - 18.5 feet
 6. No side, rear, or garage entrance setback is required from a lot line abutting an alley or shared court.
- K. [ORD 4576; January 2012] Minimum standards for alleys are:
1. Alley width - 24 feet between buildings at the ground floor, and a paved area at least 16 feet wide.
 2. An alley may be up to 150 feet long. The Facilities Review Committee has the discretion to review alley length, with optional design requirements to allow for alleys to be longer than 150 feet. [ORD 4584; June 2012]
- L. [ORD 4576; January 2012] The side building setback on one side of a structure may be zero subject to the following:
1. The zero setback does not apply to the property line adjacent to a street or to the property line adjacent to lots that are not part of the zero lot line project.
 2. The minimum distance between all buildings in the zero lot line project must be equal to twice the required side yard setback shown in Section J.

[ORD 4332, 01/01/2005; ORD 4462, 01/10/2008; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4584, 06/01/2012; ORD 4659, 07/10/2015; ORD 4706, 05/19/2017; ORD 4758, 03/22/2019; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.05.20. Circulation and Parking Design Standards.

All standards apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the standards below.

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

Commentary:

Section 60.05.20. Circulation and parking standards specific for Cooper Mountain are proposed to provide expectations for connections to the public street system, pedestrian circulation, and street frontages and parking areas. Some of these changes are to integrate references to Cooper Mountain zones in the code. Some changes are required to comply with Oregon Administrative Rule 660-012-0330, which includes the requirement that: “Motor vehicle parking, circulation, access, and loading may be located on site beside or behind buildings. Motor vehicle parking, circulation, access, and loading must not be located on site between buildings and public pedestrian facilities on or along the primary facing street.” The administrative rule does provide some exceptions, but many of the standards were written with this state requirement in mind.

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 South Cooper Mountain Community Plan Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework shall be reviewed through a Planned Unit Development application.~~ For properties in the 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 Figures 6.4a and 6.2b of the Comprehensive Plan Transportation Element (Volume 1, Chapter 6). Deviations from South Cooper Mountain Community Plan Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework or Cooper Mountain Community Plan Figure 6: Transportation Corridors shall be reviewed through a Planned Unit Development application. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel(s) 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. Loading areas, solid waste facilities and similar improvements.

- A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street or shall be fully screened from view from a public street. [ORD 4531; April 2010]
- B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principal use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street or shall be fully screened from view from a public street.
- C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed or grown a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
 - 1. Solid screen wall constructed of wood, metal, masonry, or other exterior finish material utilized on one or more buildings,
 - 2. A hedge with a minimum of ~~ninety-five (95)~~ percent opacity within ~~two (2)~~ years. [ORD 4531; April 2010] [ORD 4822; June 2022]
- D. Screening from public view by chain-link fence with or without slats is prohibited.

- E. Screening of loading zones may be waived in Commercial and Multiple Use zones if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses. [ORD 4584; June 2012]

3. Pedestrian circulation.

- A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. For properties within the South Cooper Mountain Community Plan Area area, pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Figure 10: Community Plan Street Framework and Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. For properties in the Cooper Mountain Community Plan area, pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Figure 6: Transportation Corridors of the Cooper Mountain Community Plan and to the abutting public street system, on-site buildings, parking areas, and other facilities where pedestrian access is desired. Deviations from South Cooper Mountain Community Plan Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework or Cooper Mountain Community Plan Figure 6: Transportation Corridors shall be reviewed through a Planned Unit Development application. Pedestrian connections shall be provided except when one or more of the following conditions exist:

1. Where physical or topographic conditions, such as a grade change of ~~ten (10)~~ feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principal use of a building in Industrial districts occur,
3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.

- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.
- C. At least one reasonably direct pedestrian walkway into a site shall be provided for street frontages up to 300 feet. An additional reasonably direct pedestrian walkway into a site shall be provided for every additional 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.
- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.
- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided and shall be composed of a different paving material than the primary on-site paving material.
- F. Pedestrian walkways shall have a minimum of ~~five (5)~~ foot wide unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply. [ORD 4531; April 2010]

4. Street frontages and parking areas.

- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:
 - 1. A minimum ~~six (6)~~-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2.5-~~1/2~~ inch caliper at a maximum of ~~thirty (30)~~ feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch-high screen and ~~fifty (50)~~ percent opacity within two years. The maximum height shall be maintained at no more than ~~thirty-six (36)~~ inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or
 - 2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than ~~four (4)~~ feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.
 - B. Ground-floor parking structures, parking garages, and tuck-under parking areas, inclusive of all parking spaces, drive aisles, and all vehicular maneuvering areas, within 20 feet of a public street shall provide screening which meets the following standards:
 - 1. Portions of parking structures, parking garages, and tuck-under parking areas that are not occupied by ground-floor commercial space shall provide a minimum 5-foot building setback from all street-facing property lines.
 - 2. The setback shall be landscaped, except for areas paved for vehicle and pedestrian access or land needed for above-ground utilities, as follows:
 - a. Evergreen shrubs a minimum 1 gallon in size planted next to each other to form a screen that is at least 30 inches tall within 2 years. Additional shrubs in excess of those necessary to form a screen are allowed. The shrubs shall be maintained at no more than 36 inches tall; and
 - b. Ground cover plants shall fully cover the remainder of the landscaped area.
5. **Parking area landscaping.**
- A. Landscaped planter islands shall be required according to the following:
 - 1. Residential uses in ~~applicable residential~~ 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. Permitted non-residential uses and Conditional Uses in applicable 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-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 or a minimum of 30 percent ~~tree canopy~~ Tree Canopy coverage over the additional parking lot area. Lots meeting Section 60.30.15.10.c are exempt from this requirement. Tree ~~canopy~~ Canopy coverage shall be calculated according to Section 60.30.15.10.c. For the purposes of this standard, surface parking shall include the perimeter of all parking spaces including maneuvering areas and interior parking lot landscaping. 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, the following shall be provided:
 1. One tree from the ~~city's adopted street tree list~~ City of Beaverton Tree List with an expected ~~tree crown~~ Tree Canopy of at least 15 feet for every 25 feet of driveway. The expected ~~tree crown~~ Tree Canopy measurement shall use the anticipated ~~crown area~~ Tree Canopy 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 planter strip unless site conditions involving drive aisles, pedestrian walkways, or utilities shown in the application interrupt the landscape planter 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 ~~2021-2023~~ 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.

[ORD 4844; August 2023]

Commentary:

Proposed amendments below are intended to comply with Oregon Administrative Rule 660-012-0330(4)(a), which requires Cities and counties shall have land use regulations in commercial and mixed-use districts that provide for a compact development pattern, easy ability to walk or use mobility devices, and allow direct access on the pedestrian, bicycle, and public transportation networks.

6. Off-Street parking frontages ~~in Multiple Use zones~~. [ORD 4584; June 2012]

- A. For all uses in Commercial and Multiple Use zones, Off-Street off-street surface parking areas shall be located to the rear or side of buildings. Surface parking areas located adjacent to public streets are limited to a maximum of:
 1. 50% percent of the street frontage along Class 1 Major Pedestrian Routes, and the primary public street frontage identified by Section 60.05.15.6.C.1;
 2. 65% percent of the street frontage along Class 2 Major Pedestrian Routes, frequent transit corridors, and the secondary public street frontage identified by Section 60.05.15.6.C.2; and
 3. 50% percent of the parcel's street frontage for detached residential projects along any street. [ORD 4542; June 2010]

- B. For all uses in the CM-CS and CM-HDR zoning districts and for non-residential uses and multi-dwelling uses in the CM-MR zone, off-street surface parking areas shall not be located between the longest public street-facing building elevation and a street.
7. **Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.** [ORD 4584; June 2012]
- A. A sidewalk is required on all streets. The sidewalk shall be a minimum of ~~ten (10)~~ feet wide and provide an unobstructed path at least ~~five (5)~~ feet wide. Development in the CM-CS and CM-HDR zoning districts are exempt from this standard and are subject to the Engineering Design Manual. [ORD 4531; April 2010]
 - B. A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ~~ten (10)~~ feet wide, and provide an unobstructed path at least ~~five (5)~~ feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb. This standard is not intended to be cumulative for buildings located at the property line, or are setback less than 10 feet to the property line, and are adjacent to sidewalks in the public right-of-way that are a minimum of ~~ten (10)~~ feet wide and provide an unobstructed path at least ~~five (5)~~ feet wide at building entrances and along elevations containing display windows. [ORD 4531; April 2010]
 - C. Residential development fronting common greens and shared courts, and detached units fronting streets are exempt from ~~these~~ standards of 7.B above and are subject to the Engineering Design Manual. [ORD 4542; June 2010] [ORD 4576; January 2012]
8. **Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial, ~~and~~ Multiple Use, and applicable Residential zones.** [ORD 4584; June 2012]
- A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:
 1. The parking lot drive aisle is less than 100 feet long;
 2. The parking lot drive aisle serves 2 or less residential units; or
 3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.
 - B. Private streets, common greens, and shared courts shall meet the following standards:
 1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum ~~five (5)~~ foot wide unobstructed sidewalks on both sides.
 2. Private streets serving less than ~~five (5)~~ residential units shall have raised curbs and a minimum ~~five (5)~~ foot wide unobstructed sidewalk on at least one side.
 3. When common greens and shared courts are utilized, an unobstructed walkway a minimum of ~~five (5)~~ feet wide shall be provided within the common green or shared court. [ORD 4542; June 2010]
- [ORD 4531; April 2010]
9. **Ground floor uses in parking structures.**
- A. Parking structures located on Major Pedestrian Routes and on primary public street frontages in the CM-CS zoning district shall incorporate one or more active retail or commercial uses other than parking at ground level along the entire portion of the structure fronting onto such routes. Compliance to this standard is not required when a semi-subterranean parking structure is proposed, provided that the height of such structures, or portions thereof, is not greater than ~~three and one-half (3.5 1/2)~~ feet above the elevation of the adjoining walkway or sidewalk.

[ORD 4332, 01/01/2005; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Commentary:

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

Proposed changes would add clarify and make clear and objective rules related to balconies, patios, and community rooms and how they would count toward minimum common open space requirements. Section 60.05.25.3. These changes clarify some provisions, provide additional options for satisfying open space requirements, and add standards that ensure the spaces are usable.

Minimum landscape requirements for non-residential development and Mixed Use Development. Section 60.05.25.5.A.

General landscaping requirements related to irrigation and plant diversity would apply citywide. Section 60.05.25.6.

Cooper Mountain Open Space and Landscape Buffering. Proposed rules would create a new set of open space and buffering rules for Cooper Mountain. The open space rules promote open space for residents to enjoy as well as help the city meet its tree canopy targets for Cooper Mountain. The buffer standards developed specifically for Cooper are proposed to ensure buffering is provided where visual or noise impacts need to be addressed without requiring addition land, fences, and landscaping features where they are not needed. Section 60.05.25.17.

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

~~All standards apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the standards below.~~

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

1. **Minimum landscape requirements for residential developments consisting of ~~two (2)~~ or ~~three (3)~~ units of Attached Housing or Compact Detached Housing.** [ORD 4584; June 2012]
 - A. All areas of the lot not occupied by structures or pavement shall be landscaped as defined in Section 60.05.25.4. [ORD 4515; September 2009]
2. **Minimum Open Space and landscape requirements for residential developments consisting of ~~four (4)~~ to ~~seven (7)~~ units of Attached Housing or Compact Detached Housing.** [ORD 4584; June 2012]
 - A. For Attached Dwellings, a minimum of 15% percent of the gross site area shall be Open Space, and landscaped as defined in Section 60.05.25.4. [ORD 4584; June 2012]
 - B. For Compact Detached Housing, an attached private patio or yard area of at least 300 square feet in size shall be provided. No dimension of private open space area shall be less than ~~ten (10)~~ feet. [ORD 4584; June 2012]
[ORD 4515; September 2009]
3. **Minimum Open Space and landscape requirements for residential developments consisting of ~~eight (8)~~ or more units of Attached Housing or Compact Detached Housing.** [ORD 4584; June 2012]
 - A. Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:

1. A minimum of 15% percent of the gross site area shall be Open Space and landscaped as defined in Section 60.05.25.4. [ORD 4584; June 2012]
2. For developments that are part of a Planned Unit Development outside of the Cooper Mountain Community Plan area, provisions of Section 60.35.15.4. shall apply instead. [ORD 4486; July 2008]
- B. At least ~~twenty five (25)~~ percent of the total required Open Space area shall be Active Open Space. [ORD 4515; September 2009] [ORD 4542; June 2010] [ORD 4584; June 2012]
- C. For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum Open Space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum Open Space requirement.
- D. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a Common Green or Shared Court, shall not be considered Open Space. [ORD 4542; June 2010]
- E. Individual exterior spaces such as outdoor patios, ~~and decks balconies, or similar spaces~~ constructed to serve individual units shall count toward the Open Space requirement, with the following restrictions when the space meets the requirements below: A maximum of 120 square feet per individual exterior space may count toward the Open Space requirement. [ORD 4584; June 2012]
 1. ~~Only a maximum of 120 square feet per unit may count toward the requirement.~~ [ORD 4584; June 2012]
 2. ~~Only patios and decks provided on the ground floor elevation level may count toward the requirement.~~ [ORD 4584; June 2012]
 3. Attached to and directly accessible from an individual residential unit; and
 4. Large enough to fit a 5-foot by 6-foot rectangle inside of it; and
 5. Screened a minimum 50 percent from abutting units to provide privacy; and
 6. Provides a minimum clear height dimension of 8 feet 6 inches.
- F. Active Open Space shall not abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, unless ~~that Active Open Space shall be allowed adjacent to these street classifications where~~ separated from the street by a constructed barrier at least ~~three (3)~~ feet in height.
- G. Active Open Space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet, except as allowed by 60.05.25.3.E, 60.05.25.3.J, and 60.05.25.67.A.2. [ORD 4515; September 2009] [ORD 4542; June 2010]
- H. In phased developments, Open Space shall be provided in each phase of the development consistent with or exceeding the requirements for the size and number of dwelling units proposed.
- I. Active open spaces shall include at least ~~two (2)~~ of the following improvements:
 1. A bench or other seating with a pathway or other pedestrian way;
 2. A water feature such as a fountain;
 3. A children's play structure or play area;
 4. A gazebo or other shade structure with a minimum footprint of 100 square feet;
 5. Community Building Room(s) pursuant to 60.05.25.3.J; [ORD 4822; June 2022]
 6. Outdoor cooking and dining area;
 7. ~~Tennis courts~~ Fenced and gated dog run or dog park;
 8. An indoor or outdoor sports court; ~~or~~
 9. An indoor or outdoor swimming ~~and/or~~ wading pool or hot tub;
 10. Plaza meeting the requirements of Section 60.05.25.4.F or 60.05.25.17.B, as applicable; or
 11. Gardening area with at least 100 square feet of planting area.
- J. Community Rooms shall be accessible to building occupants and designed to serve as gathering places that provide opportunities for shared experiences. Community Rooms include but are not limited to lounges, fitness

rooms, shared kitchens, dining areas, co-working spaces, game rooms, libraries, or art/craft rooms. A Community Room may be provided in the same building as residential units or in a detached building such as a Community Building. A Community Room shall meet the following requirements:

1. Large enough to fit a 15-foot by 15-foot square inside it; and
2. Provides a minimum floor-to-floor height of 12 feet; and
3. Includes at least one wall along an exterior facade of the building with at least 30 percent glazing; or
4. Provides direct access to a shared or public outdoor area that is large enough to fit a 20-foot by 20-foot square inside of it and is at least 60 percent open to the sky.
5. If multiple Community Rooms are provided, at least one shall meet J.1 through J.4 above.

K. The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsections I and J, provided that these improvements provide a similar level of active common open space usage.

4. **Additional minimum landscape requirements for Attached Housing and Compact Detached Housing.** [ORD 4584; June 2012]

A. All front yard areas and all required Open Space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped. [ORD 4542; May 2010] [ORD 4584; June 2012]

B. Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than ~~twenty-five (25)~~ percent of the landscape area.

C. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area. [ORD 4515; September 2009] [ORD 4542; June 2010]

D. All street-facing building elevations shall have landscaping along their foundation, excluding buildings that are placed at the property line or setback less than 12-inches from the property line. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards: [ORD 4782; April 2020]

1. The landscaped area shall be at least ~~three (3)~~ feet wide; ~~and,~~
2. For every ~~three (3)~~ lineal feet of foundation, an evergreen shrub having a minimum mature height of ~~twenty-four (24)~~ inches shall be planted; and,
3. Groundcover plants shall be planted in the remainder of the landscaped area.

E. The following minimum planting requirements for required Open Space areas shall be ~~complied with met.~~ These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

1. One ~~(1)~~ tree shall be provided for every ~~eight hundred (800)~~ square feet of required Open Space area. Evergreen trees shall have a minimum planting height of ~~six (6)~~ 5 feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
2. One ~~(1)~~ evergreen shrub having a minimum mature height of ~~forty-eight (48)~~ inches shall be provided for every ~~four hundred (400)~~ square feet of required Open Space area.
3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than ~~twenty-five (25)~~ percent of the required Open Space area.

[ORD 4515; September 2009]

F. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed, shall be counted towards meeting the minimum Open Space requirement, provided that the hard-surface portion

of the plaza shall not exceed ~~twenty five (25)~~ percent of the minimum Open Space requirement. When a shared court is utilized in a residential development in a Multiple Use zone, hard surface areas shall not exceed ~~seventy five (75)~~ percent of the minimum Open Space requirement. A ~~hard surface area pedestrian plaza~~ shall be comprised of the following, except in the CM-CS zoning district which shall meet the requirements of Section 60.05.25.17.B: [ORD 4542; June 2010] [ORD 4584; June 2012]

1. Brick pavers, or stone, scored, or colored concrete; and,
2. At least ~~one (1)~~ tree for plazas up to ~~three hundred (300)~~ square feet and an additional tree for every additional ~~three hundred (300)~~ square feet of plaza square footage. Trees shall have a minimum mature height of ~~twenty (20)~~ feet; and,
3. Street furniture including but not limited to benches, tables, chairs, and trash receptacles; and, [ORD 4542; June 2010]
4. Pedestrian scale lighting consistent with the City’s Technical Lighting Standards.
[ORD 4515; September 2009]

5. Minimum Open Space and landscape requirements for non-residential developments and Mixed Use Development. [ORD 4542; June 2010] [ORD 4584; June 2012]

- A. A minimum portion of the total gross lot area shall be Open Space:
 1. Permitted non-residential uses and Conditional Uses in applicable Residential districts, ~~and~~ all uses in Commercial and Industrial districts, and all uses in the CM-HDR district, ~~fifteen (15)~~ percent;
 2. All uses in Multiple Use districts, except the CM-HDR district, ~~ten (10)~~ percent.
 3. Environmentally sensitive areas shall be counted towards the minimum Open Space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum Open Space requirement.
- B. The following minimum planting requirements for required Open Space areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required Open Space area:
 1. One ~~(1)~~ tree shall be provided for every ~~eight hundred (800)~~ square feet of required Open Space area. Evergreen trees shall have a minimum planting height of ~~six (6)~~ 5 feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
 2. One ~~(1)~~ evergreen shrub having a minimum mature height of ~~forty eight (48)~~ inches shall be provided for every ~~four hundred (400)~~ square feet of required Open Space area.
 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the required Open Space area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than ~~twenty five (25)~~ percent of the required Open Space area.
- C. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed, shall be counted towards meeting the minimum Open Space requirement, provided that the hard-surface portion of the plaza shall not exceed ~~twenty five (25)~~ percent of the minimum Open Space requirement for Conditional Uses in applicable Residential districts, ~~and shall be comprised of the following:~~ A pedestrian plaza shall be comprised of the following, except for required public plazas in the CM-CS zoning district which shall meet the requirements of Section 60.05.25.17.B:
 1. Brick pavers, or stone, scored, or colored concrete; and,
 2. At least ~~one (1)~~ tree for plazas up to ~~three hundred (300)~~ square feet and an additional tree for every additional ~~three hundred (300)~~ square feet of plaza square footage. Trees shall have a minimum mature height of ~~twenty (20)~~ feet; and,
 3. Street furniture including but not limited to benches, tables, chairs and trash receptacles; and,

4. Pedestrian scale lighting consistent with the City’s Technical Lighting Standards.
- D. All building elevations entirely or partially visible from and within 200 feet of a public street that do not have windows on the ground floor shall have landscaping along their foundation, which shall be counted toward the minimum landscaped requirement. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, for plazas adjacent to the building, or when the building is within ~~three (3)~~ feet of the property line. The foundation landscaping shall be at least ~~five (5)~~ feet wide; and shall be comprised of the following:
 1. One ~~(1)~~ tree having a minimum planting height of ~~six (6)~~ feet shall be planted for every ~~thirty (30)~~ lineal feet of foundation.
 2. One ~~(1)~~ shrub having a minimum mature height of ~~twenty-four (24)~~ inches shall be planted for every ~~three (3)~~ lineal feet of foundation and shall be planted between required trees; and,
 3. Groundcover plants shall be planted in the remainder of the landscaped area not occupied by required trees and shrubs, and shall not be planted in rows, but in a staggered manner for more effective covering.
6. **General Landscaping Requirements.** The following standards apply to new landscaping required by Section 60.05.25:
 - A. New plantings shall be selected from the following approved plant lists:
 1. City of Beaverton Tree List
 2. Clean Water Services’ Design and Construction Standards, Appendix A (2019)
 3. Metro Native Plants Booklet (2018)
 4. Portland Plant List (2016)
 - B. Irrigation shall be provided to ensure all site plantings will survive their establishment period. Establishment period irrigation shall be provided through one of the following options or a combination of options:
 1. A permanent, in-ground irrigation system with an automatic controller.
 2. An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen can be adequately served by the proposed irrigation system.
 3. Irrigation by hand for a maximum of 500 square feet per site.
 - C. Plant diversity:
 1. If more than 17 trees are provided on a site, no more than 33 percent of the trees can be of one species; and
 2. If more than 25 shrubs are provided on a site, no more than 75 percent can be of one species.
 - D. A minimum of 25 percent of landscape plantings provided on a site shall be drought-tolerant species as identified on an approved plant list.
 - E. A minimum of 50 percent of trees and 50 percent of shrubs provided on a site shall be native species, as identified in one of the plant lists in Section 60.05.25.6.A.
7. **Common Greens.** Common greens are intended to serve as a common open space amenity for residents. The following standards apply to common greens for compact detached housing: [ORD 4584; June 2012] [ORD 4782; April 2020]
 - A. General.
 1. The common green shall be placed in a tract and shall provide access for pedestrians and bicycles. [ORD 4782; April 2020]
 2. The minimum dimension of a common green is ~~fifteen (15)~~ feet and must include a 5-foot-wide walkway. The size of the common green right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green.

3. Common greens may be dead-end or extend between streets. If a public pedestrian connection is provided, the pedestrian connection should either directly abut or pass through the common green, or be in close proximity. See Figure 1. Common greens may also have frontage on more than one intersecting street, if the green is located at the corner of the intersecting streets. See Figure 2.
4. Where a public pedestrian connection abuts or passes through a common green, the public pedestrian connection must include design features that distinguish the pedestrian connection from the common green, such as perimeter landscaping, low decorative fencing, or paving materials.
5. Parking for dwellings fronting a common green shall be accessed from an alley or access easement.

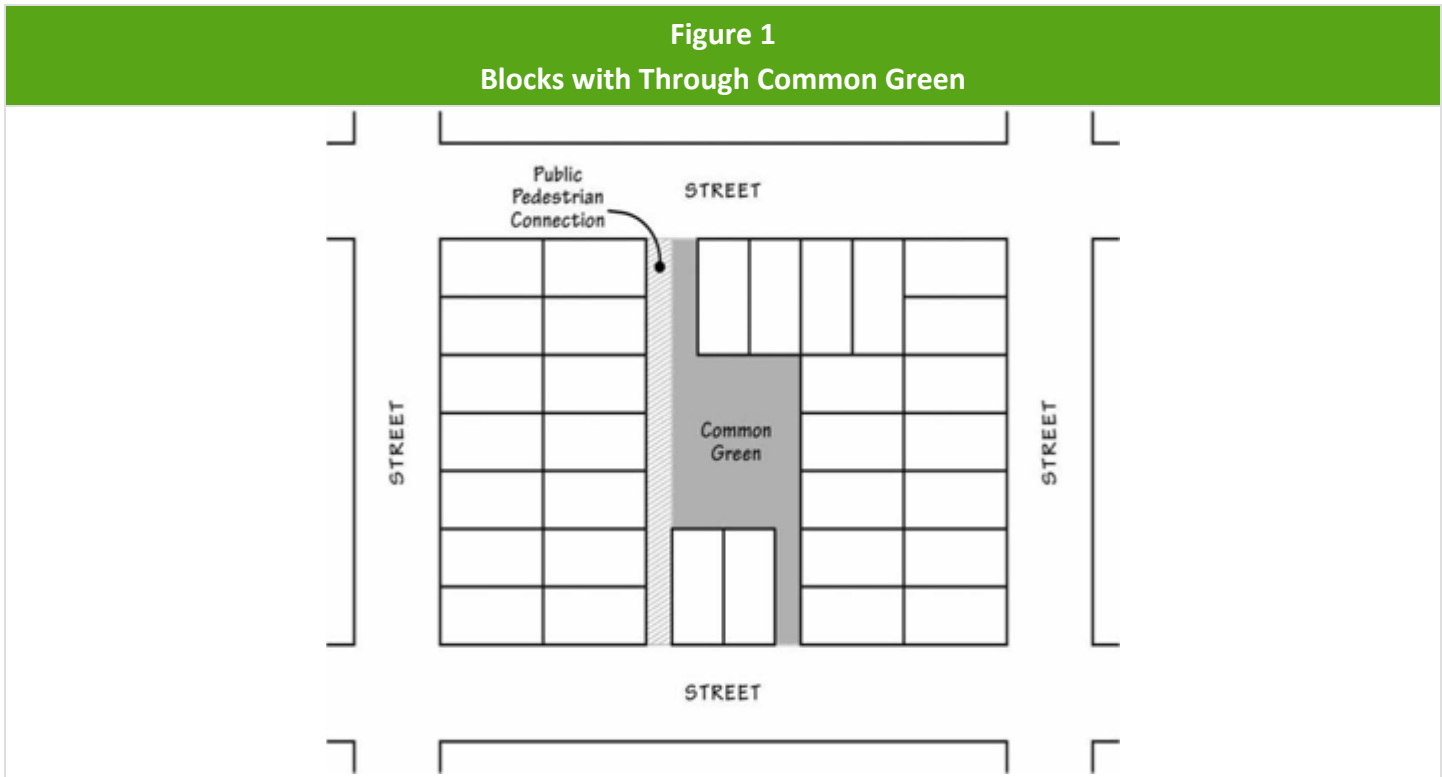
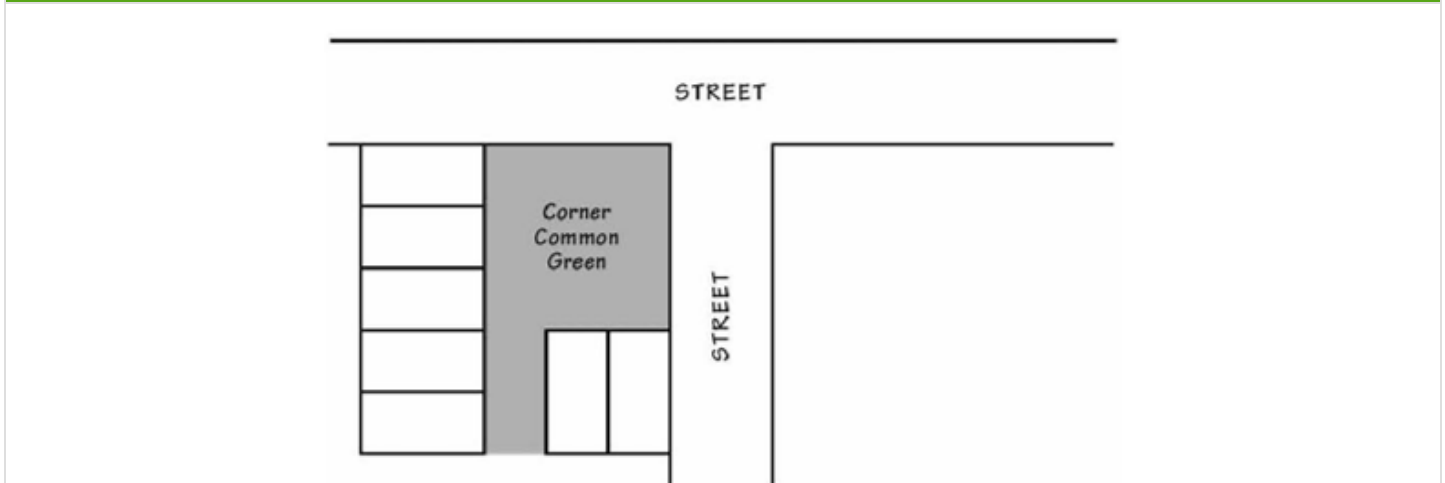


Figure 2
Corner Common Green



[ORD 4542; June 2010]

8. **Shared Courts for Compact Detached Housing.** Shared courts are intended to serve pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. See Figure 3. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court’s intended use by pedestrians as well as vehicles. See Figure 4. Access from a shared court is limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following standards apply to shared courts: [ORD 4584; June 2012] [ORD 4782; April 2020]

A. General.

1. The minimum width of a shared court right-of-way is 20 feet. The size of the shared court right-of-way must be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court.
2. A shared court may be up to 150 feet long. The Facilities Review Committee may allow longer shared courts, subject to additional conditions of approval or design requirements. [ORD 4584; June 2012]
3. Shared courts shall not allow through movement of vehicles to two or more streets unless specifically allowed by the Facilities Review Committee, which may impose additional conditions of approval or design requirements. [ORD 4584; June 2012]
4. No more than 16 lots may have a front lot line on a shared court. [ORD 4782; April 2020]

B. Shared Court paving design. [ORD 4584; June 2012]

1. Vehicle maneuvering, parking and emergency access areas within shared courts shall be constructed of brick pavers, stone, or scored or colored concrete. Asphalt is permitted within a shared court, but shall not exceed 25 percent of the area of a shared court.
2. Varied paving materials and colors, bollards, fences, landscaping, lighting and other street furnishings shall be used to differentiate vehicle activities within shared courts from other activities such as pedestrian areas, bicycle areas, play areas, gardens, etc.
3. Driveway widths for the first ~~twenty (20)~~ feet where a shared court meets a public street are:
 - a. Ten feet where a driveway provides access to 10 or fewer units on a Local Street and

- b. Twenty feet where a driveway provides access to more than 10 units or when access is on a Collector or Arterial street. [ORD 4584; June 2012]

Figure 3
Shared Court Diagram

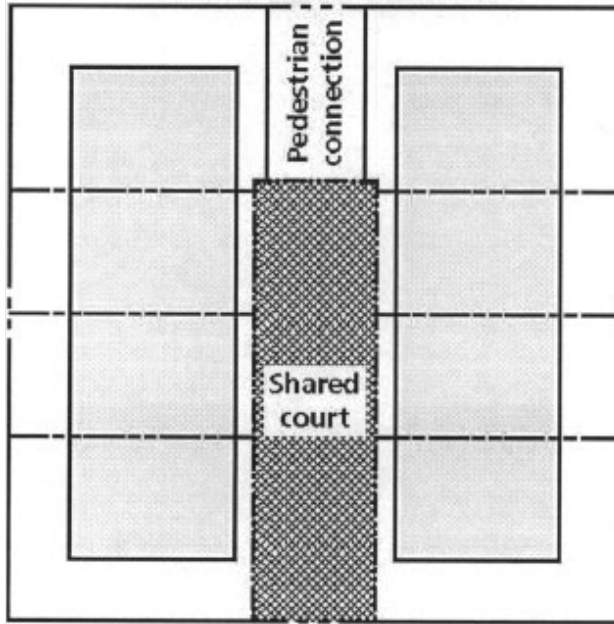
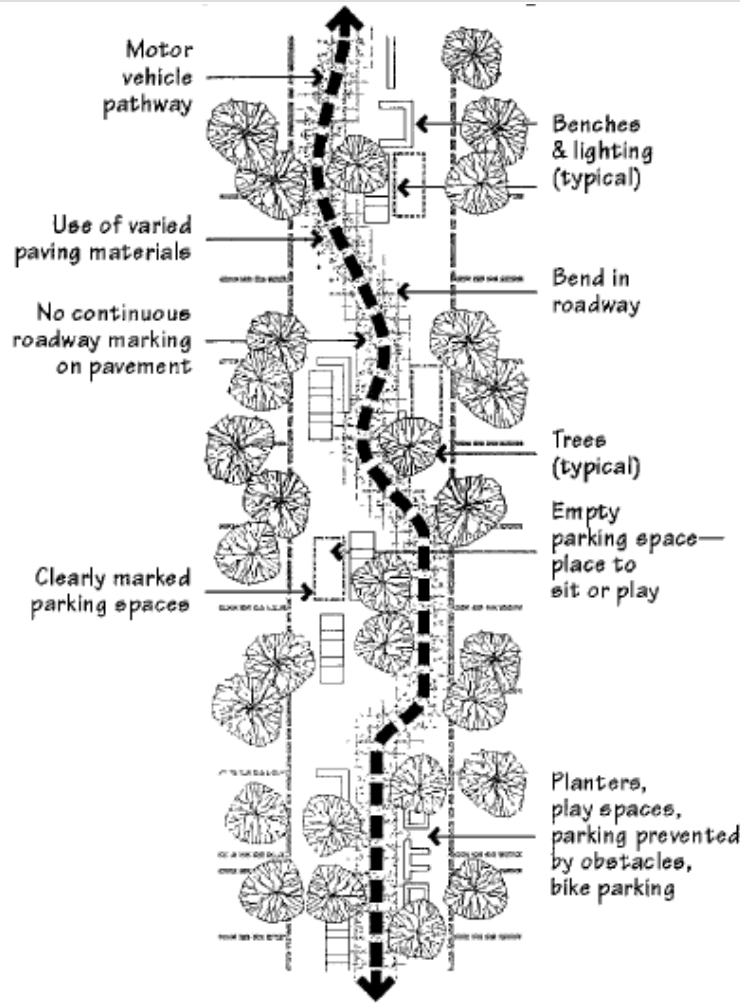


Figure 4
Shared Court Concept



[ORD 4542; June 2010]

9. **Retaining walls.** Retaining walls greater than ~~six (6)~~ feet in height or longer than ~~fifty (50)~~ lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least ~~five (5)~~ feet is required, landscaped to the B3-High Screen Buffer or Full Screen Buffer standards, as applicable.
10. **Fences and walls.**
 - A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.
 - B. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.

- C. Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.
 - D. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principal use of a building in Industrial districts, the preceding standards apply when visible from and within 200 feet of a public street.
 - E. Fences and walls:
 - 1. May not exceed three feet in height in a required front yard along streets, except required above ground stormwater facilities fencing which may be four feet in height in a required front yard, and eight feet in all other locations. [ORD 4659; July 2015]
 - 2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.
 - 3. [ORD 4576; January 2012] For detached housing along streets and housing facing common greens and shared courts in Multiple Use zones, 3 feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.
11. **Minimize significant changes to existing on-site surface contours at residential property lines.** [ORD 4782; April 2020]
- A. Where grading is proposed, the requirements listed in Section 60.15.10 shall apply.
 - B. Outside the Cooper Mountain Community Plan area, Notwithstanding notwithstanding the requirements of subsection A. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.
 - C. Inside the Cooper Mountain Community Plan area, notwithstanding the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of a tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.
12. **Integrate water quality, quantity, or both facilities.** Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.
13. **Natural areas.** Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, or Resource Overlay shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements. Development on sites that include the Resource Overlay are also subject to the provisions of Section 60.37. [ORD 4531; April 2010]
14. **Landscape buffering and screening.** All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table ~~60.05-2~~, 60.05.25.14.H.1 and the following standards, except on sites within the Cooper Mountain Community Plan area, which shall comply with the standards of Section 60.05.25.17.C. For purposes of this Section, a landscape buffer is required along the property lines between different zoning district designations in accordance with Table ~~60.05-2~~, 60.05.25.14.H.1. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension, except for non-residential uses and parks in Residential zoning districts, where the buffer width may exceed the minimum yard setback dimension. In addition, the buffer area and landscape standards are intended to be continuously applied along the property line, except as authorized under Section ~~60.05.45.1012~~. Within the Residential zoning districts, a landscape buffer is required for non-residential land uses and parks (Table ~~60.05-2~~, 60.05.25.14.H.1, Note 7) and both buffering standards and side and rear building setback requirements shall be met but are not additive. Only

landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, ~~and~~ they are not additive. [ORD 4584; June 2012] [ORD 4782; April 2020]

A. **Applicability of buffer standards:**

1. The buffer standards shall not be applicable to single-detached dwellings or middle housing dwellings or developments on individual parcels. [ORD 4822; June 2022]
2. The buffer standards shall not apply to areas where pedestrian or vehicular access is provided or emergency access is required.
3. The buffer standards shall not apply to areas where a public utility easement exists or is required. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a ~~natural feature~~ Natural Area or an Open Space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the ~~natural feature~~ Natural Area or Open Space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.
5. The buffer standards shall not apply where required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover. [ORD 4531; April 2010]

B. **B1-Low screen buffer:** This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of 1) ~~one~~(1) tree having a minimum planting height of ~~six~~(6) feet for every ~~thirty~~(30) linear feet; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than ~~twenty five~~(25) percent of the required buffer area. Deciduous trees having a minimum ~~two~~2-inch caliper at time of planting may be planted in the B1 buffer required for across the street. [ORD 4782; April 2020]

C. **B2-Medium screen buffer:** This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) ~~one~~(1) tree having a minimum planting height of ~~six~~(6) feet for every ~~thirty~~(30) linear feet; 2) evergreen shrubs which reach a minimum height of ~~four~~(4) to ~~six~~(6) feet within ~~two~~(2) years of planting planted proportionately between the required evergreen trees. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than ~~twenty five~~(25) percent of the required landscape area. Deciduous trees having a minimum ~~two~~2-inch caliper at time of planting may be planted in the B2 buffer required for across the street. [ORD 4782; April 2020]

D. **B3-High screen buffer:** This buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum ~~six~~(6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within ~~three~~(3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of ~~five~~(5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with ~~one~~(1) tree having a minimum planting height of ~~six~~(6) feet for every ~~thirty~~(30) linear feet, filled between with evergreen shrubs which reach a minimum height of ~~four~~(4) to ~~six~~(6) feet within ~~two~~(2) years of planting. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground

cover plantings, and shall be limited to no more than ~~twenty-five (25)~~ percent of the required landscape area. [ORD 4782; April 2020]

E. **Changes to buffer widths and standards:** Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be reviewed through the public hearing process, except for the following:

1. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is ~~five (5)~~ feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implemented.

Requests for changes in buffer widths and buffer standards shall only be authorized in review of the Design Review Guidelines for Landscape buffering and screening (~~60.05.45.112~~). [ORD 4584; June 2012]

[ORD 4531; April 2010]

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

G. **Pedestrian plazas in buffer areas:** For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided. [ORD 4584; June 2012]

H. Developments shall meet the minimum landscape buffer requirements of Table 60.05.25.14.H.1:

Table 60.05.25.14.H.1 Minimum Landscape Buffer Requirements Between Contrasting Districts									
District of Development	Location	Residential Mixed B and C (RMB, RMC)	Residential Mixed A (RMA)	Multi-Unit Residential (MR)	Commercial (CS, GC, NS, CC)	Employment/Industrial (OI, IND)	Station Community (SC-MU, SC-HDR, SC-E, SC-S)	Town Center (TC-MU, TC-HDR)	Regional Center (RC-E, OI-WS, C-WS)
Residential Mixed B and C (RMB, RMC)	Abutting	N/A	10'/B2 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU
	Across Street	N/A	N/A	10'/B1 CU	10'/B1 CU	10'/B1 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU
Residential Mixed A (RMA)	Abutting	10'/B2 CU	N/A	10'/B2 CU	20'/B3	20'/B3	10'/B2	10'/B2	10'/B2
	Across Street	N/A	N/A	5'/B1	10'/B1	10'/B1	5'/B2	5'/B2	5'/B2
Multi-Unit Residential (MR)	Abutting	20'/B3	10'/B2	N/A	20'/B3	20'/B3	10'/B1	10'/B1	10'/B1
	Across Street	10'/B1	5'/B1	N/A	10'/B1	10'/B1	5'/B1	5'/B1	5'/B1
Commercial (CS, GC, NS, CC)	Abutting	20'/B3	10'/B3	10'/B3	N/A	10'/B3	5'/B2	5'/B2	5'/B2
	Across Street	10'/B1	5'/B1	5'/B1	N/A	5'/B1	5'/B1	5'/B1	5'/B1
	Abutting	20'/B3	20'/B3	20'/B3	10'/B3	N/A	20'/B3	20'/B3	20'/B3

Employment / Industrial (OI, IND)	Across Street	10'/B2	10'/B2	10'/B2	5'/B2	N/A	10'/B2	10'/B2	10'/B2
Station Community (SC-MU, SC-HDR, SC-E, SC-S)	Abutting	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	N/A	10'/B2	10'/B2
	Across Street	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	N/A	5'/B1	5'/B1
Town Center (TC-MU, TC-HDR)	Abutting	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	N/A	10'/B2
	Across Street	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	N/A	5'/B1
Regional Center (RC-E, OI-WS, C-WS)	Abutting	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	10'/B2	N/A
	Across Street	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	5'/B1	N/A

NOTES FOR TABLE 60.05.25.14.H.1:

1. 5' / 10' / 20' = Buffer Width
2. B1 / B2 / B3 = Buffer Standard
3. N/A= Not Applicable
4. CU= Conditional Use
5. Buffering requirements are not in addition to building setback requirements as described in [CHAPTER 20](#) of the Development Code. Where a setback width is less than a landscape buffer width described in Table 60.05.25.14.H.1, the minimum setback width of the zone shall apply to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension, except for non-residential uses and parks in Residential zoning districts where the buffer width may exceed the minimum yard setback but is not additive. [ORD 4531; April 2010]
6. Buffering requirements for RMA, RMB, and RMC shall only be applied when a Conditional Use (CU) is proposed. [ORD 4822; June 2022]
7. A minimum 20 foot buffer developed to a B3 standard is required for non-residential land uses and parks abutting a residential use in a residential zoning district. This standard shall apply only to side and rear property lines that abut residentially zoned properties. The Director is authorized to approve exceptions as described under Section [60.05.25.14.A, Applicability of Buffer Standards](#), otherwise all proposals to modify the 20-foot buffer width or B-3 standard are subject to consideration in review of applicable guidelines (Section [60.05.45.12.](#)). [ORD 4531; April 2010] [ORD 4782; April 2020]
8. Where a site proposed for development abuts property located outside City limits, the buffering requirement for the equivalent zone shall be applied to the property as described in Table 1, Section 1.5.2. of the Comprehensive Plan adopted pursuant to the Washington County - Beaverton Urban Planning Area Agreement (UPAA) or similar a zone as determined by the Director. [ORD 4531; April 2010] [ORD 4759; March 2019] [ORD 4782; April 2020]

[ORD 4584; June 2012]

15. **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. **Size.** Community gardens shall not exceed one acre in size.

[ORD 4659; July 2015]

16. **South Cooper Mountain Community Plan Open Space and Natural Resources** [ORD 4822; June 2022]

- A. For properties within the South Cooper Mountain Community Plan area, open space shall be provided on site in whichever one of the following methods results in the greater amount of open space:
 1. Open space shall be equivalent to the square footage of Significant Natural Resource Areas located on the subject site or;

2. Open space shall be consistent with applicable provisions of Section 60.05.25 Landscape, Open Space, and Natural Design Standards.
- B. Regardless of which method in Section 60.05.25.1516.A is used to determine the amount of open space required, the open space dimensions and amenities shall comply with applicable provisions of Section 60.05.25 Landscape, Open Space, and Natural Design Standards.
 - C. Natural areas preserved on site may count towards a site's total open space requirement.
 - D. A public plaza, or other publicly accessible civic space, with a minimum area of 12,000 square feet shall be accommodated on the Main Street site within the South Cooper Mountain Community Plan area. Deviations from this standard shall be subject to review through the Planned Unit Development application.
 - E. Within the South Cooper Mountain Community Plan area development abutting SW Tile Flat Road, shall provide a 10-foot wide, B2-Medium screen buffer and shall comply with applicable standards of Section 60.05.25.1314. Proposals being reviewed as a Planned Unit Development as are exempt from this standard but shall address all applicable policies of the South Cooper Mountain Community Plan.
 - F. Deviations from open space requirements in the South Cooper Mountain Community Plan area shall be reviewed in one of the following ways:
 1. For sites containing Significant Natural Resource Area, deviations to open space requirement shall be subject to the Planned Unit Development application.
 2. For sites not containing Significant Natural Resource Areas, deviations from open space requirements shall be subject to the Design Review Three application.

Commentary:

This section provides open space standards for development within the Cooper Mountain Community Plan area. This section only applies to developments that are subject to Design Review, so this does not apply to middle housing or single-detached dwelling developments which are instead subject to Single-Detached and Middle Housing Design Review of 60.05.60.

Developments will be required to provide at least 10 percent of their site area as open space or Tree Canopy coverage. Developments that are already providing 10 percent open space in the Resource Overlay or Cooper Mountain Parks Overlay will automatically meet this requirement. Developments that either do not have enough Resource Overlay or Parks Overlay land to meet this requirement or do not have any land located in these Overlays will provide Tree Canopy coverage equal to 50 percent canopy coverage over the remaining 10 percent of site area. The Tree Canopy coverage must be outside of the Resource Overlay (which has separate canopy requirements in Section 61.61.20 and 30), and it is in addition to the preservation requirements outside of the Resource Overlay (Section 60.61.15 and 25).

This Subsection also establishes required public plazas on properties that develop minimum required leasable commercial square footage (Section 20.22.30). The size of the plaza is proportional to the amount of commercial space being developed. This requirement intends to create a shared “third space” in the community for people to gather and interact outdoors in a highly visible space near businesses and amenities.

Landscape buffer requirements in Cooper Mountain are also established and take a different approach than buffers in the rest of the city (60.05.25.14). In Cooper, landscape buffer requirements are based upon the general intensity of a use and the visual, light, and noise impacts that are typically associated with them. The buffer requirements are greater when a proposed use is next to residential properties. The most significant buffer, which includes a solid masonry wall, is required for the development of Conditional Uses that would cause noise impacts to neighboring properties. Lastly, a landscape buffer of native plants is also required within 25 feet of the Cooper Mountain Nature Park.

17. **Cooper Mountain Community Plan Open Space and Landscape Buffers**

- A. Within the Cooper Mountain Community Plan area, developments shall promote Open Space provision and Tree Canopy coverage by complying with Section 60.05.25.17.A.1 through 4.
1. For sites 5 acres or larger, provide at least 15 percent Open Space per gross site area.
 2. For sites under 5 acres, provide at least 10 percent Open Space per gross site area.
 3. Provide the minimum required Open Space through one of the following methods or a combination of the methods. If a site includes the development of uses that are not subject to the requirements of this Section, the Open Space requirement shall be calculated as 10 or 15 percent of the portion of the site that is subject to the requirements of Section 60.05.25, depending on that portion of the site’s size.
 - a. Open Space tracts in the Parks Overlay identified in Section 20.22.45.
 - b. On-site area within the Resource Overlay protected in a separate tract. On-site Resource Overlay area dedicated in a tract to comply with Resource Overlay requirements may count toward this area.
 4. If the combined area of the Parks Overlay open space tract(s) and Resource Overlay tract(s) in Section 60.05.25.17.A.1 and 2 does not satisfy the minimum open space requirement, the development shall provide Tree Canopy coverage anywhere within the applicable site area that is outside of the Parks Overlay or Resource Overlay equal to 50 percent of the square footage that would have been required to meet the remainder of the applicable open space requirement in 60.05.25.17.A.1 or 2.

- a. Trees outside of the Resource Overlay that are preserved in excess of the Minimum Tree Preservation Standards of Section 60.61.15 or the Minimum Tree Preservation Guidelines of Section 60.61.25 may be used to meet this Tree Canopy coverage requirement.
 - b. Trees planted outside of the Resource Overlay to meet the minimum tree planting requirements of Section 60.05.25.1 through 5, as applicable to the proposed type of development, shall count towards this Tree Canopy coverage requirement.
 - c. The Tree Canopy of any trees planted to meet this standard shall be measured as the assumed coverage at 15 years maturity.
 - d. Any trees preserved or planted to meet this standard shall meet the Technical Specifications for Tree Protection and Planting requirements of Section 60.61.35.
- B. At least one public plaza shall be provided on sites in the CM-CS zoning district that develop new minimum required leasable commercial square footage consistent with Section 20.22.30, according to the required minimum public plaza area and standards below.
1. Sites shall provide a public plaza with a minimum area totaling 8 percent of the proposed leasable commercial square footage or at least a 500 square foot minimum plaza area, whichever is greater, and up to a maximum required plaza area of 2,000 square feet. Deviations from the minimum required public plaza area requirement shall be subject to review through the Planned Unit Development application.
 2. The public plaza shall meet the following standards:
 - a. Be directly accessible to pedestrians from a public right of way; and
 - b. Be large enough to fit a 20-foot by 20-foot square inside of it; and
 - c. If located between a building and public sidewalk, be bordered on two sides by building facades with some combination of commercial uses, primary residential entrances, or primary office entrances with at least one door and one window facing the public plaza that allow view into the building; and
 - d. Provide at least 60 percent of the area as open to the sky; and
 - e. Include at least one seating unit, bench, or ledge at seating height per 200 square feet of plaza area; and
 - f. Include landscaping on at least 20 percent of its area. Public plazas 800 square feet or larger shall provide one tree per 800 square feet of area.
- C. **Landscape buffers.** All new development and redevelopment in the Cooper Mountain Community Plan area subject to Design Review shall comply with the landscape buffering requirements of this Subsection.
1. Exemptions:
 - a. A landscape buffer shall not be required along property lines that abut public or private streets.
 - b. A landscape buffer shall not be required along shared property lines that are under common ownership at the time of application submittal.
 - c. Natural Area Exemptions: A landscape buffer shall not be required along property lines, or portions thereof, with:
 - i. A Natural Area with a minimum width of 20 feet;
 - ii. A Natural Area with a minimum width of 10 feet within which vegetation exists or is proposed that meets or exceeds the minimum tree and shrub planting size and density requirements of the applicable landscape buffer type; or
 - iii. For sites abutting the Cooper Mountain Nature Park, a Natural Area exists on the site that meets or exceeds the width and planting requirements (existing and proposed plants) of the native plantings buffer.
 - iv. For the purpose of this exemption, Resource Overlay land must be protected by a tract or easement to count as a Natural Area.
 - d. This Subsection does not apply to the development of small-scale commercial uses in the CM-RM zoning district that are subject to the applicable requirements of Section 60.05.60.

- e. A landscape buffer shall not be required for the development or redevelopment of Public Parks.
 - f. The following uses shall not be required to provide buffers if they are not part of a Multiple Use Development:
 - i. Public Sewer and Water and Utility Transmission Lines
 - ii. Railroad Tracks and Facilities
 - iii. Community Gardens
 - iv. Emergency Shelters
 - v. Cemetery
2. Where required, the landscape buffer shall extend the length of all side and rear property lines except in the following areas:
- a. Areas where emergency access is required.
 - b. Areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
 - c. Areas required for visual or physical access purposes as determined by the City Traffic Engineer, City Police, or Fire District. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover.
3. Landscape buffer types:
- a. Partial screen (PB): The following plant types, sizes, and spacing are required for a partial screen buffer:
 - i. Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 5 feet; deciduous trees shall be planted at a minimum 2-inch caliper. At least 50 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the buffer area but shall not exceed 50 linear feet between trees.
 - ii. Shrubs: One shrub with a minimum mature height of 4 feet is required for every 200 square feet of required buffer area. At least 50 percent of the required shrubs in the buffer area shall be of a hedging, evergreen variety. A minimum 3-foot-high wooden fence, masonry wall, or berm may be substituted for the required shrubs.
 - iii. Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in the remaining required buffer area. Bare gravel, rock, bark or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.
 - b. Full screen (FB): The following plant types, sizes, and spacing are required for a full screen buffer:
 - i. Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 5 feet; deciduous trees shall be planted at a minimum 2-inch caliper. At least 75 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the buffer area but shall not exceed 40 linear feet between trees.
 - ii. Hedge or Fence: A continuous hedge of evergreen shrubs shall be planted to provide complete visual separation from the adjacent property within 2 years of planting. The hedge shall be planted with a minimum height of 4 feet and a minimum opacity of 50 percent. The hedge shall consist of species that will grow to a minimum mature height of 6 feet and a minimum opacity of 95 percent within 2 years. A minimum 6-foot-high wooden fence, masonry wall, or berm that provides complete visual separation from the adjacent property may be substituted for the hedge. When a fence, wall, or berm is used, trees and ground cover may be planted on either side of the structure or berm.
 - iii. Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in the remaining required buffer area. Bare gravel, rock, bark, or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.

- c. Full screen with noise attenuation (FBN): Tree and ground cover requirements of the full screen buffer as described in Section 60.05.17.C.3.b.i and iii shall be met in addition to a minimum 6-foot-tall, solid, continuous masonry wall that provides noise attenuation and complete visual separation from the adjacent property. Plantings may be located on either side of the masonry wall.
 - d. Native plantings buffer (NPB): This buffer applies to property lines that abut the Cooper Mountain Nature Park and provides a 25-foot transition of native plantings to protect the significant habitat within the Nature Park. The following plant types, sizes, and spacing are required for the native plantings buffer:
 - i. All plantings within the required buffer area shall be native species. Nuisance species shall be removed from the buffer area.
 - ii. Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 5 feet; deciduous trees shall be planted at a minimum 2-inch caliper. At least 50 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the buffer area but shall not exceed 50 linear feet between trees.
 - iii. Shrubs: One shrub with a minimum mature height of 4 feet is required for every 200 square feet of required buffer area. At least 50 percent of the required shrubs in the buffer area shall be evergreen.
 - iv. Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in the remaining required buffer area. Bare gravel, rock, bark or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.
4. **Conditional Use categories.** To identify the applicable landscape buffer requirement in Subsection C.5 below, Conditional land uses are separated into the following categories based on the potential noise, visual, light, and glare impacts associated with such uses:
- a. Type A Conditional Uses: Uses in this category require mitigation of both visual and noise impacts to minimize negative effects on the livability or appropriate use of adjacent or nearby properties. The following land uses, when Conditional in the underlying zoning district pursuant to Section 20.22.20, are Type A Conditional Uses in addition to any other land use as identified by the decision-making authority pursuant to Section 40.15:
 - i. Animal Care, Major
 - ii. Hospitals
 - iii. Commercial Amusement
 - iv. Meeting Facilities
 - v. Social Organizations
 - vi. Automotive Service, Major
 - vii. Automotive Service, Minor
 - viii. Outdoor Public Recreational Facilities, unless exempt when located within a Public Park
 - ix. Private Recreational Facilities with any outdoor recreation component
 - x. Any other Conditional land use identified by the decision-making authority pursuant to the applicable approval criteria of Section 40.15 which warrants a noise-attenuating buffering to mitigate noise impacts.
 - b. Type B Conditional Uses: Type B Conditional land uses are those that require mitigation of visual impacts to minimize negative effects on the livability or appropriate use of adjacent or nearby properties. Little to no noise impacts are anticipated with the operation of Type B Conditional Uses. All Conditional Uses, except for Planned Unit Developments, that are not identified as Type A by Subsection C.4.a are Type B. For Planned Unit Developments, the uses within the development shall be evaluated for the appropriate buffer consistent with this Section.
5. Developments shall meet the minimum landscape buffer requirements of Table 60.05.25.17.C.5.a.
6. Buffers shall be applied to a development site consistent with the following:

- a. If a development proposes multiple land use types and those proposed land uses would require different landscape buffer requirements on a site, the applicant shall provide the buffer type with the greatest width, planting, and noise attenuation requirements along the property line(s) based on the abutting existing land use or the zoning district of abutting vacant land.
- b. If a proposed development site abuts multiple existing land uses or vacant land that require different landscape buffer types, the applicant shall either:
 - i. Provide the buffer type with the greatest width, planting, and noise attenuation requirements along the site boundary based on the abutting existing land use(s) or the zoning district(s) of abutting vacant land; or
 - ii. Provide a combination of buffer types that locates the applicable buffer type along the portion of the site boundary that abuts the corresponding land use or zoning district. For example, if a permitted non-residential use is proposed on a site that abuts both a middle housing use and a vacant lot zoned CM-MR, the 10-foot-wide full buffer shall be placed along the portion of the site abutting the middle housing use, and the 10-foot-wide partial buffer shall be placed along the portion of the site abutting the vacant lot zoned CM-MR.
 - iii. Option 6.b.ii above is not allowed if the proposed development includes a Type A Conditional Use.
 - iv. Where a site proposed for development abuts vacant property located outside City limits, the buffer requirement shall be determined based on the equivalent zoning district of the abutting property as identified in Table 1, Section 1.5.2. of the Comprehensive Plan or a similar zone as determined by the Director.
- c. The following elements are allowed within the buffer in addition to the required elements: Gardens, pedestrian pathways, vegetated stormwater facilities, arbors, trellises, fountains, ponds. Mechanical equipment shall not be placed within the buffer.

**Table 60.05.25.17.C.5.a
Cooper Mountain Landscape Buffer Requirements**

	Existing Uses on Abutting Property						
	Single-detached Dwellings; Manufactured and Mobile Homes; Manufactured Home Parks; Care Facilities; and Middle Housing, or a Vacant Lot in RMA, RMB, RMC, or CM-RM	Multi-Dwellings with 5 or 6 units	Multi-Dwellings with 7 or more units; Multiple Use Development that includes residential uses; or a Vacant Lot in CM-MR or MR	Non-Residential; Multiple Use Development that does not include residential uses; or a Vacant Lot in a Commercial, Multiple Use, or Industrial zoning district	Conditional Use Type A	Conditional Use Type B	Cooper Mountain Nature Park
<u>Proposed Land Uses</u>							
<u>Single-detached Dwellings; Manufactured and Mobile Homes; Manufactured Home Parks; Care Facilities; or Middle Housing</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>NPB-25</u>
<u>Multi-Dwellings with 5 or 6 units</u>	<u>PB-5</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>NPB-25</u>
<u>Multi-Dwellings with 7 or more units, or Multiple Use Development that includes residential uses</u>	<u>FB-5</u>	<u>FB-5</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>NPB-25</u>

**Table 60.05.25.17.C.5.a
Cooper Mountain Landscape Buffer Requirements**

	Existing Uses on Abutting Property						
	Single-detached Dwellings; Manufactured and Mobile Homes; Manufactured Home Parks; Care Facilities; and Middle Housing, or a Vacant Lot in RMA, RMB, RMC, or CM-RM	Multi-Dwellings with 5 or 6 units	Multi-Dwellings with 7 or more units; Multiple Use Development that includes residential uses; or a Vacant Lot in CM-MR or MR	Non-Residential; Multiple Use Development that does not include residential uses; or a Vacant Lot in a Commercial, Multiple Use, or Industrial zoning district	Conditional Use Type A	Conditional Use Type B	Cooper Mountain Nature Park
Proposed Land Uses							
<u>Permitted Non-Residential, or Multiple Use Development that does not include residential uses</u>	<u>FB-10</u>	<u>FB-10</u>	<u>PB-10</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>NPB-25</u>
<u>Conditional Use Type A</u>	<u>FBN-10</u>	<u>FBN-10</u>	<u>FBN-10</u>	<u>N/A</u>	<u>N/A</u>	<u>FBN-10</u>	<u>NPB-25</u>
<u>Conditional Use Type B</u>	<u>FB-10</u>	<u>FB-10</u>	<u>FB-10</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>NPB-25</u>

General Table Notes:

1. Abbreviations used in this table have the following meanings:
 - a. FB = Full buffer
 - b. PB = Partial buffer
 - c. FBN = Full buffer with noise attenuation
 - d. NPB = Native plantings buffer
 - e. 5 = 5-foot buffer width



f. 10 = 10-foot buffer width

g. 25 = 25-foot buffer width

2. Land uses and development scenarios that are exempt from these landscape buffer requirements are identified in Section 60.05.25.17.C.1.

[ORD 4332, 01/01/2005; ORD 4397, 08/10/2006; ORD 4486, 07/24/2008; ORD 4487, 08/21/2008; ORD 4498, 01/15/2009; ORD 4515, 09/02/2009; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4584, 06/01/2012; ORD 4652, 03/06/2015; ORD 4659, 07/10/2015; ORD 4697, 12/02/2016; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

Section 60.05.30 Lighting Design Standards are proposed to be updated to reduce light in natural areas, although many of the standards are in Section 60.05-1.I.

60.05.30. Lighting Design Standards.

All standards apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the standards below.

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

1. **Adequate on-site lighting and minimal glare on adjoining properties and Natural Areas.** [ORD 4584; June 2012]
 - A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.
 - B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.
 - C. Lighting shall be provided in pedestrian plazas, if any developed.
 - D. Lighting shall be provided at building entrances.
 - E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.
 - F. Notwithstanding A. through E. above, lighting within and adjacent to Natural Areas shall be limited to minimize glare and Light Trespass into Natural Areas in accordance with the Special Design Standards of Section 60.05-1.I.
2. **Pedestrian-scale on-site lighting.**
 - A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:
 1. ~~Fifteen (15)~~ feet in height for on-site pedestrian paths of travel.
 2. ~~Twenty (20)~~ feet in height for on-site vehicular circulation areas for residential uses in applicable Residential zoning districts.
 3. ~~Thirty (30)~~ feet in height for on-site vehicular circulation areas in non-residential zoning districts.
 4. ~~Fifteen (15)~~ feet for the top deck of non-covered parking structures.
 5. The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.
 6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.
 7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.
 - B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.
 - C. Notwithstanding A. and B. above, all pole-mounted and wall-mounted luminaires within and adjacent to Natural Areas shall comply with the maximum permitted luminary height standards of Section 60.05-1.I.
 - D. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of ~~forty eight (48)~~ inches.

[ORD 4332, 01/01/2005; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

One of the primary reasons park proposals need Design Review Three applications is because the proposal does not meet Lighting Design Standard 60.05.30.1: Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City’s Technical Lighting Standards. A new exemption for public parks is added to the Technical Lighting Standards, with language based on findings that Planning Commission has approved for THPRD parks. This exemption is for Cooper Mountain only. Special design standards have also been added for development within and adjacent to Natural Areas that apply citywide.

Table 60.05-1. TECHNICAL LIGHTING STANDARDS

- A. **Types of Lighting.** The Technical Lighting Standards Section shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.
- B. **Areas to Be Applied.** The driveways, drive aisles, private alleys, parking lots, vehicle maneuvering areas, non-exempt pathways and sidewalks of all new developments, and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.
- C. **Conformity of Lighting Plans to this Section.** All lighting plans submitted to the City shall comply with the standards of this table, unless otherwise approved through Design Review.
- D. **Standards.** The following standards are required of all exterior lighting:
 - 1. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ~~ninety (90)~~ degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.
 - 2. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle ~~ninety (90)~~ degrees or less and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer ~~five (5)~~ feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination ~~five (5)~~ feet beyond the property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.
 - 3. These standards (Table 60.05-1.D.1-2) shall not apply along shared property lines that are under common ownership at the time of application submittal, unless the property line abuts a protected SNRA, Significant Groves, or Sensitive Areas as defined by Clean Water Services Natural Area, unless otherwise approved through a land use application.
 - 4. These standards (Table 60.05-1.D.1-2) shall not apply to property lines abutting public right-of-way.
- E. **General Provisions.** Notwithstanding any other provision of this Section to the contrary:
 - 1. **Design Standards for Residential, Commercial, Industrial and Multiple-Use Districts:**
 - a. No flickering or flashing lights shall be permitted.
 - b. No bare bulb lights shall be permitted for townhouse development and multi-dwelling development. [ORD 4822; June 2022]
 - c. No strobe lights shall be permitted.
 - d. Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways-pathways or driveways.
 - 2. **Special Design Standard for Residential Districts.** No exterior neon lights shall be permitted.
 - 3. **Special Design Standard for Commercial and Multiple-Use Districts.** Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.

F. Exemption for Specified Public Outdoor Recreation Uses:

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

G. Exemption for Public Parks in Cooper Mountain. In the Cooper Mountain Community Plan area, Public Parks that have operating hours of sunrise to sunset and that do not permit park use during nighttime hours are exempt from the Technical Lighting Standards of Sections A through D, above. Public parks that do not qualify for this exemption shall illuminate to a minimum of 0.5 foot-candles the pathways that connect any lighted park facilities with off-street parking areas and the surrounding street network to allow for safe travel before and after programmed events that occur after dusk. Pedestrian facilities that either abut or are located within vehicular maneuvering areas do not qualify for this exemption, unless the abutting pedestrian facility is separated from the vehicular maneuvering area using physical improvements such as bollards, curbs, or fences. This exemption does not apply to segments of the Cooper Mountain trails identified in Figure 6.2b of Comprehensive Plan Volume 1, Chapter 6 that pass through Public Parks. Lighting requirements for all identified trails is regulated by Section 60.05-1.H below.

H. Special Design Standards for Cooper Mountain Trails.

1. In the Cooper Mountain Community Plan area, lighting of trails is required as follows:
 - a. Lighting is required for trails as identified in Figure 6.2b of Comprehensive Plan Volume 1, Chapter 6. On required trails, lighting is exempt from the Technical Lighting Standards of Sections A through D, above, and is instead subject to Section 60.05-1.H.2. If lighting is provided for trails identified in Figure 6.2b that do not require lighting, lighting shall be provided consistent with Section 60.05-1.H.2. Lighting of trails within the right of way is subject to the requirements of the Engineering Design Manual.
 - b. Except for Nature Trails, trails that are not identified in Figure 6.2b are considered pedestrian pathways and shall be illuminated consistent with the Technical Lighting Standards of Section 60.05-1, unless otherwise exempt by a provision contained herein.
 - c. Nature Trails that are unavailable for use between sunset and sunrise are exempt from the Technical Lighting Standards of Section A through D, above, and may be unilluminated. When lighting is provided for Nature Trails, it shall be consistent with Section 60.05-1.H.2.
2. Lighting of Cooper Mountain trails shall comply with the following illumination and fixture requirements:
 - a. Maximum permitted illumination of the trail surface: 0.7 foot-candles
 - b. Minimum required illumination of the trail surface: 0.2 foot-candles
 - c. Minimum required average illumination of the trail surface: 0.5 foot-candles
 - d. Maximum permitted illumination at 10 horizontal feet from the edge of the travel surface, except where abutting the public right of way or a private street: 0.0 foot-candles
 - e. Luminaires may be bollard, pole-mounted, or wall-mounted.
 - i. The height of pole- and wall-mounted luminaires shall not exceed 12 feet, as measured from grade to top of light fixture.
 - ii. The height of bollard luminaires shall not exceed four feet, as measured from grade to top of bollard.
 - f. Luminaires shall use shields or shades to direct light downwards and onto the travel surface.

- g. Luminaires shall utilize warm-colored light up to 2,700 Kelvin.
 - h. Luminaires shall utilize an automatic timer to illuminate all luminaires at sunset and to extinguish all luminaires at sunrise.
- I. **Special Design Standards for development within and adjacent to Natural Areas.** Except for trails in the Cooper Mountain Community Plan area, which are subject to Section 60.05-1.H, development within and adjacent to Natural Areas in all zoning districts shall comply with the following requirements:
- 1. The following illumination and fixture standards apply to the site areas identified by Section 60.05-1.B that are located within a Natural Area:
 - a. For the purpose of this standard for land within the Resource Overlay, only those areas of the Resource Overlay protected in a tract or easement consistent with Section 60.37 are considered a Natural Area.
 - b. Lighting shall only be provided to illuminate applicable site areas or to comply with Americans with Disabilities Act (ADA), building code, or fire code requirements. Other lighting is prohibited.
 - c. Except when alternative requirements of the ADA, building code, or fire code apply, lighting shall meet the following illumination and fixture standards:
 - i. Minimum required illumination: 0.5 foot-candles
 - ii. Maximum permitted illumination: 0.7 foot-candles
 - iii. Maximum permitted illumination at 10 horizontal feet from the edge of any applicable area, except where abutting the public right of way or a private street: 0.0 foot-candles
 - iv. Luminaires shall use shields or shades to direct light downwards.
 - v. Luminaires shall utilize warm-colored light up to 2,700 Kelvin.
 - vi. Maximum permitted height of luminaires for pedestrian pathways: 12 feet
 - vii. Maximum permitted height of luminaires for vehicle circulation areas: 20 feet
 - 2. The following illumination and fixture standards apply to the site areas identified by Section 60.05-1.B that are adjacent to a Natural Area:
 - a. For the purpose of this standard, the following site areas are considered adjacent to Natural Areas:
 - i. Land within 5 feet of a Natural Area, except for the Resource Overlay and the Cooper Mountain Nature Park;
 - ii. Land within 25 feet of the Resource Overlay tract or easement boundary; and
 - iii. Land within 25 feet of the Cooper Mountain Nature Park.
 - b. Except when alternative requirements of the ADA, building code, or fire code apply, lighting adjacent to a Natural Area shall meet the following illumination and fixture standards:
 - i. Minimum required illumination: 0.5 foot-candles
 - ii. Maximum permitted illumination at the Natural Area boundary: 0.5 foot-candles
 - iii. Maximum permitted illumination of all other areas: 2.0 foot-candles
 - iv. Maximum permitted illumination at 10 horizontal feet internal to the Natural Area, except where abutting the public right of way or a private street: 0.0 foot-candles
 - v. Luminaires shall use shields or shades to direct light downwards and away from the Natural Area.
 - vi. Maximum permitted height of luminaires for pedestrian pathways: 15 feet
 - vii. Maximum permitted height of luminaires for vehicle circulation areas: 20 feet

**Table 60.05-1
Technical Lighting Standards**

Zoning District Type	Minimum Required Illumination (internal) in Foot-candles		Maximum Permitted Illumination (internal) in Foot-candles		Maximum Permitted Illumination at property line in Foot-candles	Maximum Permitted Height of Luminaires
	>90	<90	>90	<90		
Residential	1.0	0.7	None	None	0.5	Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ol style="list-style-type: none"> 6. 15 feet for on-site pedestrian ways. 7. 20 feet for on-site vehicular circulation areas. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ol style="list-style-type: none"> 6. 20 feet above building finished grade.
Commercial and Industrial	1.5	1.0	None	None	0.5	Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ol style="list-style-type: none"> 10. 15 feet for on-site pedestrian ways. 11. 30 feet for on-site vehicular circulation areas. 12. 15 feet for the top deck of non-covered parking structures. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ol style="list-style-type: none"> 2. 15 feet above building finished grade for on-site pedestrian circulation areas. 3. 30 feet above building finished grade for on-site vehicular circulation areas.
Multiple Use: Residential only		0.7				Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ol style="list-style-type: none"> 2. 15 feet for on-site pedestrian ways for all development types. 3. 20 feet for on-site vehicular circulation areas for residential only and multiple use with residential.
Multiple Use with residential		0.7	None	None	0.5 (all)	
Multiple Use non-residential development	1.5	1.0				

**Table 60.05-1
Technical Lighting Standards**

Zoning District Type	Minimum Required Illumination (internal) in Foot-candles		Maximum Permitted Illumination (internal) in Foot-candles		Maximum Permitted Illumination at property line in Foot-candles	Maximum Permitted Height of Luminaires
	>90	<90	>90	<90		
Non-multiple use/non-residential development	1.5	1.0				4. 30 feet for on-site vehicular circulation areas for multiple use non-residential development and non-multiple use/non-residential development. 5. 15 feet for the top deck of non-covered parking structures for all development types. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: 2. 20 feet above building finished grade for residential only and multiple use with residential development. 3. 15 feet above building finished grade for multiple use non-residential development and non-multiple use/non-residential development.
<u>Private alleys in all zoning districts</u>	<u>0.5¹</u>	<u>0.5¹</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>Pole-mounted Luminaires (inclusive of above grade base and light fixture):</u> 1. <u>15 feet for on-site pedestrian ways.</u> 2. <u>20 feet for on-site vehicular circulation areas.</u> <u>Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: 20 feet above building finished grade.</u>

¹ The minimum required illumination for alleys shall achieve an average of the required foot-candles over the area of the alley.

[ORD 4332, 01/01/2005; ORD 4531, 04/01/2010; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

The guidelines in this section provide a more flexible and discretionary path to complying with the intent of the standards in Section 60.05.15. Language has been added to this section to adjust the guidelines because standards were revised or added in Section 60.05.15. Other guidelines may have been revised for clarity.

60.05.35. Building Design and Orientation Guidelines.

~~All guidelines apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the guidelines below. Unless otherwise noted, all guidelines apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these guidelines apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the guidelines apply to middle housing or single detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts.~~

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

- A. Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A)
- B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standards 60.05.15.1.A and B)
- C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)
- D. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B) [ORD 4531; April 2010]
- E. Building elevations entirely or partially visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C and D) [ORD 4542; June 2010]
- F. Building elevations entirely or partially visible from and within 100 feet of an adjacent street where the ~~principle~~ principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an Industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)

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

- A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized. (Standards 60.05.15.2.A and B)
- B. Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C) [ORD 4782; April 2020]
- C. Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)

3. Primary building entrances.

- A. The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3) [ORD 4531; April 2010]
 - B. Special attention should be given to designing ~~a~~ primary building entrances that ~~is~~ are both attractive and functional. Primary entrances should provide weather protection and should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)
4. **Exterior building materials.**
- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standards 60.05.15.4.A and B)
 - B. Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C) [ORD 4531; April 2010]
5. **Roof-mounted equipment.** All roof-, ~~surface~~, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)
6. **Building location and orientation along streets in Commercial and Multiple Use zones.** [ORD 4584; June 2012] [ORD 4706; May 2017]
- A. Buildings should be oriented toward and located within close proximity to public streets and public street intersections. In the CM-CS and CM-HDR zones, buildings should be oriented toward and located in close proximity to property line(s) across the street from a Public Park and abutting trails in the right of way, when present. The overall impression should be that architecture Architecture is should be the predominant design element of the site over parking areas and landscaping. Property size, shape, and topographical conditions should also be considered, together with existing and proposed uses of the building and site and existing surrounding uses, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A ~~and through BD~~) [ORD 4462; January 2008] [ORD 4531; April 2010] [ORD 4706; May 2017]
 - B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B ~~and DE~~) [ORD 4531; April 2010]
 - C. On Class 1 Major Pedestrian Routes and on primary public street frontages in the CM-CS and CM-HDR zoning districts, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C ~~and DF and G~~) [ORD 4365; October 2005]
 - D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standards 60.05.15.6.E ~~F and G~~) [ORD 4706; May 2017]
7. **Building scale along Major Pedestrian Routes.**
- A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where single-detached dwellings are permitted. (Standards 60.05.15.7.A and B) [ORD 4542; June 2010] [ORD 4822; June 2022]
 - B. Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than ~~sixty (60)~~ feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A) [ORD 4531; April 2010]

8. Ground floor elevations in Commercial and Multiple Use zones.

- A. Excluding residential-only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas, or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes or along primary public street frontages in the CM-CS or CM-HDR zoning districts. (Standard 60.05.15.8.A.) [ORD 4531; April 2010]
- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. This guideline does not apply in the CM-CS or CM-HDR zoning districts. (Standard 60.05.15.8.B)
- C. In the CM-CS and CM-HDR zoning districts, for buildings taller than 30 feet, measured from grade plane to eave or top of parapet, with ground-floor commercial uses, building elevations facing the right of way, any internal drive, or any internal accessway should be designed with a base that establishes depth and visual interest, is visually distinctive, is proportional to the scale of the building, and is integrated into the building design. (Standard 60.05.15.8.C)

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

- A. Building elevations facing streets, shared courts and common greens should include pedestrian oriented design elements and other design features that provide articulation, variety, interest and quality. (Standards 60.05.15.9. A, B, C, G, H, I, J, K, and L) [ORD 4576; January 2012]
- B. [ORD 4576; January 2012] Alleys and shared courts are the preferred option to serve garages, and should be provided on all lots except where topography or other identified physical constraints preclude their use. (Standards 60.05.15.9.D and K)
- C. Garage openings should not be a dominant feature within shared courts. (Standards 60.05.15.9. D, E, and F) [ORD 4576; January 2012]
- D. [ORD 4576; January 2012] The impact of curb cuts and driveways along shared courts and streets should be minimized. (Standard 60.05.15.9.E)
[ORD 4542; June 2010]

[ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4462, 01/10/2008; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4584, 06/01/2012; ORD 4706, 05/19/2017; ORD 4758, 03/22/2019; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

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Commentary:

The guidelines in this section provide a more flexible and discretionary path to complying with the intent of the standards in Section 60.05.20. Language has been added to this section to adjust the guidelines because standards were revised or added in Section 60.05.20. Other guidelines may have been revised for clarity.

60.05.40. Circulation and Parking Design Guidelines.

All guidelines apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the guidelines below. Unless otherwise noted, all guidelines apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these guidelines apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the guidelines apply to middle housing or single detached dwellings (except compact detached housing) in the RMA, RMB, or RMC 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. **Loading area, solid waste facilities, and similar improvements.**
 - A. ~~On-Site~~ On-site service, storage, and similar activities should be designed and located so that these facilities are screened from ~~an~~ abutting public streets and public pedestrian facilities. (Standards 60.05.20.2.A and C)
 - B. Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standards 60.05.20.2.B and C)
 - C. Screening from public view by chain-link fence with or without slats is discouraged. (Standard 60.05.20.2.D)
3. **Pedestrian circulation.**
 - A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)
 - B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)
 - C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)
 - D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)
 - E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the ~~principle~~ principal use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through F)
 - F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F)
4. **Street frontages and parking areas.**
 - A. Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4.A)
 - B. Where parking structures, parking garages, and tuck-under parking areas are located adjacent to street, the street-facing facades should provide ground-floor active uses or be sufficiently screened to minimize visual impacts to pedestrians. (Standard 60.05.20.4.B)
5. **Parking area landscaping.**
 - A. Landscape islands and ~~a tree canopy~~ tree coverage should be provided to minimize the visual impact of large parking areas. (Standards 60.05.20.5.A through D)
 - 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. Trees planted ~~shall~~ should be in continuous planting areas in a manner that meets ~~2021~~ 2023 ANSI A300 standards and with a continuous canopy where possible. (Standard 60.05.20.5.E)
6. **Off-Street parking frontages in Multiple Use zones.** [ORD 4462; January 2008] [ORD 4584; June 2012]
 - A. In Commercial and Multiple Use zones, Surface 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 or along primary public street frontages in the CM-CS or CM-HDR zoning districts. Surface parking areas are discouraged across the street from Public Parks in the Cooper Mountain Community Plan area and along frequent transit corridors. (Standards 60.05.20.6.A and B)

- B. Surface parking areas should not be the predominant design element along Major Pedestrian Routes or along primary public street frontages in the CM-CS and CM-HDR zoning districts. Surface parking areas and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standards 60.05.20.6.A and B)
 - C. In the Cooper Mountain Community Plan area, motor vehicle parking and circulation areas associated with all non-residential and multi-dwelling uses should predominantly be behind and beside buildings rather than between buildings and the street to the extent practicable, considering conditions such as topography; natural features; permanent barriers; lot/parcel size, orientation, or shape; available access; existing development; non-conforming development; the need to provide access for people with disabilities; or other site constraints. (Standards 60.05.20.6.A and B)
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, and applicable Residential 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. **Ground floor uses in Parking 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 and primary public street frontages in the CM-CS zoning district. (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

Commentary:

The guidelines in this section provide a more flexible and discretionary path to complying with the intent of the standards in Section 60.05.25. Language has been added to this section to adjust the guidelines because standards were revised or added in Section 60.05.25. Other guidelines may have been revised for clarity.

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

~~All guidelines apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the guidelines below. Unless otherwise noted, all guidelines apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these guidelines apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the guidelines apply to middle housing or single-detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts.~~

- 1. **Active Open Space requirements for residential-only developments.** [ORD 4584; June 2012]
 - A. Active Open ~~spaces~~ Spaces should be provided that are sized and designed for anticipated users and are located within walking distance for residents and visitors, and should be integrated into the overall Open Space plan. (Standards 60.05.25.1 through 3)

- B. Active Open ~~spaces~~ Spaces should be available for both passive and active use by people of all ages and should be designed and located in order to maximize security, safety, and convenience. (Standards 60.05.25.1 through 3)
 - C. Active Open ~~spaces~~ Spaces should be free from all structural encroachments unless a structure is incorporated into the design of the Active Open Space such as a play structure or Community Building. (Standards 60.05.25.1 through 3)
 - D. Active Open ~~space~~ Space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of ~~four (4) residences~~ dwellings face ~~on to~~ the Active Open Space. (Standards 60.05.25.1 through 3)
2. **Additional Minimum Open Space requirements for residential-only developments** [ORD 4584; June 2012]
- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)
 - B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.4)
3. **Minimum Open Space requirements for non-residential-only developments.** [ORD 4584; June 2012]
- A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)
 - B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete and should include street furniture, especially for seating. Required public plazas in the CM-CS zoning district should meet the Design Guideline of Section 60.05.45.14.A. (Standard 60.05.25.5.C)
 - ~~C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standards 60.05.25.5.A and B)~~
 - D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)
 - ~~E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.5)~~
4. **General landscaping.**
- A. Irrigation should be provided as appropriate, based on plant species and site conditions, to ensure proper establishment of plantings in all landscaped areas. (Standard 60.05.25.6.A)
 - B. Landscaping should include diverse tree and shrub plantings to provide visual interest across the site, including in color, seasonal foliage, and scale. The use of one tree species for over half of new tree plantings is discouraged. (Standard 60.05.25.6.B)
 - C. Use of native trees and vegetation should be emphasized for compatibility with local and regional climatic conditions and to reduce water use devoted to landscaping. (Standards 60.05.25.6.C and D)
5. **Common Greens.** [ORD 4584; June 2012]
- A. Common greens should be designed to provide access for only pedestrians and bicycles to abutting properties. Common greens should also serve as a common open space amenity for residents. (Standard 60.05.25.~~67~~)
 - B. The size of the common green right-of-way should be sufficient to accommodate expected users and uses. The size must take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, natural features, and the community activities that may occur within the common green. (Standard 60.05.25.~~67~~.A.2)
 - C. When a public pedestrian connection is desired it should be designed as a distinct feature to distinguish it from an adjacent common green. (Standards 60.05.25.~~67~~.A.2 and 3)
 - D. Common greens should not provide access to parking. (Standard 60.05.25.~~67~~.A.4)

[ORD 4542; June 2010]

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

- A. Shared courts should safely accommodate pedestrians and vehicles within the same circulation area and provide safe access to abutting properties. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. (Standards ~~60.05.25.78~~.A and B)
- B. The size and length of a shared court should be sufficient to accommodate expected users and uses. The size and length should take into consideration the characteristics of the site and vicinity, such as the pedestrian system, structures, traffic safety, natural features, and the community activities that may occur within the shared court. (Standards 60.06.25.~~78~~.A and ~~B~~)

[ORD 4542; June 2010]

7. **Retaining walls.** Retaining walls over ~~six (6)~~ feet in height or greater than ~~fifty (50)~~ feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard ~~60.05.25.89~~) [ORD 4576; January 2012]

8. **Fences and walls.**

- A. Fences and walls should be constructed of attractive, durable materials. (Standard ~~60.05.25.910~~) [ORD 4576; January 2012]
- B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard ~~60.05.25.910~~.E) [ORD 4576; January 2012]

9. **Changes to existing on-site surface contours at residential property lines.** The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard ~~60.05.25.1011~~) [ORD 4576; January 2012]

10. **Integrate water quality, quantity, or both facilities.** Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard ~~60.05.25.1112~~) [ORD 4576; January 2012]

11. **Natural areas.** Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard ~~60.05.25.1213~~) [ORD 4531; April 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]

12. **Landscape buffering and screening outside the Cooper Mountain Community Plan area.**

- A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard ~~60.05.25.1314~~) [ORD 4531; April 2010]
- B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard ~~60.05.25.1314~~) [ORD 4531; April 2010]
- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard ~~60.05.25.1314~~)
- D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard ~~60.05.25.1314~~.E). [ORD 4531; April 2010] [ORD 4576; January 2012]

13. **Community Gardens.**

- A. Community Gardens should be fenced using durable material(s) and should be designed primarily for safety and access of users and protection of garden plots. (Standard 60.05.25.15.A)
- B. Community Gardens should be appropriately sized and organized to provide useable and easily accessible garden plots. Community Gardens over 1 acre in size are discouraged. (Standard 60.05.25.15.B)

14. **Cooper Mountain Community Plan Open Space and landscape buffers.**

- A. Public Plaza design. Required public plazas should be designed, located, and furnished to provide an attractive, safe, and highly visible space for users of all ages and abilities to rest, gather, and interact with others. Public plazas should be predominantly open to the sky and should include generous amounts of seating and landscaping to create a comfortable and inviting environment. Wherever feasible, primary building entrances should be accessed from the public plaza. Ample glazing should be used along abutting ground-floor building elevations when appropriate to allow views into buildings from the plaza. (Standard 60.05.25.17.B.2)
- B. Landscape buffers.
 - 1. All landscape buffers should be planted with a variety of trees, shrubs, and groundcover that will provide attractive and effective screening year-round. Plantings should be installed within the buffer in a way that maximizes screening effectiveness. Spacing trees more than 50 linear feet apart is discouraged. (Standard 60.05.25.17.C)
 - 2. When the anticipated impacts and scale of adjacent uses are similar and conflicts between uses are not expected, less dense plantings and a narrower buffer width may be appropriate. If buffer width or plantings are reduced, evergreen trees and hedging shrubs should be prioritized and should be arranged in a way that provides effective screening between uses. (Standard 60.05.25.17.C)
 - 3. Non-residential development should install a dense landscape buffer along property lines that abut residential uses, including vacant lots in residential zoning districts, in a way that provides landscape screening and, if necessary to mitigate anticipated visual or noise impacts, an attractive and durable structural barrier between properties. Buffer widths less than 10 feet are discouraged, except when unique site constraints necessitate a reduction in one or more areas along a property line or when the anticipated impacts of the development are minimal. (Standard 60.05.25.17.C)
 - 4. When potential noise impacts of a Conditional Use are determined, the development should provide a dense landscape buffer with a structural barrier that is designed to provide complete visual screening and noise attenuation. If a development does not provide a solid, continuous masonry wall to mitigate noise impacts, the applicant should submit a study by a licensed acoustical engineer demonstrating that the proposed structural barrier or other aspects of the site or building design will provide similar noise attenuation. Buffer widths less than 10 feet are strongly discouraged adjacent to residential uses and vacant residentially zoned property. (Standards 60.05.25.17.C)
 - 5. A landscape buffer with a minimum width of 25 feet should be provided along side and rear property lines that abut the Cooper Mountain Nature Park. The buffer should be densely planted with native varieties of trees, shrubs, and groundcover in a way that creates an attractive and natural-looking transition to the existing vegetation along the boundary of the Cooper Mountain Nature Park. Evergreen shrubs and trees are preferred. (Standards 60.05.25.17.C)

[ORD 4576; January 2012] [ORD 4584; June 2012]

[ORD 4332, 01/01/2005; ORD 4397, 08/10/2006; ORD 4486, 07/24/2008; ORD 4531, 04/01/2010; ORD 4542, 06/17/2010; ORD 4576, 01/06/2012; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Commentary:

The guidelines in this section provide a more flexible and discretionary path to complying with the intent of the standards in Section 60.05.30. Language has been added to this section to adjust the guidelines because standards were revised or added in Section 60.05.30. Other guidelines may have been revised for clarity.

60.05.50. Lighting Design Guidelines.

All guidelines apply in all zoning districts unless otherwise noted in Section 60.05.11 or within the guidelines below.

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

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted, and bollard luminaires. (Standards 60.05.30.1 and 2)
2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)
3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties, ~~and~~ streets, and Natural Areas by incorporating lens shields, shades, or other measures to screen the view of light sources from residences, ~~and~~ streets, and Natural Areas. (Standards 60.05.30.1 and 2)
4. ~~On-Site~~ On-site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2.) Where the proposal does not comply with Technical Lighting Standards or applicable lighting Special Design Standards, the applicant should describe the unique circumstances attributed to the use or site where compliance with the standard is either infeasible or unnecessary. [ORD 4531; April 2010]
5. When lighting is proposed within a Natural Area or within 25 feet of the Resource Overlay boundary or the Cooper Mountain Nature Park, illumination should be limited to the lowest levels and fewest locations practicable while ensuring safe conditions and compliance with Americans with Disabilities Act requirements. Lighting should incorporate wildlife-friendly design principles to reduce or prevent Light Trespass into Natural Areas such as warm-colored light, shields or shades, motion sensors, timers, or other controls and designs. (Standard 60.05.30.1 and 2)

[ORD 4332, 01/01/2005; ORD 4531, 04/01/2010; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Cooper Mountain Community Plan Project

Proposed Beaverton 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 “***”

Commentary:

Small-scale Commercial. Because small-scale commercial uses in the CM-RM zone are intended to coexist alongside residential uses and the building scale of the buildings that hold small-scale commercial uses is limited so it is similar to the scale of the residential buildings allowed in the zone, small-scale commercial uses are subject to the design standards and guidelines for single-detached dwellings and middle housing.

Cooper Mountain Trees. Because there is a new code section that regulates trees within the Cooper Mountain Community Plan area, new tree planting and preservation design standards are guidelines were added to apply to single-detached and middle housing developments in Cooper Mountain.

Cooper Mountain Open Space and Landscape Buffering. Proposed rules would create a new set of open space and buffering rules for Cooper Mountain. The open space rules promote open space for residents to enjoy as well as help the city meet its tree canopy targets for Cooper Mountain. The buffer standards developed specifically for Cooper are proposed to ensure buffering is provided where visual or noise impacts need to be addressed without requiring addition land, fences, and landscaping features where they are not needed.

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~~, and CM-RM 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. These standards and guidelines do not apply to small-scale commercial uses created through the conversion of, or addition to, an existing single-detached dwelling, except for the following. The conversion or addition shall not increase nonconformance with any of the standards or guidelines in Table 60.05.60.2. The standards and guidelines that apply to the conversion or addition are:
 - i. Entries (Standards 60.05.60.2.S2c through S2e / Guidelines 60.05.60.2.G2a and G2b)
 - ii. Lighting Design (Standard 60.05.60.2.S15 / Guidelines 60.05.60.2.G15a and G15b)
 - iii. Solid Waste Facilities (Standard 60.05.60.2.S16b and 60.05.60.2.S17 / Guidelines 60.05.60.2.G16 and 60.05.60.2.G17a and G17b)
 - D. 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, unless otherwise noted.
 - E. In the CM-RM zoning district, the small-scale commercial uses described in Section 20.22.35 are also subject to these standards and guidelines.
 - i. The standards and guidelines in Table 60.05.60.2 apply to the following scenarios:
 - 1. A small-scale commercial use in a detached building that is the only use on a lot;
 - 2. A small-scale commercial use that is in a detached building on a lot that also contains a single-detached dwelling, duplex, triplex, or quadplex; and
 - 3. A small-scale commercial use within an attached building on a lot that also contains a single-detached dwelling, duplex, triplex, or quadplex.
 - ii. The standards and guidelines in Table 60.05.60.3 apply to the following scenarios:
 - 1. A small-scale commercial use in a detached building on a lot that also contains a townhome; and
 - 2. A small-scale commercial use within an attached building on a lot that also contains a townhome.
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, and the small-scale commercial uses in Section 60.05.60.1.E.i, shall meet the standards of this section.

Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes	
Design Guideline	Design Standard
Entries	
<p>G1a. Type 3. Some entries, especially those closest to the street, shall be accessible from the street. From the street and on-site parking areas, pedestrians shall be able to see some entries and identify pedestrian routes to other entries on the site.</p> <p>G1b. Type 2. Design Standard S1 shall be met.</p>	<p>S1. Dwellings. At least one entry to each structure containing at least one dwelling shall meet the standards in 60.05.60.2.S1a and 60.05.60.2.S1b. See Figure 5.</p> <p>An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance.</p> <ul style="list-style-type: none"> a. The entry shall be within 10 feet of the longest street-facing wall of the dwelling unit; and b. The entry shall comply with one of the following:

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

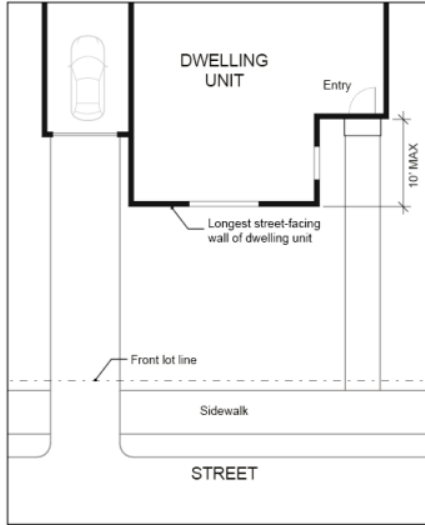
Design Guideline	Design Standard
	<ol style="list-style-type: none"> 1. Face a public or private street; 2. Be at an angle of up to 45 degrees from the street; 3. Open onto a porch or an outdoor space, such as a patio, stoop, forecourt, or mezzanine. The porch or outdoor space shall be at least 25 square feet in area and at least one entrance to the porch or outdoor space shall face the street; or 4. Face an outdoor open area that is shared by at least two dwellings and is adjacent to the street. Adjacent means that some part of the open area is within 10 feet of a lot line that abuts a street. <p>c. The following are exempt from this standard:</p> <ol style="list-style-type: none"> 1. Any detached structure for which more than 50 percent of its public or private street-facing facade is separated from the street property line by another dwelling as seen in plan view from the front lot line. 2. Manufactured homes are exempt from this standard.
<p>G2a. Type 3. <u>The entry to a small-scale commercial use shall be visible and accessible from the street or shall provide directional signage. A pedestrian connection shall connect the entry to nearby streets and other pedestrian destinations. The design of the building shall incorporate features such as roofs, alcoves, awnings, and canopies to protect pedestrians from the rain and sun.</u></p> <p>G2b. Type 2. <u>Design Standard S2 shall be met.</u></p>	<p>S2. CM-RM Small-scale Commercial. <u>At least one entry to the small-scale commercial use shall meet the standards in 60.05.60.2.S2a through 60.05.60.2.S2e.</u></p> <p><u>An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance. Any detached structure for which more than 50 percent of its public or private street-facing facade is separated from the street property line by another dwelling as seen in plan view from the front lot line is exempt from 60.05.60.2.S2a and 60.05.60.2.S2b.</u></p> <ol style="list-style-type: none"> a. <u>The entry shall be within 10 feet of the longest street-facing wall of the unit in the building containing the small-scale commercial use; and</u> b. <u>The entry shall comply with one of the following:</u> <ol style="list-style-type: none"> 1. <u>Face a public or private street;</u> 2. <u>Be at an angle of up to 45 degrees from the street;</u> 3. <u>Open onto a porch or an outdoor space, such as a patio, stoop, forecourt, or mezzanine. The porch or outdoor space shall be at least 25 square feet in area and at least one entrance to the porch or outdoor space shall face the street; or</u> 4. <u>Face an outdoor open area that is shared with at least one dwelling and is adjacent to the street. Adjacent means that</u>

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

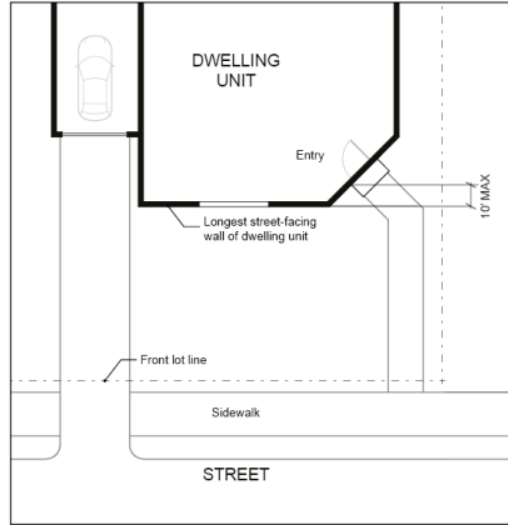
Design Guideline	Design Standard
	<p align="center"><u>some part of the open area is within 10 feet of a lot line that abuts a street.</u></p> <p>c. <u>A reasonably direct walkway connection is required between the entry and public and private streets. The walkway shall have a minimum of 5-foot-wide, unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.</u></p> <p>d. <u>The entry shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least 6 feet wide and 4 feet deep.</u></p> <p>e. <u>Directional signage to the small-scale commercial use shall be provided if the small-scale commercial use is not directly visible from the public right of way.</u></p>

Figure 5 Main Entry Options

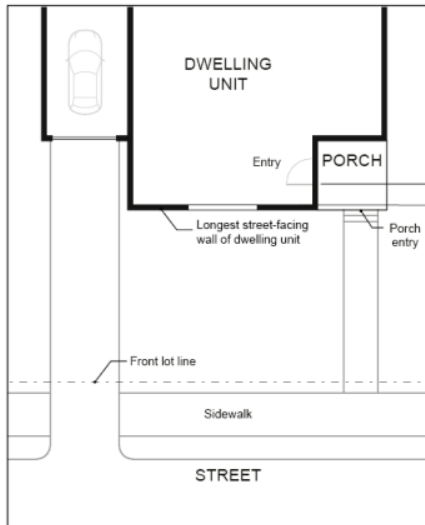
S1.a.1. Entry facing the street



S1.a.2. Entry at 45-degree angle



S1.a.3. Entry on to porch



S1.a.4. Entry to outdoor open area

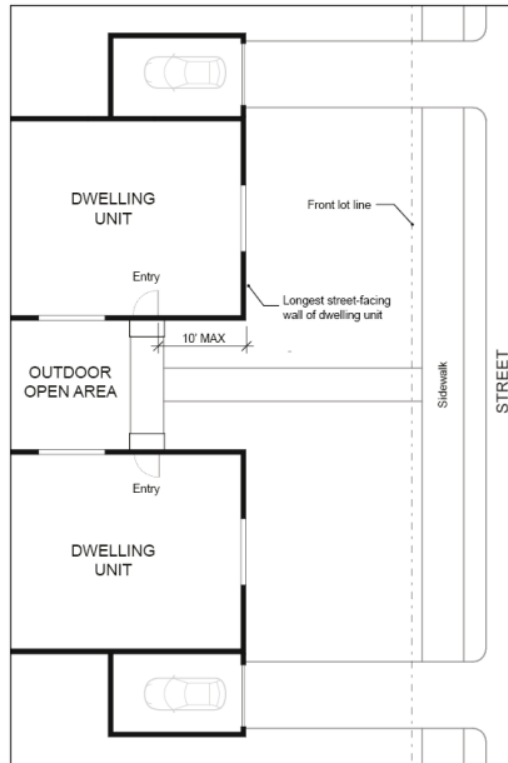


Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes

Design Guideline	Design Standard
Windows	
<p>G2a G3a. Type 3. The number, size, and placement of windows shall provide the opportunity for a visual connection between the residential living area of units and the street for units that are near the street <u>and between small-scale commercial uses and the street if small-scale commercial uses are near the street.</u></p> <p>G2b G3b. Type 2. The required window and door percentage may be reduced to 12 percent if the decision-making authority makes findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:</p> <ul style="list-style-type: none"> a. 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 and 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; and b. At least 12 percent of the area of all public or private street-facing facades includes windows or entrance doors, excepting facades that are not visible from the street because other structures are between the façade and the street. 	<p>S2 S3. A minimum of 15 percent of the area of all public or private street-facing facades shall include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 6.</p> <ul style="list-style-type: none"> a. Any detached structure for which more than 50 percent of its public or private street-facing facade is separated from the street property line by another dwelling, as seen in plan view from the front lot line, is exempt from this standard. b. Manufactured homes are exempt from this standard.

**Figure 6
Street-Facing Windows**



STREET-FACING FACADE

- Area subject to 15% window & entrance door coverage requirement
- Qualifying window coverage
- Qualifying entrance door coverage

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

Design Guideline	Design Standard
Outdoor Open Area	
<p>G3a G4a. Type 3. Developments shall ensure opportunities for outdoor relaxation or recreation.</p> <ul style="list-style-type: none"> a. The outdoor open area shall be of an adequate size and shape to be usable for active or passive uses. b. The outdoor open area may be accessible to all units. Alternatively, the outdoor open area may be provided through private outdoor space, such as decks or patios, provided each unit has access to an adequate outdoor space. 	<p>S3 S4. Outdoor Open Area Standards for Dwellings. An outdoor open area is a common area for use by residents of a single-detached dwelling, duplex, triplex, quadplex or townhouse. An outdoor open area may function as a community yard. <u>For a small-scale commercial use on a lot that also contains dwelling units, the standards in 60.05.60.2.S4a and 60.05.60.2.S4b apply. For a small-scale commercial use that is the only use on the lot, the standards in 60.05.60.2.S5a through 60.05.60.2.S5c shall apply instead.</u></p> <ul style="list-style-type: none"> a. Minimum Required Outdoor Open Area. Single-detached dwellings, duplexes, triplexes and quadplexes shall meet the following minimum outdoor open area standards. <ul style="list-style-type: none"> 1. For lots with an area of less than 3,000 square feet, a minimum of 200 square feet of open area is required per lot.

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

Design Guideline	Design Standard
<p>G3b-G4b. Type 2. For lots with an area that is equal to or greater than 3,000 square feet, an applicant may reduce the minimum required outdoor open area required in S3S4.a2 or S3S4.a3 by up to 20 percent if:</p> <ul style="list-style-type: none"> a. The applicant demonstrates that 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 and 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. b. At least one portion of the required outdoor open area shall be shaped so a 10-foot by 10-foot square can fit inside of it and, when possible, be accessible to all units. 	<ul style="list-style-type: none"> 2. For lots with an area that is equal to or greater than 3,000 square feet and less than 7,000 square feet, a minimum of 300 square feet of open area is required per lot. 3. For lots with an area of 7,000 square feet or greater, a minimum of 500 square feet of open area is required per lot. <p>b. Design Requirements</p> <ul style="list-style-type: none"> 1. At least one portion of the required outdoor open area shall be shaped so a 12-foot by 12-foot square can fit inside of it and be accessible to all units. 2. Required open area may be in rear yard or side yard setback areas but shall not be in front yard setbacks. 3. Except as required in subsection 1, the required outdoor open area may be shared by two or more dwellings or may be provided through private outdoor space such as decks or patios. 4. The outdoor open area shall be developed with a mix of landscaping, groundcover, lawn, pedestrian ways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the outdoor open area shall not exceed 75 percent of the total outdoor open area.
<p>G5a. Type 3. <u>Landscaping shall soften the edges of buildings and parking areas if provided, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. Plazas and common areas designed for pedestrian traffic shall be surfaced with a combination of landscape and decorative pavers or decorative concrete.</u></p> <p>G5b. Type 2. <u>Design Standard S5 shall be met.</u></p>	<p>S5. Outdoor Open Area Standards for Stand-alone CM-RM Small-scale Commercial Uses. <u>At least 15 percent of the total gross lot area shall be landscaped. Environmentally sensitive areas and above-ground water quality treatment facilities shall count toward the minimum landscape requirement.</u></p> <ul style="list-style-type: none"> a. <u>Developments shall provide the following landscaping:</u> <ul style="list-style-type: none"> 1. <u>One tree shall be provided for every 800 square feet of required landscaped area. Evergreen trees shall have a minimum planting height of 5 feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.</u> 2. <u>One evergreen shrub shall be provided for every 400 square feet of required landscaped area.</u> 3. <u>Live ground cover consisting of low-height plants, shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark, or other similar materials may be used but are not a substitute for ground cover plantings and shall be limited to no more than 25 percent of the required landscape area.</u>

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

Design Guideline	Design Standard
	<p>b. <u>A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed, shall count toward meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed 25 percent of the minimum landscaping requirement. Plazas shall be comprised of the following:</u></p> <ol style="list-style-type: none"> 1. <u>Brick pavers, or stone, scored, or colored concrete; and,</u> 2. <u>One tree having a minimum mature height of 20 feet for every 300 square feet of plaza square footage; and,</u> 3. <u>Street furniture including but not limited to benches, tables, chairs, and trash receptacles; and,</u> 4. <u>Pedestrian-scale lighting consistent with the City's Technical Lighting Standards.</u>
Tree Planting and Tree Preservation	
<p>G4 G6. Design Standard S3 S6 shall be met.</p>	<p>S4 S6. Developments that add a dwelling unit <u>or a small-scale commercial use</u>, except for conversions or additions to existing single-detached dwellings to create middle housing <u>or add a small-scale commercial use</u>, shall meet the tree planting requirements in 60.05.60.2.S4S6.a and the planting standards in 60.05.60.2.S4S6.b, unless they meet the tree preservation or in-lieu fee standards of 60.05.60.2.S4S6.c or 60.05.60.2.S4S6.d.</p> <p>a. Tree Planting Requirements. For these standards, the tree planting area equals 30 percent of the site or the site area minus the building footprint of existing and proposed development, whichever is smaller. Sites with at least 50 square feet of available tree planting area (the required area for a small tree, provided in 60.05.60.2.S4S6.a.13.iii) shall be subject to the requirements in S4S6.a.1. <u>or in S6.a.2, as applicable</u>.</p> <ol style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area.</u> The tree planting area shall be planted with some combination of large, medium, or small trees from the City's approved street tree list or a tree list <u>City of Beaverton Tree List</u>) for private property trees as designated by the Director at the rates listed below. The City's tree list indicates the minimum planting area for each tree size. <ol style="list-style-type: none"> i. Large trees (those listed for 8-foot planting areas): 1 large tree counts toward 1,200 square feet of the tree planting area. ii. Medium trees (those listed for 4-foot or 6-foot planting areas): 1 medium tree counts toward 600 square feet of the tree planting area.

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

Design Guideline	Design Standard
	<ul style="list-style-type: none"> iii. Small trees (those listed for 3-foot planting areas): 1 small tree counts toward 300 square feet of the tree planting area. 2. <u>Inside the Cooper Mountain Community Plan area.</u> <ul style="list-style-type: none"> i. <u>The tree planting area shall be planted with trees on the City of Beaverton Tree List.</u> ii. <u>The square footage of canopy coverage that counts toward the required tree planting area will be based on the Mature Tree Canopy area listed in the City of Beaverton Tree List.</u> 3. The minimum area required to plant trees, by type, is: <ul style="list-style-type: none"> i. Large tree: 150 square feet, including a 10-foot-by-10-foot area within that 150 square feet. ii. Medium tree: 75 square feet, including a 6-foot-by-6-foot area within that 75 square feet. iii. Small tree: 50 square feet, including a 3-foot-by-3-foot area within that 50 square feet. b. Planting Standards for Required Trees. <ul style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area, Required required trees may shall</u> not be planted within 6 feet of structures or 3 feet of property lines at the perimeter of the site. 2. Trees planted to meet other BDC Code requirements, such as buffer requirements, shall also count toward the tree planting requirement. 3. Trees shall be a type and species identified by the City of Beaverton Street Tree List or a tree list for private property trees as designated by the Director. 4. Deciduous trees shall have a minimum caliper of 1.5 inches and shall be balled and burlapped. 5. Evergreen trees shall be a minimum of 85 feet in height at the time of planting. 6. Areas subject to Clean Water Services regulations including stormwater facilities, vegetated corridors, and sensitive natural areas shall be planted consistent with Clean Water Services requirements. 7. Tree planting is subject to City tree planting and establishment requirements. <u>Irrigation shall be provided to ensure trees planted will survive their establishment period. Inside the Cooper Mountain Community Plan area, irrigation systems shall also comply with Sections 60.37 and 60.61.35 and if requirements in those sections contain stricter</u>

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

Design Guideline	Design Standard
	<p><u>standards, the stricter standards shall apply. Establishment period irrigation shall be provided through one of the following options or a combination of options:</u></p> <ul style="list-style-type: none"> i. <u>A permanent, in-ground irrigation system with an automatic controller.</u> ii. <u>An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen will survive.</u> iii. <u>Irrigation by hand for a maximum of 500 square feet per site.</u> <p>8. Trees planted under the standards in this section are not considered Landscape Trees.</p> <p>c. Tree Preservation.</p> <ul style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area.</u> <ul style="list-style-type: none"> i. Existing non-nuisance trees that are preserved on the site shall satisfy the planting requirements of 60.05.60.2. S4S6.a as follows: <ul style="list-style-type: none"> 1. Trees that are at least 1.5 inches DBH and less than 6 inches DBH count toward 600 square feet of required tree planting area. 2. For trees 6 inches or more DBH, every full 6-inch increment in DBH shall count toward an additional 600 feet of required tree planting area. ii. For every existing non-exempt surveyed tree that is preserved, development may have an additional 150 square feet of building area over the maximum floor area ratio (FAR), up to a maximum additional 0.15 FAR or additional 600 square feet, whichever is less. iii. Community trees that are preserved trees shall be classified as Landscape Trees and will be subject to CHAPTER 40 and CHAPTER 60. Protected trees that are preserved shall remain classified as Protected Trees. 2. <u>Inside the Cooper Mountain Community Plan area. Existing, non-exempt, on-site trees over 6-inch DBH that are preserved shall satisfy the planting requirements of 60.05.60.2.S6.a as follows:</u> <ul style="list-style-type: none"> i. <u>The square footage of preserved canopy coverage that counts toward the required tree planting area will be</u>

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

Design Guideline	Design Standard
	<p align="center"><u>based on the mature canopy area listed in the City of Beaverton Tree List.</u></p> <p>d. In-Lieu Fee. In lieu of meeting the planting requirements of 60.05.60.2.S4S6.a, applicants may contribute to the Tree Preservation Fund at a rate designated by the City Council.</p>
<p align="center">South Cooper Mountain Community Plan Open Space and Natural Resources</p>	
<p>For properties in the South Cooper Mountain Community Plan area without Significant Natural Resource Areas on the site, the following guidelines apply if S5 S7 cannot be met.</p> <p>G5a G7a. Type 3. Developments shall ensure opportunities for outdoor relaxation or recreation.</p> <ol style="list-style-type: none"> The outdoor open area shall be of an adequate size and shape to be usable for active or passive uses. The outdoor open area may be accessible to all units. However, if special conditions or circumstances exist on the site that make it physically difficult to provide access, then the outdoor open area does not need to be accessible to all units. <p>G5b-G7b. Type 2. For lots with an area that is equal to or greater than 3,000 square feet, an applicant may reduce the minimum required outdoor open area required in S3S4.a2 or S3S4.a3 by up to 20 percent if:</p> <ol style="list-style-type: none"> The applicant demonstrates that 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 and 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. 	<p>S5 S7. For properties within the South Cooper Mountain Community Plan area,</p> <ol style="list-style-type: none"> An outdoor open area shall be provided on site in whichever one of the following methods results in the greater amount of outdoor open area: <ol style="list-style-type: none"> Outdoor open area shall be equivalent to the square footage of Significant Natural Resource Area located on the subject site or; Outdoor open area shall be consistent with applicable standards of Section 60.05.60.2.S3S4 Outdoor Open Area. Regardless of which method is used to determine the amount of outdoor open area required, the outdoor open area dimensions, amenities and other features shall comply with applicable provisions of Section 60.05.60.2.S3S4 Significant Natural Resource Areas preserved on a site and placed within a conservation easement or conservation tract, recorded with a deed restriction, may count toward a site’s total outdoor open area requirement, provided applicable provisions in Section 60.05.60.2.S3S4 are met. Tree Planting and Tree Preservation areas, as outlined in Section 60.05.60.2.S4S6 may also count toward a site’s total outdoor open area requirement, provided applicable provisions in Section 60.05.60.2.S6 are met. Within the South Cooper Mountain Community Plan area development abutting SW Tile Flat Road, shall provide a 10-foot wide, B2-Medium screen buffer and shall comply with applicable standards of Section 60.05.25.1314. Proposals being reviewed as a Planned Unit Development as exempt from this standard but shall address applicable policies of the South Cooper Mountain Community Plan.

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

Design Guideline	Design Standard
<p>2. At least one portion of the required outdoor open area shall be shaped so a 10-foot by 10-foot square can fit inside of it and, when possible, be accessible to all units.</p> <p>Properties within the South Cooper Mountain Community Plan area with Significant Natural Resource Areas on the site, shall meet Design Standard S5 <u>S7</u> unless proposal is reviewed as a Planned Unit Development.</p>	
<p><u>Cooper Mountain Community Plan Open Space</u></p>	
<p><u>G8. Deviations from Design Standard S8 are subject to review through the Planned Unit Development application.</u></p>	<p><u>S8. Within the Cooper Mountain Community Plan area, sites shall provide at least 15 percent open space per gross site area at the time of Initial Development through one or more of the methods below. This open space requirement shall be met in addition to the standards of Section 60.05.60.2.S4 through S6. If a site includes the development of uses that are not subject to the requirements of this Section, the minimum open space requirement shall be calculated as 15 percent of the portion of the site that is subject to the requirements of Section 60.05.60.</u></p> <ul style="list-style-type: none"> a. <u>Open space tracts in the Parks Overlay identified in Section 20.22.45.</u> b. <u>On-site area within the Resource Overlay protected in a separate tract.</u> c. <u>Open space tracts that have 50 percent tree canopy or are planted so they will have 50 percent tree canopy cover within 15 years after planting consistent with the Technical Specifications for Tree Preservation and Planting of Section 60.61.30.</u> <ul style="list-style-type: none"> 1. <u>A combination of existing tree canopy and planted trees is acceptable to meet this standard.</u> 2. <u>Open space designated to meet this requirement outside the Parks Overlay and Resource Overlay shall have minimum length and width dimensions of 25 feet. The open space may be placed in more than one location on the site.</u> 3. <u>Property owners are not required to dedicate open space tracts but may do so voluntarily to the Tualatin Hills Park & Recreation District or other public agency per Section 60.15.15.3. Dedicated tracts shall count</u>

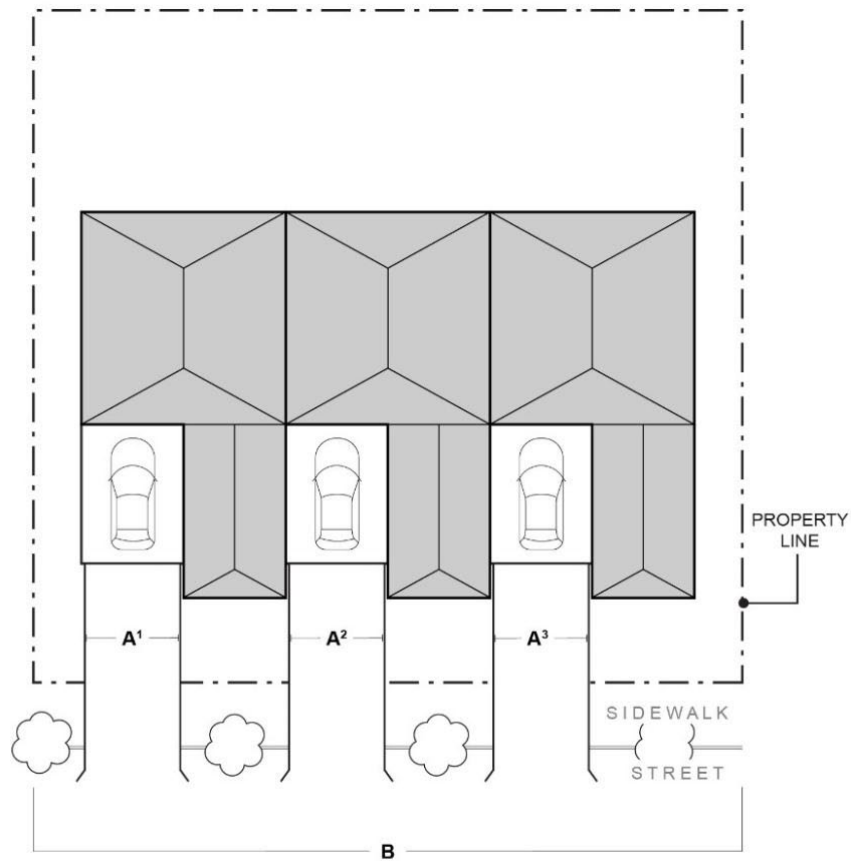
Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes

Design Guideline	Design Standard
	<p><u>150 percent toward the open space requirement. The additional credit shall not be used to reduce the open space required to be within the Parks Overlay that is shown in 20.22.45.1 but may be used to meet requirements for open space outside the Parks Overlay. To qualify for this credit, a tract shall have at least 75 percent Parks Overlay Open Space Developable Area with minimum length and width dimensions of 200 feet.</u></p>
<p><u>G9a. Type 3. A landscape buffer with a minimum width of 25 feet shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park. The buffer shall be densely planted with native varieties of trees, shrubs, and groundcover in a way that creates an attractive and natural-looking transition to the existing vegetation along the boundary of the Cooper Mountain Nature Park. Evergreen shrubs and trees are preferred.</u></p> <p><u>G9b. Type 2. Design Standard S9 shall be met.</u></p>	<p><u>S9. A landscape buffer consistent with the following requirements shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park.</u></p> <ul style="list-style-type: none"> a. <u>The landscape buffer width shall be a minimum of 25 feet.</u> b. <u>All plantings within the required buffer area shall be native species.</u> c. <u>The required landscape buffer area shall be planted according to the following plant types, sizes, and spacing:</u> <ul style="list-style-type: none"> i. <u>Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 6 feet; deciduous trees shall be planted at a minimum 2-inch caliper. At least 50 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the buffer area but shall not exceed 50 linear feet between trees.</u> ii. <u>Shrubs: One shrub with a minimum mature height of 4 feet is required for every 200 square feet of required buffer area. At least 50 percent of the required shrubs in the buffer area shall be of a hedging, evergreen variety.</u> iii. <u>Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in remaining required buffer area. Bare gravel, rock, bark or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.</u>
<p>Grading at Residential Property Lines</p>	
<p><u>G6a G10a. Type 3. For changes to existing on-site surface contours at residential property lines, the perimeters of properties shall be</u></p>	<p><u>S6 S10. Where grading is proposed, the requirements listed in Section 60.15.10. shall apply.</u></p>

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

Design Guideline	Design Standard
<p>graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.</p> <p>G6b G10b. Type 2. Design Standard S6 S10 shall be met.</p>	<p><u>Outside the Cooper Mountain Community Plan area, Notwithstanding notwithstanding the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</u></p> <p><u>Inside the Cooper Mountain Community Plan area, notwithstanding the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of a tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</u></p>
<p>Garages and Off-Street Parking Areas</p>	
<p>G7a G11a. Type 3. 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.</p> <p>G7b G11b. Type 2. Design Standard S7 S11 shall be met.</p>	<p>S7 S11. 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). If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply. See Figure 7. [ORD 4844; August 2023].</p> <p>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.</p>

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



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

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

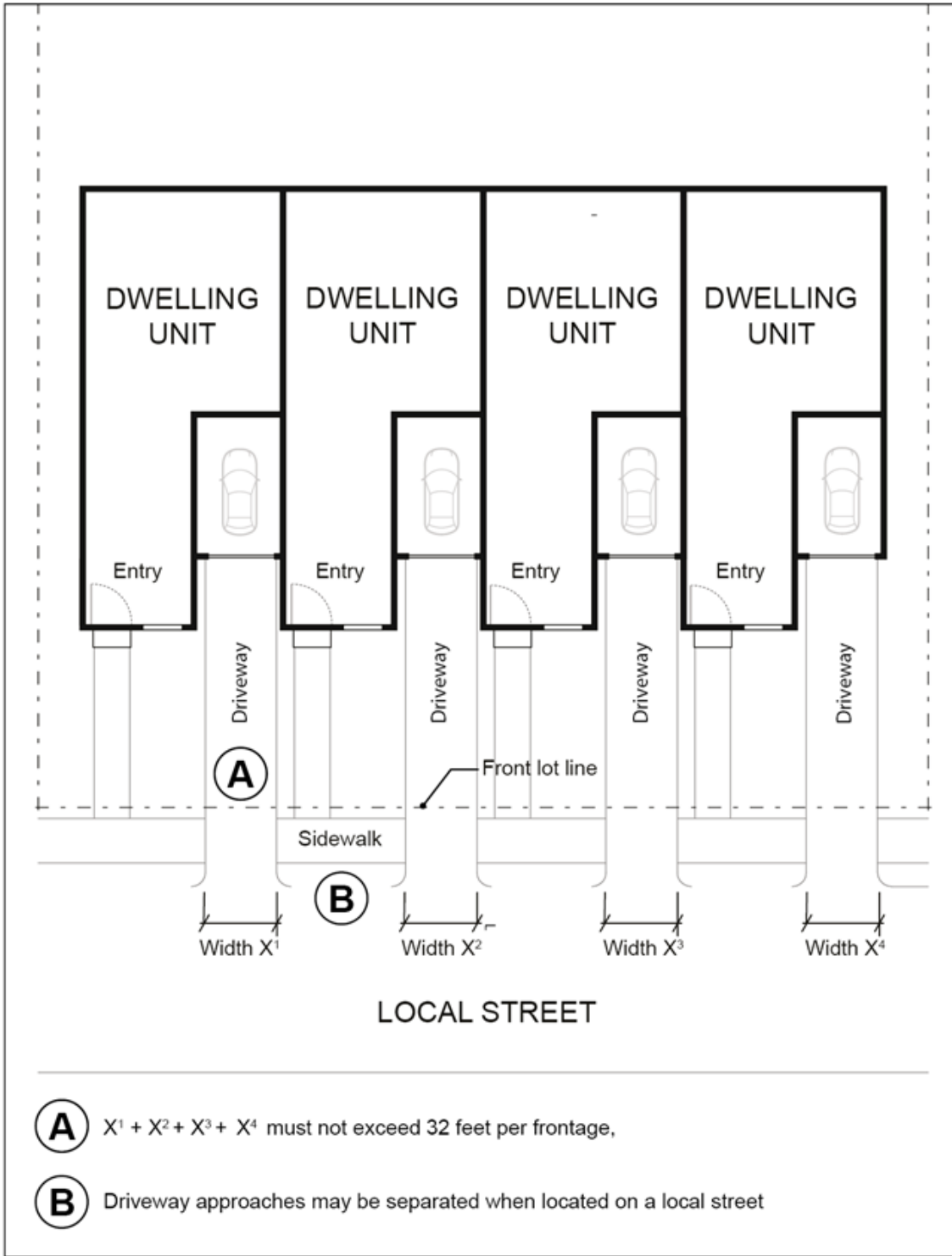
**Table 60.05.60.2. Design Guidelines and Standards for
Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes**

Design Guideline	Design Standard
Driveway Location	
G8 G12. Design Standard S8 S12 shall be met.	S8 S12. 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
Driveway Approaches	
<p>G9a G13a. Type 3. 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. Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer. [ORD 4844; August 2023]</p> <p>G9b G13b. Type 2. Design Standard S9 S13 shall be met.</p>	<p>S9 S13. Driveway approaches shall comply with the following:</p> <ol style="list-style-type: none"> 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 60.05.60.2.S9S13.b. If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply. [ORD 4844; August 2023] b. In addition, lots with more than one public or private street frontage shall comply with the following: <ol style="list-style-type: none"> 1. If vehicular access exists or is proposed on the site, lots 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. [ORD 4844; August 2023] 2. If vehicular access exists or is proposed on the site, lots may have either: [ORD 4844; August 2023] <ol style="list-style-type: none"> a. Two driveway approaches not exceeding 32 feet in total width on one public or private street frontage (See Figure 10); or b. One driveway approach per public or private street frontage. The combined width of both approaches cannot exceed 32 feet. See Figure 11. c. Driveway approaches shall also meet the residential driveway standards in the Beaverton Engineering Design Manual.

Figure 8
Driveway Approach Width and Separation



**Figure 9
Reserved**

Figure 10
Driveway Approach Options for Multiple Street Frontages –
Driveways on One Frontage

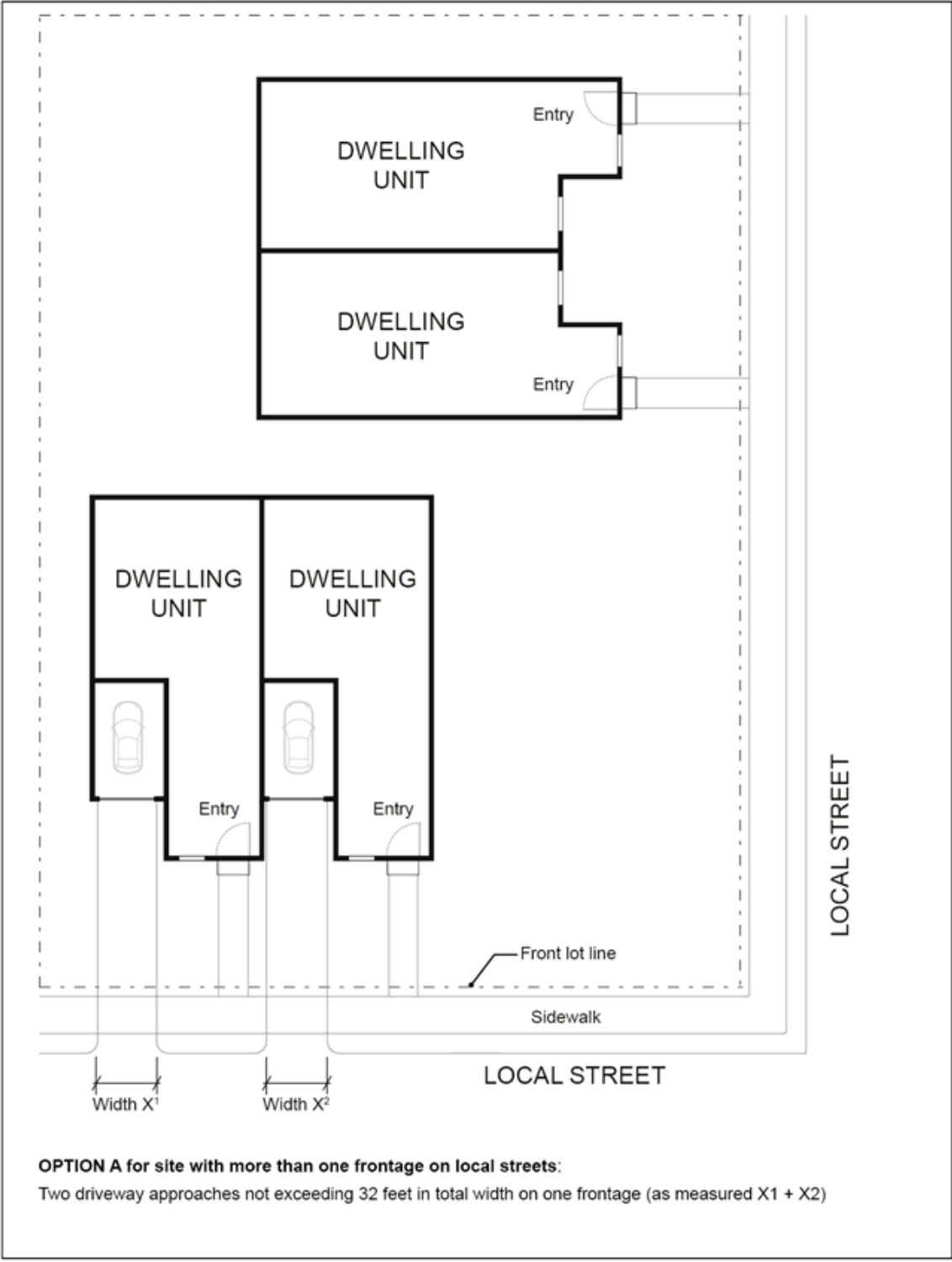




Figure 11
Driveway Approach Options for Multiple Street Frontages –
Driveways on One Frontage

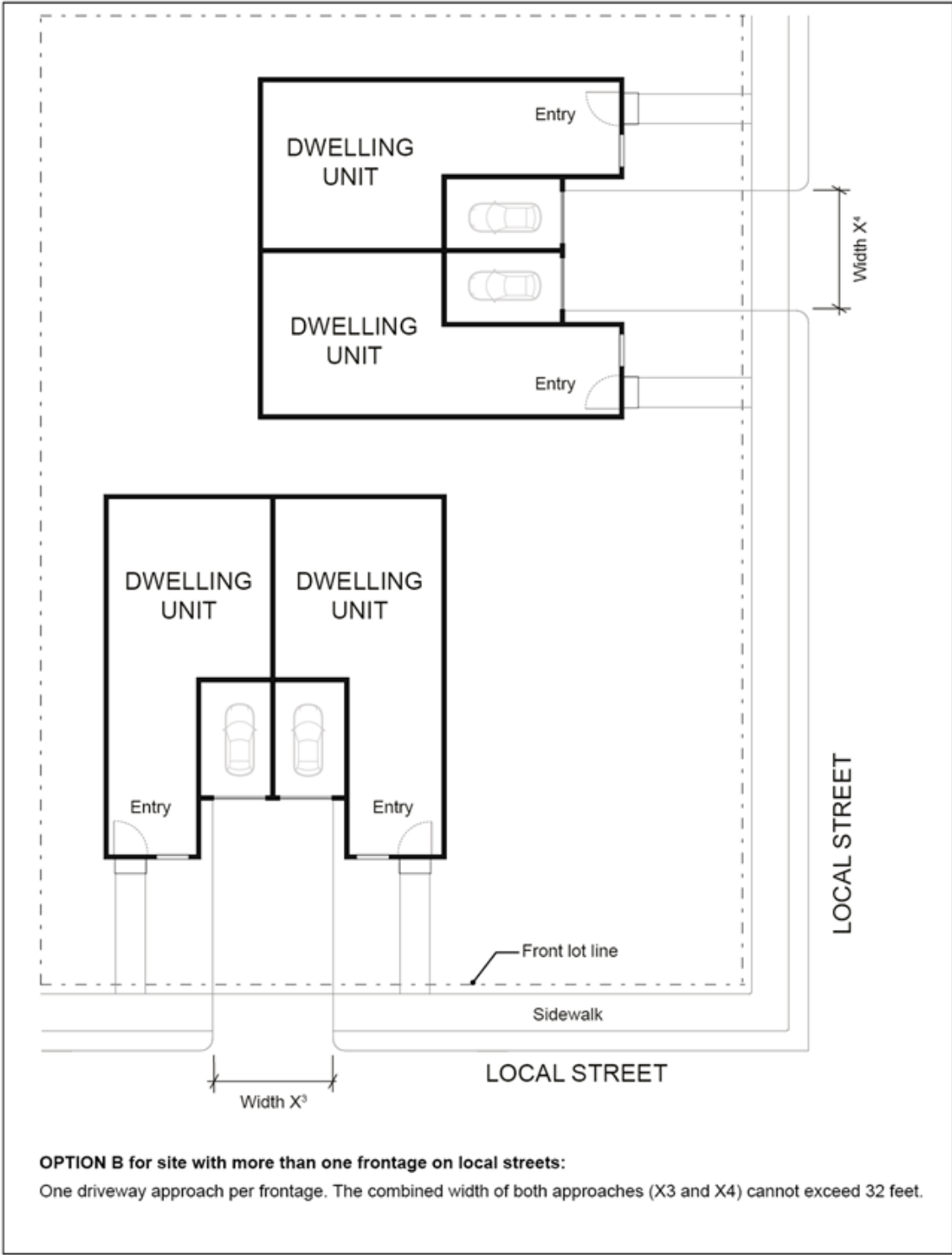


Table 60.05.60.2. Design Guidelines and Standards for Single-Detached Dwellings, Duplexes, Triplexes, and Quadplexes

Design Guideline	Design Standard
Driveway Length	
<p>G10a G13a. Type 3. Design Standard S10 S14 or Design Guideline G10b G14b shall be met.</p> <p>G10b G14b. Type 2. Driveways should connect parking, drive aisles, and other improvements with at least one street. 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. [ORD 4844; August 2023]</p>	<p>S10 S14. 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>
Lighting Design	
<p>G11a G15a. Type 3. Sites with an off-street parking lot area that exceeds 1,400 square feet shall:</p> <ol style="list-style-type: none"> Utilize lighting to maximize safety within a development, Minimize direct and indirect glare impacts to abutting properties and streets, and, Where the proposal does not comply with Table 60.05-1, describe why compliance with the standard is either infeasible or unnecessary. <p>G11b G15b. Type 2. Design Standard S11 S15 shall be met.</p>	<p>S11 S15. Sites with an off-street parking lot area that exceeds 1,400 square feet shall comply with Technical Lighting Standards (Table 60.05-1). The off-street parking lot area includes the combined square footage of parking stalls and drive aisles only.</p>
<p>G16a. Type 3. Sites with a small-scale commercial use shall:</p> <ol style="list-style-type: none"> <u>Utilize lighting to maximize pedestrian safety within a development,</u> <u>Minimize direct and indirect glare impacts to abutting properties and streets, and,</u> <u>Where the proposal does not comply with Table 60.05-1, describe why</u> 	<p>S16. Sites with a small-scale commercial use shall provide lighting that <u>complies with Technical Lighting Standards (Table 60.05-1) at the commercial use entry and the walkways that connect the commercial use entry to public and private streets, transit stops, and other destinations.</u></p>

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

Design Guideline	Design Standard
<p><u>compliance with the standard is either infeasible or unnecessary.</u></p> <p><u>G16b. Type 2. Design Standard S16 shall be met.</u></p>	
<p>Solid Waste Facilities</p>	
<p>G12 G17. Design Standard S12 <u>S17</u> shall be met.</p>	<p>S12 <u>S17</u>. Minimum Required Storage Area and Location.</p> <p>a. <u>Dwellings.</u> 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. Storage of solid waste facilities shall comply with the following:</p> <ol style="list-style-type: none"> 1. Storage areas for multiple units on one lot may be combined or shared and be located on the same lot as the units or shared tract. 2. 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. 3. Storage areas shall not be in required outdoor open areas, as provided in 60.05.60.12.S3<u>S4</u>. 4. Storage areas shall be located in areas accessible to waste service vehicles. [ORD 4844; August 2023] 5. 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. 6. Exterior storage areas shall comply the corner clearance for driveway standards in the Beaverton Engineering Design Manual. <p>b. <u>CM-RM Small-scale Commercial.</u> <u>There is no minimum required storage area or location for small-scale commercial uses; however, any storage area that is provided outside of a building shall be fully screened from view using one or more screening methods of 60.05.60.2.S18.b.1 through 3. This standard applies to both a small-scale commercial use on a lot shared with a dwelling(s) and as a stand-alone use on a lot.</u></p>

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

Design Guideline	Design Standard
<p>G13a G18a. Type 3. Design Standard S12 S18 or Design Guideline G12b G18b shall be met.</p> <p>G13b G18b. Type 2. Waste storage and/or recycling containers shall be designed and/or located so that they are screened from an abutting public or private street.</p>	<p>S13 S18. Screening.</p> <ol style="list-style-type: none"> a. Waste storage and/or recycling containers shall be in an area not visible from a public or private street or shall be fully screened from view from a public or private street. b. Screening from public view for waste storage and/or recycling containers shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods: <ol style="list-style-type: none"> 1. Solid wall constructed of an exterior finish material utilized on one or more buildings; 2. A hedge with a minimum of ninety-five (95) percent opacity within two (2) years; or 3. Solid wood fence c. Screening from public view by chain-link fence with or without slats is prohibited.

3. **Design Guidelines and Standards for Townhouses.** Unless otherwise noted, townhouse developments, and the small-scale commercial uses in Section 60.05.60.1.E.ii, shall meet the standards of this section.

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
Maximum Number of Units in a Structure	
<p>G1a. Type 3. The maximum number of units in a structure, as provided in Design Standard S1, may be exceeded if adequate pedestrian access is available into the site, the site has adequate landscaping; and the building design includes visual breaks in the façade between some units to reduce the perceived mass and length of the building.</p> <p>Examples of visual breaks include a change in plane (such as setting back one unit from the abutting building, recessing some or all main entries, angling some or all main entries, or varying roof heights for each unit) or added articulation to some or all units.</p> <p>In each zone, building façade lengths shall not exceed:</p> <ol style="list-style-type: none"> a. In the RMA zone, 150 feet; and b. In the RMB, and RMC zones, <u>and CM-RM</u>, 125 feet 	<p>S1. The maximum number of dwelling units that may be attached in a townhouse structure is specified below.</p> <ol style="list-style-type: none"> a. RMA zone: 8 attached units. b. RMB, and RMC, <u>and CM-RM</u> zones: 5 attached units.

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
<p>G1b. Type 2. Design Standard S1 shall be met.</p>	
<p>Entries</p>	
<p>G2a. Type 3. Some entries, especially those closest to the street, shall be accessible from the street. From the street and on-site parking areas, pedestrians shall be able to see some entries and identify pedestrian routes to other entries on the site.</p> <p>G2b. Type 2. Design Standard S2 shall be met.</p>	<p>S2. Dwellings. At least one entry to each townhouse shall meet the standards in 60.05.60.3.S2a and 60.05.60.3.S2b. See Figure 5. An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance.</p> <ol style="list-style-type: none"> a. The entry shall be within 10 feet of the longest street-facing wall of the dwelling unit; and b. The entry shall comply with one of the following: <ol style="list-style-type: none"> 1. Face the street; 2. Be at an angle of up to 45 degrees from the street; 3. Open onto a porch or an outdoor space, such as a patio, stoop, forecourt, or mezzanine. The porch or outdoor space shall be at least 25 square feet in area and at least one entrance to the porch or outdoor space shall face the street; or 4. Face a common courtyard or private access or driveway that is abutted by dwellings on at least two sides. If the parent lot has public or private street frontage, then the common courtyard shall be within 20 feet of a lot line that abuts a street.
<p>G3a. Type 3. <u>The entry to a small-scale commercial use shall be visible and accessible from the street or shall provide directional signage. A pedestrian connection shall connect the entry to nearby streets and other pedestrian destinations. The design of the building shall incorporate features such as roofs, alcoves, awnings, and canopies to protect pedestrians from the rain and sun.</u></p> <p>G3b. Type 2. Design Standard S3 shall be met.</p>	<p>S3. CM-RM Small-scale Commercial. <u>At least one entry to the small-scale commercial use shall meet the standards in 60.05.60.3.S3a through 60.05.60.3.S3d.</u> An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, any door that leads into a dwelling unit, or a garage door not designed as a pedestrian entrance.</p> <ol style="list-style-type: none"> a. <u>The entry shall be within 10 feet of the longest street-facing wall of the building containing the small-scale commercial use; and</u> b. <u>The entry shall comply with one of the following:</u> <ol style="list-style-type: none"> 1. <u>Face a public or private street;</u> 2. <u>Be at an angle of up to 45 degrees from the street; or</u> 3. <u>Open onto a porch or an outdoor space, such as a patio, stoop, forecourt, or mezzanine. The porch or outdoor space shall be at least 25 square feet in area and at least one entrance to the porch or outdoor space shall face the street.</u>

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<ul style="list-style-type: none"> c. <u>A reasonably direct walkway connection is required between the entry and public and private streets, transit stops, and other destinations. The walkway shall have a minimum of 5-foot-wide, unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.</u> d. <u>The entry shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least 6 feet wide and 4 feet deep.</u> e. <u>Directional signage to the small-scale commercial use shall be provided if the small-scale commercial use is not directly visible from the public right of way.</u>
Windows	
<p>G3a G4a. Type 3. The number, size, and placement of windows shall provide the opportunity for a visual connection between the residential living area of units and the street for units that are near the street, <u>or for the small-scale commercial use and the street, for small-scale commercial uses that are near the street.</u></p> <p>G3b G4b. Type 2. An applicant may reduce the required window and door percentage to 12 percent by demonstrating that 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, and 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.</p>	<p>S3 S4. A minimum of 15 percent of the area of all public or private street-facing facades on each townhouse unit shall include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. Facades that are more than 80 feet from the street are exempt from this standard. See Figure 6.</p>
Outdoor Open Area	
<p>G4a G5a. Type 3. Developments shall ensure opportunities for outdoor relaxation or recreation. The outdoor open area shall be of an adequate size and shape to be usable for active or passive uses.</p>	<p>S4 S5. Minimum Required Outdoor Open Area. An outdoor open area is a common area for use by residents of a single-detached dwelling, duplex, triplex, quadplex or townhouse. For townhouse developments, these standards apply to the cumulative lot areas of the townhouse structure. If there are multiple</p>

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
<p>G4b G5b. Type 2. Design Standard S4 S5 shall be met.</p>	<p>townhouse structures on a site, the lot areas are not additive, the minimum required outdoor open area applies to each townhouse structure independently. <u>For a small-scale commercial use on a lot that also contains a townhouse, the standards in 60.05.60.3.S5a through 60.05.60.3.S5g apply.</u></p> <ul style="list-style-type: none"> a. For townhouse structures with a total lot area of less than 3,000 square feet, a minimum of 200 square feet of open area is required per townhouse structure. b. For townhouse structures with a total lot area that is equal to or greater than 3,000 square feet and less than 7,000 square feet, a minimum of 300 square feet of open area is required per townhouse structure. c. For townhouse structures with a total lot area of 7,000 square feet or greater, a minimum of 500 square feet of open area is required per townhouse structure. <p>Design Requirements</p> <ul style="list-style-type: none"> d. Required outdoor open area may be shared by two or more dwellings or may be provided through private open space such as decks or patios. e. If shared by two or more dwellings, at least one portion of the required outdoor open area shall be shaped so a 12-foot by 12-foot square can fit inside of it and be accessible to all units. f. Required open area may be in rear yard or side yard setback areas but shall not be in front yard setbacks. g. The outdoor open area shall be developed with a mix of landscaping, groundcover, lawn, pedestrian ways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the outdoor open area shall not exceed 75 percent of the total outdoor open area.
<p>Tree Planting and Tree Preservation</p>	
<p>G5 G6. Design Standard S5 S6 shall be met.</p>	<p>S5 S6. Townhouse <u>and small-scale commercial use</u> developments shall meet the tree planting requirements in 60.05.60.3.S5S6.a and the planting standards in 60.05.60.3.S5S6.b, unless they meet the tree preservation or in-lieu fee standards of 60.05.60.3.S5S6.c or 60.05.60.3.S5S6.d.</p> <ul style="list-style-type: none"> a. Tree Planting Requirements. For these standards, the tree planting area equals 30 percent of the site or the site area minus the building footprint of existing and proposed development, whichever is smaller. Sites with at least 50 square feet of available tree planting area (the required area for a small tree,

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<p>provided in 60.05.60.3.S5S6.a.23.iii) shall be subject to the requirements in S5S6.a.1. <u>or in S6.a.2, as applicable.</u></p> <ol style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area.</u> The tree planting area shall be planted with some combination of large, medium, or small trees from the City's approved street tree list or a tree list <u>City of Beaverton Tree List</u> for private property trees as designated by the Director at the rates listed below. The City's tree list indicates the minimum planting area for each tree size. <ol style="list-style-type: none"> i. Large trees (those listed for 8-foot planting areas): 1 large tree counts toward 1,200 square feet of the tree planting area. ii. Medium trees (those listed for 4-foot or 6-foot planting areas): 1 medium tree counts toward 600 square feet of the tree planting area. iii. Small trees (those listed for 3-foot planting areas): 1 small tree counts toward 300 square feet of the tree planting area. 2. <u>Inside the Cooper Mountain Community Plan area.</u> <ol style="list-style-type: none"> i. <u>The tree planting area shall be planted with trees on the City of Beaverton Tree List.</u> ii. <u>The square footage of canopy coverage that counts toward the required tree planting area will be based on the Mature Tree Canopy area listed in the City of Beaverton Tree List.</u> 3. The minimum area required to plant trees, by type, is: <ol style="list-style-type: none"> i. Large tree: 150 square feet, including a 10-foot-by-10-foot area within that 150 square feet. ii. Medium tree: 75 square feet, including a 6-foot-by-6-foot area within that 75 square feet. iii. Small tree: 50 square feet, including a 3-foot-by-3-foot area within that 50 square feet. <p>b. Planting Standards for Required Trees.</p> <ol style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area, Required required trees may shall</u> not be planted within 6 feet of structures or 3 feet of property lines at the perimeter of the site. 2. Trees planted to meet other <u>BDC Code</u> requirements, such as buffer requirements, shall also count toward the tree planting requirement. 3. Trees shall be a type and species identified by the City of Beaverton Street Tree List or a tree list for private property trees as designated by the Director.

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<ul style="list-style-type: none"> 4. Deciduous trees shall have a minimum caliper of 1.5 inches and shall be balled and burlapped. 5. Evergreen trees shall be a minimum of <u>85</u> feet in height at the time of planting. 6. Areas subject to Clean Water Services regulations including stormwater facilities, vegetated corridors, and sensitive natural areas shall be planted consistent with Clean Water Services requirements. 7. Tree planting is subject to City tree planting and establishment requirements. <u>Irrigation shall be provided to ensure trees planted will survive their establishment period. Inside the Cooper Mountain Community Plan area, irrigation systems shall also comply with Sections 60.37 and 60.61.35 and if requirements in those sections contain stricter standards, the stricter standards shall apply. Establishment period irrigation shall be provided through one of the following options or a combination of options:</u> <ul style="list-style-type: none"> i. <u>A permanent, in-ground irrigation system with an automatic controller.</u> ii. <u>An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen will survive.</u> iii. <u>Irrigation by hand for a maximum of 500 square feet per site.</u> 8. Trees planted under the standards in this section are not considered Landscape Trees. <p>c. Tree Preservation.</p> <ul style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area.</u> <ul style="list-style-type: none"> i. Existing non-nuisance trees that are preserved on the site shall satisfy the planting requirements of 60.05.60.3.556.a as follows: <ul style="list-style-type: none"> 1. Trees that are at least 1.5 inches DBH and less than 6 inches DBH count toward 600 square feet of required tree planting area. 2. For trees 6 inches or more DBH, every full 6-inch increment in DBH shall count toward an additional 600 feet of required tree planting area. ii. For every existing non-exempt surveyed tree that is preserved, development may have an additional 150 square feet of building area over the maximum floor area

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<p>ratio (FAR), up to a maximum additional 0.15 FAR or additional 600 square feet, whichever is less.</p> <p>iii. Community trees that are preserved trees shall be classified as Landscape Trees and will be subject to CHAPTER 40 and CHAPTER 60. Protected trees that are preserved shall remain classified as Protected Trees.</p> <p>2. <u>Inside the Cooper Mountain Community Plan area. Existing, non-exempt, on-site trees over 6-inch DBH that are preserved shall satisfy the planting requirements of 60.05.60.3.S6.a as follows:</u></p> <p>i. <u>The square footage of preserved canopy coverage that counts toward the required tree planting area will be based on the mature canopy area listed in the City of Beaverton Tree List).</u></p> <p>d. In-Lieu Fee. In lieu of meeting the planting requirements of 60.05.60.3.S5S6.a, applicants may contribute to the Tree Preservation Fund at a rate designated by the City Council.</p>
South Cooper Mountain Community Plan Open Space and Natural Resources	
<p>For properties in the South Cooper Mountain Community Plan area without Significant Natural Resource Areas on the site, the following guidelines apply if S6 S7 cannot be met.</p> <p>G6a G7a G7a. Type 3. Developments shall ensure opportunities for outdoor relaxation or recreation. The outdoor open area shall be of an adequate size and shape to be usable for active or passive uses.</p> <p>G6b G7b G7b. Type 2. Design Standard S6 S7 shall be met.</p> <p>Properties within the South Cooper Mountain Community Plan area with Significant Natural Resource Areas on the site, shall meet Design Standard S6 S7 unless proposal is reviewed as a Planned Unit Development.</p>	<p>S6 S7 S7. For properties within the South Cooper Mountain Community Plan area,</p> <p>a. An outdoor open area shall be provided on site in whichever one of the following methods results in the greater amount of outdoor open area:</p> <p>1. Outdoor open area shall be equivalent to the square footage of Significant Natural Resource Area located on the subject site or;</p> <p>2. Outdoor open area shall be consistent with applicable standards of Section 60.05.60.3.S4S5 Outdoor Open Area.</p> <p>b. Regardless of which method is used to determine the amount of outdoor open area required, the outdoor open area dimensions, amenities and other features shall comply with applicable provisions of Section 60.05.60.3.S4S5.</p> <p>c. Significant Natural Resource Areas preserved on a site and placed within a conservation easement or conservation tract, recorded with a deed restriction, may count toward a site’s total outdoor open area requirement, provided applicable provisions in Section 60.05.60.3.S4S5 are met.</p> <p>d. Tree Planting and Tree Preservation areas, as outlined in Section 60.05.60.3.S5S6 may also count toward a site’s total outdoor open area requirement, provided applicable provisions in Section 60.05.60.3.S4S5 are met.</p>

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<p>e. Within the South Cooper Mountain Community Plan area development abutting SW Tile Flat Road, shall provide a 10-foot wide, B2-Medium screen buffer and shall comply with applicable standards of Section 60.05.25.13<u>14</u>. Proposals being reviewed as a Planned Unit Development as exempt from this standard but shall address all applicable policies of the South Cooper Mountain Community Plan.</p>
<p>Cooper Mountain Community Plan Open Space</p>	
<p><u>G8. Deviations from Design Standard S8 are subject to review through the Planned Unit Development application.</u></p>	<p><u>S8. Within the Cooper Mountain Community Plan area, sites shall provide at least 15 percent open space per gross site area at the time of initial Land Division through one or more of the methods below. This open space requirement shall be met in addition to the standards of Section 60.05.60.3.S4 through S6. If a site includes the development of uses that are not subject to the requirements of this Section, the minimum open space requirement shall be calculated as 15 percent of the portion of the site that is subject to the requirements of Section 60.05.60.</u></p> <ul style="list-style-type: none"> a. <u>Open space tracts in the Parks Overlay identified in Section 20.22.45.</u> b. <u>On-site area within the Resource Overlay protected in a separate tract.</u> c. <u>Open space tracts that have 50 percent tree canopy or are planted so they will have 50 percent tree canopy cover within 15 years after planting consistent with the Technical Specifications for Tree Preservation and Planting of Section 60.61.30.</u> <ul style="list-style-type: none"> 1. <u>A combination of existing tree canopy and planted trees is acceptable to meet this standard.</u> 2. <u>Open space designated to meet this requirement outside the Parks Overlay and Resource Overlay shall have minimum length and width dimensions of 25 feet. The open space may be placed in more than one location on the site.</u> 3. <u>Property owners are not required to dedicate open space tracts but may do so voluntarily to the Tualatin Hills Park & Recreation District or other public agency per Section 60.15.15.3. Dedicated tracts shall count 150 percent toward the open space requirement. The additional credit shall not be used to reduce the open space required to be within the Parks Overlay that is shown in 20.22.45.1 but may be used to meet requirements for open space outside the Parks</u>

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<p><u>Overlay. To qualify for this credit, a tract shall have at least 75 percent Parks Overlay Open Space Developable Area with minimum length and width dimensions of 200 feet.</u></p>
<p>G9a. Type 3. <u>A landscape buffer with a minimum width of 25 feet shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park. The buffer shall be densely planted with native varieties of trees, shrubs, and groundcover in a way that creates an attractive and natural-looking transition to the existing vegetation along the boundary of the Cooper Mountain Nature Park. Evergreen shrubs and trees are preferred.</u></p> <p>G9b. Type 2. <u>Design Standard S9 shall be met.</u></p>	<p>S9. <u>A landscape buffer consistent with the following requirements shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park.</u></p> <ul style="list-style-type: none"> a. <u>The landscape buffer width shall be a minimum of 25 feet.</u> b. <u>All plantings within the required buffer area shall be native species.</u> c. <u>The required landscape buffer area shall be planted according to the following plant types, sizes, and spacing:</u> <ul style="list-style-type: none"> i. <u>Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 6 feet; deciduous trees shall be planted at a minimum 2-inch caliper. At least 50 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the buffer area but shall not exceed 50 linear feet between trees.</u> ii. <u>Shrubs: One shrub with a minimum mature height of 4 feet is required for every 200 square feet of required buffer area. At least 50 percent of the required shrubs in the buffer area shall be of a hedging, evergreen variety.</u> iii. <u>Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in remaining required buffer area. Bare gravel, rock, bark or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.</u>
<p>Grading at Residential Property Lines</p>	
<p>G7a G10a. Type 3. For changes to existing on-site surface contours at residential property lines, the perimeters of properties shall be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.</p> <p>G7b G10b. Type 2. Design Standard S7 <u>S10</u> shall be met.</p>	<p>S7 S10. Where grading is proposed, the requirements listed in Section 60.15.10. shall apply.</p> <p><u>Outside the Cooper Mountain Community Plan area, Notwithstanding notwithstanding</u> the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a</p>

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<p>certified arborist supports additional grading that will not harm the subject grove or tree.</p> <p><u>Inside the Cooper Mountain Community Plan area, notwithstanding the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of a tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</u></p>
Garages and Off-Street Parking Areas	
<p>G8a G11a. Type 3. 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. Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer. [ORD 4844; August 2023]</p> <p>G8b G11b. Type 2. Design Standard S8 S11 shall be met.</p>	<p>S8 S11. If a townhouse <u>development</u> has frontage on a public or private street, then the following standards apply.</p> <ol style="list-style-type: none"> 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. 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. If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply. [ORD 4844; August 2023]
Driveway Location	
<p>G9 G12. Design Standard S9 S12 shall be met.</p>	<p>S9 S12. Notwithstanding driveway standards in the Beaverton Engineering Design Manual (EDM), the following driveway location standards apply:</p> <ol style="list-style-type: none"> 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. 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.
Driveway Access	
<p>G10a G13a. Type 3. 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 encouraged over front yards with driveways.</p>	<p>S10 S13. Off-street parking areas for townhouse <u>developments</u> 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"> Alley Access. Townhouse development sites abutting an alley may take access to the rear of townhouse units from the alley rather than the public street.

Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
<p>G10b G13b. Type 2. Design Standard S10 <u>S13</u> shall be met.</p>	<p>b. Front Access. 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"> 1. Each townhouse unit lot has public or private street frontage of at least 15 feet on a local street or neighborhood route. 2. A maximum of one (1) driveway approach is allowed for every townhouse unit. Driveway approaches and/or driveways may be shared. 3. Outdoor on-site parking and maneuvering areas do not exceed 12 feet wide on any lot. 4. The garage width does not exceed 12 feet, as measured from the inside of the garage door frame. <p>c. Consolidated Access. See Figure 13.</p> <ol style="list-style-type: none"> 1. Corner Lots. If vehicular access exists or is proposed, a 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. 2. Interior Lots. 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. 3. Townhouse developments shall include access easements for vehicular access and emergency access for any consolidated access or shared driveways.
<p>Driveway Length</p>	
<p>G11a G14a. Type 3. Design Standard S14 or Design Guideline G11b <u>G14b</u> shall be met.</p> <p>G11b G14b. Type 2. Driveways should connect parking, drive aisles, and other improvements with at least one street. 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</p>	<p>S11 S14. 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>

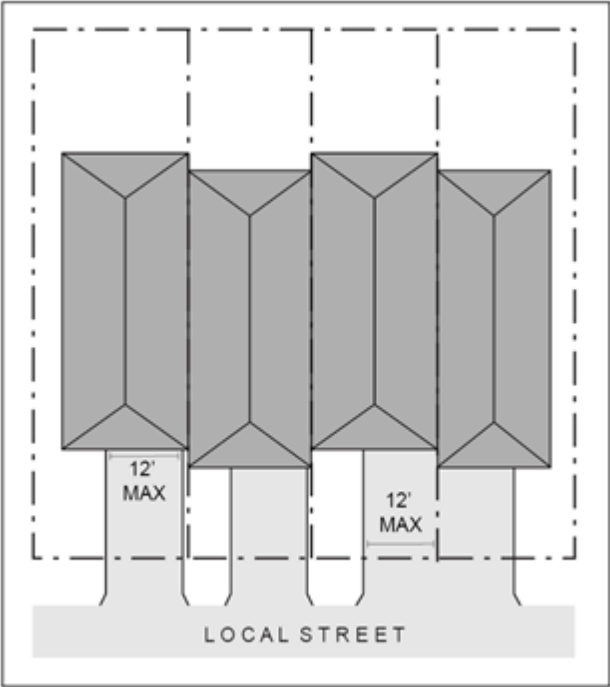
Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
approval of the City Engineer. [ORD 4844; August 2023]	
Lighting Design	
<p>G12a G15a. Type 3. Sites with an off-street parking lot area that exceeds 1,400 square feet shall:</p> <ul style="list-style-type: none"> d. Utilize lighting to maximize safety within a development, e. Minimize direct and indirect glare impacts to abutting properties and streets, and, f. Where the proposal does not comply with Table 60.05-1, describe why compliance with the standard is either infeasible or unnecessary. <p>G11b G15b. Type 2. Design Standard S14 S15 shall be met.</p>	<p>S12 S15. Sites with an off-street parking lot area that exceeds 1,400 square feet shall comply with Technical Lighting Standards (Table 60.05-1). The off-street parking lot area includes the combined square footage of parking stalls and drive aisles only.</p>
<p>G16a. Type 3. Sites with a small-scale commercial use shall:</p> <ul style="list-style-type: none"> a. <u>Utilize lighting to maximize pedestrian safety within a development,</u> b. <u>Minimize direct and indirect glare impacts to abutting properties and streets, and,</u> c. <u>Where the proposal does not comply with Table 60.05-1, describe why compliance with the standard is either infeasible or unnecessary.</u> <p>G16b. Type 2. Design Standard S16 shall be met.</p>	<p>S16. <u>Sites with a small-scale commercial use shall provide lighting that complies with Technical Lighting Standards (Table 60.05-1) at the commercial use entry and the walkways that connect the commercial use entry to public and private streets, transit stops, and other destinations.</u></p>
Solid Waste Facilities	
<p>G13 G17. Design Standard S13 S17 shall be met.</p>	<p>S13 S17. Minimum Required Storage Area and Location.</p> <ol style="list-style-type: none"> 1. Dwellings. 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>Storage of solid waste facilities shall comply with the following:</p>

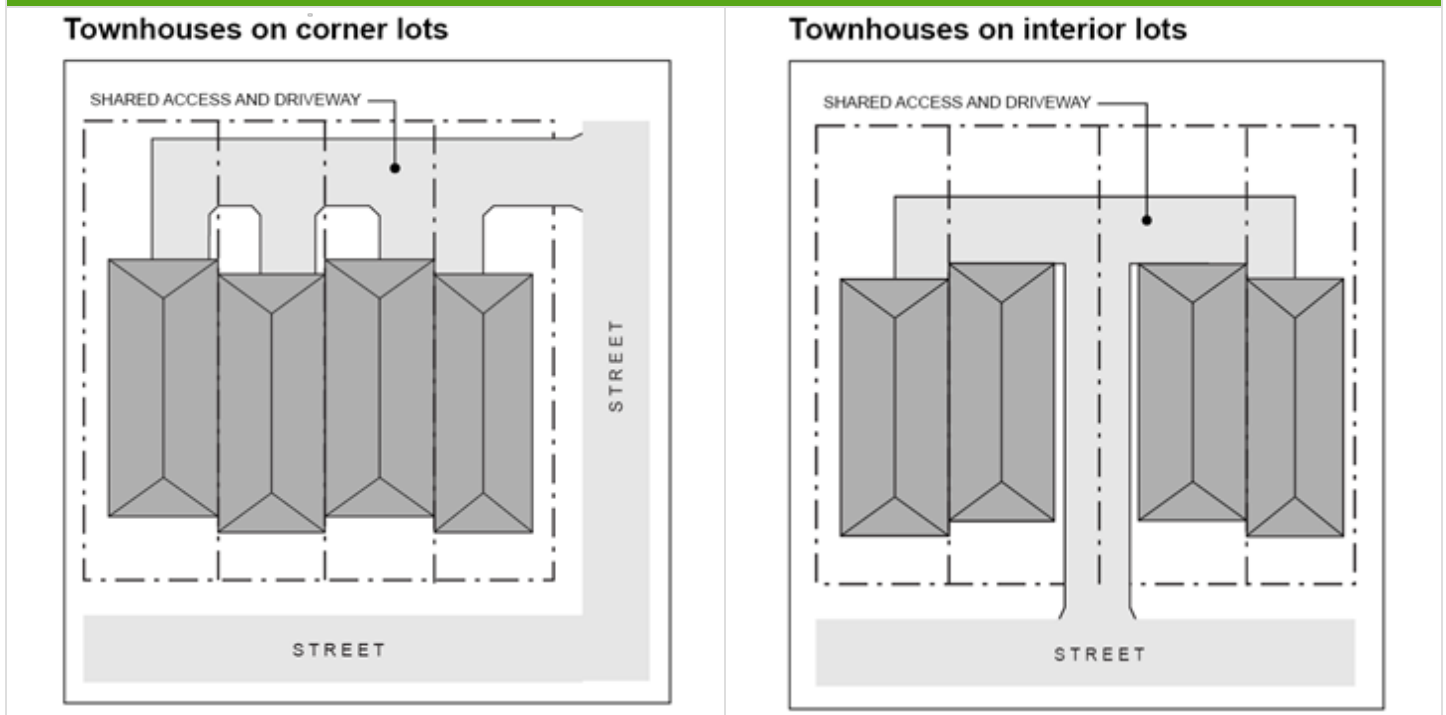
Table 60.05.60.3. Design Guidelines and Standards for Townhouses

Design Guideline	Design Standard
	<ol style="list-style-type: none"> 1. Storage areas for multiple units in one building may be combined or shared. 2. 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. 3. Storage areas shall not be in required outdoor open areas, as provided in 60.05.60.3.S4<u>S5</u>. 4. 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. 5. 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. 6. Exterior storage areas shall comply the corner clearance for driveway standards in the Beaverton Engineering Design Manual. <p>2. <u>CM-RM Small-scale Commercial. There is no minimum required storage area or location for small-scale commercial uses; however, any storage area that is provided outside of a building shall be fully screened from view using one or more screening methods of 60.05.60.3.S18.b.1 through 3.</u></p>
<p><u>G14a G18a. Type 3.</u> Design Standard S14 <u>S18</u> or Design Guideline G14b G18b shall be met.</p> <p><u>G14b G18b. Type 2.</u> Waste storage and/or recycling containers shall be designed and/or located so that they are screened from an abutting public or private street.</p>	<p><u>S14 S18. Screening.</u> All townhouse developments shall meet the following standards.</p> <ol style="list-style-type: none"> a. Waste storage and/or recycling containers shall be in an area not visible from a public or private street or shall be fully screened from view from a public or private street. b. Screening from public view for waste storage and/or recycling containers shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods: <ol style="list-style-type: none"> 1. Solid wall constructed of an exterior finish material utilized on one or more structures, 2. A hedge with a minimum of ninety-five (95) percent opacity within two (2) years. 3. Solid wood fence c. Screening from public view by chain-link fence with or without slats is prohibited.

**Figure 12
Front Access**



**Figure 13
Consolidated Access**



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

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
Minimum Number of Dwellings	
G1. Design Standard S1 must be met.	S1. A single cottage cluster shall contain a minimum of five (5) cottages.
Maximum Number of Dwellings	
G2. Design Standard S2 shall be met.	S2. The maximum number of cottages per cluster is specified below: <ul style="list-style-type: none"> a. A cottage cluster shall contain a maximum of 12 cottages if the cluster complies with 60.05.60.4.S12 and 60.05.60.4.S13. b. A cottage cluster may include up to 16 cottages per cluster if the cottage cluster provides 250 square feet of courtyard space per unit for each unit in excess of 12 units rather than the per-unit standard in 60.05.60.4.S12, and if the common courtyard includes a minimum dimension of at least 25 feet at its narrowest dimension rather than the standard in 60.05.60.4.S13.
G3. Design Standard S3 shall be met.	S3. A cottage cluster development may have more than one cottage cluster. Each cottage cluster shall have its own common courtyard.

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
Cottage Orientation	
<p>G4. Design Standard S4 shall be met.</p>	<p>S4. Cottages shall be clustered around a common courtyard. See Figure 14. Each cottage within a cluster shall either abut the common courtyard or shall be directly connected to it by a pedestrian way.</p>
<p>G5a. Type 3. Cottage clusters shall be designed to encourage and facilitate community gathering and social interaction in a common courtyard or courtyards, including having most cottages oriented with entrances facing the courtyard or, if near the street, facing the street.</p> <p>G5b. Type 2. Design Standard shall be met.</p>	<p>S5. A minimum of 50 percent of cottages within a cluster shall be oriented to the common courtyard and shall:</p> <ul style="list-style-type: none"> a. Have a main entrance facing the common courtyard; b. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and c. Be connected to the common courtyard by a pedestrian way. <p>Cottages within 20 feet of a street property line may have a main entrance facing the common courtyard or, if the cottage is within 20 feet of a street property line, have an entrance facing the street consistent with S7-1a. or <u>S7b.</u> Cottages within 20 feet of a property line that have their entrances facing the street only, and not the common courtyard, may count towards Design Standard S5.</p>
<p>G6. Design Standard S6 shall be met.</p>	<p>S6. Cottages not facing the common courtyard, or the street shall have their main entrances facing a pedestrian way that is directly connected to the common courtyard.</p>
Entries	
<p>G7a. Type 3. Some entries, especially those closest to the street, shall be accessible from the street. From the street and on-site parking areas, pedestrians shall be able to see some entries and identify pedestrian routes to other entries on the site.</p> <p>G7b. Type 2. Design Standard shall be met.</p>	<p>S7. For cottages within 20 feet of a street property line, at least one entry to each structure containing a dwelling shall meet one of the options in standards in 60.05.60.4.S7.</p> <p>An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance.</p> <p>The entry shall comply with one of the following:</p> <ul style="list-style-type: none"> a. Face the street and be within 10 feet of the longest street-facing wall of the dwelling unit; b. Be at an angle of up to 45 degrees from the street and be within 10 feet of the longest street-facing wall of the dwelling unit; c. Open to a porch or an outdoor space, such as a patio, stoop, forecourt, or mezzanine and be within 10 feet of the longest street-facing wall of the dwelling unit. The porch or outdoor space shall be at least 25 square feet in area and at least one entrance to the porch or outdoor space shall face the street. d. Face a common courtyard, or an outdoor open area that is shared by at least two dwellings, and is adjacent to the street. Adjacent means that some part of the open area is within 20 feet of a lot line that abuts a street; or

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
	If a cottage cluster includes a manufactured home(s), the manufactured home(s) is exempt from this standard.
Windows	
G8. Design Standard S8 shall be met.	S8. For cottages within 20 feet of a street property line, a minimum of 15 percent of the area of all public or private street-facing facades on each individual unit must include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 6. Manufactured homes are exempt from this standard.
Common Courtyards (see Figure 14)	
G9. Design Standard S9 shall be met.	S9. For cottage cluster developments, outdoor open area shall be provided as Common Courtyards. At least one courtyard shall be provided for each cottage cluster development. Each cottage cluster shall share a common courtyard to provide a sense of openness and community for residents.
G10. Design Standard S10 shall be met.	S10. The common courtyard shall be a single, contiguous piece.
G11. Design Standard S11 shall be met.	S11. Cottages shall abut the common courtyard on at least two sides of the courtyard.
G12a. Type 3. Common courtyards shall be sized to provide adequate space for relaxation, recreation, and socializing. G12b. Type 2. Design Standard S12 shall be met.	S12. The common courtyard shall contain a minimum of 150 square feet per cottage within the cluster.
G13. Design Standard S13 shall be met.	S13. The common courtyard shall be a minimum of 15 feet wide at its narrowest dimension.
G14. Type 3. Courtyards shall include a mix of landscaping, groundcover, lawn, pedestrian ways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements shall not be the dominant feature of a cluster’s courtyard if the cluster has one courtyard. If a cluster has more than one courtyard area, impervious elements shall not dominate the combined area of all courtyards. G14b. Type 2. Design Standard S14 shall be met.	S14. The common courtyard shall be developed with a mix of landscaping, groundcover, lawn, pedestrian ways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
G15. Design Standard S15 shall be met.	S15. Pedestrian ways shall be included in a common courtyard. Pedestrian ways that are contiguous to a courtyard shall count toward

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
	the courtyard’s minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.
Community Buildings	
<p>G16a. Type 3. Cottage cluster developments may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, daycare, or community eating areas. Larger cottage cluster developments may have more than one community building.</p> <p>G16b. Type 2. Design Standard S16 shall be met.</p>	<p>S16. Cottage cluster developments may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, daycare, or community eating areas. Each cottage cluster is permitted one community building.</p>
<p>G17a. Type 3. Community buildings shall be compatible in scale with dwellings in a cottage cluster.</p> <p>G17b. Type 2. Design Standard S17 shall be met.</p>	<p>S17. Community buildings shall have a maximum floor area of 1,800 square feet.</p>
<p>G18. Design Standard S18 shall be met.</p>	<p>S18. Community buildings shall not be used for long-term residential occupancy. For the purposes of this standard, long-term residential occupancy shall mean the continued use by the same occupant for longer than 14 days in any 60-day timeframe or for more than 30 days in a calendar year.</p>
Tree Planting and Tree Preservation	
<p>G19. Design Standard S19 shall be met.</p>	<p>S19. Cottage clusters shall meet the tree planting requirements in 60.05.60.4.S19.a and the planting standards in 60.05.60.4.S19.b, unless they meet the tree preservation or in-lieu fee standards of 60.05.60.4.S19.c or 60.05.60.4.S19.d.</p> <p>a. Tree Planting Requirements. For these standards, the tree planting area equals 30 percent of the site or the site area minus the building footprint of existing and proposed development, whichever is smaller. Sites with at least 50 square feet of available tree planting area (the required area for a small tree, provided in 60.05.60.4.S19.ca.3.iii) shall be subject to the requirements in S19.a.1. <u>or in S19.a.2, as applicable.</u></p> <p>1. <u>Outside the Cooper Mountain Community Plan area.</u> The tree planting area shall be planted with some combination of large, medium, or small trees from the <u>City’s approved street tree list or a tree list City of Beaverton Tree List</u> for private property trees as designated by the Director at the rates</p>

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
	<p>listed below. The City’s tree list indicates the minimum planting area for each tree size.</p> <ul style="list-style-type: none"> i. Large trees (those listed for 8-foot planting areas): 1 large tree counts toward 1,200 square feet of the tree planting area. ii. Medium trees (those listed for 4-foot or 6-foot planting areas): 1 medium tree counts toward 600 square feet of the tree planting area. iii. Small trees (those listed for 3-foot planting areas): 1 small tree counts toward 300 square feet of the tree planting area. <p>2. <u>Inside the Cooper Mountain Community Plan area.</u></p> <ul style="list-style-type: none"> i. <u>The tree planting area shall be planted with trees on the City of Beaverton Tree List.</u> ii. <u>The square footage of canopy coverage that counts toward the required tree planting area will be based on the Mature Tree Canopy area listed in the City of Beaverton Tree List.</u> <p>3. The minimum area required to plant trees, by type, is:</p> <ul style="list-style-type: none"> i. Large tree: 150 square feet, including a 10-foot-by-10-foot area within that 150 square feet. ii. Medium tree: 75 square feet, including a 6-foot-by-6-foot area within that 75 square feet. iii. Small tree: 50 square feet, including a 3-foot-by-3-foot area within that 50 square feet. <p>b. Planting Standards for Required Trees.</p> <ul style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area, Required required trees may shall</u> not be planted within 6 feet of structures or 3 feet of property lines at the perimeter of the site. 2. Trees planted to meet other <u>BDC Code</u> requirements, such as buffer requirements, shall also count toward the tree planting requirement. 3. Trees shall be a type and species identified by the City of Beaverton Street Tree List or a tree list for private property trees as designated by the Director. 4. Deciduous trees shall have a minimum caliper of 1.5 inches and shall be balled and burlapped. 5. Evergreen trees shall be a minimum of <u>85</u> feet in height at the time of planting. 6. Areas subject to Clean Water Services regulations including stormwater facilities, vegetated corridors, and sensitive

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
	<p>natural areas shall be planted consistent with Clean Water Services requirements.</p> <p>7. <u>Free planting is subject to City tree planting and establishment requirements. Irrigation shall be provided to ensure trees planted will survive their establishment period. Inside the Cooper Mountain Community Plan area, irrigation systems shall also comply with Sections 60.37 and 60.61.35 and if requirements in those sections contain stricter standards, the stricter standards shall apply. Establishment period irrigation shall be provided through one of the following options or a combination of options:</u></p> <ul style="list-style-type: none"> i. <u>A permanent, in-ground irrigation system with an automatic controller.</u> ii. <u>An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen will survive.</u> iii. <u>Irrigation by hand for a maximum of 500 square feet per site.</u> <p>8. Trees planted under the standards in this section are not considered Landscape Trees.</p> <p>c. Tree Preservation.</p> <ul style="list-style-type: none"> 1. <u>Outside the Cooper Mountain Community Plan area.</u> <ul style="list-style-type: none"> i. Existing non-nuisance trees that are preserved on the site shall satisfy the planting requirements of 60.05.60.4.S19.a as follows: <ul style="list-style-type: none"> 1. Trees that are at least 1.5 inches DBH and less than 6 inches DBH count toward 600 square feet of required tree planting area. 2. For trees 6 inches or more DBH, every full 6-inch increment in DBH shall count toward an additional 600 feet of required tree planting area. ii. Community trees that are preserved trees shall be classified as Landscape Trees and will be subject to CHAPTER 40 and CHAPTER 60. Protected trees that are preserved shall remain classified as Protected Trees. 2. <u>Inside the Cooper Mountain Community Plan area. Existing, non-exempt, on-site trees over 6-inch DBH that are preserved shall satisfy the planting requirements of 60.05.60.4.S19.a as follows:</u>

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
	<ul style="list-style-type: none"> i. <u>The square footage of preserved canopy coverage that counts toward the required tree planting area will be based on the mature canopy area listed in the City of Beaverton Tree List.</u> d. In-Lieu Fee. In lieu of meeting the planting requirements of 60.05.60.4.S19.a, applicants may contribute to the Tree Preservation Fund at a rate designated by the City Council.
South Cooper Mountain Community Plan Open Space and Natural Resources	
<p>For properties in the South Cooper Mountain Community Plan area without Significant Natural Resource Areas on the site, the following guidelines apply if S20 cannot be met.</p> <p>G20a. Type 3. Common courtyards shall be sized to provide adequate space for relaxation, recreation, and socializing (Standard 60.05.60.4.S12).</p> <p>G20b. Type 3. Courtyards shall include a mix of landscaping, groundcover, lawn, pedestrian ways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements shall not be the dominant feature of a cluster’s courtyard if the cluster has one courtyard. If a cluster has more than one courtyard area, impervious elements shall not dominate the combined area of all courtyards (Standard 60.05.60.4.S14)</p> <p>All other standards for Common Courtyards shall be met.</p> <p>Properties within the South Cooper Mountain Community Plan area with Significant Natural Resource Areas on the site, shall meet Design Standard S20 unless proposal is reviewed as a Planned Unit Development.</p>	<p>S20. For properties within the South Cooper Mountain Community Plan area,</p> <ul style="list-style-type: none"> a. An outdoor open area shall be provided on site in whichever one of the following methods results in the greater amount of outdoor open area: <ol style="list-style-type: none"> 1. Outdoor open area shall be equivalent to the square footage of Significant Natural Resource Area located on the subject site or; 2. Outdoor open area shall be consistent with applicable standards of Section 60.05.60.4.S9-S15. b. Regardless of which method is used to determine the amount of outdoor open area required, the outdoor open area dimensions, amenities and other features shall comply with applicable provisions of Section 60.05.60.4.S4. c. Significant Natural Resource Areas preserved on a site and placed within a conservation easement or conservation tract, recorded with a deed restriction, may count toward a site’s total outdoor open area requirement, provided applicable provisions in Section 60.05.60.4.S9-S15 are met. d. Tree Planting and Tree Preservation areas, as outlined in Section 60.05.60.4.S5 may also count toward a site’s total outdoor open area requirement, provided applicable provisions in Section 60.05.60.4.S9-S15 are met. e. Within the South Cooper Mountain Community Plan area development abutting SW Tile Flat Road, shall provide a 10-foot wide, B2-Medium screen buffer and shall comply with applicable standards of Section 60.05.25.1314 60.05.25.1314. Proposals being reviewed as a Planned Unit Development as exempt from this standard but shall address all applicable policies of the South Cooper Mountain Community Plan.
Cooper Mountain Community Plan Open Space	

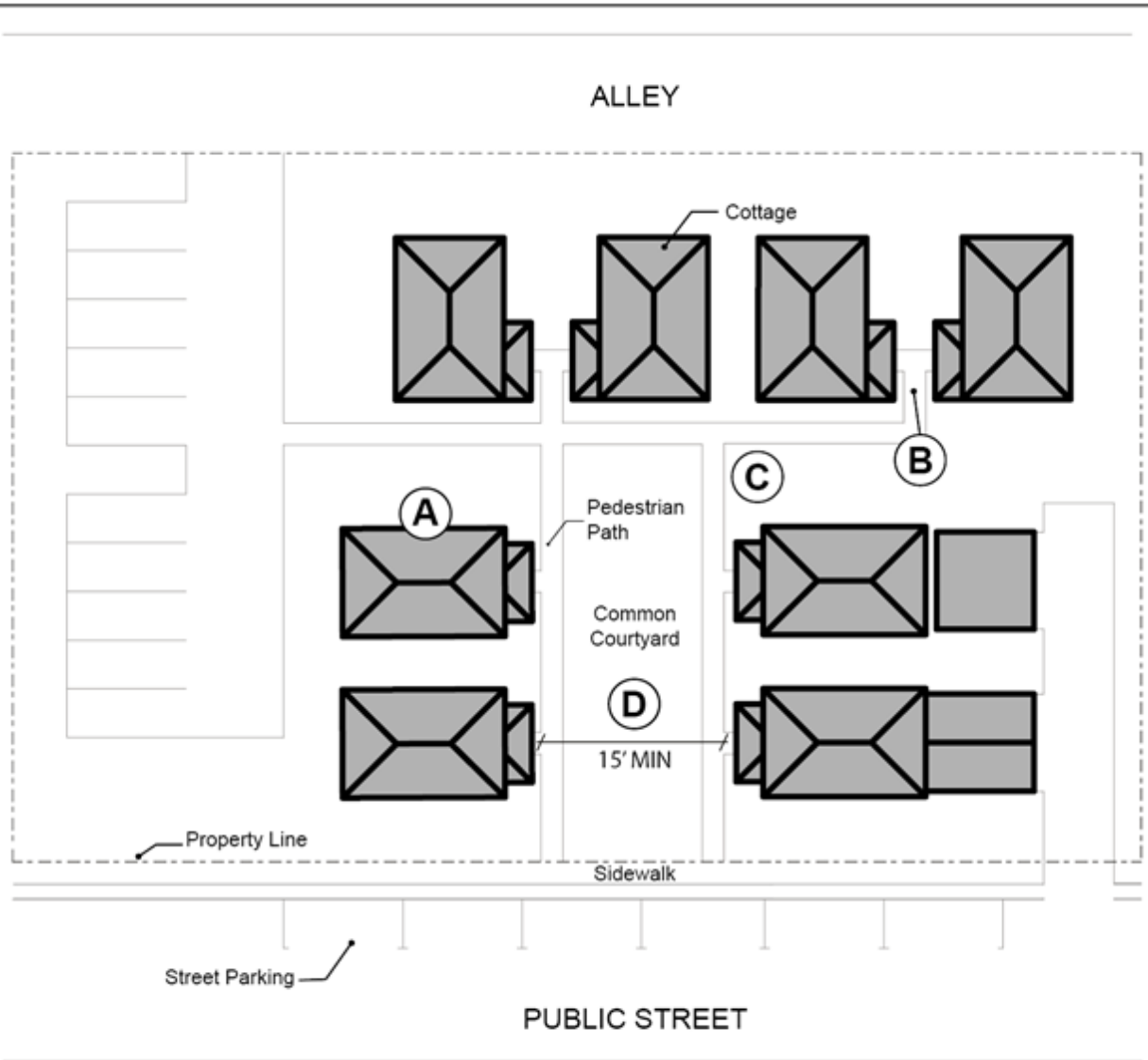
Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
<p>G21. <u>Deviations from Design Standard S21 are subject to review through the Planned Unit Development application.</u></p>	<p>S21. <u>Within the Cooper Mountain Community Plan area, sites shall provide at least 15 percent open space per gross site area at the time of initial Land Division through one or more of the methods below. This open space requirement shall be met in addition to the applicable standards of Section 60.05.60.4.S9 through S19. If a site includes the development of uses that are not subject to the requirements of this Section, the minimum open space requirement shall be calculated as 15 percent of the portion of the site that is subject to the requirements of Section 60.05.60.</u></p> <ul style="list-style-type: none"> a. <u>Open space tracts in the Parks Overlay identified in Section 20.22.45.</u> b. <u>On-site area within the Resource Overlay protected in a separate tract.</u> c. <u>Open space tracts that have 50 percent tree canopy or are planted so they will have 50 percent tree canopy cover within 15 years after planting consistent with the Technical Specifications for Tree Preservation and Planting of Section 60.61.30.</u> <ul style="list-style-type: none"> 1. <u>A combination of existing tree canopy and planted trees is acceptable to meet this standard.</u> 2. <u>Open space designated to meet this requirement outside the Parks Overlay and Resource Overlay shall have minimum length and width dimensions of 25 feet. The open space may be placed in more than one location on the site.</u> 3. <u>Property owners are not required to dedicate open space tracts but may do so voluntarily to the Tualatin Hills Park & Recreation District or other public agency per Section 60.15.15.3. Dedicated tracts shall count 150 percent toward the open space requirement. The additional credit shall not be used to reduce the open space required to be within the Parks Overlay that is shown in 20.22.45.1 but may be used to meet requirements for open space outside the Parks Overlay. To qualify for this credit, a tract shall have at least 75 percent Parks Overlay Open Space Developable Area with minimum length and width dimensions of 200 feet.</u>
<p>G22a. Type 3. <u>A landscape buffer with a minimum width of 25 feet shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park. The buffer</u></p>	<p>S22. <u>A landscape buffer consistent with the following requirements shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park.</u></p> <ul style="list-style-type: none"> a. <u>The landscape buffer width shall be a minimum of 25 feet.</u>

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
<p><u>shall be densely planted with native varieties of trees, shrubs, and groundcover in a way that creates an attractive and natural-looking transition to the existing vegetation along the boundary of the Cooper Mountain Nature Park. Evergreen shrubs and trees are preferred.</u></p> <p>G22b. Type 2. Design Standard S22 shall be met.</p>	<ul style="list-style-type: none"> b. <u>All plantings within the required buffer area shall be native species.</u> c. <u>The required landscape buffer area shall be planted according to the following plant types, sizes, and spacing:</u> <ul style="list-style-type: none"> i. <u>Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 6 feet. Deciduous trees shall be planted at a minimum 2-inch caliper. At least 50 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the buffer area but shall not exceed 50 linear feet between trees.</u> ii. <u>Shrubs: One shrub with a minimum mature height of 4 feet is required for every 200 square feet of required buffer area. At least 50 percent of the required shrubs in the buffer area shall be of a hedging, evergreen variety.</u> iii. <u>Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in remaining required buffer area. Bare gravel, rock, bark or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.</u>
Grading at Residential Property Lines	
<p>G21a G23a. Type 3. For changes to existing on-site surface contours at residential property lines, the perimeters of properties shall be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.</p> <p>G21b G23b. Type 2. Design Standard S21 <u>S23</u> shall be met.</p>	<p>S21 <u>S23</u>. Where grading is proposed, the requirements listed in Section 60.15.10 shall apply.</p> <p><u>Outside the Cooper Mountain Community Plan area, Notwithstanding notwithstanding</u> the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</p> <p><u>Inside the Cooper Mountain Community Plan area, notwithstanding the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of a tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</u></p>

**Figure 14
Cottage Orientation and Common Courtyard Standards**



- (A)** A minimum of 50% of cottages must be oriented to the common courtyard.
- (B)** Cottages must be connected to the common courtyard by a pedestrian path.
- (C)** Cottages must abut the courtyard on at least two sides of the courtyard.
- (D)** The common courtyard must be at least 15 feet wide at its narrowest width.

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
Pedestrian Ways	
<p>G22a G24a. Type 3. Accessible pedestrian ways shall connect the main entrance of each cottage to the common courtyard, to public rights-of-way abutting the site, and where possible, to other shared community spaces.</p> <p>G22b G24b. Type 2. Design Standard S22 <u>S24</u> shall be met.</p>	<p>S22 S24. Cottage clusters shall meet the following pedestrian way standards:</p> <ol style="list-style-type: none"> a. An accessible pedestrian way shall be provided that connects the main entrance of each cottage to: <ol style="list-style-type: none"> 1. The common courtyard; 2. Shared parking areas; 3. Community buildings; and 4. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks. b. The pedestrian way shall be hard-surfaced and a minimum of four (4) <u>5</u> feet wide.
Driveway Location	
<p>G23 G25. Design Standard S23 <u>S25</u> shall be met.</p>	<p>S23 S25. Notwithstanding the corner clearance for driveway standards in the Beaverton Engineering Design Manual, driveways may be located as close as 3 or 6 feet from property lines depending on sidewalk type.</p>
Driveway Length	
<p>G24a G26a. Type 3. Design Standard S24 <u>S26</u> or Design Guideline G24b <u>G26b</u> shall be met.</p> <p>G24b G26b. Type 2. Driveways should connect parking, drive aisles, and other improvements with at least one street. 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. [ORD 4844; August 2023]</p>	<p>S24 S26. 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>
Garages and Off-Street Parking Areas	
<p>G25a G27a. Type 3. 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. Applicable Engineering Design Manual standards shall be met, unless otherwise approved by the City Engineer. [ORD 4844; August 2023]</p>	<p>S25 S27. 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. If the Engineering Design Manual contains stricter standards for driveways, the Engineering Design Manual standards shall apply. [ORD 4844; August 2023]</p>

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
<p>G25b G27b. Type 2. Design Standard S25 S27 shall be met.</p>	
<p>Parking Design (see Figure 15.)</p>	
<p>G26a G28a. Type 3. Clustered Parking. 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>G26b G28b. Type 2. Clustered Parking. An applicant may increase the number of contiguous spaces in a parking cluster above the S26S28.a. or S28.b. standard, or reduce the required landscaping below the S26-S28.c. standard, by demonstrating that special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable standard. Otherwise, Design Standard S26 S28 shall be met.</p>	<p>S26 S28. Clustered Parking. 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"> Cottage cluster developments with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces. Cottage cluster developments with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces. 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. Clustered parking areas may be covered. Clustered parking areas shall meet the standards in Section 60.30.15, if applicable.
<p>G27a G29a. Type 3. Parking Location and Access. 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>G27b G29b. Type 2. Parking Location and Access. Design Standard S27 S29 shall be met.</p>	<p>S27 S29. Parking Location and Access.</p> <ol style="list-style-type: none"> 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). No off-street parking space is permitted within 10 feet of a lot line that does not abut a street or an alley. Driveways shall meet the driveway standards in the Beaverton Engineering Design Manual.
<p>G28a G30a. Type 3. Screening. Clustered parking areas and parking structures shall be screened from common courtyards and public streets by landscaping, fencing, or walls.</p> <p>G28b G30b. Type 2. Screening. Design Standard S28 S30 shall be met.</p>	<p>S28 S30. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.</p>
<p>G29 G31. Garages and Carports. Design Standards S29S31.a and S29S31.b shall be met.</p>	<p>S29 S31. Garages and Carports.</p> <ol style="list-style-type: none"> Garage entries and carports (whether shared or individual) shall not abut common courtyards.

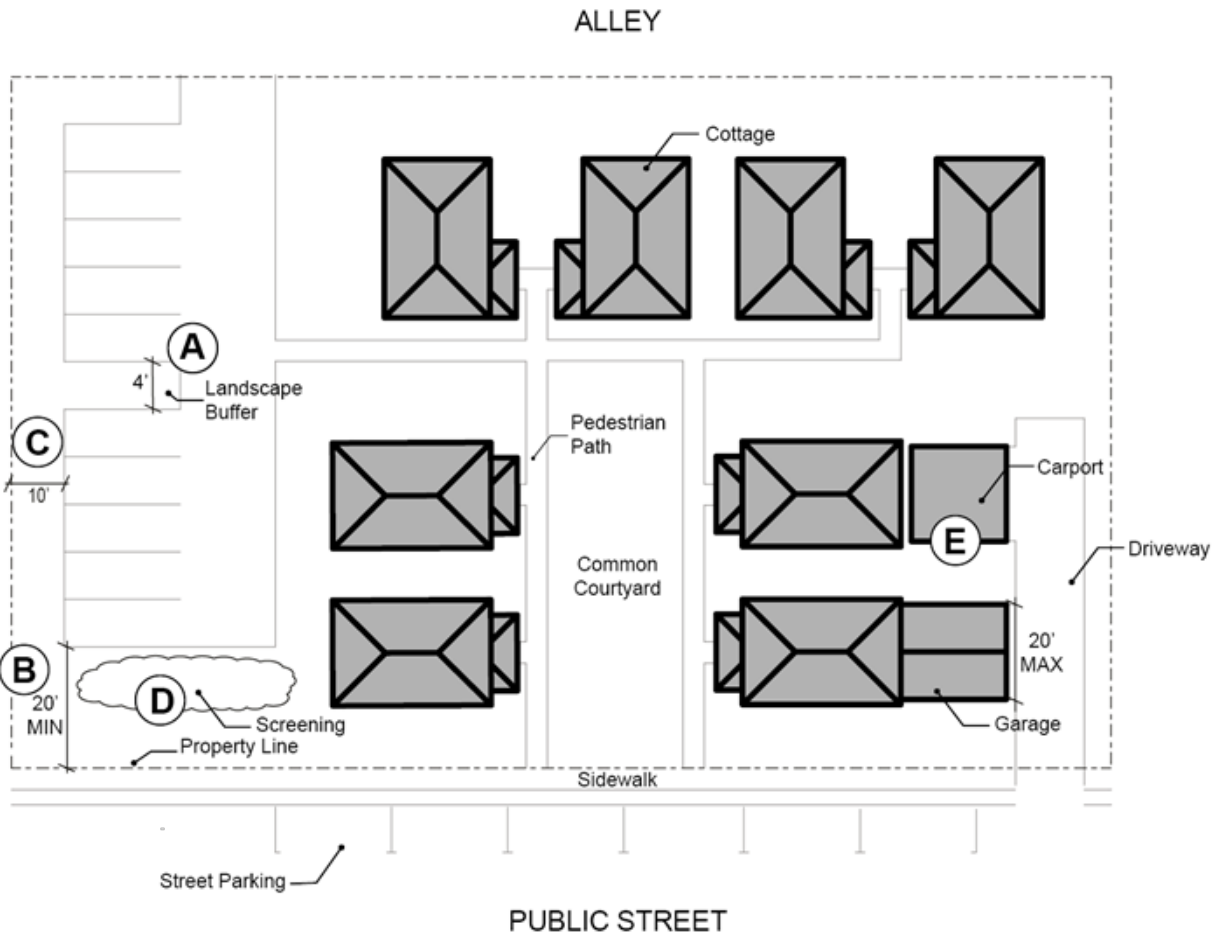
Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
<p>G30a G32a. Type 3. Sites with an off-street parking lot area that exceeds 1,400 square feet shall:</p> <ul style="list-style-type: none"> a. Utilize lighting to maximize safety within a development, b. Minimize direct and indirect glare impacts to abutting properties and streets, and, c. Where the proposal does not comply with Table 60.05-1, describe why compliance with the standard is either infeasible or unnecessary. <p>G30b G32b. Type 2. Design Standard S30 S32 shall be met.</p>	<p>b. Garage doors for attached and detached individual garages shall not exceed 20 feet in width.</p> <p>S30 S32. Sites with an off-street parking lot area that exceeds 1,400 square feet shall comply with Technical Lighting Standards (Table 60.05-1). The off-street parking lot area includes the combined square footage of parking stalls and drive aisles only.</p>
Accessory Structures	
<p>G31a G33a. Type 3. Accessory structures shall be appropriately scaled to the size of cottages.</p> <p>G31b G33b. Type 2. Design Standard S31 S33 shall be met.</p>	<p>S31 S33. Accessory structures shall not exceed 400 square feet in floor area.</p>
Existing Structures	
<p>G32 G34. Design Standard S32 S34 shall be met.</p>	<p>S32 S34. An existing single-detached dwelling, and an existing accessory dwelling unit, on a lot to be used for a cottage cluster development may remain within the cottage cluster development. The existing dwelling(s) may be nonconforming with respect to the Design Standards of this Table 60.05.60.4., except that each detached dwelling shall count toward the maximum number of cottages in a cottage cluster provided in 60.05.60.4.S2.</p>
<p>G33 G35. Design Standard S33 S35 shall be met.</p>	<p>S33 S35. The existing dwelling(s) may be expanded up to a maximum height of 25 feet or a building footprint of less than 900 square feet; however, existing dwellings that exceed the maximum height and/or footprint standards may not be expanded.</p>
<p>G34 G36. Design Standard S34 S36 shall be met.</p>	<p>S34 S36. The existing dwelling(s) shall be excluded from the calculation of orientation toward the common courtyard, per 60.05.60.4.S11.</p>
Solid Waste Facilities	
<p>G35 G37. Design Standard S35 S37 shall be met.</p>	<p>S35 S37. Minimum Required Storage Area. Cottage cluster developments with a combined floor area of less than 4,000 square</p>

Table 60.05.60.4. Design Guidelines and Standards for Cottage Clusters

Design Guideline	Design Standard
	<p>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> <ol style="list-style-type: none"> Storage areas for multiple units in the same cottage cluster development may be combined or shared. 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. Storage areas shall not be in common courtyards, as provided in 60.05.60.4.S10. 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. Exterior storage areas shall comply the corner clearance for driveway standards in the Beaverton Engineering Design Manual.
<p>G36a G38a. Type 3. Design Standard S36 S38 or Design Guideline G36b G38b shall be met.</p> <p>G36b G38b. Type 2. Waste storage and/or recycling containers shall be designed and/or located so that they are screened from an abutting public street.</p>	<p>S36 S38. Screening. All cottage cluster developments shall meet the following standards.</p> <ol style="list-style-type: none"> Waste storage and/or recycling containers shall be in an area not visible from a public street or shall be fully screened from view from a public street. Screening from public view for waste storage and/or recycling containers shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods: <ol style="list-style-type: none"> Solid wall constructed of an exterior finish material utilized on one or more buildings, A hedge with a minimum of ninety-five (95) percent opacity within two (2) years; or Solid wood fence. Screening from public view by chain-link fence with or without slats is prohibited.

Figure 15
Cottage Cluster Parking Design Standards



- (A)** Parking allowed in clusters of up to 5 spaces. Clusters separated by minimum 4 feet of landscaping.
- (B)** No parking or vehicle area within 20 feet from street property line (except alley).
- (C)** No parking within 10 feet from other property lines (except alley). Driveways and drive aisles permitted within 10 feet.
- (D)** Screening required between clustered parking areas or parking structures and public streets or common courtyards.
- (E)** Garages and carports must not abut common courtyards. Garage doors for individual garages must not exceed 20 feet in width.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

Table 60.05-1 has been moved to Section 60.05.30 Lighting Design Standards.

~~Table 60.05-1. TECHNICAL LIGHTING STANDARDS~~

- A. ~~**Types of Lighting.** The Technical Lighting Standards Section shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.~~
- B. ~~**Areas to Be Applied.** The roadways, access drives, parking lots, vehicle maneuvering areas, pathways and sidewalks of all new developments and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.~~
- C. ~~**Conformity of Lighting Plans to this Section.** All lighting plans submitted to the City shall comply with the standards of this table.~~
- D. ~~**Standards.** The following standards are required of all exterior lighting:~~
1. ~~When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.~~
 2. ~~When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.~~
- E. ~~**General Provisions.** Notwithstanding any other provision of this Section to the contrary:~~
1. ~~**Design Standards for Residential, Commercial, Industrial and Multiple-Use Districts:**~~
 - a. ~~No flickering or flashing lights shall be permitted.~~
 - b. ~~No bare bulb lights shall be permitted for townhouse development and multi-dwelling development. [ORD 4822; June 2022]~~
 - c. ~~No strobe lights shall be permitted.~~
 - d. ~~Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways.~~
 2. ~~**Special Design Standard for Residential Districts.** No exterior neon lights shall be permitted.~~
 3. ~~**Special Design Standard for Commercial and Multiple-Use Districts.** Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.~~
- F. ~~**Exemption for Specified Public Outdoor Recreation Uses:**~~
1. ~~Because of their unique requirements for nighttime visibility, public ball diamonds, public playing fields, and public tennis courts only, inclusive of facilities located on school district properties, are exempted from the~~

~~exterior lighting standards of Sections D.1 through D.2 above. These outdoor recreational uses must meet all other requirements for this Section and of the Code.~~

- ~~2. The outdoor recreational uses specified above shall not exceed a maximum permitted post height of eighty (80) feet.~~
- ~~3. The outdoor recreational uses specified above may exceed a total cutoff angle of ninety (90) degrees, provided that the luminaire is shielded to prevent light and glare spillover to adjacent properties. The maximum permitted illumination at the property line or, if required, the interior buffering line, shall not exceed two (2) foot-candles.~~

**Table 60.05-1
Technical Lighting Standards**

Zoning District-Type	Minimum Required Illumination (internal)-in Foot-candles		Maximum Permitted Illumination (internal)-in Foot-candles	Maximum Permitted Illumination at-property line-in-Foot-candles	Maximum-Permitted-Height-of Luminaires
	>90	<90			
Residential	1.0	0.7	None	0.5	Pole-mounted Luminaires (inclusive of above-grade base and light fixture): <ul style="list-style-type: none"> 15 feet for on-site pedestrian ways. 20 feet for on-site vehicular circulation areas. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> 20 feet above building finished grade.
Commercial and Industrial	1.5	1.0	None	0.5	Pole-mounted Luminaires (inclusive of above-grade base and light fixture): <ul style="list-style-type: none"> 15 feet for on-site pedestrian ways. 30 feet for on-site vehicular circulation areas. 15 feet for the top deck of non-covered parking structures. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> 15 feet above building finished grade for on-site pedestrian circulation areas. 30 feet above building finished grade for on-site vehicular circulation areas.
Multiple Use: Residential only Multiple Use with residential		0.7 0.7	None	0.5 (all)	Pole-mounted Luminaires (inclusive of above-grade base and light fixture): <ul style="list-style-type: none"> 15 feet for on-site pedestrian ways for all development types.

**Table 60.05-1
Technical Lighting Standards**

Zoning District-Type	Minimum Required Illumination (internal)-in Foot-candles		Maximum Permitted Illumination (internal)-in Foot-candles	Maximum Permitted Illumination at-property line-in Foot-candles	Maximum-Permitted-Height-of Luminaires
	>90	<90			
Multiple-Use non-residential development	1.5	1.0			<ul style="list-style-type: none"> ● 20 feet for on-site vehicular circulation areas for residential only and multiple-use with residential. ● 30 feet for on-site vehicular circulation areas for multiple-use non-residential development and non-multiple-use/non-residential development. ● 15 feet for the top deck of non-covered parking structures for all development types. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> ● 20 feet above building finished grade for residential only and multiple-use with residential development. ● 15 feet above building finished grade for multiple-use non-residential development and non-multiple-use/non-residential development.
Non-multiple use/non-residential development	1.5	1.0			

[ORD 4332, 01/01/2005; ORD 4531, 04/01/2010; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

Table 60.05-2 has been moved to Section 60.05.25 Landscaping Design Standards and renumbered to Table 60.05.25.14.H.1.

Table 60.05-2. MINIMUM LANDSCAPE BUFFER REQUIREMENTS BETWEEN CONTRASTING DISTRICTS

[ORD 4584; June 2012]

Table 60.05-2 Minimum Landscape Buffer Requirements Between Contrasting Districts									
District of Development	Location	Residential Mixed-B and-C (RMB, RMC)	Residential Mixed-A (RMA)	Multi-Unit Residential (MR)	Commercial (CS, GC, NS, CC)	Employment/Industrial (OI, IND)	Station Community (SC-MU, SC-HDR, SC-E, SC-S)	Town Center (TC-MU, TC-HDR)	Regional Center (RC-E, OI-WS, C-WS)
Residential Mixed-B and C (RMB, RMC)	Abutting	N/A	10'/B2 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU
	Across Street	N/A	N/A	10'/B1 CU	10'/B1 CU	10'/B1 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU
Residential Mixed-A (RMA)	Abutting	10'/B2 CU	N/A	10'/B2 CU	20'/B3	20'/B3	10'/B2	10'/B2	10'/B2
	Across Street	N/A	N/A	5'/B1	10'/B1	10'/B1	5'/B2	5'/B2	5'/B2
Multi-Unit Residential (MR)	Abutting	20'/B3	10'/B2	N/A	20'/B3	20'/B3	10'/B1	10'/B1	10'/B1
	Across Street	10'/B1	5'/B1	N/A	10'/B1	10'/B1	5'/B1	5'/B1	5'/B1
Commercial (CS, GC, NS, CC)	Abutting	20'/B3	10'/B3	10'/B3	N/A	10'/B3	5'/B2	5'/B2	5'/B2
	Across Street	10'/B1	5'/B1	5'/B1	N/A	5'/B1	5'/B1	5'/B1	5'/B1
Employment/Industrial (OI, IND)	Abutting	20'/B3	20'/B3	20'/B3	10'/B3	N/A	20'/B3	20'/B3	20'/B3
	Across Street	10'/B2	10'/B2	10'/B2	5'/B2	N/A	10'/B2	10'/B2	10'/B2
Station Community (SC-MU, SC-HDR, SC-E, SC-S)	Abutting	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	N/A	10'/B2	10'/B2
	Across Street	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	N/A	5'/B1	5'/B1
Town Center (TC-MU, TC-HDR)	Abutting	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	N/A	10'/B2
	Across Street	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	N/A	5'/B1
	Abutting	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	10'/B2	N/A

**Table 60.05-2
Minimum Landscape Buffer Requirements Between Contrasting Districts**

District of Development	Location	Residential Mixed-B and C (RMB, RMC)	Residential Mixed-A (RMA)	Multi-Unit Residential (MR)	Commercial (CS, GC, NS, CC)	Employment/Industrial (OI, IND)	Station Community (SC-MU, SC-HDR, SC-E, SC-S)	Town Center (TC-MU, TC-HDR)	Regional Center (RC-E, OI-WS, C-WS)
Regional Center (RC-E, OI-WS, C-WS)	Across Street	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	5'/B1	N/A

NOTES FOR TABLE 60.05-2:

1. ~~5' / 10' / 20' = Buffer Width~~
2. ~~B1 / B2 / B3 = Buffer Standard~~
3. ~~N/A = Not Applicable~~
4. ~~CU = Conditional Use~~
5. ~~Except for non-residential uses and parks in Residential districts, buffering requirements are not in addition to building setback requirements as described in CHAPTER 20 of the Development Code. Where a setback width is less than a landscape buffer width described in Table 60.05-2, the minimum setback width of the zone shall apply to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. [ORD 4531; April 2010]~~
6. ~~Buffering requirements for RMA, RMB, and RMC shall only be applied when a Conditional Use (CU) is proposed. [ORD 4822; June 2022]~~
7. ~~A minimum 20-foot buffer developed to a B3 standard is required for non-residential land uses and parks abutting a residential use in a residential zoning district. This standard shall apply only to side and rear property lines that abut residentially zoned properties. The Director is authorized to approve exceptions as described under Section 60.05.25.13.A, *Applicability of Buffer Standards*, otherwise all proposals to modify the 20-foot buffer width or B-3 standard are subject to public hearing consideration in review of applicable guidelines (Section 60.05.45.11.). [ORD 4531; April 2010] [ORD 4782; April 2020]~~
8. ~~Where a site proposed for development abuts property located outside City limits, the buffering requirement for the equivalent zone shall be applied to the property as described in Table 1, Section 1.5.2. of the Comprehensive Plan adopted pursuant to the Washington County – Beaverton Urban Planning Area Agreement (UPAA) or similar a zone as determined by the Director. [ORD 4531; April 2010] [ORD 4759; March 2019] [ORD 4782; April 2020]~~

~~[ORD 4332, 01/01/2005; ORD 4531, 04/01/2010; ORD 4584, 06/01/2012; ORD 4759, 03/22/2019; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]~~

Effective on: 6/30/2022

Cooper Mountain Community Plan

Proposed Beaverton 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 “***”

The entire Section 60.05.65 is proposed to be added to the Development Code. To make it easier to read, it is not all shown in red and underlined.

Commentary:

The proposed amendments in Section 60.05.65 would establish a new section for five-plexes and six-plexes in the Cooper Mountain – Residential Mixed (CM-RM) zone. The existing Development Code does not have these standards because the middle housing code adopted in 2022 established standards for single-detached homes, duplexes, triplexes, quadplexes, townhomes, and cottage clusters. Those uses (except for single-detached homes) were specified in state law as middle housing. Because CM-RM is proposed to allow five-plexes and six-plexes, the proposed amendment includes this section that is based on the existing standards and guidelines for single-detached homes and middle housing but modified to work for five-plexes and six-plexes, which are essentially small multi-dwellings.

60.05.65. Design Standards and Guidelines for Five- and Six-Unit Multi-Dwelling Structures in the Cooper Mountain Residential Mixed (CM-RM) Zoning District

1. **Applicability.**
 - A. Unless otherwise noted, the standards and guidelines in this section apply to multi-dwelling structures with five or six units on one lot in the CM-RM zoning district.
 - B. Multi-dwelling development that includes more than one five- or six-unit structure is subject to the applicable design standards and guidelines in Sections 60.05.15 through 60.05.50.

Table 60.05.65.1. Design Guidelines and Standards for Five- and Six-Unit Multi-Dwelling Structures in the CM-RM Zone

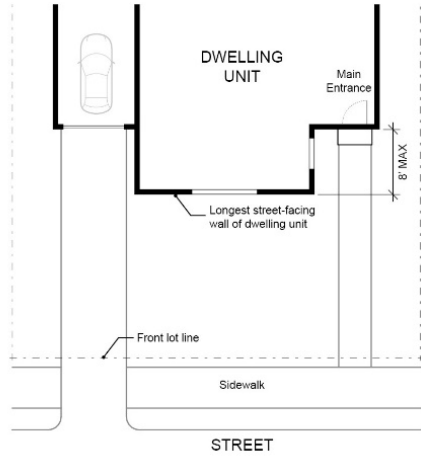
Design Guideline	Design Standard
Entries	
G1a. Type 3. Some entries, especially those closest to the street, shall be accessible from the street. From the street and on-site parking areas, pedestrians shall be able to see some	S1. At least one building entry shall meet the standards in 60.05.65.1.S1a and 60.05.65.1.S1b. See Figure 60.05.65.1. An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures in the CM-RM Zone**

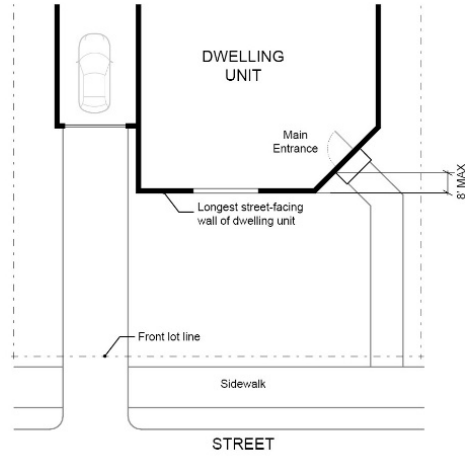
Design Guideline	Design Standard
<p>entries and identify pedestrian routes to other entries on the site.</p> <p>G1b. Type 2. Design Standard S1 shall be met.</p>	<p>exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance.</p> <ul style="list-style-type: none"> a. The entry shall be within 10 feet of the longest street-facing wall of the building; and b. The entry shall comply with one of the following: <ul style="list-style-type: none"> 1. Face a public or private street; 2. Be at an angle of up to 45 degrees from the street; 3. Open onto a porch or an outdoor space, such as a patio, stoop, forecourt, or mezzanine. The porch or outdoor space shall be at least 25 square feet in area and at least one entrance to the porch or outdoor space shall face the street; or 4. Face an outdoor open area that is shared by at least two dwellings and is adjacent to the street. Adjacent means that some part of the open area is within 10 feet of a lot line that abuts a street.

**Figure 60.05.65.1
Main Entry Options**

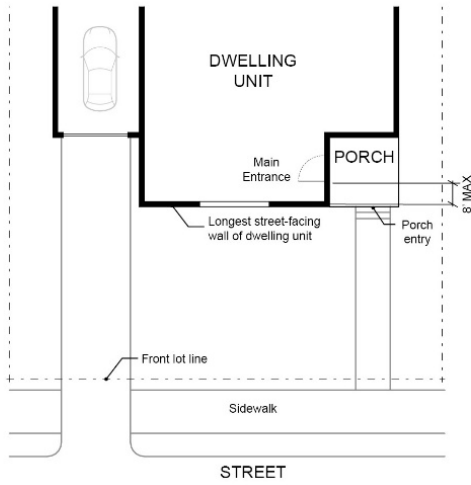
S1.b.1. Entry facing the street



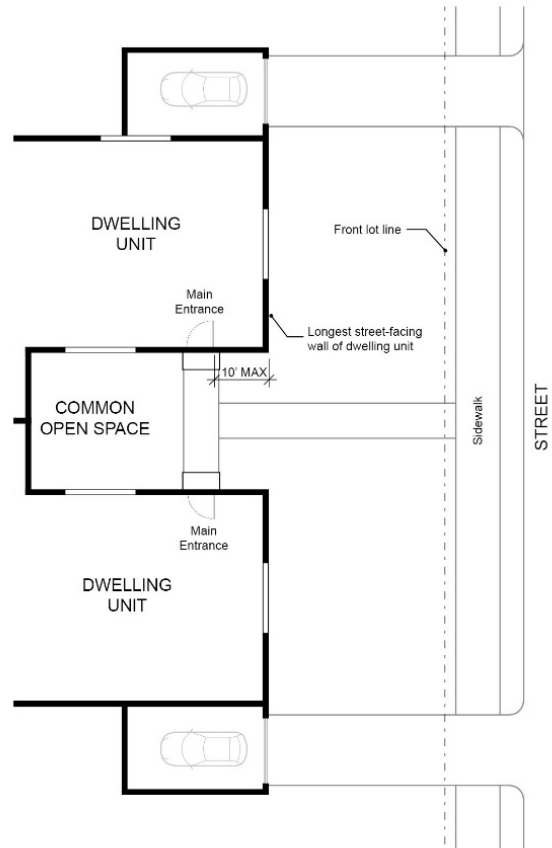
S1.b.2. Entry at 45-degree angle



S1.b.3. Entry on to porch



S1.b.4. Entry to outdoor open area



**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures in the CM-RM Zone**

Design Guideline	Design Standard
Windows and Building Articulation	
<p>G2a. Type 3. The number, size, and placement of windows shall provide the opportunity for a visual connection between the residential living area of units and the street for units that are near the street.</p> <p>G2b. Type 2. The required window and door percentage may be reduced to 12 percent if the decision-making authority makes findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:</p> <ul style="list-style-type: none"> a. 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 and 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; and b. At least 12 percent of the area of all public or private street-facing facades includes windows or entrance doors, excepting facades that are not visible from the street because other structures are between the façade and the street. 	<p>S2. Windows. A minimum of 15 percent of the area of all public or private street-facing facades shall include windows or entrance doors. Half of the window area in the door of an attached garage may count toward meeting this standard. See Figure 60.05.65.2.</p>

Figure 60.05.65.2
Street-Facing Windows



STREET-FACING FACADE

- Area subject to 15% window & entrance door coverage requirement
- ▨ Qualifying window coverage
- ▩ Qualifying entrance door coverage

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
<p>G3a. Type 3. Building elevations shall be varied and articulated to provide visual interest to pedestrians. Buildings shall promote and enhance a comfortable pedestrian scale and orientation.</p> <p>G3b. Type 2. Design Standard S3 shall be met.</p>	<p>S3. Building Articulation and Variety. Buildings shall meet one of the following standards to achieve additional building articulation:</p> <ul style="list-style-type: none"> a. Buildings shall exceed the minimum window coverage requirement in Standard S2 by 10 percent (i.e., provide a minimum coverage of 25 percent); or b. A minimum of 30 percent of all public or private street-facing facades shall be devoted to permanent architectural features designed to provide articulation and variety. Permanent features may include bays and offsetting walls that extend at least 18 inches, recessed entrances, loading doors and bays, or changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet.
Outdoor Open Area	
<p>G4a. Type 3. Developments shall ensure opportunities for outdoor relaxation or recreation.</p> <ul style="list-style-type: none"> a. The outdoor open area shall be of an adequate size and shape to be usable for active or passive uses. b. The outdoor open area may be accessible to all units. Alternatively, the outdoor open area may be provided through private outdoor space, such as decks or patios, provided each unit has access to an adequate outdoor space. <p>G4b. Type 2. For lots with an area that is equal to or greater than 5,000 square feet, an applicant may reduce the minimum required outdoor open area required in S4.a1 or S4.a2 by up to 20 percent if:</p> <ul style="list-style-type: none"> a. The applicant demonstrates that 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 and 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. 	<p>S4. Outdoor Open Area Standards. An outdoor open area is a common area for use by residents and may function as a community yard.</p> <ul style="list-style-type: none"> a. Minimum Required Outdoor Open Area. The following minimum outdoor open area standards shall be met. <ul style="list-style-type: none"> 1. For lots with an area that is equal to or greater than 5,000 square feet and less than 7,000 square feet, a minimum of 300 square feet of open area is required per lot. 2. For lots with an area of 7,000 square feet or greater, a minimum of 500 square feet of open area is required per lot. b. Design Requirements <ul style="list-style-type: none"> 1. At least one portion of the required outdoor open area shall be shaped so a 12-foot by 12-foot square can fit inside of it and be accessible to all units. 2. Required open area may be in rear yard or side yard setback areas but shall not be in front yard setbacks. 3. Except as required in subsection 1, the required outdoor open area may be shared by two or more dwellings or may be provided through private outdoor space such as decks or patios. 4. The outdoor open area shall be developed with a mix of landscaping, groundcover, lawn, pedestrian ways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the outdoor open area shall not exceed 75 percent of the total outdoor open area.

Table 60.05.65.1. Design Guidelines and Standards for Five- and Six-Unit Multi-Dwelling Structures

Design Guideline	Design Standard
<p>b. At least one portion of the required outdoor open area shall be shaped so a 10-foot by 10-foot square can fit inside of it and, when possible, be accessible to all units.</p>	
<p>Tree Planting and Tree Preservation</p>	
<p>G5. Design Standard S5 shall be met.</p>	<p>S5. Developments shall meet the tree planting requirements in 60.05.65.1.S5.a and the planting standards in 60.05.65.1.S5.b, unless they meet the tree preservation or in-lieu fee standards of 60.05.65.1.S5.c or 60.05.65.1.S5.d.</p> <p>a. Tree Planting Requirements. For these standards, the tree planting area equals 30 percent of the site or the site area minus the building footprint of existing and proposed development, whichever is smaller. Sites with at least 50 square feet of available tree planting area (the required area for a small tree, provided in 60.05.65.1.S5.a) shall be subject to the requirements in S5.a.1.</p> <ol style="list-style-type: none"> 1. The tree planting area shall be planted with trees on the City of Beaverton Tree List. The square footage of canopy coverage that counts toward the required tree planting area will be based on the Mature Tree Canopy area listed in the City of Beaverton Tree List. 2. The minimum area required to plant trees, by type, is: <ol style="list-style-type: none"> i. Large tree: 150 square feet, including a 10-foot-by-10-foot area within that 150 square feet. ii. Medium tree: 75 square feet, including a 6-foot-by-6-foot area within that 75 square feet. iii. Small tree: 50 square feet, including a 3-foot-by-3-foot area within that 50 square feet. <p>b. Planting Standards for Required Trees.</p> <ol style="list-style-type: none"> 1. Trees planted to meet other Code requirements, such as buffer requirements, shall also count toward the tree planting requirement. 2. Deciduous trees shall have a minimum caliper of 1.5 inches and shall be balled and burlapped. 3. Evergreen trees shall be a minimum of 5 feet in height at the time of planting. 4. Areas subject to Clean Water Services regulations including stormwater facilities, vegetated corridors, and sensitive natural areas shall be planted consistent with Clean Water Services requirements. 5. Irrigation shall be provided to ensure trees planted will survive their establishment period. Irrigation systems shall

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
	<p>also comply with Sections 60.37 and 60.61.35 and if requirements in those sections contain stricter standards, the stricter standards shall apply. Establishment period irrigation shall be provided through one of the following options or a combination of options:</p> <ul style="list-style-type: none"> i. A permanent, in-ground irrigation system with an automatic controller. ii. An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen will survive. iii. Irrigation by hand for a maximum of 500 square feet per site. <p>6. Trees planted under the standards in this section are not considered Landscape Trees.</p> <p>c. Tree Preservation.</p> <ul style="list-style-type: none"> 1. Existing, non-exempt, onsite trees over 6-inch DBH that are preserved shall satisfy the planting requirements of 60.05.65.1.S5 as follows: <ul style="list-style-type: none"> i. The square footage of preserved canopy coverage that counts toward the required tree planting area will be based on the mature canopy area listed in the City of Beaverton Tree List. d. In-Lieu Fee. In lieu of meeting the planting requirements of 60.05.65.1.S5.a, applicants may contribute to the Tree Preservation Fund at a rate designated by the City Council.
Cooper Mountain Community Plan Area Open Space	
<p>G6. Deviations from Design Standard S6 are subject to review through the Planned Unit Development application.</p>	<p>S6. Within the Cooper Mountain Community Plan area, sites shall provide at least 15 percent open space per gross site area at the time of initial Land Division through one or more of the methods below. This open space requirement shall be met in addition to the standards of Section 60.05.65.1.S4 through S5. If a site includes the development of uses that are not subject to the requirements of this Section, the minimum open space requirement shall be calculated as 15 percent of the portion of the site that is subject to the requirements of Section 60.05.65.</p> <ul style="list-style-type: none"> a. Open space tracts in the Parks Overlay identified in Section 20.22.45.

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
	<ul style="list-style-type: none"> b. On-site area within the Resource Overlay protected in a separate tract. c. Open space tracts that have 50 percent tree canopy or are planted so they will have 50 percent tree canopy cover within 15 years after planting consistent with the tree selection and planting standards Technical Specifications for Tree Preservation and Planting of Section 60.61.30. <ul style="list-style-type: none"> 1. A combination of existing tree canopy and planted trees is acceptable to meet this standard. 2. Open space designated to meet this requirement outside the Parks Overlay and Resource Overlay shall have minimum length and width dimensions of 25 feet. The open space may be placed in more than one location on the site. 3. Property owners are not required to dedicate open space tracts but may do so voluntarily to the Tualatin Hills Park & Recreation District or other public agency per Section 60.15.15.3. Dedicated tracts shall count 150 percent toward the open space requirement. The additional credit shall not be used to reduce the open space required to be within the Parks Overlay that is shown in 20.22.45.1 but may be used to meet requirements for open space outside the Parks Overlay. To qualify for this credit, a tract shall have at least 75 percent Parks Overlay Open Space Developable Area with minimum length and width dimensions of 200 feet.
<p>G7a. Type 3. A landscape buffer with a minimum width of 25 feet shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park. The buffer shall be densely planted with native varieties of trees, shrubs, and groundcover in a way that creates an attractive and natural-looking transition to the existing vegetation along the boundary of the Cooper Mountain Nature Park. Evergreen shrubs and trees are preferred.</p> <p>G7b. Type 2. Design Standard S7 shall be met.</p>	<p>S7. A landscape buffer consistent with the following requirements shall be provided along side and rear property lines that abut the Cooper Mountain Nature Park.</p> <ul style="list-style-type: none"> a. The landscape buffer width shall be a minimum of 25 feet. b. All plantings within the required buffer area shall be native species. c. The required landscape buffer area shall be planted according to the following plant types, sizes, and spacing: <ul style="list-style-type: none"> 1. Trees: One tree is required per 30 linear feet of the required buffer area. Evergreen trees shall be planted at a minimum height of 6 feet; deciduous trees shall be planted at a minimum 2-inch caliper. At least 50 percent of the required trees in the buffer area shall be evergreen. Spacing between trees may vary within the

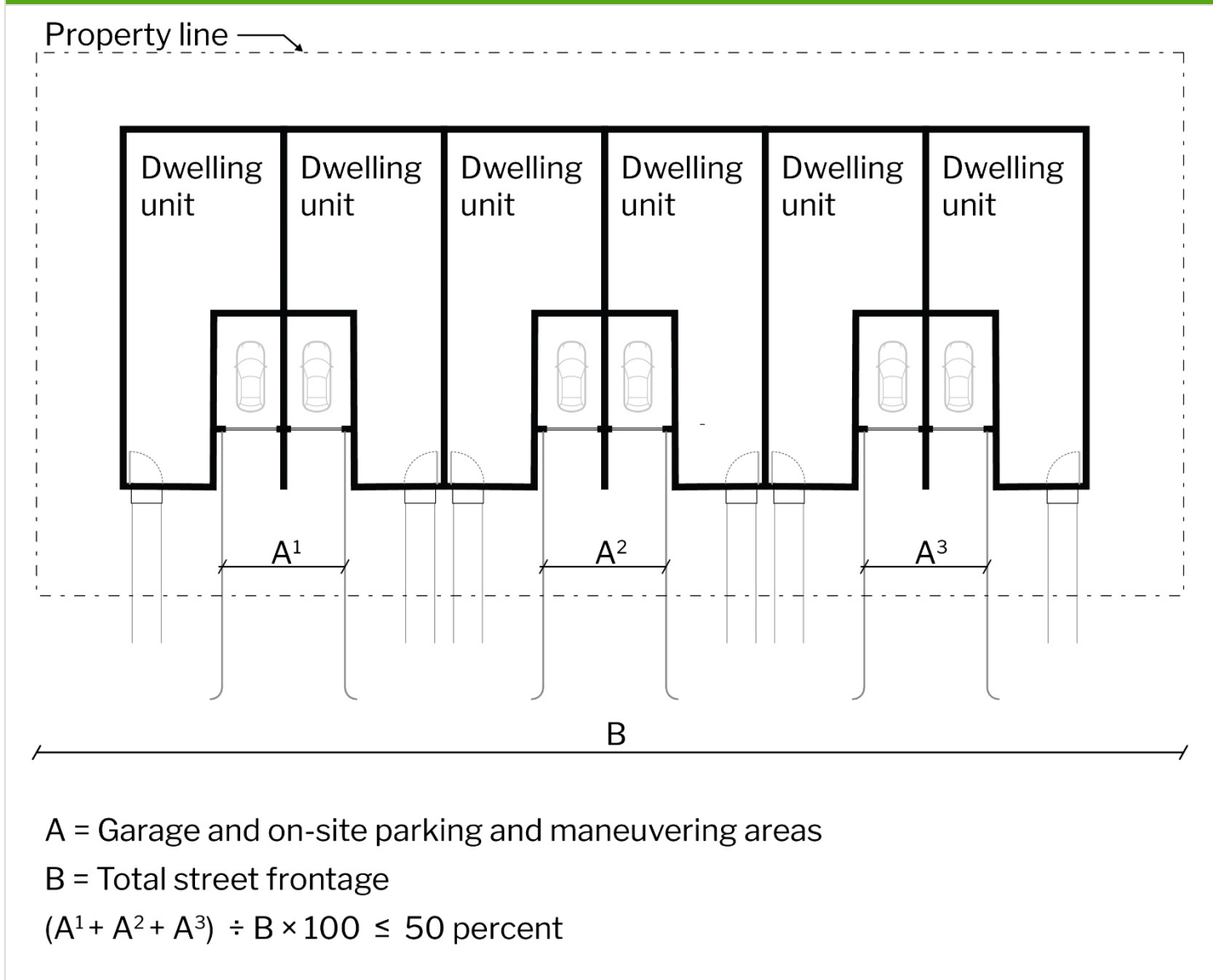
Table 60.05.65.1. Design Guidelines and Standards for Five- and Six-Unit Multi-Dwelling Structures

Design Guideline	Design Standard
	<p>buffer area but shall not exceed 50 linear feet between trees.</p> <ol style="list-style-type: none"> 2. Shrubs: One shrub with a minimum mature height of 4 feet is required for every 200 square feet of required buffer area. At least 50 percent of the required shrubs in the buffer area shall be of a hedging, evergreen variety. 3. Ground cover: Live ground cover consisting of low-height plants, shrubs, or grasses shall be planted in remaining required buffer area. Bare gravel, rock, bark or other similar materials may be used but shall be limited to no more than 25 percent of the required buffer area.
Grading at Residential Property Lines	
<p>G8a. Type 3. For changes to existing on-site surface contours at residential property lines, the perimeters of properties shall be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.</p> <p>G8b. Type 2. Design Standard S8 shall be met.</p>	<p>S8. Where grading is proposed, the requirements listed in Section 60.15.10. shall apply.</p> <p>Notwithstanding the requirements of 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of a tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</p>
Pedestrian Ways	
<p>G9a. Type 3. Accessible pedestrian ways shall connect the main entrance of each building entry to common outdoor open areas, to public rights-of-way abutting the site, and where possible, to other shared community spaces.</p> <p>G9b. Type 2. Design Standard S9 shall be met.</p>	<p>S9. The following pedestrian way standards shall be met:</p> <ol style="list-style-type: none"> a. An accessible pedestrian way shall be provided that connects each building entry to: <ol style="list-style-type: none"> 1. Common outdoor open areas; 2. Shared parking areas; and 3. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks. b. The pedestrian way shall be hard-surfaced and a minimum of 5 feet wide.
Garages and Off-Street Parking Areas	
<p>G10a. Type 3. 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.</p>	<p>S10. The combined width of all garages 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). See Figure 60.05.65.3.</p> <ol style="list-style-type: none"> 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

Table 60.05.65.1. Design Guidelines and Standards for Five- and Six-Unit Multi-Dwelling Structures

Design Guideline	Design Standard
G10b. Type 2. Design Standard S10 shall be met.	percent of any street frontage as measured 20 feet from the right of way.

**Figure 60.05.65.3
Garages and Off-Street Parking Areas**



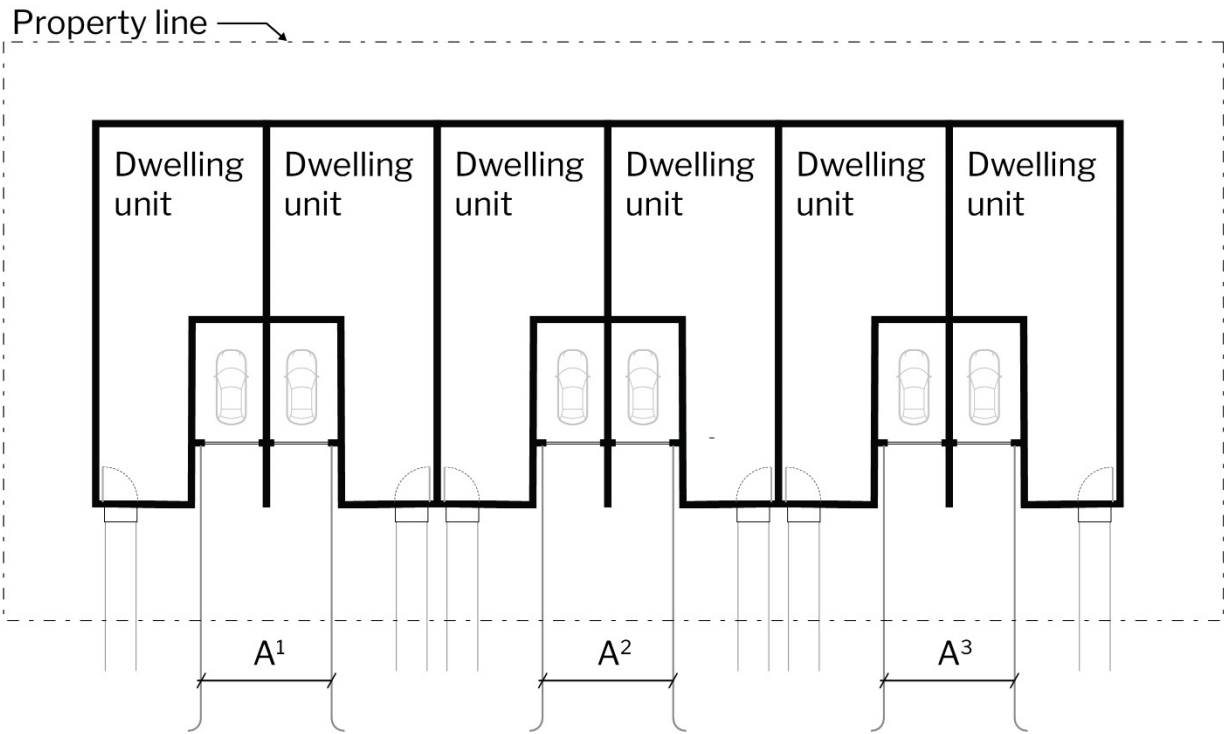
**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
Driveway Location	
<p>G11. Design Standard S11 shall be met.</p>	<p>S11. 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.</p>
Driveway Approaches for Individual or Paired Driveways	
<p>G12a. Type 3. The following guidelines apply to developments that provide individual driveways for each unit or paired driveways for every two units. 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.</p> <p>G12b. Type 2. Design Standard S12 shall be met.</p>	<p>S12. The following standards apply to developments that provide individual driveways for each unit or paired driveways for every two units. Driveway approaches shall comply with the following:</p> <ul style="list-style-type: none"> a. The total width of all driveway approaches for a lot shall not exceed 40 feet per public or private street frontage for a five-plex or 48 square feet per public or private street frontage for a six-plex, as measured at the property line, for lots with only one frontage. See Figure 60.05.65.4. For lots with more than one frontage, see 60.05.65.1.S12.b. b. In addition, lots with more than one public or private street frontage shall comply with the following: <ul style="list-style-type: none"> 1. Lots 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. 2. Lots may have either: <ul style="list-style-type: none"> a. Three driveway approaches not exceeding 40 feet in total width for a five-plex on one public or private street frontage or 48 feet in total width for a six-plex on one public or private street frontage; or b. Two driveway approaches per public or private street frontage. The combined width of all approaches cannot exceed 42 feet for a fix-plex or 48 feet for a six-plex. See Figure 60.05.65.5. c. Driveway approaches shall also meet the residential driveway standards in the Beaverton Engineering Design Manual.
Parking Design for Shared Parking Areas	
<p>G13a. Type 3. Shared Parking. If shared 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>G13b. Type 2. Shared Parking. An applicant</p>	<p>S13. Shared Parking. If shared parking is proposed, it shall meet the following standards:</p> <ul style="list-style-type: none"> a. Shared parking areas with more than 6 spaces shall provide landscaping to separate clusters of contiguous parking spaces. Each parking cluster shall have no more than 6 contiguous parking spaces. b. Clusters of contiguous parking spaces shall be separated from other parking spaces or clusters by at least 4 feet of landscaping. The landscaped island shall be planted with a tree having a

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
<p>may increase the number of contiguous spaces in a parking cluster above the S13.a. standard or reduce the required landscaping below the S13.c. standard, by demonstrating that special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable standard. Otherwise, Design Standard S13 shall be met.</p>	<p>minimum mature height of 20 feet. If all parking spaces are made of pervious pavement, then this standard does not apply.</p> <ul style="list-style-type: none"> c. Shared parking areas may be covered. d. Shared parking areas shall meet the standards in Section 60.30.15, if applicable.
<p>G14a. Type 3. Shared Parking Location and Access. 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>G14b. Type 2. Shared Parking Location and Access. Design Standard S14 shall be met.</p>	<p>S14. Shared Parking Location and Access.</p> <ul style="list-style-type: none"> 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). b. No off-street parking space is permitted within 10 feet of a lot line that does not abut a street or an alley. c. Driveways shall meet the driveway standards in the Beaverton Engineering Design Manual.
<p>G15a. Type 3. Screening. Shared parking areas and parking structures shall be screened from common outdoor open areas and public streets by landscaping, fencing, or walls.</p> <p>G15b. Type 2. Screening. Design Standard S15 shall be met.</p>	<p>S15. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate shared parking areas and parking structures from common outdoor open areas and public streets.</p>

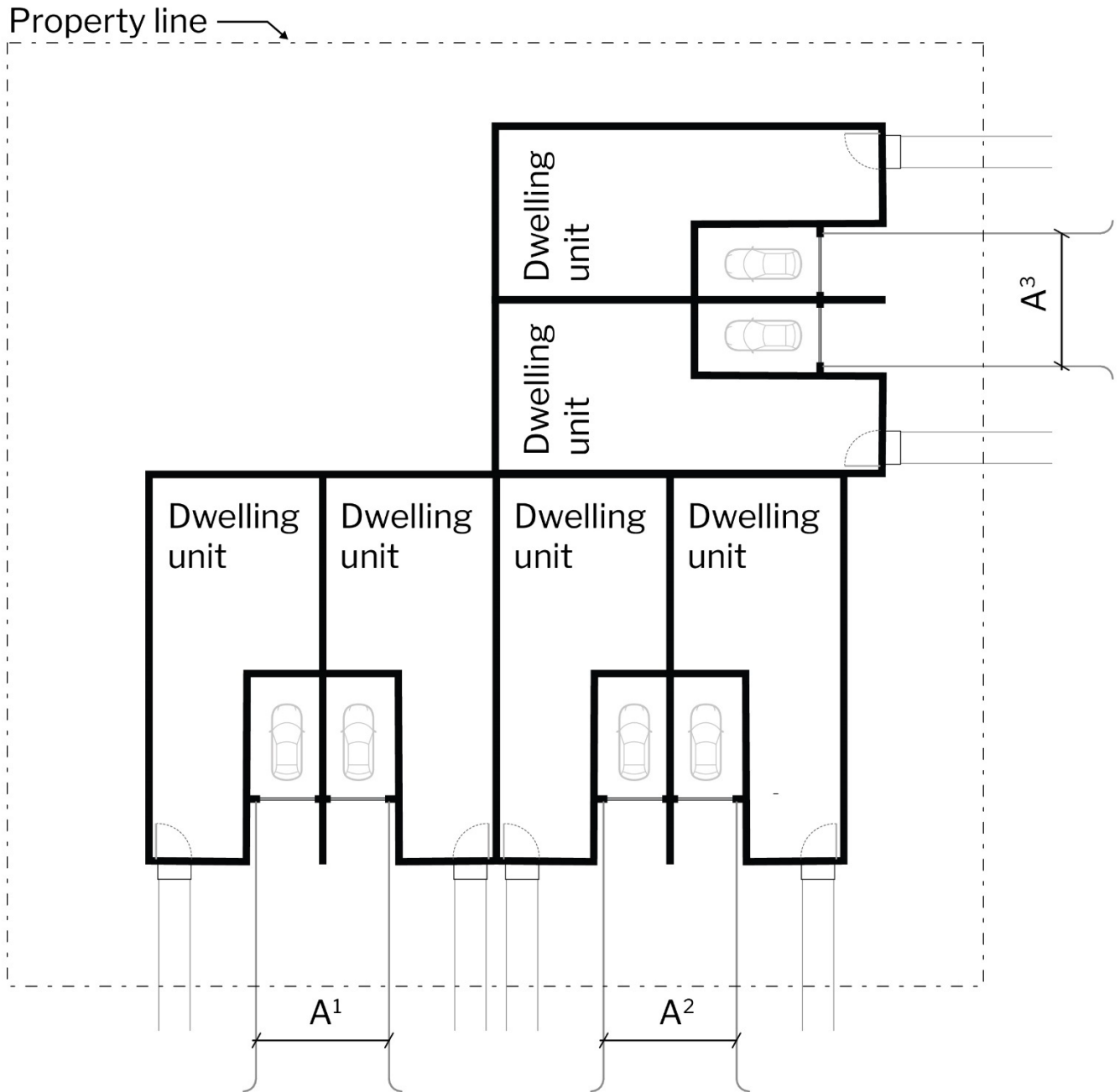
**Figure 60.05.65.4
Driveway Approach Width and Separation – One Street Frontage**



Five-plex: $A^1 + A^2 + A^3$ must not exceed 40 feet
 Six-plex: $A^1 + A^2 + A^3$ must not exceed 48 feet
 Driveway approaches may be separated when on a local street

Figure 60.05.65.5

Driveway Approach Width and Separation – Multiple Street Frontages



Five-plex: $A^1 + A^2 + A^3$ must not exceed 40 feet

Six-plex: $A^1 + A^2 + A^3$ must not exceed 48 feet

Driveway approaches may be separated when on a local street

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
Driveway Length	
<p>G16a. Type 3. Design Standard S16 or Design Guideline G16b shall be met.</p> <p>G16b. Type 2. Driveways shall connect parking, drive aisles, and other improvements with at least one street. 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.</p>	<p>S16. 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>
Lighting Design	
<p>G17a. Type 3. Sites with an off-street parking lot area that exceeds 1,400 square feet shall:</p> <ul style="list-style-type: none"> a. Utilize lighting to maximize safety within a development, b. Minimize direct and indirect glare impacts to abutting properties and streets, and, c. Where the proposal does not comply with Table 60.05-1, describe why compliance with the standard is either infeasible or unnecessary. <p>G17b. Type 2. Design Standard S17 shall be met.</p>	<p>S17. Sites with an off-street parking lot area that exceeds 1,400 square feet shall comply with Technical Lighting Standards (Table 60.05-1). The off-street parking lot area includes the combined square footage of parking stalls and drive aisles only.</p>
<p>G18. Design Standard S18 shall be met.</p>	<p>S18. Lighting shall be provided at shared building entrances at levels that meet the City's Technical Lighting Standards (Table 60.05-1).</p>
Solid Waste Facilities	
<p>G19. Design Standard S19 shall be met.</p>	<p>S19. Minimum Required Storage Area, Location, and Access. A minimum storage area of 100 square feet shall be provided 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"> a. Storage areas may be combined or shared and may be located on the same lot as the units or shared tract. 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. c. Storage areas shall not be in required outdoor open areas, as provided in 60.05.65.1.S4.

**Table 60.05.65.1. Design Guidelines and Standards for
Five- and Six-Unit Multi-Dwelling Structures**

Design Guideline	Design Standard
	<ul style="list-style-type: none"> d. 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. e. Exterior storage areas shall comply with the corner clearance for driveway standards in the Beaverton Engineering Design Manual.
<p>G20a. Type 3. Design Standard S20 or Design Guideline G20b shall be met.</p> <p>G20b. Type 2. Waste storage and/or recycling containers shall be designed and/or located so that they are screened from an abutting public or private street.</p>	<p>S20. Screening.</p> <ul style="list-style-type: none"> a. Waste storage and/or recycling containers shall be in an area not visible from a public or private street or shall be fully screened from view from a public or private street. b. Screening from public view for waste storage and/or recycling containers shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods: <ul style="list-style-type: none"> 1. Solid wall constructed of an exterior finish material utilized on one or more buildings; 2. A hedge with a minimum of ninety-five (95) percent opacity within two (2) years; or 3. Solid wood fence c. Screening from public view by chain-link fence with or without slats is prohibited.



Cooper Mountain Community Plan

Proposed Beaverton 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 “***”

Commentary:

Proposed code changes would correct references to other sections of the code.

60.11. Food Cart Pod Regulations

[ORD 4662, 09/11/2015]

60.11.05. Purpose.

[ORD 4662; September 2015]

The purpose of these regulations is to establish criteria for the placement of food cart pods in the City of Beaverton. Food carts provide the community a wider choice of eating and drinking options. Food cart pods shall comply with all applicable City, County and State standards.

[ORD 4662, 09/11/2015]

Effective on: 9/11/2015

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 obstruct bicycle parking required for an existing use. [ORD 4844; August 2023]
 - 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 60.05.25.143.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 60.05.25.910. [ORD 4701; January 2017]
2. Standards for amenities within a food cart pod:
- A. All food cart pods which provide seating for customers shall have restrooms with hand washing facilities available. Restrooms shall have handwashing facilities with hot and cold running water, soap and paper towels or air dryers. Restrooms shall either be on site or on an adjacent parcel. Restrooms shall be screened from view of the public right of way and abutting residentially zoned properties. [ORD 4822; June 2022]
 - B. Required restrooms shall be available during Food Cart Pod operating hours.
 - C. All food carts and customer amenities within a food cart pod shall be served by a minimum 5-foot-wide hard surface walkway.
 - D. Waste and recycling receptacles shall be provided for customer and business waste. Receptacles shall be screened from view of the right of way and abutting residentially zoned properties and serviceable by the applicable waste-hauler.
 - E. Storage structures accessory to food carts shall be less than 120 square feet in size and no greater than 15 feet in height. Storage structures shall be set back a minimum of 20 feet from public rights-of-way.
 - F. Structures used to provide shelter to customers may be membrane structures such as tents or canopies or permanent structures.
 - a. Structures providing shelter and/or cover to patrons shall not exceed the following standards without Adjustment or Variance approval:
 - i. Cover 200 square feet or less in area.
 - ii. Have a maximum of 50 percent of the structure enclosed with walls or sides. Membrane structures may be fully enclosed.
 - iii. Are 15 feet in height or less, as measured to the highest point.

[ORD 4662, 09/11/2015; ORD 4701, 01/13/2017; ORD 4822, 06/30/2022; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Commentary:

Proposed changes would exclude Section 60.12 from applying to the Cooper Mountain Community Plan area because Cooper Mountain has different rules for natural resource protection and different rules for building development that are inconsistent with the application of this section.

60.12. Habitat Friendly Development Practices

[ORD 4414, 01/05/2007]

60.12.05. Purpose.

Allow and encourage Habitat Friendly Development Practices (HFDPs) that integrate preservation, enhancement and creation of Habitat Benefit Areas (HBAs) and use of Low Impact Development (LID) techniques in order to support natural systems that provide wildlife with food, shelter, and clean water.

All of the provisions of Section 60.12. are voluntary and available outside the Cooper Mountain Community Plan area and are not required of new development or redevelopment. The provisions are applicable only outside the Cooper Mountain Community Plan area and when a property owner elects to utilize the provisions contained in this section.

The provisions of this section are intended to:

1. Promote preservation, enhancement and restoration of Habitat Benefit Areas (HBAs).
2. Reduce impacts from development on fish and wildlife habitat relative to traditional development practices.
3. Design a site in such a way that Habitat Friendly Development Practices (HFDPs) are integrated in the overall plan.
4. Use Best Management Practices (BMPs) to guide decisions regarding site design, development and construction.
5. Reduce Effective Impervious Area (EIA) in the City to the extent practicable and achieve zero (0) percent EIA on as many individual sites as practicable.
6. Avoid damaging existing wildlife habitat through preservation of HBA, minimize impacts to existing wildlife habitat by limiting the amount of habitat disturbance to only those areas required for development of a site, and mitigate impacts to existing wildlife habitat when avoidance and minimization options are limited. Use LID techniques to mitigate impacts in order to improve remaining on-site habitat and/or down--stream habitat.
7. Encourage HFDPs by adopting options that allow for flexibility in site design for new development and redevelopment.
8. Implement provisions of the Beaverton Comprehensive Plan that encourage preservation of HBA and use of LID techniques.

[ORD 4414, 01/05/2007]

Effective on: 1/5/2007

60.12.40. Low Impact Development (LID) Techniques.

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

1. Additional Street Tree Canopy.

- A. Purpose. Increase street tree canopy by increasing the number of street trees for a project equal to an amount greater than the standard of one (1) tree per 30 lineal feet, but not to exceed one (1) tree per 20 lineal feet.
- B. Credits. Landscape Standard Reduction. For every one (1) square foot of additional street tree canopy proposed an applicant can request a credit of one (1) square foot toward the landscape standard.
- C. Standards. Landscape Standard Reduction credits ~~for Additional Street Tree Canopy~~ shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
 2. The additional ~~Street-street Free-tree~~ canopy is calculated based on the square footage of additional street tree canopy at ~~10-15~~ years maturity.
 3. The additional street tree canopy is calculated only for those trees in excess of the standard of one (1) tree per 30 lineal feet.
 4. The additional street tree is an accepted street tree as specified in the City of Beaverton's ~~Approved Tree List and Street of Trees Tour Guide Tree List~~.

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 for the subject site divided by applicable standard of Section 60.05.20.5.A. [ORD 4844; August 2023]

8. Trees, Existing Canopy Preservation.

- A. Purpose. Preservation of existing tree canopy within ten (10) linear feet of a proposed surface parking lot and vehicle maneuvering area.
- B. Credit. Landscape Island Standard Reduction. For every one (1) square foot of existing ~~t~~Tree ~~c~~Canopy preserved, an applicant can request a credit of one (1) square foot toward the landscape island standard of Section 60.05.20.5.

EXAMPLE: If an applicant proposes development of a site and the size of the proposed parking lot results in standard construction of five (5) landscape islands equal to an area of 350 square feet and planting of five (5) trees, the applicant can alternately propose preservation of three mature trees within a 200 square foot area and supply two (2) or three (3) landscape islands totaling 175 square feet landscape area with two (2) trees.

- C. Standards. Landscape Island Standard Reduction credits for Existing Canopy Preservation of Trees shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 1. Credit Limit. The proposed Landscape Island Standard Reduction does not exceed 50 percent of the landscape island standard for the project site.
 2. The proposal satisfies the approval criteria of the applicable Tree Plan application, if any.
 3. The tree(s) that holds the canopy proposed for preservation is proposed for protection as outlined in Section 60.60.20. of this Code for Protected Trees.

9. Trees, Mitigation.

- A. Purpose. Mitigation for removal of non-exempt surveyed tree(s) considered Community Trees, Historic Trees or Street Trees.
- B. Credits. Landscape Standard Reduction. For every one (1) square foot of tree canopy mitigated, an applicant can request a credit toward one-half (0.5) square foot of the landscape standard for the project site.
- C. Standards. Landscape Standard Reductions for Mitigation of Trees shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
 2. The proposal satisfies the approval criteria of the applicable Tree Plan application, if any.



- 3. Mitigation of Community Trees, Historic Trees or Street Trees under the provisions of this section satisfies the mitigation standards of Section 60.60.25.1 for Significant Individual Trees or trees within Significant Groves or SNRAs.

10. Trees, Preservation.

- A. Purpose. Preservation of at least 25 percent of the total tree canopy square footage of non-exempt surveyed tree(s) considered Community Trees, Historic Trees or Street Trees.
- B. Credit. Landscape Standard Reduction. For every one (1) square foot of tree canopy preserved, an applicant can request a credit toward one (1) square foot of the landscape standard for the project site, limited to 50 percent of the landscape standard for the project site.
- C. Standards. Landscape Standard Reduction credits for Preservation of Trees shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 - 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.
 - 2. The proposal satisfies the approval criteria of the applicable Tree Plan application, if any.
 - 3. The Community, Historic or Street tree(s) proposed for preservation under the provisions of this section is proposed for protection during development as outlined by Section 60.60.20. of this Code for Protected Trees.

11. Trees, Box Filter.

- A. Purpose. Integration of a Tree Box Filter(s) and its associated improvements in the design of a project site.
- B. Credits. Landscape Standard Reduction. For every one (1) square foot of proposed site improvements associated with installation of a Tree Box Filter an applicant can request a credit of two (2) square feet toward the landscape standard.
- C. Standards. Landscape Standard Reduction credits for integration of a Tree Box Filter(s) shall satisfy the following standards in addition to the applicable standards of Section 60.12.30.
 - 1. Credit Limit. The proposed Landscape Standard Reduction does not exceed 50 percent of the landscape standard for the project site.

[ORD 4414, 01/05/2007; ORD 4498, 01/15/2009; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Commentary:

Proposed code changes would address when and how standards apply to the Cooper Mountain Community Plan area.

Proposed Section 60.15.08 would require geotechnical review for land divisions in mapped area to ensure risks are identified and can be mitigated. The proposed risk map, which is Figure 8.6.1 in the proposed amendments to Volume 1, Chapter 8 of the Comprehensive Plan, has been created to identify areas that need regulations to minimize the potential for hazards to life and property resulting from landslide.

60.15. Land Division Standards

[ORD 4224; August 2002] [ORD 4487; August 2008]

[ORD 4224, 09/19/2002]

60.15.05. Purpose.

It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.45 of this Code.

[ORD 4224, 09/19/2002]

Effective on: 9/19/2002

60.15.07. South Cooper Mountain Natural Resources.

[ORD 4822; June 2022]

The following standard is applicable to partitions and subdivisions within the South Cooper Mountain Community Plan Area.

1. Significant Natural Resource Areas, as identified in Figure 12: Natural Resources in the Community Plan Area of the South Cooper Mountain Community Plan, shall be protected and enhanced, consistent with local, state and federal regulations.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.15.08. Cooper Mountain Landslide Hazard Risk.

1. The following standards are applicable to Land Divisions involving the creation of no more than 3 lots pursuant to Sections 40.45.15.4, 40.45.15.6, or 40.45.15.9 where the proposed development site includes land identified as a Landslide Hazard on the Landslide Hazard Risk Map in Figure 8.6.1 in Volume 1, Chapter 8 of the Comprehensive Plan, and no on-site stormwater facility incorporating stormwater infiltration is proposed.

A. Applicants shall provide a certification on a form provided by the City that is stamped by a Certified Engineering Geologist or Geotechnical Engineer and submitted along with any documentation and plans relied upon in issuing the certification. The certification form shall include:

1. A statement by the applicant that they will develop the site in accordance with the Certified Engineering Geologist's or Geotechnical Engineer's certification, and the applicant will schedule and perform the recommended Certified Engineering Geologist or Geotechnical Engineer site inspections.
2. An affirmation by the Certified Engineering Geologist or Geotechnical Engineer based on their professional opinion that:

- a. The Landslide Susceptibility Overview Map of Oregon by William J. Burns, Katherine A. Mickelson, and Ian P. Madin, 2016 (Report & Data) and the DOGAMI Interpretive Map Series 47 Landslide inventory maps of the Hillsboro quadrangle, Washington and Multnomah Counties, Oregon by William J. Burns, Katherine A. Mickelson, Serin Duplantis, and Kendra J. Williams, 2012 have been reviewed and identify any potential landslide hazards on the subject site and adjacent property, including sites directly across a street or alley from the site; and
 - b. The proposed development activity was reviewed according to industry standards for geologic engineering in Oregon; and
 - c. One of the following:
 - i. The proposed development activity will not be negatively impacted by, or cause negative impacts to, on-site and off-site engineering geological conditions, processes, and hazards, including but not limited to, existing or post-development soil stability or any of the following site features: springs, seeps, depth of soil to bedrock, variations in soil types, or a combination of these conditions; or
 - ii. If proposed development activity will be negatively impacted by or cause negative impacts to on-site and/or off-site engineering geological conditions, processes, or hazards, including but not limited to the site features listed in Subsection 60.15.08.1.A.2.c above, the plans incorporated the methods for safely mitigating the impact(s).
3. In determining if the Certification satisfies the requirements of Section 60.15.08.1.A.2, the City shall review the Certification only to determine whether a Certified Engineering Geologist or Geotechnical Engineer has affirmed and certified that the proposal meets the above listed requirements. The City shall not substitute its judgement or discretion for the professional judgement of the Certified Engineering Geologist or Geotechnical Engineer.
2. The following standards are applicable to Land Divisions involving:
- A. The creation of no more than 3 lots pursuant to Sections 40.45.15.4, 40.45.15.6, or 40.45.15.9 where the proposed development site includes land identified as a Landslide Hazard on the Landslide Hazard Risk Map in Figure 8.6.1 in Volume 1, Chapter 8 of the Comprehensive Plan, and an on-site stormwater facility incorporating infiltration is proposed; or
 - B. The creation of 4 or more lots pursuant to Sections 40.45.15.5, 40.45.15.7, or 40.45.15.9 where the site includes land identified on the Landslide Hazard Risk Map in Figure 8.6.1 in Volume 1, Chapter 8 of the Comprehensive Plan.
 - C. The applicant shall:
 1. Provide a Geological Assessment that demonstrates the site is stable, and the proposed development will not necessitate additional study, review, monitoring, or mitigation. The Geological Assessment shall meet current standards of practice; or
 2. If the site is not determined to be stable, provide a Geotechnical Report that determines whether the proposed site layout and design reasonably limit the risk of a landslide and that includes an evaluation that takes into consideration accepted industry standards for factor of safety. Specific improvements; engineering requirements; techniques, systems, or alternative development options, including alternative housing types and reduced density (minimum or maximum), may be required to facilitate a suitable development that limits

landslide risk to a reasonable level. The Geotechnical Report shall meet current standards of practice.

2.3. If an applicant provides a Geotechnical Report, the applicant is not required to provide a Geological Assessment.

B.D. The applicant shall locate all lots for future development of buildings, services, or utilities on parts of the site that are suitable for development based on the findings of the Geological Assessment or Geotechnical Report, as required above, in a manner that reasonably limits the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site.

E. All activities covered in the Geotechnical Report (including but not limited to future construction of building(s) on lot(s) created by the Land Division) shall be subject to the recommendations of the Geotechnical Report at the time of future land use application submittal. Conditions of the Land Division approval that apply to future development shall be met before issuance of final occupancy or acceptance of final inspection of the future development, as applicable.

60.15.10. Grading Standards.

1. **Applicability.** The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.
2. **Exemptions.** The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.:
 - A. Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.
 - B. Storm water detention facilities subject to review and approval of the City Engineer.
 - C. On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.
3. **On-site surface contouring.** When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
 - A. 0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - B. More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - C. More than 10 feet and up to and including 15 feet from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - D. More than 15 feet and up to and including 20 feet from property line: Maximum of eight (8) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]

- E. More than 20 feet and up to and including 25 feet from property line: Maximum of ten (10) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
 - F. Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.
 - G. The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development. [ORD 4584; June 2012]
4. **Significant Trees and Groves outside the Cooper Mountain Community Plan area**. Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:
 - A. 0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;
 - B. More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the ~~tree's drip line~~Tree Canopy, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;
 - C. Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.
 5. **Trees inside the Cooper Mountain Community Plan area. Notwithstanding the requirements of Section 60.15.10.3, grading within 25 feet of a property line shall not change the existing slopes by more than 10 percent within a root protection zone of a tree located on an abutting property unless evidence provided by a Certified Arborist supports additional grading that will not harm the subject grove or tree.**

[ORD 4487, 08/21/2008; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

60.15.15. Final Plat Standards.

1. **Easements and rights-of-way.** Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 130 of the *Beaverton Engineering Design Manual*. [ORD 4584; June 2012] [ORD 4782; April 2020]
2. **Building lines.** The Director may approve special setbacks based upon the consideration for safety, topography, geology, or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.
3. **Dedications.** Infrastructure or public improvements such as public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, sanitary sewer, storm water system, water system, traffic control devices, parks, open space, and other public rights-of-way required as needed to serve the development, shall be installed at the expense of the developer and dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes shall be approved by the jurisdiction to which the park or open space is being dedicated prior to Final Land Division approval. [ORD 4822; June 2022]



4. **Homeowners' Associations and declarations.** When a Homeowners' Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained, the document complies with BDC 10.18, and that other restrictions required by the City are included. [ORD 4822; June 2022]
5. **Monuments and bench marks.** The developer shall establish and designate monuments and bench marks on the Final Plat.
6. **Street trees.** Prior to City approval of the Final Plat, street trees shall be planted along street frontages in accordance with the following:
 - A. For land divisions involving single-detached dwellings and middle housing, the Developer shall pay a fee to the City. The City shall be responsible for tree purchase and planting, and maintenance for one year, consisting of pruning, disease control and watering. The fee shall be based upon a standard of one tree per thirty (30) lineal feet of street frontage. The resulting number, if not a whole number, shall be rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number. The fee to be charged and collected shall be established and from time to time amended by Resolution of the City Council. [ORD 4822; June 2022]
 - B. For all other land divisions, trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved ~~street-Street tree-Tree~~ plan approved by the City Arborist or City Engineer. [ORD 4782; April 2020]
 - C. Trees shall be planted in accordance with the City's Tree Planting and Maintenance Policy.

[ORD 4224, 09/19/2002; ORD 4487, 08/21/2008; ORD 4584, 06/01/2012; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.20. Manufactured Home Regulations

[ORD 3191; November 1980] [ORD 3739; September 1990] [ORD 3846; May 1993] [ORD 3899; June 1994] [ORD 4822; June 2022]

[ORD 3191, 12/17/1980; ORD 3846, 04/22/1993; ORD 3899, 06/02/1994; ORD 4224, 09/19/2002; ORD 4822, 06/30/2022]

60.20.05. Purpose.

The purpose of these regulations is to establish criteria for the placement of mobile homes and manufactured homes within the City of Beaverton. Mobile homes and manufactured homes provide a wider choice of housing types suitable for a greater range of households, lifestyles and economic levels of present and anticipated populations. Mobile homes and manufactured homes will be located and shall comply with all applicable City and State standards. [ORD 3899; June 1994]

[ORD 3191, 12/17/1980; ORD 3352, 01/19/1984; ORD 3846, 04/22/1993; ORD 4224, 09/19/2002]

Effective on: 6/1/2012

60.20.10. [REPEALED]

[Repealed by ORD 4822, June 2022]

[ORD 3191, 12/17/1980; ORD 3739, 09/08/1990; ORD 3846, 04/22/1993; ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.20.15. Manufactured Home Park Regulations.

1. Manufactured home parks shall be subject to the following standards: [ORD 4822; June 2022]
 - A. The design for the manufactured home park shall conform to all applicable State standards established by the State of Oregon, Department of Commerce manufactured dwelling park standards (effective - February 1, 1979).
 - B. All manufactured homes shall have an Oregon insignia. [ORD 3739; September 1990] No reconstruction or equipment installation shall be made to a manufactured home unless it has been approved by the State as evidenced by the appropriate insignia.
 - C. The manufactured home park shall occupy at least one acre.
 - D. Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by State Law.
 - E. Each manufactured home shall be connected to a public water supply and sewer disposal system.
 - F. A manufactured home and any attached accessory structure shall not be located closer than:
 1. Fifteen (15) feet from any other manufactured home.
 2. Ten (10) feet from any detached accessory building or other building located within the manufactured home park.
 3. Five (5) feet from a manufactured home park property line.
 - G. Except for a structure which conforms to the State definition of a manufactured home accessory structure, no extension shall be attached to a manufactured home.
 - H. Manufactured homes shall be installed under the provisions of the administrative rules adopted by the Oregon Department of Commerce (adopted February 1, 1979).
 - I. A manufactured home shall have continuous perimeter skirting installed pursuant to State regulations.
 - J. The wheels, tongue and traveling lights of the manufactured home shall be removed.
 - K. The underside of the floor area shall be a minimum of 18 inches above ground level at any point.
 - L. The internal street system shall conform to the standards specified by the City *Engineering Design Manual and Standard Drawings*. [ORD 4224; August 2002]
 - M. Setbacks for a manufactured home park property shall be the same as the zone in which it is located.
 - N. Landscaping shall be equivalent to 15% of the area of the park.



[ORD 4332; January 2005] [ORD 4822; June 2022]

- 2. Manufactured home parks existing at the adoption of this ordinance not meeting the standards set forth herein shall be considered nonconforming and are subject to the nonconforming use provisions of this ordinance. Nonconforming manufactured homes in such parks may be replaced with like manufactured homes when they are moved or destroyed. [ORD 4822; June 2022]
- 3. Manufactured home parks are prohibited in Commercial and Industrial districts. [ORD 3739; September 1990] [ORD 4822; June 2022]

[ORD 3191, 12/17/1980; ORD 3240, 01/28/1982; ORD 3739, 09/08/1990; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4418, 02/22/2007; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

Proposed code changes would address applicability of this section to Cooper Mountain, specifically the CM-RM zone.

60.20.20. Manufactured Homes.

[ORD 3899; June 1994]

- 1. Manufactured Homes are Permitted on individual lots, by themselves, as accessory dwelling ~~units~~ units, or as part of another permitted residential use, in the RMA, RMB, ~~and~~ RMC, and CM-RM zones subject to the siting and design standards listed below: [ORD 4584; June 2012] [ORD 4822; June 2022]
 - A. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 12 inch limitation will not apply.
 - B. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-detached dwellings constructed under the state building code as identified under ORS 455.010.
 - C. A manufactured home shall not be sited abutting any structure or property identified as a Historic District, Preservation District or Landmarks.

[ORD 4822; June 2022]

[ORD 3846, 04/22/1993; ORD 3899, 06/02/1994; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

Proposed code changes would address applicability of this section to Cooper Mountain and the maximum parking for small-scale commercial uses with CM-RM.

They also provide bicycle parking ratios for Public Parks. Park proposals currently require a Parking Requirement Determination application because public park uses are not listed in the Parking Ratio Requirements for Bicycles table. Public park uses will now be included in the table, with the same short-term and long-term bicycle parking requirement that is used for (Private) Recreational Facilities. The bicycle parking requirement applies citywide, not just in Cooper Mountain.

The proposed amendments update Figure 60.30.15.10 Tree Canopy Overlap Measurement to make the graphics more attractive and readable without changing the content. Minor word changes were made to refer to the graphics in a different way. And “tree crown” was changed with “tree canopy area” under the final graphic to make the terminology consistent with updated definitions in the proposed amendment.

60.30. Off-Street Parking

[ORD 4224, 09/19/2002]

60.30.05. Off-Street Parking Requirements.

When provided, parking spaces shall be designed and maintained by the owner of the property in accordance with the requirements of Sections 60.30.05 to 60.30.20. [ORD 4844; August 2023]

1. Open Air Beaverton. Businesses that are approved pursuant to the Open Air Beaverton program and are not located 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. Businesses that are approved pursuant to the Open Air Beaverton program and are located 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] [ORD 4844; August 2023]
2. 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]
3. Vehicle parking shall be paved with an asphalt, concrete, or pervious paving surface.

[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; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

60.30.10. Number of 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. [ORD 4844; August 2023]
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, 20.22.20, 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.

[ORD 4844; August 2023]

3. Parking Categories.

- A. **Vehicle Categories.** Contained in the table at Section 60.30.10.5. are vehicle parking ratios for maximum permitted number of vehicle parking spaces that may be provided for each land use. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; July 2016] [ORD 4844; August 2023]

1. Minimum number of required parking spaces. No minimum parking is required for any use. [ORD 4844; August 2023]
 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]
- 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 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. [ORD 4844; August 2023]
 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. **Ratios.** In calculating the required number of 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 and fractions less than 0.5 shall be rounded down to the nearest whole number. [ORD 3965; November 1996] [ORD 4844; August 2023]
 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] [ORD 4844; August 2023]
 6. **Parking Tables.** The following tables list the 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. [ORD 4584; June 2012] [ORD 4782; April 2020] [ORD 4844; August 2023]

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category	Maximum Permitted Parking Spaces	
	Zone A	Zone B
Residential Uses		
Single-Detached Dwellings, Duplex, or Townhouse in RMA, RMB, or RMC, <u>or CM-RM</u> Zone (per unit)	N/A	N/A
Triplex or Quadplex in RMA, RMB, or RMC, <u>or CM-RM</u> Zone (per unit)	N/A	N/A
Cottage Cluster (per unit)	N/A	N/A
Duplex, Triplex, Quadplex, or Townhouse in Other Zone		
One bedroom (per unit)	1.8	1.8
Two bedrooms (per unit)	2.0	2.0
Three or more bedrooms (per unit)	2.0	2.0
Multi-Dwelling		
One bedroom (per unit)	1.8	1.8
Two bedrooms (per unit)	2.0	2.0
Three or more bedrooms (per unit)	2.0	2.0
Dwelling, Accessory Unit	1.8	1.8
Mobile Homes (per unit)	2.0	2.0
Commercial Amusements		
Arena/Stadium (per seat, maximum occupancy)	0.25	0.25
Movie Theaters (per seat, maximum occupancy)	0.4	0.5
Sports Clubs/Recreational Facilities	5.4	6.5
Tennis/Racquetball Courts	1.3	1.5
Institutions		
Hospital (per bed)	3.0	4.0

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category	Maximum Permitted Parking Spaces	
	Zone A	Zone B
Public Buildings or other Structures	3.4	4.1
Welfare or Correctional Institution (per bed)	0.5	0.75
Fire Station	2.0	2.0
Shelters: Domestic Violence, Emergency, or Mass	N/A	N/A
Commercial Uses		
Retail, including shopping centers ⁵	5.1	6.2
Offices, Administrative Facilities ⁵	3.4	4.1
Bank, Financial Institutions ⁵	5.4	6.5
Service Businesses ⁵	5.1	6.2
Rental Businesses, including vehicle and trailer rental	3.5	4.1
Medical, Dental Clinics ⁵	4.9	5.9
Mortuaries (per seat, maximum occupancy)	0.5	0.75
Eating, Drinking Establishments ⁵		
Fast Food with drive-through service in the, SC-MU, and SC-HDR zones.	12.4	14.9
Fast Food with drive-through service in all other zones.	12.4	14.9
Other eating, drinking establishments in the, SC-MU, and SC-HDR zones.	19.1	23.0
Other eating, drinking establishments in all other zones.	19.1	23.0
Temporary Living Quarters (per guest room)	1.25	1.5
Dwelling, Live/Work (per unit) ⁵	1.8	1.8
Residential Care Facilities (per bed, maximum capacity)	0.5	0.5
Rooming, Boarding, or Lodging Houses (per guest room)	1.25	1.5

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category	Maximum Permitted Parking Spaces	
	Zone A	Zone B
Places of Assembly		
Places of Worship (per seat at maximum occupancy)	0.6	0.8
Auditoria, meeting facilities; Social or Fraternal Organizations (per seat, maximum occupancy)	0.5	0.5
Educational Institutions: College, University, High School, Commercial School (spaces/number of FTE students and FTE staff)	0.3	0.3
Educational Institutions: Middle School, Elementary School (spaces/number of FTE staff)	1.5	1.5
Nursery Schools, Day or Child Care Facilities (spaces/number of FTE staff) ⁵	2.0	2.0
Library, museum, art gallery	4.0	6.0
Park and Ride facilities	N/A	N/A
Transit Centers	N/A	N/A
Industrial		
Manufacturing	2.0	2.0
Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage.	0.4	0.5
Limited Industrial		
Research Facilities	3.4	3.4

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category	Maximum Permitted Parking Spaces	
	Zone A	Zone B
<p>[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] [ORD 4838; March 2023] [ORD 4844; August 2023]</p> <p>Notes:</p> <ol style="list-style-type: none"> 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 maximum number of vehicle 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. [ORD 4844; August 2023] 5. <u>The maximum parking for motor vehicles associated with a small-scale commercial use approved consistent with Section 20.22.35, except for Child Care Facilities, shall be 2 spaces per 1,000 square feet of small-scale commercial floor area or the number for the use listed in Zone A per 1,000 square feet of small-scale commercial floor area, whichever results in fewer maximum motor vehicle parking spaces. Child Care Facilities approved consistent with Section 20.22.35 shall have the maximum parking for motor vehicles as shown in Table 60.30.10.5.A.</u> 		

Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
Residential Uses		
Single-Detached Dwellings and Middle Housing	1 space per unit	1 space per unit
Multi-Dwelling Structure	2 spaces or 1 space per 20 dwelling units	1 space per dwelling unit
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
Commercial Amusements ⁵		
Arena/Stadium/Theater	2 spaces or 1 space per 200 seats	2 spaces or 1 space per 1,000 seats

Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
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
Commercial Uses ⁵		
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
Places of Assembly ⁵		
Auditoria, meeting facilities	1 space per 10,000 sq. ft. of floor area	2 spaces

Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
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
<u>Public Park</u>	<u>2 spaces, or spaces to meet the combined requirements of the uses being conducted</u>	<u>2 spaces, or spaces to meet the combined requirements of the uses being conducted</u>
Transit Centers		
Bus	Not required	2 spaces per bus bay
Light Rail (per station)	Not required	10 spaces
Institutions		
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
Shelters: Domestic Violence, Emergency, or Mass	Not required	Not required

Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
Industrial		
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

[ORD 4224; August 2002] [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4782; April 2020] [ORD 4822; June 2022] [ORD 4838; March 2023]

Notes:

1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.
5. The minimum parking ratio requirement for bicycles for small-scale commercial uses approved consistent with Section 20.22.35, except for Child Care Facilities, shall be the amount of short-term parking required for use in Table 60.30.10.5.A. No long-term parking is required for commercial uses approved consistent with Section 20.22.35 that are not Child Care Facilities. Child Care Facilities approved consistent with Section 20.22.35 shall provide the minimum parking ratio requirement for bicycle parking as shown in Table 60.30.10.5.A.

7. **Residential Parking Dimensions.** For all residential uses, any provided parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. In RMA, RMB, ~~RMC~~, and CM-RM, 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] [ORD 4844; August 2023]
8. **Parking Space Calculation.**
 - A. Multiple Uses. In the case of multiple uses, the total minimum required bicycle parking and the total maximum permitted off-street vehicle parking shall be the sum of the requirements for the various uses computed separately. [ORD 4844; August 2023]
 - B. Bicycle spaces which only meet the requirements of one establishment may serve more than one establishment on the same site, with the approval of a Shared Bicycle Parking application, provided that sufficient evidence is presented which shows that the times of peak bicycle parking demand for the various establishments do not coincide, and that adequate bicycle parking will be available at all times when the various establishments are in operation. [ORD 4844; August 2023]
9. **Location of Vehicle Parking.**
 - A. For parking areas that meet one of the thresholds in subsections 1 or 2, below, parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley. [ORD 4822; June 2022]
 1. Residential dwellings: Tandem spaces that can be accommodated within the driveway do not count in calculation provided the number of parking spaces backing out into the street or right of way does not exceed two. All other development: More than two parking spaces.
 2. All parking spaces shall meet minimum standards outlined in Section 60.30.15 unless otherwise approved through a Major Adjustment or Major Adjustment – Affordable Housing.
[ORD 4822; June 2022]
 - B. In the RMA, RMB, ~~and RMC~~, and CM-RM zones parking and loading spaces for single-detached dwellings, ~~and~~ middle housing and Multi-dwelling with five or six units may be located in side and rear yards and up to two parking spaces may be located in the front yard of each lot. [ORD 4584; June 2012] [ORD 4822; June 2022]
 - C. For middle housing outside the RMA, RMB, ~~and RMC~~, and CM-RM zones, and other types of housing in any zone, parking in the front yard is allowed for each dwelling unit in the driveway area. [ORD 4822; June 2022]
10. **Open Air Beaverton.** [ORD 4819, January 2022]
 - A. Businesses that are approved pursuant to the Open Air Beaverton program may utilize an unlimited number of off-street parking spaces for the program, with the parking lot owner's permission. [ORD 4844; August 2023]
11. **Compact Cars.** Compact car parking spaces may be allowed as follows:
 - A. For residential uses, proposed vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. [ORD 4844; August 2023]



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

12. 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. [ORD 4844; August 2023]
- 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; ORD 4838, 03/09/2023; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

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

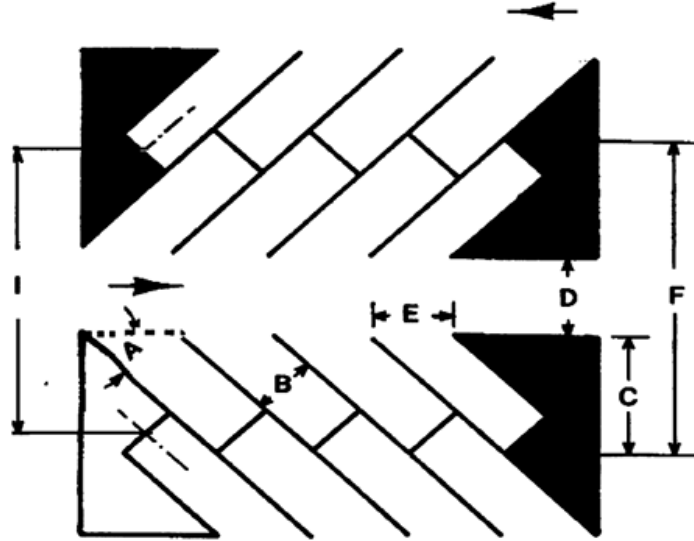
I = Module Intermesh

NOTE:

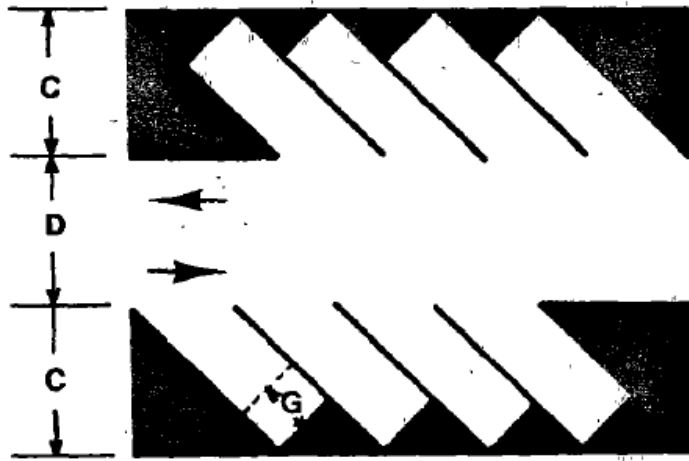
- 1) For one (1) row of stalls use "C" plus "D" as minimum bay width.
- 2) Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
- 3) For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle 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. [ORD 3494; March 1986] [ORD 4365; October 2005] [ORD 4697; December 2016] [ORD 4844; August 2023]
- 8) Single Detached, ~~and~~ Middle Housing and Multi-dwelling with five or six units in RMA, RMB, ~~and~~ RMC, and CM-RM zones: [ORD 4822; June 2022]
 - a. Parallel parking spaces 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. [ORD 4844; August 2023]
 - b. Driveways shall meet the minimum driveway standards in the Engineering Design Manual.
 - c. Drive aisles shall have a minimum width of 22 feet for two-way traffic or 20 feet for one-way traffic.

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

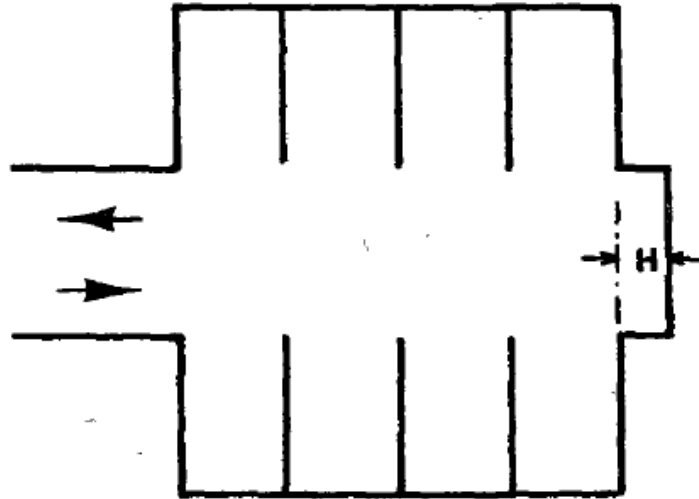
* "Compact" Car (Section 60.30.10.12.)



[ORD 4584; June 2012]



ANGLE TWO-WAY



90° DEAD END TWO-WAY

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. [ORD 4844; August 2023]

10) A new development that adds 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 or parcel shall provide one of the features in a through c below. Surface parking area to determine the one-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:

- a. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new parking space. 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 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;
- b. -Actions to comply with OAR 330-135-0010; or
- c. Tree ~~canopy~~ Canopy covering at least 40 percent of the additional parking lot area at maturity but no more than 15 years after planting. For the purposes of this tree canopy ~~canopy~~

standard, the parking lot area shall include the area of parking stalls 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:

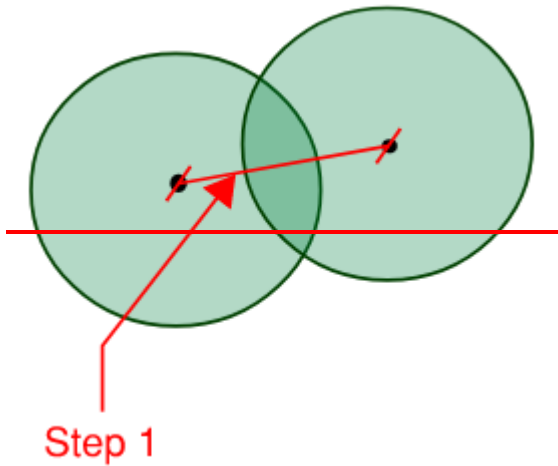
- i. Tree ~~canopy~~ Canopy coverage shall be calculated based on the total ~~canopy~~ Tree Canopy of existing trees to remain on the site after development plus proposed trees to be planted within the parking area. For existing trees that will remain on the site after development, the calculation may use the actual ~~canopy~~ Tree Canopy of any existing trees or the anticipated ~~canopy~~ Mature Tree Canopy of any existing trees ~~at maturity~~ but no more than 15 years after planting. For proposed trees, the calculation shall use the anticipated ~~canopy~~ Mature Tree Canopy of proposed trees ~~at maturity~~ but no more than 15 years after planting. For the purposes of the calculation, ~~tree~~ Tree canopy ~~Canopy~~ that covers fully enclosed buildings shall not count toward the canopy coverage. Tree ~~canopy~~ Canopy over the parking lot area defined above, interior parking lot landscaping, perimeter parking lot landscaping, and 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~~ Tree canopy ~~Canopy~~ centers. For areas that overlap more than 5 feet, applicants may count toward the ~~tree~~ Tree canopy ~~Canopy~~ total the overlap that would exist if the two tree ~~canopies~~ canopies 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~~ Tree canopy ~~Canopy~~ be counted three times when calculating the total tree canopy coverage area (see Figure 60.30.15.10, Tree Canopy Overlap Measurement).
- ii. Development of a ~~tree~~ Tree canopy ~~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 the American National Standards Institute (ANSI) A300 Tree Care Standards (2023).
- iv. Trees planted to meet this standard within the Cooper Mountain Community Plan area shall be selected from trees designated as appropriate for parking lot trees or street trees in the City of Beaverton Tree List.

[ORD 4844; August 2023]

- Figure 60.30.15.10 Tree Canopy Overlap Measurement

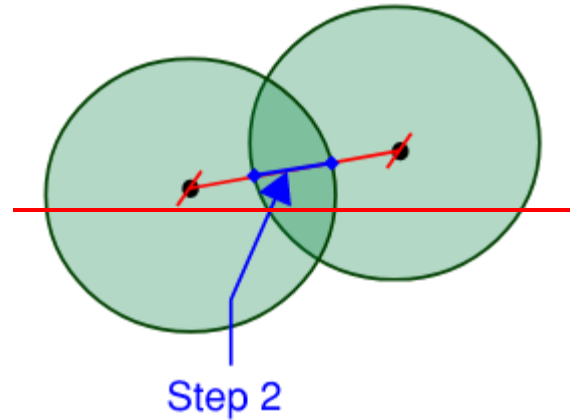
Step 1:

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 Tree Canopy counted toward the canopy coverage requirement shall be the sum of the entire crown area Tree Canopy 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 Tree canopy Canopy total the overlap that would exist if the two tree crown areas canopies 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 Tree canopy Canopy be counted three times when calculating the total Tree canopy Canopy coverage area.

-Figure 60.30.15.10 Tree Canopy Overlap Measurement

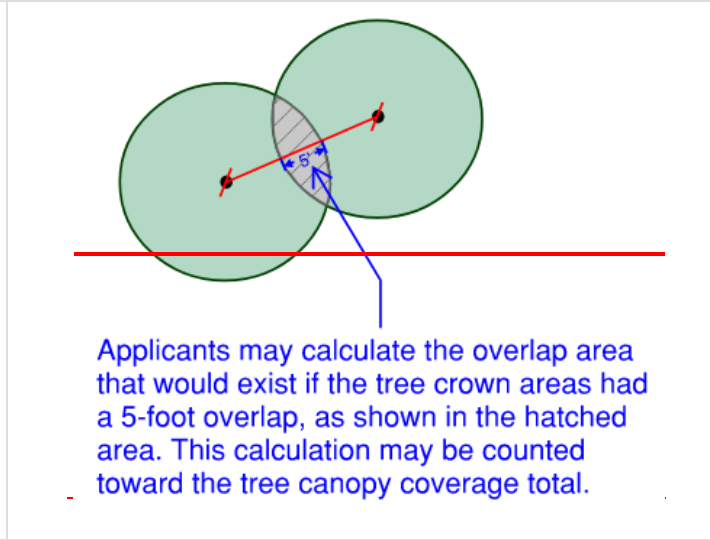
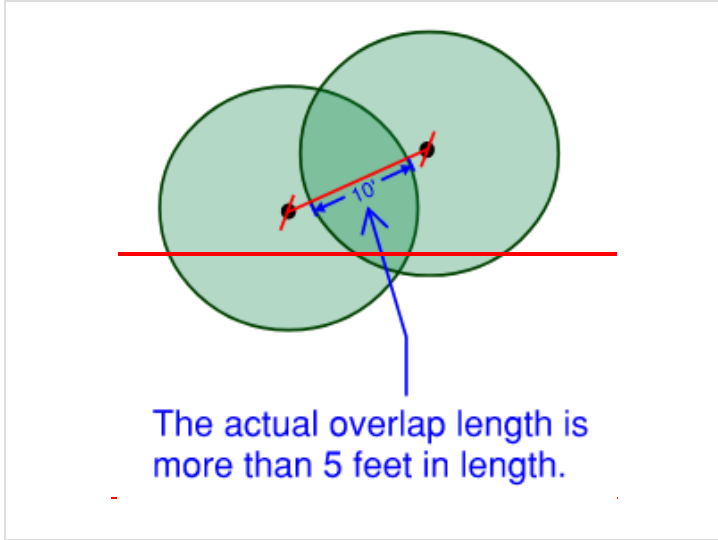
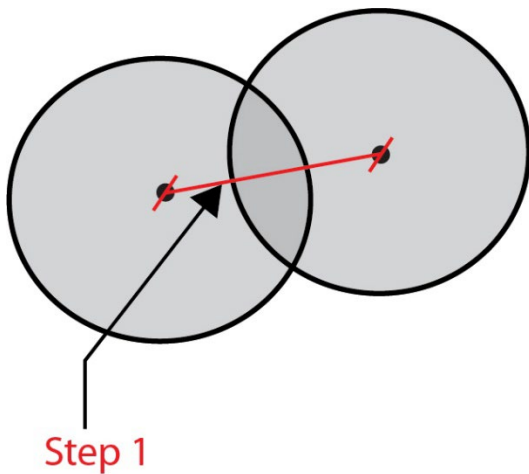


Figure 60.30.15.10 Tree Canopy Overlap Measurement

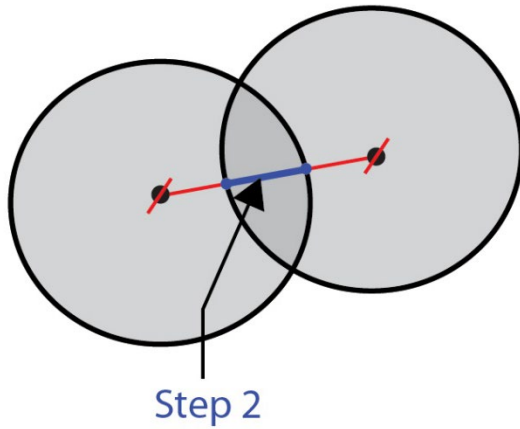
Step 1:

Establish a straight line between the two center points of trees of overlapping tree canopies.



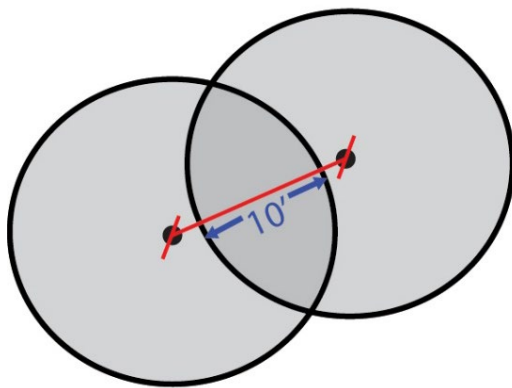
Step 2:

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



Step 3:

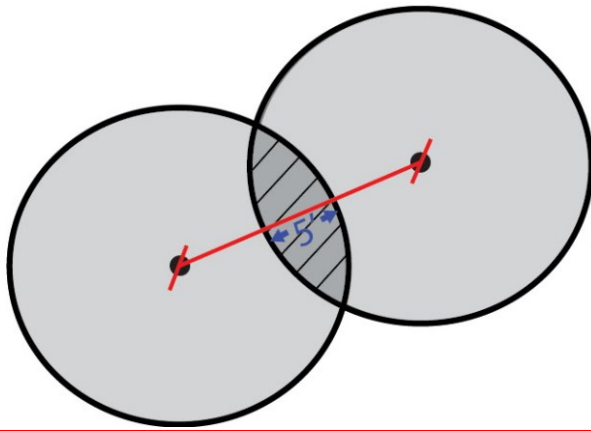
If the overlap length established in Step 2 is 5 feet or less, the Tree Canopy counted toward the canopy coverage requirement shall be the sum of the entire Tree Canopy of each individual tree. If the overlap length is longer than 5 feet, continue to Step 4.



The graphic above shows that the actual overlap length is more than 5 feet in length.

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 canopies 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.



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

[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; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

60.30.20. Off-Street Parking Lot Construction.

Every parcel of land hereinafter developed for use as a parking area shall conform to the requirements of the *Engineering Design Manual and Standard Drawings*. [ORD 3293; November 1982] [ORD 4302; June 2004] [ORD 4332; January 2005]

[ORD 3241, 01/28/1982; ORD 3293, 11/25/1982; ORD 3358, 03/13/1984; ORD 3494, 03/27/1986; ORD 3700, 12/22/1989; ORD 3739, 09/08/1990; ORD 3965, 11/07/1996; ORD 4061, 10/15/1999; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4332, 01/01/2005; ORD 4418, 02/22/2007]

Effective on: 6/1/2012



60.30.25. Enforcement.

The Director is authorized to suspend any permit if the usage of parking by the original use or temporary use or both increases beyond the capacity of the on-site parking or that the use is causing a nuisance to the public or surrounding properties. The Director shall notify the applicant of the Director's intent to suspend the permit and shall provide an opportunity for a hearing prior to suspension. However, in any case where the Director, or any Code Enforcement Officer designated by the City Manager, finds a serious danger to the public health or safety, the Director or Code Enforcement Officer may suspend the permit without a hearing. Upon suspension of a permit, the Director or Code Enforcement Officer may require that the temporary use or structure vacate the site within five working days or can require the use to discontinue operation. The Director shall notify the applicant of the reasons for the action, and the Director shall afford the applicant the opportunity for a hearing within five days from the date of the suspension. The Director may reinstate a suspended permit upon a showing by the applicant that the cause of the suspension has been corrected. Appeal of any decision of the Director shall be pursuant to Section 50.75. of this Code. [ORD 4224; August 2002] [ORD 4809; September 2021]

[ORD 3293, 11/25/1982; ORD 3958, 06/11/1996; ORD 4036, 04/01/1999; ORD 4224, 09/19/2002; ORD 4809, 09/16/2021]

Effective on: 9/16/2021

Commentary:

The waiver of requirement in Section 60.33.15 is proposed for deletion because the park district provides park and recreation services to the entire city and the Cooper Mountain code was drafted with the intention that Community Parks and Neighborhood Parks in the parks overlay will become THPRD facilities. This will ensure Cooper Mountain residents and community members visiting the area will enjoy the same park and recreation services as the rest of the city.

60.33. Park and Recreation Facilities and Services Provision

[ORD 4388; May 2006]

[ORD 4388, 05/18/2006]

60.33.05. Purpose.

The City of Beaverton has declared Tualatin Hills Parks and Recreation District (THPRD) as the parks and recreation provider for the City (Policy 5.8.1.h. of the Comprehensive Plan). Since THPRD is the parks and recreation provider for the City, annexation to the District will generally be required by the City for all new development or redevelopment of properties that are outside THPRD boundaries. The provisions of this Section are designed to:

1. Ensure that all residents of the City of Beaverton have access to high quality recreational facilities and services; and



2. Require all new development to pay its fair share for the park and recreational system that serves Beaverton.

[ORD 4388, 05/18/2006]

Effective on: 5/18/2006

60.33.10. Annexation to THPRD.

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

[ORD 4388, 05/18/2006; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

~~60.33.15. Waiver of Requirement.~~

~~Any proposed development that can document to the City's satisfaction that it will provide park land, recreation facilities and services at a level similar to that provided by THPRD may have the requirements of Section 60.33.10 waived by the City. See Section 40.93.15.~~

~~[ORD 4388, 05/18/2006]~~

~~Effective on: 5/18/2006~~



Cooper Mountain Community Plan Project

Proposed Beaverton 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 “***”

Commentary:

The proposed changes to the Planned Unit Development section would exempt the Cooper Mountain Community Plan area from this PUD section because Cooper Mountain is proposed to have its own PUD section in Section 60.36.

CHAPTER 60 - SPECIAL REQUIREMENTS

60.35. Planned Unit Development

[ORD 4430; April 2007]

[ORD 4224, 09/19/2002]

60.35.05. Purpose.

It is the purpose of these provisions to allow a Planned Unit Development (PUD) in any City zoning district outside of the Cooper Mountain Community Plan area. Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The PUD provisions are intended to encourage innovation and creative approaches for developing land while enhancing and preserving the value, character, and integrity of surrounding areas which have developed or are developing under conventional district regulations. This is to be accomplished by using the following development and design principles: [ORD 4584; June 2012]

1. Site design shall use the flexibility afforded by the planned unit development to:
 - A. Provide setbacks and buffering through landscape or building design abutting to existing development;
 - B. Cluster buildings to create open space and protect natural resources;
 - C. Provide for active recreation and passive open space;
 - D. Use resource efficient development and building practices that encourage innovative design techniques and construction practices that use energy saving technology.
2. Site design shall maximize the opportunities for diversified architecture and outdoor living environments that respond to the existing site context by exploring design flexibility for siting structures, open spaces, circulation facilities, off-street parking areas, streetscapes, resource conservation, and creation of other site improvements that facilitate efficient use of land and create a comprehensive development plan which is better than that resulting from traditional subdivision development;
3. Building architecture including detached residential, shall use innovative design that should consider the context of the existing built and natural environment. Buildings shall be architecturally detailed, and of a size and mass that contribute to a pedestrian-friendly streetscape, and respond to the natural features of the site. Cluster housing,



such as Courtyard, Patio, or Cottage development, that groups buildings in areas to maximize open space and preserve significant cultural and natural resources is highly encouraged as are the use of sustainable building materials and practices. The orientation of buildings should promote human scaled and pedestrian friendly environments and maximize solar exposure for passive solar gain;

4. Open space should provide opportunities for active and/or passive recreation that includes preservation of natural and cultural resources. Good site design shall retain and protect special topographic, natural, and environmentally sensitive features and existing Significant Groves and Historical and Individual trees should be retained and protected. Understory and the use of native plant material and sustainable landscape practices are encouraged.

[ORD 4224, 09/19/2002; ORD 4430, 04/19/2007; ORD 4584, 06/01/2012]

Effective on: 6/1/2012



Cooper Mountain Community Plan Project

Proposed Beaverton Code Amendments

- Commentary is for information only.

Section 60.36 is all proposed new additions to Chapter 60. It is not shown in red for readability purposes.

Commentary:

This Section provides new provisions for Planned Unit Development (PUD) applications in the Cooper Mountain Community Plan area. Due to Cooper Mountain’s unique constraints and policy goals, a new PUD approach was needed to provide appropriate opportunities for flexibility of Code requirements and allow for more holistic development.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 60 - SPECIAL REQUIREMENTS

60.36. Planned Unit Development – Cooper Mountain

60.36.05. Purpose.

The purpose of these provisions is to allow a Planned Unit Development (PUD) in any zoning district within the Cooper Mountain Community Plan area. The Planned Unit Development – Cooper Mountain (Cooper PUD) provisions intend to provide flexibility, alternatives, and incentives when appropriate to encourage innovative, well-designed, and holistic development while considering the unique context and development goals of the Cooper Mountain Community Plan area. The City acknowledges that sites within the Cooper Mountain Community Plan area may face development challenges related to natural resource and tree preservation, topographical constraints, demands for new public and private infrastructure, and other factors. As such, these provisions recognize that flexible or creative development approaches may result in equally successful or more successful outcomes than standard Code requirements to accomplish the goals and policies of the Cooper Mountain Community Plan and integration with other City neighborhoods.

60.36.10. General Provisions.

1. If a site is comprised of areas both outside of and within the Cooper Mountain Community Plan area, the applicant shall address the provisions of Section 60.35 Planned Unit Development for areas outside of the Cooper Mountain Community Plan boundary and the provisions of this Section for areas within the Cooper Mountain Community Plan boundary. This situation shall be subject to one PUD application unless the applicant elects to do multiple PUD applications.

2. A Cooper PUD shall only include land uses that are Permitted or Conditional Uses in the underlying zoning district as identified in Section 20.22.20 and their accessory uses and structures. PUD approval does not constitute Conditional Use approval for uses which are conditional in the underlying zoning district, and such uses remain subject to the Conditional Use requirements of Section 40.15.
3. PUD approval does not constitute a Zoning Map Amendment, which may be requested concurrently with or prior to a PUD application consistent with the requirements of Section 40.97.
4. PUD approval is subject to any modifications, conditions, or restrictions deemed necessary by the decision-making authority to meet applicable approval criteria of Section 40.15.15.6.
5. Unless expressly stated otherwise, all provisions of this Section apply to all types of development in any Cooper Mountain Zoning District.
6. PUD approval only provides adjustments to the Development Code requirements that are specifically described in this Section. If a Development Code requirement is not addressed by this Section, it may not be adjusted through PUD approval. Each Subsection contained herein identifies which provision or combination of provisions must be met to deviate from a Development Code requirement through PUD approval. One PUD application shall be required to address any combination of provisions of this Section.
7. **Needed development outcomes.** This Section includes provisions that offer enhanced flexibility for specific types of housing development, identified as needed development outcomes throughout this Section, to incentivize or to increase the ease of developing such uses in the Cooper Mountain Community Plan area. Needed development outcomes directly contribute towards meeting one or more housing needs identified by the Equitable Housing Needs by Income and Priority Population section of the Housing Needs Analysis Report in Volume II of the Comprehensive Plan. Needed development outcomes also directly support the adopted goals and policies of the Cooper Mountain Community Plan related to age-friendly housing, affordable housing, and housing variety and integration. The following types of housing development are considered needed development outcomes for the purpose of this Section:
 - A. Visitable housing, when at least 30 percent of all proposed single-detached, duplex, detached triplex, detached quadplex, cottage cluster, or townhome dwellings are visitable consistent with Section 60.50.25.16 of this Code.
 - B. Regulated Affordable Housing at or below 60 percent area median income, when at least 10 percent of all proposed dwellings are regulated affordable units.
 - C. Regulated Affordable Housing at or below 80 percent area median income, when at least 20 percent of all proposed dwellings are regulated affordable units.
 - D. Multiple Use or Multi-Dwelling Buildings that integrate Regulated Affordable Housing units and non-Regulated Affordable units within a building consistent with one of the following:
 1. At least 5 percent of provided dwellings or a minimum of 4 dwellings, whichever is greater, are Regulated Affordable Units at or below 60 percent area median income; or
 2. At least 10 percent of provided dwellings or a minimum of 8 dwellings, whichever is greater, are Regulated Affordable Units at or below 80 percent area median income.
 - E. At least 25 percent of provided single-detached or Middle Housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider. The permanent affordability provider shall use a land trust model to ensure affordability for a minimum

period of 60 years. A lien shall be recorded for each dwelling prior to or concurrent with recordation of a final plat until the first sale of the dwelling is completed to the permanent affordability provider.

- F. Five- or six-unit multi-dwelling structures in the CM-RM zoning district.

60.36.15. Modification of Site Development Standards

1. To deviate from a site development standard of Chapter 20.22.15 identified by this Subsection, a Cooper PUD shall meet one of the combinations of provisions of this Subsection as listed below. An applicant may choose to address any number of applicable combinations identified in A through F below to deviate from the corresponding site development standards of Chapter 20.22.15.
 - A. 60.36.15.2;
 - B. 60.36.15.3.A and B.1;
 - C. 60.36.15.3.A and B.2;
 - D. 60.36.15.4.A and B.1;
 - E. 60.36.15.4.A and B.2; or
 - F. 60.36.15.4.A and B.3;
2. **Lot Size Reduction in CM-RM.** To promote flexibility of residential dwelling configuration and architectural design; to encourage a mix of dwelling types and sizes within Cooper PUD developments; and to support the need for active open space in Cooper Mountain communities, minimum lot sizes of the CM-RM zoning district identified in Section 20.22.15 may be reduced pursuant to the following provisions:
 - A. Except for townhouses and cottage clusters, the minimum lot size for a proposed dwelling type may be reduced up to 30 percent.
 - B. No more than 30 percent of all proposed residential lots zoned CM-RM within any development or phase shall benefit from this reduction.
 - C. To qualify for the smaller lot sizes, applicants shall set aside a separate active open space area tract, within the subdivision, of a size that equals or exceeds 50 percent of the total square footage of requested lot size reductions. For example, if a Cooper PUD application includes a 100-lot subdivision within the CM-RM zoning district and proposes to reduce the lot size of 30 lots by 500 square feet each, the application would have a total requested lot size reduction equal to 15,000 square feet. The applicant would be required to set aside 50 percent of that square footage, or 7,500 square feet, as an active open space area tract within the subdivision.

The active open space area tract shall comply with the following standards:

 1. The active open space area may be public, or it may be private for the use of all residents of the PUD or of the subdivision that includes the lot reductions.
 2. The active open space area shall be placed in a separate tract.
 3. The active open space area shall be located outside of the protected portion of the Resource Overlay and the Cooper Mountain Parks Overlay.
 4. The active open space area shall meet the location, dimension, and design provisions of Section 60.36.25.6 and the maintenance and ownership requirements of Section 60.36.25.7.

3. **Setbacks.**

- A. Yard setback standards of the underlying zoning district as listed in Section 20.22.15 may be modified through PUD approval, except for the following situations:
1. The applicable front, side, and rear setbacks of any lot abutting the perimeter of the PUD parent parcel shall be met, except for Needed Development Outcomes that qualify for additional flexibility pursuant to Section 60.36.15.3.
 2. In no case shall setback reductions conflict with fire or building codes, existing or required public or private utility infrastructure or easements, or any other life and safety requirement of any governing authority, unless modified by the governing authority of the applicable standard.
- B. Internal to the Cooper PUD site, yard setback reductions are permitted pursuant to the provisions below:
1. **Front Setbacks in CM-MR.** The front setback requirement for residential development in the CM-MR zoning district of Section 20.22.15 may be reduced to 5 feet if the building and site include pedestrian-scaled architecture and design features that meet the following requirements:
 - a. The average finished ground floor elevation of the portion of any building wall closer than 10 feet to the front property line shall be a maximum of 5 feet above the average finished grade of the abutting sidewalk.
 - b. The ground floor shall have a minimum floor-to-floor height of 12 feet.
 - c. A direct pedestrian connection to the abutting sidewalk shall be provided from all Primary Entrances and from private dwelling unit entrances located within 10 feet of the front property line.
 - d. Any portion of a building taller than 40 feet shall be stepped back to meet the 10-foot front setback requirement of Section 20.22.15.
 - e. The area of the building and site closer than 10 feet to the front property line shall be designed with two or more pedestrian-scale features that encourage opportunities for interaction between the public and private realms. Examples of acceptable features include but are not limited to:
 - i. Over 50 percent of portion(s) of the ground floor building wall where views into the building are appropriate include transparent glazing.
 - ii. Over 50 percent of ground floor external primary entrances to individual dwellings include weather protection and a seating area. If a safety barrier, screening structure, or landscaping is provided around the seating area, the design allows at least a partial view into the seating area from the sidewalk.
 - iii. Enhanced articulation along the ground floor of the building at a scale that adds visual interest for pedestrians when viewed from the sidewalk such as changes in massing or incorporating vegetation, trellis structures, artwork, architectural detailing, reveals, or contrasting materials.
 - iv. Any other features approved by the Planning Commission to meet the intent of this requirement.
 2. **Side Setbacks in All Zoning Districts.** Except for non-residential and multiple use buildings abutting the CM-RM zoning district, the side setback requirement of the underlying zoning district pursuant to Section 20.22.15 internal to a Cooper PUD site may be reduced to a minimum of 3 feet with at least 6 feet between buildings for portions of buildings that are 40 feet in height or shorter.

4. **Additional Site Development Standard Modifications for Needed Development Outcomes.**

- A. Needed development outcomes qualify for the site development standard bonuses and reductions of this Subsection. These bonuses and reductions shall apply only to those buildings that contribute towards providing

the needed development outcome(s). For example, if a development provides 50 percent visitable housing and 50 percent non-visitable housing, all buildings containing a visitable dwelling qualify for the provisions of this Subsection.

B. Site Development Standard Bonuses and Reductions for Needed Development Outcomes.

1. Building Height Bonus for Multiple Use and Multi-Dwelling Buildings. Multiple Use and Multi-Dwelling buildings abutting a residential zoning district (as identified in Section 10.25) that incorporate a needed development outcome shall not be subject to Footnote 9 of Table 20.22.15 and shall instead comply with this building height and side setback provision: The 10-foot side setback is applicable only to any portion of a building taller than 45 feet. The side setback for any portion of a building 45 feet or shorter is 5 feet. This reduction applies to lots internal to the Cooper PUD and to the PUD parent parcel.
2. Rear Setback Reduction for Residential Buildings. The rear setback requirement of Section 20.22.15 for any residential-only building that incorporates a needed development outcome in any Cooper Mountain Zoning District shall be 5 feet provided that no portion of the building is greater than 45 feet tall within 10 feet of the rear property line. This reduction applies to lots internal to the Cooper PUD and to the PUD parent parcel.
3. Maximum Floor Area Ratio (FAR) Bonus.
 - a. Within the CM-RM zoning district, residential buildings that incorporate needed development outcome(s) may have a maximum FAR that is up to 10 percent higher than the standard identified in Section 20.22.15.
 - b. Within all other Cooper Mountain Zoning Districts, proposals that have reached the maximum FAR limitations of the site pursuant to Sections 20.22.15 and 20.25 of this Code shall be eligible for additional floor area for buildings that incorporate needed development outcome(s) consistent with the following provisions:
 - i. For lots with middle housing dwellings that provide a needed development outcome, the lot shall have a maximum FAR that is 10 percent higher than the standard identified in Section 20.22.15.
 - ii. For all Multi-Dwelling and Multiple Use buildings that incorporate a needed development outcome, the floor area of the building may be increased by up to 300 square feet per unit of provided needed development outcome within that building. For example, if a Multiple Use building includes 10 Regulated Affordable Housing units, the floor area of the building may be increased by 3,000 square feet.

Commentary:

Section 60.36.20 provides the discretionary approach to deviate from the housing variety and integration standards in Section 20.22.40 for residential developments three acres or larger in the CM-RM zoning district. While the standards in Chapter 20 include minimum percentages for different housing types, housing categories to choose from, and a numerical method to distribute housing types for integration, the Cooper PUD uses a more holistic approach.

The Cooper PUD requires the same number of housing types, but it eliminates minimum percentages and categories for flexibility. Furthermore, the Cooper PUD requires that the development provide some needed housing types such as ADUs, visitable dwellings, or affordable housing. The amount of the needed housing is not specified which allows the Planning Commission to exercise discretion when determining if the proposed development provides sufficient

housing variety. Similarly, the applicant must demonstrate to the satisfaction of the Planning Commission that the housing types are integrated in an equitable manner.

60.36.20. Housing Variety and Integration in CM-RM

1. To deviate from the housing variety and integration standards of Section 20.22.40, a Cooper PUD shall meet all the provisions of this Subsection.
2. The intent of this Subsection is to ensure the development and integration of a variety of housing types within PUD boundaries and across Cooper Mountain neighborhoods in a way that is consistent with the intent of the housing variety and integration standards of the Development Code, the housing and equity policies of the Cooper Mountain Community Plan, and the findings of the Housing Needs Analysis in Volume II of the Comprehensive Plan.
3. The Cooper PUD includes one or more of the following housing development types:
 - A. Residential Care Facility;
 - B. At least 20 percent of proposed dwelling units are either visitable, consistent with Section 60.50.25.16, or are an Accessory Dwelling Unit constructed with a Single-Detached dwelling, consistent with Section 60.50.03. If a visitable Accessory Dwelling Unit is proposed, it shall only count as one dwelling unit towards the 20 percent minimum.
 - C. Manufactured Home Park;
 - D. At least 10 percent of proposed dwellings are Regulated Affordable Housing; or
 - E. At least 15 percent of provided single-detached or Middle Housing units are restricted to buyers earning 120 percent or less of the area median income through an agreement with an administering permanent affordability provider. The permanent affordability provider shall use a land trust model to ensure affordability for a minimum period of 60 years. A lien shall be recorded for each dwelling prior to or concurrent with recordation of a final plat until the first sale of the dwelling is completed to the permanent affordability provider.
4. Cooper PUD developments providing Regulated Affordable Housing consistent with Section 60.36.20.3.D, above, are exempt from 60.36.20.5 and 6, below.
5. The development includes multiple dwelling types from the list below that provide a range of unit sizes, bedroom counts, or separate living areas to support all household sizes and compositions. Cooper PUD development sites totaling 15 net acres or less shall provide at least two dwelling types. Cooper PUD developments over 15 net acres shall provide at least three dwelling types. If phasing is proposed, the required number of dwelling types shall be based on the total net acreage of all Cooper PUD phases.
 - A. Accessory Dwelling Unit
 - B. Duplex
 - C. Triplex
 - D. Quadplex
 - E. Townhouse
 - F. Cottage Cluster
 - G. Multi-dwelling with 5 or 6 units
6. Within the development, housing types that contribute to meeting the requirements of Section 60.36.20.3 and 5 above are:
 - A. Generally integrated with, rather than separated from, single-detached dwellings; and

- B. Located throughout the development in a manner that provides equitable access to natural resources, parks, trails, and neighborhood amenities, such as commercial uses.
7. The proposed number of units, dwelling types, and location of housing types meets or exceeds the intent of the Cooper Mountain Community Plan Housing Goal 2, Policies d, e, and f, and provides a similar or enhanced benefit of housing variety and integration within the Cooper PUD compared to the standards of Section 20.22.40.

60.36.25. Open Space

1. Development in the Cooper Mountain Community Plan area shall provide common passive and active open spaces, indoor and outdoor shared gathering places, and tree canopy coverage in a way that ensures equitable visual and physical access to residents and users. This Subsection offers Cooper PUD developments flexible options for the provision and design of such areas while furthering the tree canopy, natural resource preservation, and equity goals of the Cooper Mountain Community Plan.
2. To deviate from an open space requirement of Section 60.05 identified by this Subsection, a Cooper PUD shall meet one of the combinations of provisions of this Subsection as listed below. An applicant may choose to address any number of applicable combinations identified in A through E below to deviate from the corresponding open space requirement of Section 60.05.
 - A. 60.36.25.3;
 - B. 60.36.25.4.A;
 - C. 60.36.25.4.B;
 - D. 60.36.25.5.A; or
 - E. 60.36.25.5.B.
3. **Required Public Plazas in the CM-CS Zoning District.** Cooper PUD sites that are required to provide a minimum amount of leasable commercial square footage pursuant to Section 20.22.30 and the associated public plaza required by Section 60.05.25.17.B may reduce the required public plaza area by providing enhanced design features consistent with the following provisions:
 - A. The minimum required public plaza area shall be reduced to 6 percent of the minimum required leasable commercial square footage, or a minimum area of 400 square feet, whichever is larger.
 - B. The public plaza shall be large enough to fit a 15-foot by 15-foot square inside of it. An alternative minimum dimension may be approved if the decision-making authority finds that it accommodates a safe and usable public space.
 - C. If bordered by a building, primary commercial or residential building entrance(s) shall be accessed from the public plaza, and windows shall be provided that allow views into buildings from the plaza.
 - D. The public plaza shall provide two or more enhanced design features or amenities that encourage social interaction among users and that create a welcoming public space for use and enjoyment by people of all ages and abilities. Examples of enhanced design features and amenities include:
 1. Ample and varied seating options that cater to different activities and accommodate a range of physical abilities.
 2. Weather protection for enhanced comfort and extended-season use of the public space.

3. An art, cultural, or educational installation that celebrates the diversity, cultural influences, history, geographic significance, natural surroundings, or another inclusive aspect of the community. Art installations shall be Public Art approved by the Beaverton Arts Commission. If signage is used as a component of the installation, it shall not be subject to the Sign Regulations of Section 60.40.
 4. A sustainability feature that incorporates net-zero water or energy use or that supports climate resilience.
 5. Tree planting or preservation such that at least 25 percent of the public plaza area shall have Mature Tree Canopy (15 years) coverage.
 6. Other features or amenities that the decision-making authority determines provide similar enhancement to the public plaza for all users.
4. **Open Space Alternatives for Residential Development in the CM-RM Zoning District.** These provisions provide open space alternatives for development proposals, or portions thereof, in the CM-RM zoning district that are subject to the one of the following standards: S8 of Section 60.05.60.2; S8 of Section 60.05.60.3; S21 of Section 60.05.60.4; or S6 of Section 60.05.65.2.
- A. In lieu of the applicable Cooper Mountain Community Plan Open Space standard on sites that do not have adequate area in either the Resource Overlay or Cooper Mountain Parks Overlay to meet the standard at the time of Initial Development, the minimum open space requirement may be reduced, but shall not be reduced below 10 percent of the applicable site area, provided that the development includes enhanced open space in one of the following ways:
 1. One or more open space tracts with at least 75 percent Mature Tree Canopy (15 years) coverage from preserved or planted trees. If multiple open space tracts are established, tracts shall be no smaller than 3 percent of the applicable site area, or 1,000 square feet, whichever is greater, unless the decision-making authority determines that a smaller tract size is warranted based on the Parent Parcel area or another site constraint.
 2. One or more active open space tracts that meet the requirements of Section 60.36.25.6.
 - B. Needed development outcomes. Developments that incorporate one or more needed development outcomes, except for five- and six-unit multi-dwelling structures, and do not have adequate site area in either the Resource Overlay or Cooper Mountain Parks Overlay to meet the applicable Cooper Mountain Community Plan open space standard at the time of Initial Development shall provide a minimum of 8 percent of the applicable site area as open space. The open space area may be public or private and may be established by tract(s) or easement(s) identified on a recorded plat. The open space shall be consistent with one of the following options:
 1. The open space area shall have at least 50 percent Mature Tree Canopy (15 years) coverage from preserved or planted trees. The open space area shall be sited for equitable visual or physical access of all users of the development.
 2. The open space area is designed as active open space for the safe enjoyment of all users of the development and includes a variety of amenities or facilities that accommodate individuals of varying ages and abilities. Tree Canopy is provided or preserved in a way that offers usable shaded green space or shaded seating areas for users. Physical improvements are provided that promote physical health, social interaction, community gathering, or tranquility. This active open space area shall be consistent with the location and dimensional requirements of Section 60.36.25.6.A and B.
 3. Any other open space area that the decision-making authority determines provides similar tree canopy coverage or active green space for the benefit of all future users of the development.

5. **Open Space Alternatives for Other Development Scenarios.** These provisions provide open space alternatives for select development proposals, or portions thereof, that are subject to the standards of Section 60.05.25.17.A.
- A. **Developments of Multi-Dwellings or Multiple Use Sites with Residential Dwellings.** If Multi-Dwelling and Multiple Use with residential dwellings sites do not have adequate applicable site area within the Resource Overlay or Cooper Mountain Parks Overlay to meet the applicable Cooper Mountain Community Plan open space standard at the time of Initial Development, the development shall provide at least 8 percent of the applicable site area as active open space with enhanced tree canopy consistent with both of the following provisions:
1. The active open space area shall comply with the requirements of Section 60.36.25.6.
 2. In lieu of Section 60.36.25.6.C.1, the active open space area shall have at least 15 percent Mature Tree Canopy (15 years) coverage from preserved or planted trees. Tree Canopy shall provide shade for users of the active open space.
- B. **Needed development outcomes.** If a development that incorporates a needed development outcome, except for five- and six-unit multi-dwelling structures, does not have adequate site area in either the Resource Overlay or Cooper Mountain Parks Overlay to meet the applicable Cooper Mountain Community Plan Open Space standard at the time of Initial Development, the following provisions shall apply:
1. Within the Cooper PUD site, if a lot does not incorporate a needed development outcome, the lot shall either:
 - a. Provide at least 5 percent Mature Tree Canopy (15 years) coverage from preserved or planted trees. Planted trees and qualifying preserved trees shall count towards the minimum tree planting requirement of Section 60.05.25.1 through 5, as applicable to the proposed type of development; or
 - b. Provide active open space on the lot in compliance with Section 60.36.25.5.A above.
 2. Within the Cooper PUD site, on a lot that includes a needed development outcome, the lot shall provide either Mature Tree Canopy coverage, active open space area, or a combination of both in a way that supports the equitable visual or physical access and enjoyment of green spaces for all future users of the development by demonstrating that the proposal is consistent with both of the following:
 - a. If an active open space area is provided, it shall be designed for the safe enjoyment of all ages and abilities and shall comply with the location and dimensional requirements of Section 60.36.25.6.A and B. Tree canopy shall be planted or preserved in a way that offers shade for users. Physical improvements shall be provided that promote physical health, social interaction, community gathering, or tranquility.
 - b. The open space area provides the greatest amount of Mature Tree Canopy (15 years) coverage, physical improvements, or green space possible considering the unique needs and constraints of developing a needed development outcome on the site.
6. **Active Open Space.** All active open space within a Cooper PUD shall comply with the requirements of this Subsection, except as otherwise required by the provisions of Section 60.36.
- A. **Location Requirements.**
1. The active open space area shall be sited to provide convenient and equitable physical access for all users of the development via at least one non-automobile connection. The connection shall provide reasonably direct access to the active open space area and shall comply with Americans with Disabilities Act requirements, as applicable.
 2. The active open space area shall be located where it is at least partially visible from Public View in a way that promotes safety for users and increased patronage.

3. The active open space area shall be located outside the Resource Overlay and outside any tree canopy tract required by the Development Code.
 4. Existing Topography (Pre-Development):
 - a. No more than 50 percent of the active open space area shall have slopes greater than 5 percent.
 - b. No more than 10 percent of the active open space area shall have slopes greater than 15 percent.
 - c. No portion of the active open space shall have slopes equal to or greater than 25 percent.
 - d. Active open space areas that do not meet the topographic requirements of a. through c. may be approved by the decision-making authority provided that the applicant demonstrates that compliance is not possible based on the context of the proposed amenities and existing site conditions or that the active open space provides access to a View Corridor.
- B. Minimum Dimensions. Active open space areas that are subject to the requirements of this Subsection shall meet the following requirements:
1. Minimum area: 4,000 square feet
 2. Minimum dimensions:
 - a. The active open space shall be large enough to fit a 40-foot by 40-foot square inside of it; and
 - b. No dimension of the active open space area shall be less than 20 feet.
 3. Alternative dimensions may be approved by the decision-making authority provided that the applicant demonstrates that unique site conditions or constraints prevent compliance with 1. or 2. above.
- C. Design Requirements.
1. The active open space area shall have at least 10 percent Mature Tree Canopy (15 years) coverage from preserved or planted trees.
 2. Safety features such as fencing, lighting, traction surfaces, and other improvements shall be provided to support the prevention of crime and accident, separate users from vehicles, and create welcoming conditions for users of all ages and abilities.
 3. Multiple physical improvements shall be provided that promote physical health, social interaction, community gathering, or a tranquil atmosphere and that create a vibrant, multi-use space. Examples of such improvements include but are not limited to benches, shade structures, picnic areas, playground equipment, sport courts, swimming/wading pools, indoor Community Buildings or meeting facilities, play fields, meditation gardens, Community Gardens, and other improvements approved by the decision-making authority.
 4. Up to 50 percent of the active open space area may be provided as floor area of an indoor amenity consistent with the following requirements:
 - a. The indoor amenity is not required to satisfy another requirement of this Code.
 - b. The indoor amenity is accessible to all residents of the development.

- c. The indoor amenity is designed to serve as a gathering place for community residents and provides opportunities for shared experiences. Examples of such spaces include but are not limited to community rooms, lounges, fitness rooms, shared kitchens, dining areas, co-working spaces, game rooms, libraries, or art/craft rooms.
 - d. The indoor amenity provides direct access to the outdoor portion of the active open space area.
7. **Maintenance and Ownership.** Except for Resource Overlay tracts, all Cooper PUD open space areas and the preserved or planted Tree Canopy contained therein shall comply with the following maintenance and ownership requirements to ensure safe and attractive community amenities upon completion of the development and into the future:
- A. Open spaces and the structures, features, plantings, and amenities therein shall be permanently maintained by and conveyed, if applicable, to one of the following:
 - 1. The property owner(s) or their authorized agent(s);
 - 2. An association of owners or tenants, created as a non-profit corporation under the laws of the state (ORS 94.572) which shall adopt and impose articles of incorporation, bylaws, and a declaration of covenants and restrictions (CC&Rs) that comply with Section 10.18 and are acceptable to the City Attorney as providing for the continued care of the open space. Any subsequent changes to such CC&Rs regarding open space must be approved by the City Attorney. Such an association shall be formed and continued for the purpose of maintaining the open space and shall provide for City intervention and the imposition of a lien against the entire PUD in the event the association fails to perform as required; or
 - 3. A public agency which agrees to maintain the dedicated open space and any buildings, structures, or other improvements which have been placed on it.
 - B. Open spaces shall be protected and enforced for use as such by CC&Rs, deed restrictions, easements, or plat restrictions in compliance with Section 10.18. Such restrictions shall also prevent any future development not consistent with the approved purpose of the open space on the protected portion of the site.

Cooper Mountain Community Plan

Proposed Beaverton Code Amendments

- Commentary is for information only.
- Language that has been skipped is indicated by “***”

The entire Section 60.37 is proposed to be added to Chapter 60. To make it easier to read, it is not all shown in red and underlined.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 60 - SPECIAL REQUIREMENTS

Chapter 60.37 – Resource Overlay

A new section 60.37 is proposed for the requirements related to the Resource Overlay. This section is written to be substantially compliant with the Metro Title 13 Model Code, which provides the framework for regulating natural resources in the urban growth boundary.

The Resource Overlay will only exist in parts of the Cooper Mountain Community Plan area.

60.37. Resource Overlay

60.37.05. Purpose.

1. The Resource Overlay regulations provide a framework for protection of Metro Title 13 lands and Statewide Planning Goal 5 natural resources within the City of Beaverton. The Resource Overlay is established for the following purposes:
 - A. Protect streams and riparian areas for their ecological function and as an amenity for the community.
 - B. Protect floodplains and wetlands to promote improved hydrology, flood protection, aquifer recharge, and habitat functions.
 - C. Protect upland habitats and enhance connections between the upland and riparian areas.
 - D. Maintain and enhance water quality and control erosion and sedimentation by placing limits on construction, impervious surfaces, and pollutant discharge in Resource Overlay areas, as defined in 60.37.10.
 - E. Conserve scenic, recreational, and educational values of significant natural resources.
 - F. Provide mitigation standards for the replacement of ecological functions and values lost through development of resource areas.

- G. Balance conservation and economic use by allowing reasonable economic use of property where adverse impacts to the resources can be mitigated.
- H. Provide clear and objective standards and a discretionary review process, applicable to development in Resource Overlay areas, consistent with Statewide Land Use Planning Goal 5.

Section 60.37.10 – Applicability

In Cooper Mountain, the Resource Overlay includes wetlands and water bodies, the approximated CWS vegetated corridor, Class I and Class II Riparian areas, and Upland Class A and B wildlife areas. These areas were identified through the *Cooper Mountain Community Plan Natural Resources Report and Wetlands Inventory*.

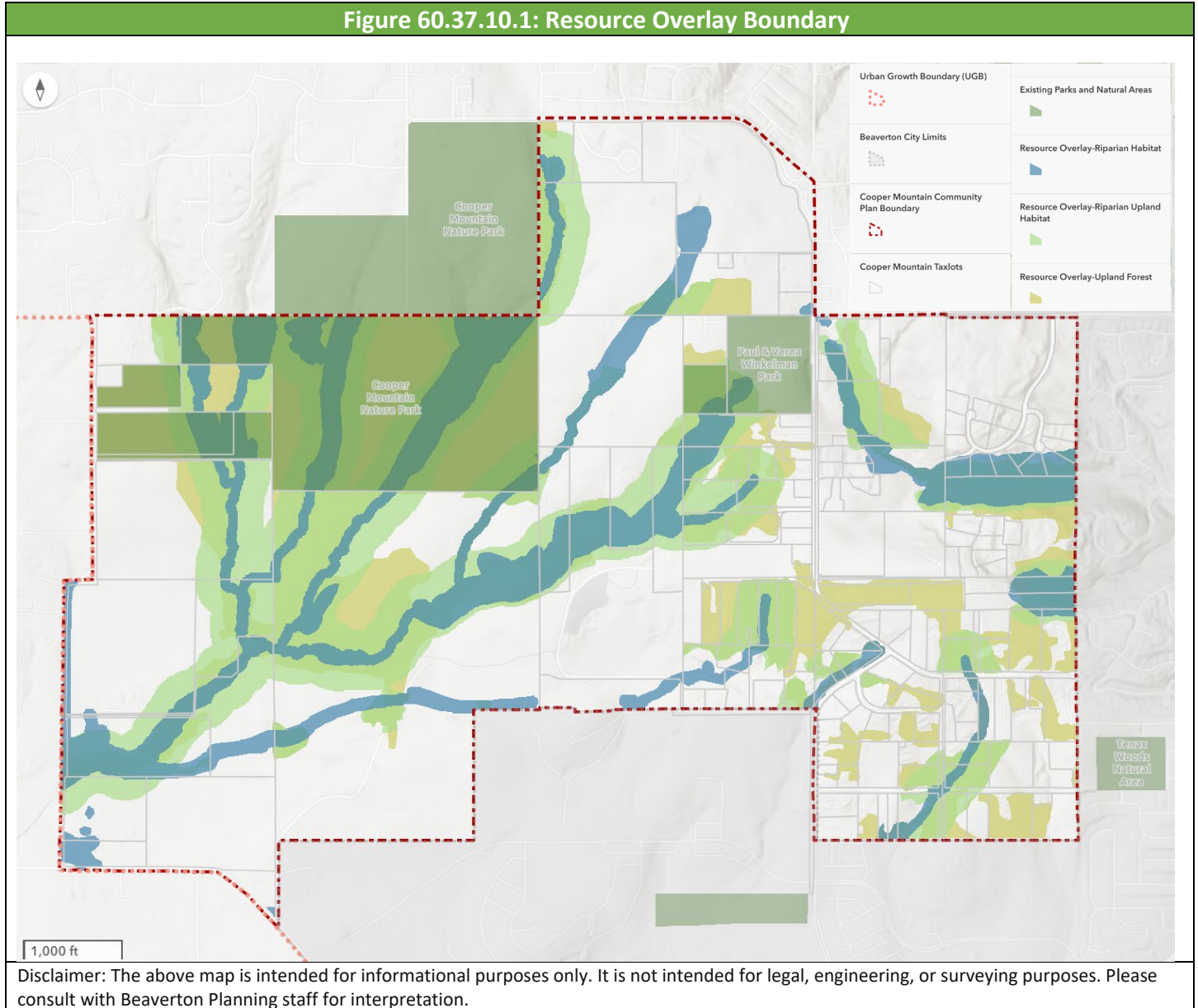
This section primarily regulates activities within the boundary of the Resource Overlay. However, the section is applicable to any property that contains the overlay because an important component of the natural resource protections are the standards for land divisions in Section 60.37.30.

The areas directly around Cooper Mountain Nature Park have additional buffer requirements that are outlined in the landscaping requirements (previous versions of this code described those buffering requirements as “Impact Areas” within the Resource Overlay section).

60.37.10. Applicability.

1. The requirements of this Section apply to properties within the Cooper Mountain Community Plan area that contain the Resource Overlay, as shown in Figure 60.37.10.1. The boundary of the Resource Overlay on each property shall be defined in Section 60.37.15.
2. The Resource Overlay includes wetlands and significant fish and wildlife habitat areas that the City of Beaverton has determined require a higher degree of regulation to protect and conserve natural resources in accordance with Metro Title 13 and Statewide Planning Goal 5.
3. The natural resources evaluation is based on the conditions of the property on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro Urban Growth Boundary (UGB). For the Cooper Mountain Community Plan area, the effective date is December 13, 2018.
4. For the purposes of this section, the term “land division” does not include Middle Housing Land Divisions, pursuant to Section 40.45.15.10, and the term “lot” does not include Middle Housing Child Lots.
5. The requirements of this section are in addition to the standards of the underlying base zone and to any other standards in the Development Code. Where conflicts may occur among standards, the more restrictive shall govern.
6. Development in or near wetlands, streams, and riparian areas may require a service provider letter from Clean Water Services (CWS) and permits from the Oregon Department of State Lands (DSL) and the U.S. Army Corps of Engineers (the Corps). If a state or federal permit is required, a water quality certification from the Oregon Department of Environmental Quality may also be required. Because these agencies may have more restrictive regulations than the City, applicants are encouraged to coordinate with regional, state, and federal agencies before they prepare their development plans.
7. For the purposes of this section, the following are approved plant lists:
 - A. City of Beaverton Tree List

- B. Clean Water Services’ Design and Construction Standards, Appendix A (2019)
 - C. Metro Native Plants for Willamette Valley Yards Booklet (2020)
 - D. Portland Plant List (2016)
8. For the purpose of this section, “Forest Canopy” means areas that are part of a contiguous grove of trees of one acre or larger in an area with 60 percent or greater Tree Canopy. Forest canopy is evaluated at the date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB. Forest canopy does not include planted timber or tree farms.



Section 60.37.15 – Boundary Verification and Correction

The boundary of the Resource Overlay is based on the requirements of Metro Title 13. The overlay contains riparian and upland habitat areas. The upland area classifications are based on the conditions at the time that the property was added to the UGB (December 13, 2018, for the Cooper Mountain Community Plan Area). Areas of significant trees (as of December 13, 2018) are included in the Resource Overlay. The regulations apply, regardless of the current vegetation status of the property.

The city will maintain a GIS map of the Resource Overlay in three layers:

- Resource Overlay, Riparian Habitat
- Resource Overlay, Riparian Upland Habitat
- Resource Overlay, Upland Forest Habitat

For applicants, the clear and objective path will be to accept the boundary of the Resource Overlay. No further natural resources evaluation would be required by this code section.

On many properties, the natural resources inventory was completed without direct access to each property in the planning area. As such, we anticipate that the locations of creeks and wetlands or the classification of streams (perennial vs. intermittent) may need to be corrected through on-site investigations. When those investigations are complete, applicants should get concurrence from DSL about the wetland or water delineation and the stream classification. With that concurrence from DSL, applicants may use the Type 1 process to submit for a boundary correction (see details in Table 60.37.15.2). This process is similar to the site assessment already required by Clean Water Services to define natural resource areas on developing properties.

Applicants who believe the natural resources report contain errors of other types must use the Type 3 process to explain the errors and seek changes to the boundary of the Resource Overlay. We anticipate that this process will be rare.

Land division or development activities may result in approved disturbance of the Resource Overlay, but those activities will not alter the boundary of the Resource Overlay.

60.37.15. Boundary Mapping and Correction.

1. The boundaries of the Resource Overlay are based on a GIS-supported application of the following mapping protocols.
 - A. The location of the Resource Overlay is based on analyses that have been carried out within specific areas of the City. The attributes and values for the different types of resource sites that are regulated by the Resource Overlay are described in the inventory section of each of the following natural resource reports adopted as part of the city's Comprehensive Plan:
 1. Cooper Mountain Community Plan Natural Resources Report
 2. Cooper Mountain Local Wetlands Inventory
 - B. In the Cooper Mountain Community Plan area, the Resource Overlay shall include the following areas consistent with the descriptions below and Table 60.37.15.1:
 1. Riparian Habitat: Areas of Class I and Class II riparian habitat, associated with wetlands, rivers, streams, springs, or other regulated waters. Riparian Habitat areas include regulated wetlands shown on National Wetland Inventory mapping, Local Wetland Inventory mapping, and protected wetlands identified in DSL-concurred, site-specific studies.

2. Riparian Upland Habitat: Areas of Class A and B upland habitat associated with wetlands, rivers, streams, springs, or other waters, defined based on the protected feature, consistent with Table 60.37.15.1.
3. Upland Forest Habitat: Areas of Class A and B upland wildlife habitat, mapped by Metro as part of the Title 13 adoption process. If the area contained forest canopy on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB, the area is included in the Resource Overlay. Upland Forest Habitat includes the entire Cooper Mountain Nature Park.

Table 60.37.15.1: RESOURCE OVERLAY AREAS			
Protected Feature	Riparian Habitat Areas	Riparian Upland Habitat Areas	Upland Forest Habitat Areas
Wetlands (existing or created)	Clean Water Services (CWS) Vegetated Corridor	Forest canopy ¹ within 300 feet of water feature	N/A
Natural lakes, ponds, and in-stream impoundments	CWS Vegetated Corridor	Forest canopy ¹ within 300 feet of water feature	N/A
Perennial Stream – Priority ²	CWS Vegetated Corridor	300 feet from centerline, regardless of vegetation	N/A
Perennial Stream – All Others	CWS Vegetated Corridor	Forest canopy ¹ within 300 feet of stream centerline	N/A
Intermittent Streams and Springs	CWS Vegetated Corridor	None	N/A
Forest Canopy ¹	None	N/A	Forest Canopy ¹ area, regardless of proximity to other protected features
Cooper Mountain Nature Park	CWS Vegetated Corridors	N/A	All area within the limits of the Cooper Mountain Nature Park

¹ For the purpose of this section, “Forest Canopy” means areas that are part of a contiguous grove of trees of one acre or larger in an area with 60 percent or greater tree canopy. Forest canopy is evaluated at the date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB. Forest canopy does not include planted timber or tree farms.

² Perennial Streams – Priority are identified in the applicable Natural Resources report, adopted as part of Volume III of the city’s Comprehensive Plan. The reports are also listed in 60.37.15.1.A.

2. Basic Boundary Correction. An applicant seeking a Resource Overlay map adjustment to address issues in Table 60.37.15.2 shall submit a Resource Overlay – Boundary Correction Type 1 application pursuant to Section 40.70.15. The applicant shall refer to the applicable natural resources report from 60.37.15.1.A to identify the types(s) of resources on the property and shall submit the applicable map correction materials described in Table 60.37.15.2 below.

Table 60.37.15.2: MAP CORRECTION ISSUES AND METHODOLOGIES

Map Correction Issue	Basic Map Correction Documentation
<p>(a) Resource Overlay map is inaccurate based on a clear misalignment of the GIS layers</p>	<p>The applicant shall provide documentation demonstrating the misalignment between the GIS data depicting the Resource Overlay and the property’s surveyed lot lines.</p> <p>The applicant shall provide a map of the corrected boundary of the Resource Overlay, following the mapping protocols in Section 60.37.15.1.</p>
<p>(b) Location of wetland, stream, spring, or other water feature has been incorrectly identified or stream classification is inaccurate</p>	<p>The applicant shall provide an accurate delineation of the wetland or water feature boundary, which has concurrence from the Oregon Department of State Lands (DSL). Where applicable, the applicant shall provide documentation of the stream classification, with concurrence from DSL.</p> <p>The applicant shall provide documentation to correct the location of the Riparian Habitat and Riparian Upland Habitat areas associated with the corrected location of the wetland or water feature, in accordance with Table 60.37.15.1. Corrections to the location or classification of wetlands, streams, springs, or other waters shall not change the mapping of the Upland Forest Habitat areas.</p> <p>The applicant shall provide a map of the corrected boundary of the Resource Overlay, following the mapping protocols in Section 60.37.15.1.</p>
<p>(c) Forest Canopy mapping does not accurately reflect the site conditions that were present on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB</p>	<p>The applicant shall provide evidence demonstrating that some or all of the forest canopy on the property was no longer in existence on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB, such as:</p> <ul style="list-style-type: none"> • Approved building permits or other development plans and drawings; • For tree removal associated with forest practices, evidence that the Oregon Department of Forestry was notified of forest practices as required and trees were removed as proposed; and/or • Aerial photographs that clearly show that the site was developed and the extent of that development on or before the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB. <p>The applicant shall provide documentation to correct the location of the Riparian Upland Habitat area and Upland Forest Habitat area, in accordance with Table 60.37.15.1.</p> <p>The applicant shall provide a map of the corrected boundary of the Resource Overlay, following the mapping protocols in Section 60.37.15.1.</p>

3. Detailed Boundary Correction.
 - A. An applicant seeking a Resource Overlay map adjustment for a reason not listed in Table 60.37.15.2 shall submit a Resource Overlay – Boundary Amendment Type 3 application pursuant to Section 40.70.15 to request a detailed boundary correction.
 - B. The applicant shall submit a report prepared and signed by either 1) a qualified professional, such as a professional wetland scientist, wildlife biologist, botanist, or hydrologist, or 2) a civil or environmental engineer registered in Oregon. The report shall include:
 1. The information described in Table 60.37.15.1, relevant to the verification of habitat location on the subject property;
 2. A map showing the topography of the property shown by 2-foot contours in areas of slopes less than 15 percent, and at 5-foot vertical contours of slopes 15 percent or greater; and
 3. Additional information necessary to demonstrate that the location and/or attributes of the inventoried natural resources on the site as described in the applicable Natural Resources Report is inaccurate and that natural resources meeting the criteria for inclusion in the Natural Resources Inventory were not present on the effective date of the ordinance adopted by the Metro Council to bring the subject property within the Metro UGB. If such information includes aerial photographs, the report shall include documentation of the date and process used to take the photographs and an expert’s interpretation of the additional information they provide.
4. Map Administration
 - A. The City shall incorporate Resource Overlay map updates associated with approved Resource Overlay – Boundary Correction Type 1 and Type 3 applications after the land use decision is final.
 - B. The City shall update the Resource Overlay map to add a newly identified wetland, stream, or water feature when the City receives a delineation that has concurrence from the Oregon Department of State Lands. The City shall correct the location of the Resource Overlay to reflect the Riparian Habitat and Riparian Upland Habitat areas associated with the newly identified wetland or water feature, in accordance with Table 60.37.15.1.
 - C. Corrections to the boundary of the Resource Overlay shall not be considered Comprehensive Plan map amendments.

60.37.20. Prohibitions.

1. The following uses and activities are prohibited in the Resource Overlay.
 - A. New or expanded outdoor storage of materials and equipment.
 - B. Dumping of yard debris or trash.
 - C. Uncontained areas of materials defined as hazardous by the Department of Environmental Quality.
 - D. Grading, placement of fill, or the removal of vegetation, other than those exempted under 60.37.25 or allowed as part of a regulated use that is approved with a Resource Overlay application.
 - E. Any new gardens, lawns, structures, or development, other than those exempted under 60.37.25 or allowed as part of a regulated use that is approved with a Resource Overlay application.
 - F. Planting any vegetation listed as a nuisance or prohibited species on the approved plant lists in Section 60.37.10.

Section 60.37.25 – Exemptions

The exemptions are intended to allow for existing activities to continue in the Cooper Mountain Community Plan area. The regulations for the Resource Overlay will apply when properties are divided or developed.

In addition, development applications that apply the Resource Overlay protections through the land division process (Section 60.37.30) will not need to meet specific overlay protections on individual lots. In other words, applicants will define an allowable disturbance area and complete mitigation for those disturbances during the land division process and then individual building permits can proceed without further Resource Overlay applications.

The standards for land development in Section 60.37.40 will apply to development activity on lots that are NOT going through a land division process (such as a large existing lot that proposes to add a new structure).

60.37.25. Exemptions.

1. The following uses and activities are exempt from the requirements of this section. Where an exemption specifies an allowance of area for disturbance or improvement, that area represents the total cumulative amount allowed on a site pursuant to that exemption. The amount of disturbance area or improvement permitted by each exemption shall be calculated independently.
 - A. Change of ownership.
 - B. New site improvements, disturbance, structures, or other development that are more than 25 feet from the Resource Overlay.
 - C. Previously approved development as follows:
 1. A building permit for a phased development project for which the current or previous applicant has already met the application requirements, provided that the disturbance area was identified on the original permit and no new portion of the Resource Overlay will be disturbed.
 2. On the individual lots where the location of the proposed improvements (disturbance area) was identified in the land division decision and mitigation was completed as part of the land division for the entirety of the proposed disturbance area, in accordance with Section 60.37.45.
 - D. Emergency procedures necessary for the immediate safety or protection of life or property, including removing hazardous trees, flood control, sanitary sewer overflow repair, and stream bank stabilization.
 - E. Agricultural/Farming practices such as grazing, plowing, planting, cultivating, and harvesting, that existed on the property prior to [effective date of this ordinance] and do not include new or expanded structures, roads, or other constructed facilities.
 - F. Removal of plants identified as nuisance on the approved plant lists in Section 60.37.10 by hand, using low impact methods which do not create a permanent ground disturbance.
 - G. Enhancement and natural resource restoration activities that do not include clearing or grading of more than 500 square feet or 50 cubic yards.
 - H. Temporary and minor clearing of shrubs and brush, not to exceed 200 square feet within the Resource Overlay, for the purpose of site investigations, provided that such areas are restored to their original condition or replanted with vegetation that meets the quantity and species variety standards in Section 60.37.45.1 when the investigation is complete.

- I. Residential development activities, such as construction of home additions, decks, driveways, patios, sheds, gardens, and landscaping, provided that the new disturbance of the Resource Overlay does not exceed 500 square feet.
- J. Maintenance, repair, and replacement of existing public and private structures, public and private roads, public trails, public rest points, public viewing areas, public interpretative facilities, and utilities, provided the activity does not expand the footprint of the existing structure or facility within the Resource Overlay.
- K. Continued maintenance of existing gardens, pastures, lawns, and other planted areas, including the installation of new irrigation and drainage facilities, new erosion control features, and the installation of plants except those identified as nuisance on the approved plant lists in Section 60.37.10.
- L. Pruning trees and shrubs within 10 feet of buildings.
- M. Low impact outdoor facilities for public or private use, including but not limited to accessways, trails, picnic areas, overlooks, interpretive and educational displays, benches, and outdoor furniture, provided that the facility does not exceed 500 square feet of disturbance area to the Resource Overlay or result in more than 50 cubic yards of grading.

Section 60.37.30 – Standards for Land Divisions and Property Line Adjustments

Most development activity in the Cooper Mountain Community Plan area is expected to follow land division, so the protection standards in Section 60.37.30 will define the allowable disturbance areas for most new neighborhoods.

Based on the significance of the existing natural resources and the proposed land use types, the protection requirements are developed to be consistent with the “Moderate HCA” protection level in the Metro Title 13 Model Code.

The protection standards in Section 60.37.30 generally require that an applicant puts 80 percent of the Resource Overlay portion of the property into a protected tract during the land division process. The remaining 20 percent of the Resource Overlay portion of the property may be disturbed if appropriate mitigation is provided (Section 60.37.45). Applicants will need to plan for the allowable disturbance area to include areas where roads must cross the Resource Overlay. Applicants will also need to consider overlapping standards from CWS, DSL, the Corps, and other agencies that have strict protections for wetlands, waters, and riparian areas. Those existing regulations will create stronger protections for the higher quality habitat areas within the larger Resource Overlay.

Applicants may locate trails, stormwater management facilities, and underground linear utilities within the protected portions of the Resource Overlay if the areas are revegetated. These types of uses are compatible with the goals and intent of upland habitat areas.

60.37.30. Standards for Land Divisions and Property Line Adjustments.

- 1. Land divisions. Applicants who propose a land division of a property that contains the Resource Overlay shall comply with the following requirements:
 - A. Verify the location of the Resource Overlay, in accordance with Section 60.37.15.
 - B. Except as allowed pursuant to Subsection 60.37.30.1.C, when a property containing any Resource Overlay is divided, the applicant must place at least 80 percent of the Resource Overlay in one or more protected tracts. Any area of the Resource Overlay that is proposed to be preserved shall be placed in a separate tract, which

shall not be part of any lot used for construction of a dwelling unit or any other development. The separate tract(s) shall be shown on the preliminary plat.

- C. If the parent parcel is less than 22,000 square feet, a separate tract is not required. However, the applicant shall place at least 80 percent of the Resource Overlay in protected easements.
 - D. Prior to final plat approval, ownership of the Resource Overlay tract(s) shall be identified to distinguish it from lots intended for sale. The tract(s) may be identified as any of the following:
 - 1. Private natural area held by the owner or homeowners' association by a restrictive covenant.
 - 2. A public natural area where the tract has been dedicated to the City, Tualatin Hills Park & Recreation District (THPRD), Metro, or other conservation group.
 - 3. Private tract for stormwater management, where an easement conveying inspection access has been granted to the City.
 - 4. A public tract for stormwater management, where the tract has been dedicated to the City, CWS, or other public agency for stormwater facility ownership, operation, and maintenance.
 - E. All documents in Section 60.37.30.1.D shall be submitted to the City for review with the Final Land Division application and recorded with Washington County.
 - F. When driveways of single-detached or middle housing dwellings are proposed within the Resource Overlay, the driveways shall be shared by at least two dwellings.
 - G. Mitigation
 - 1. Applicants may complete the mitigation requirements in accordance with Section 60.37.45 for all areas of the Resource Overlay that are not placed in a protected tract and thereby exempt all subsequent development on lots or parcels containing the Resource Overlay from the standards for specific development types in Section 60.37.40. Building permits may be issued once the mitigation plan has been approved and a Guarantee of Completion equal to 110 percent of the estimated cost of the mitigation implementation and maintenance is filed with the City. The Guarantee of Completion shall ensure site preparation and initial planting within one year of final plat approval.
 - 2. If mitigation is not completed in accordance with Section 60.37.45 for all areas of the Resource Overlay that are not placed in a protected tract, all subsequent land divisions shall be subject to further review under this section.
 - 3. If mitigation is not completed in accordance with Section 60.37.45 for all areas of the Resource Overlay that are not placed in a protected tract, development activity for the specific development types in Section 60.37.40 shall be subject to further review for compliance with the requirements of Section 60.37.40.
2. Property line adjustments. Applicants who propose a property line adjustment when either property contains the Resource Overlay shall comply with the following requirements:
- A. Except as specified below, a property line adjustment shall result in each lot having at least one building envelope outside the Resource Overlay that is at least 2,000 square feet and has minimum dimensions of 16 feet.
 - B. This standard does not apply in the following situations:
 - 1. Prior to the property line adjustment, both lots were entirely in the Resource Overlay.
 - 2. Prior to the property line adjustment, both lots did not have building envelopes outside the Resource Overlay of at least 2,000 square feet and with minimum dimensions of 16 feet, provided that the property line adjustment does not cause either lot to move further out of conformance.

3. Following the property line adjustment, lots with less than the minimum building envelope will be dedicated or limited by deed restriction to the uses allowed in the overlay.

60.37.35. General Development Standards.

1. General Development Standards. The following standards apply to all regulated development on properties that contain the Resource Overlay.
 - A. Site development shall meet the requirements of Beaverton Code 9.05.
 - B. Site development shall meet the requirements of the City Engineering Design Manual and Standard Drawings.
 - C. Development activities within riparian areas shall meet the requirements of the Clean Water Services District Design and Construction Standards Manual. The City shall not issue a site development permit or building permit until the applicant has obtained a service provider letter from CWS.
 - D. All vegetation planted in the Resource Overlay shall be plants from the approved plant lists in Section 60.37.10.
 - E. Within the Resource Overlay, fences shall be allowed only within an approved disturbance area.
 - F. Lighting within 25 feet of the Resource Overlay and within 100 feet from the property line of Cooper Mountain Nature Park shall comply with the Special Design Standards within or abutting Natural Areas in the Technical Lighting Standards of Table 60.05-1.I.
 - G. Temporary disturbance areas shall be fully restored with vegetation that meets the quantity and species variety standards in Section 60.37.45.1.
 - H. During construction, the following standards apply:
 1. Trees in the Resource Overlay shall not be used as anchors for stabilizing construction equipment.
 2. Erosion control measures shall be in place prior to and maintained throughout the construction.
 3. No stockpiling of soil or debris shall be allowed within the Resource Overlay, except within an approved permanent or temporary disturbance area.
 4. Prior to construction, the Resource Overlay that is to remain undisturbed shall be flagged, fenced, or otherwise marked and shall remain undisturbed.
 5. Tree protection standards shall comply with Section 60.61.30.

Section 60.37.40 – Standards for Specific Development Types

Most development activity in the Cooper Mountain Community Plan area is expected to follow land division, so the protection standards in Section 60.37.30 will define the allowable disturbance areas for most new neighborhoods. The standards for land development in Section 60.37.40 will apply to development activity on lots that are not going through a land division process (such as an existing single-detached dwelling lot that proposes to add a new structure).

60.37.40. Standards for Specific Development Types.

1. Single-detached, middle housing, and five- and six-unit multi-dwellings. In addition to the general standards in Section 60.37.35, the following standards apply to the development of single-detached dwellings, middle housing, five- and six-unit multi-dwellings, small-scale commercial structures pursuant to 20.22.35, and related accessory structures and dwellings on existing legal lots of record.

- A. If there is not at least 6,000 square feet of contiguous land outside of the Resource Overlay, encroachment into the Resource Overlay shall be allowed but limited to the amount of area needed to make up for the deficit in square footage.
 - B. No more than 4,000 square feet within the Resource Overlay shall be permanent disturbance area. Any portion of the disturbance area that is replanted with vegetation that meets the quantity and species variety standards in Section 60.37.45.1 shall be considered as a temporary disturbance area.
 - C. When driveways for multiple properties with single-detached dwellings are proposed within the Resource Overlay, the driveways shall be shared by at least two properties.
 - D. Trees shall be removed within the permanent and temporary disturbance areas in accordance with Section 60.61.
 - E. If mitigation has not been provided during a land division per Section 60.37.30, then mitigation must be provided for the permanent disturbance area, in accordance with Section 60.37.45.
2. Commercial development and multi-dwellings of seven or more units. Unless the property has been reviewed and approved through the standards in Section 60.37.30, the following standards apply, in addition to the general standards in Section 60.37.35, to the development of commercial uses and multi-dwellings of seven units or more on existing legal lots of record.
- A. The maximum disturbance area (permanent and temporary) allowed within the Resource Overlay on a lot shall be limited to 50 percent of the total area of Resource Overlay on the lot.
 - B. Any portion of the disturbance area that is replanted with vegetation that meets the quantity and species variety standards in Section 60.37.45.1 shall be considered as a temporary disturbance area.
 - C. Trees shall be removed within the permanent and temporary disturbance areas in accordance with Section 60.61.
 - D. If mitigation has not been provided during a land division per Section 60.37.30, then mitigation must be provided for the permanent disturbance area, in accordance with Section 60.37.45.
3. Surface stormwater management facilities. In addition to the general standards in Section 60.37.35, the following standards apply to surface stormwater management facilities. These include publicly or privately owned and maintained facilities such as ponds, constructed wetlands, swales, vegetated basins, rain gardens, filter strips, and planters where stormwater runoff is collected or retained on the surface. Surface stormwater management facilities may be built, expanded, repaired, maintained, or replaced within the Resource Overlay provided that:
- A. The facility shall provide stormwater management from the public right of way or more than one lot of record.
 - B. The facility shall not contain an underground vault, tank, or structure for stormwater storage, retention, or treatment. Catch basin and manhole structures to collect, convey, and control the discharge of stormwater are allowed within the Resource Overlay.
 - C. The facility shall be planted with native vegetation from Clean Water Services' Design and Construction Standards, Appendix A.
 - D. Trees shall not be removed within the disturbance area for a surface stormwater management facility, except trees under 6-inch DBH, Hazardous Trees, Dead Trees, Dying Trees, and Nuisance Trees identified in the approved plant lists in Section 60.37.10.
 - E. Any portion of the facility that is planted with native shrubs and groundcover that meet the quantity and species variety standards in Section 60.37.45.1 shall be considered as a temporary disturbance area and mitigated in place.
 - F. Mitigation shall be provided for permanent disturbance areas that exceed 500 square feet in accordance with Section 60.37.45.

4. Linear Utility Facilities. In addition to the general standards in Section 60.37.35, the following standards apply to linear utility facilities (including private connections to existing or new utility lines, and new utilities or upgrades of existing utility lines) that are proposed as a standalone project. Linear utilities being proposed in conjunction with other development shall be subject to the Resource Overlay standards applicable to that development type rather than this section.
 - A. The permanent disturbance area of the utility corridor shall be no greater than 20 feet wide.
 - B. The temporary disturbance area of the construction/access corridor shall be no greater than 50 feet wide.
 - C. Native trees greater than 24-inch DBH shall not be removed.
 - D. A utility corridor shall be considered temporary if the disturbance area is mitigated and revegetated in accordance with Section 60.37.45.1.
 - E. Placement of manholes, or other minor permanent disturbance areas associated with the utility construction, shall be allowed without replacement mitigation.
 - F. Individual permanent disturbance areas greater than 500 square feet shall be mitigated in accordance with Section 60.37.45.
5. Non-Linear Utility Facilities. The following standards apply to non-linear municipal facilities associated with potable water, non-potable water, wastewater, and stormwater utilities. These facilities include, but are not limited to, diversion structures, lift stations, pump stations, wells, small water treatment facilities, and outfall devices. In addition to the general standards in Section 60.37.35, non-linear municipal utility facilities may be built, expanded, repaired, maintained, or replaced within the Resource Overlay, provided that:
 - A. A disturbance area shall be considered temporary if the disturbance area is mitigated and revegetated in accordance with Section 60.37.45.1.
 - B. If the permanent disturbance area exceeds 6,000 square feet in the Resource Overlay, the portion of the disturbance area that exceeds 6,000 square feet shall be mitigated in accordance with Section 60.37.40.
 - C. Trees shall be removed within the permanent and temporary disturbance area in accordance with Section 60.61.
6. Public Accessways. In addition to the general standards in Section 60.37.35, public accessways may be built, expanded, repaired, maintained, or replaced within the Resource Overlay, provided that:
 - A. The proposed accessway shall be associated with previously developed park infrastructure or identified on the Transportation System Plan, Active Transportation Plan, or an accessway associated with a park or public trail network to be owned by a public agency and associated with a park or public trail network.
 - B. The accessway shall be on public property or within a public easement.
 - C. No trees greater than 24-inch DBH shall be removed within the disturbance area.
 - D. Stream crossings shall comply with Clean Water Services requirements and the Engineering Design Manual.
 - E. The temporary disturbance area of the construction/access corridor shall be no greater than 50 feet wide.
 - F. A disturbance area shall be considered temporary if the disturbance area is mitigated and revegetated in accordance with Section 60.37.45.1.
 - G. Any permanent disturbance area that exceeds 15 feet wide shall be mitigated in accordance with Section 60.37.45.
 - H. Low impact public viewing areas, such as picnic areas, overlooks, interpretive and educational displays, benches, or outdoor furniture shall be allowed adjacent to public accessways. If the permanent disturbance area of the public viewing area exceeds 500 square feet in the Resource Overlay, the area shall be mitigated in accordance with Section 60.37.45.

7. Rights of way and public access easements. In addition to the general standards in Section 60.37.35, the following standards apply to public rights of way (ROW) and Public Access Easements, including roads and bridges (stream crossings).
 - A. Within the Resource Overlay, standard ROW cross-section-width dedication shall be required, although the width of the street section improvements shall be reduced by eliminating medians, planter strips, and parking lanes.
 - B. Stream crossings shall be designed by an Engineer to comply with the Engineering Design Manual and Clean Water Services District Design and Construction Standards.
 - C. Stream crossing structures shall be designed to provide passage for large mammals, including deer. The minimum dimensions for stream crossing structures shall be 8-foot rise and 20-foot span or 10-foot rise and 10-foot span.
 - D. Trees shall be removed within the right-of-way in accordance with the removal standards in Section 60.61.40
 - E. A disturbance area shall be considered temporary if the disturbance area is mitigated and revegetated in accordance with Section 60.37.45.1.
 - F. Mitigation shall be provided for the permanent disturbance area in accordance with Section 60.37.45.
8. Parks. In addition to the general standards in Section 60.37.35, the following standards apply to the development of public and private parks.
 - A. The maximum disturbance area (permanent and temporary) allowed within the Resource Overlay on a lot shall be limited to 50 percent of the total area of Resource Overlay on the lot.
 - B. Trees shall be removed within the permanent and temporary disturbance areas in accordance with Section 60.61.
 - C. A disturbance area shall be considered temporary if the disturbance area is mitigated and revegetated in accordance with Section 60.37.45.1.
 - D. Mitigation shall be provided for the permanent disturbance area in accordance with Section 60.37.45.

Section 60.37.45 – Mitigation

The Metro Title 13 Model Code requires mitigation planting for most areas of disturbance of the Resource Overlay. Most disturbance is expected to occur during the land division process. Applicants are required to put at least 80 percent of the Resource Overlay area into a protected tract. The remaining area of the Resource Overlay may be disturbed if mitigation is provided. The amount of mitigation is based on the area of the overlay that will be disturbed, regardless of the presence or quality of vegetation.

The mitigation planting may occur within the Resource Overlay. The intent is to enhance and improve the habitat quality in the portions of the Resource Overlay that are being protected, which should also help to meet the tree canopy goals for the Cooper Mountain Community Plan area.

A straight-forward mitigation formula is proposed. Planting is based on minimum numbers of trees and shrubs per 1,000 square feet of disturbed area. This gives applicants the flexibility to plant trees and shrubs throughout the upland and riparian areas, in locations with a stronger chance of survival. Trees planted to meet minimum canopy goals or CWS requirements for vegetated corridor enhancement can count toward the mitigation requirements if the planting is in a protected tract. The applicant will be required to monitor plant survival for 2 years and replant if the survival rate drops below 80 percent.

60.37.45. Mitigation.

1. Mitigation shall be provided for disturbances within the Resource Overlay according to the following standards:
 - A. All mitigation shall occur within the same stream basin as the disturbance area.
 - B. The mitigation area(s) may be located within the Resource Overlay or in an adjacent area outside the Resource Overlay. If the mitigation area is located outside the Resource Overlay, then the applicant shall preserve the mitigation area by placing it in a protected tract or easement in accordance with Section 60.37.30 or executing a deed restriction, such as a restrictive covenant.
 - C. All vegetation planted within a revegetation or mitigation area shall be native plants from the approved plant lists in Section 60.37.10.
 - D. Nuisance Plants shall not be planted in the mitigation area.
 - E. Invasive non-native plants growing in the revegetation area shall be removed prior to planting. Vegetation removal shall be conducted by hand or mechanically with small equipment that minimizes damage to existing native vegetation.
 - F. Plant Quantity. Plants shall be planted according to the following quantities:
 1. Trees at least 1.5-inch DBH shall be planted at a quantity of at least 10 per 1,000 square feet of disturbed area.
 2. Shrubs shall be planted at a quantity of at least 50 per 1,000 square feet of disturbed area.
 3. Live ground cover consisting of low-height plants, shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or shrubs. Bare gravel, rock, bark, or other similar materials may be used but are not a substitute for ground-cover plantings and shall be limited to no more than 25 percent of the required landscape area.
 4. Trees and shrubs planted to satisfy tree canopy requirements, vegetated corridor enhancement requirements from Clean Water Services, or other natural resource mitigation actions required by another government agency may be counted toward the total number of plantings required.
 - G. Plant Diversity.

1. If there are 17 or fewer required trees, they may all be the same species. If there are at least 18 but fewer than 54 required trees, no more than 33 percent shall be of one species. If there are more than 54 required trees, no more than 25 percent shall be of one species. This standard applies only to the trees being planted, not to existing trees that are preserved.
2. If there are more than 24 required shrubs, no more than 75 percent of shall be of one species.
2. Mitigation Plan. A mitigation plan shall be prepared and signed by professional wetland scientist, wildlife biologist, botanist, or hydrologist, or by a civil or environmental engineer registered in Oregon. The Mitigation plan shall include the following elements:
 - A. A map showing the location and size of the proposed disturbance area in the Resource Overlay;
 - B. A map showing the location of the proposed mitigation area(s);
 - C. Existing conditions and existing vegetation in the proposed mitigation area(s);
 - D. A detailed planting plan of the proposed mitigation area(s) with species and plant quantities in accordance with Section 60.37.45.1; and
 - E. A proposed monitoring plan in accordance with Section 60.37.45.5.
3. Requirements From Other Agencies. When mitigation is also required by DSL, the Corps, and/or CWS, a copy of the mitigation plan prepared for those agencies shall be submitted to the City. The City shall not issue a site development permit or building permit until all applicable local, Regional, State, and Federal permit approvals have been granted.
4. Irrigation. Irrigation shall be provided to ensure all site plantings will survive their establishment period. Establishment period irrigation shall be provided through one of the following options or a combination of options:
 - A. A permanent, in-ground irrigation system with an automatic controller.
 - B. An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen can be adequately served by the proposed irrigation system.
 - C. Irrigation by hand. New plantings shall be manually watered regularly during the first growing season. During later seasons, watering shall be done as needed to ensure survival of the plants. The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering.
5. Monitoring. The applicant is responsible for monitoring and maintaining vegetation in the mitigation site for two years following planting. The applicant shall submit an annual monitoring report to the City during the monitoring period, demonstrating that the minimum thresholds for plant survival and invasive species eradication on the site are being met.
 - A. On mitigation sites less than or equal to 0.25 acres in size, the monitoring report shall include:
 1. Photographs from fixed locations.
 2. Monitoring plan showing the location of plantings and photograph points.
 3. A complete census of installed tree and shrub plantings.
 4. An estimate of the cover and species diversity of herbaceous plants.
 5. A visual estimate of invasive plant coverage.
 6. Areas of invasive species removed and proposed trees and shrubs to be replanted to meet the plant survival thresholds.
 - B. On mitigation sites greater than 0.25 acres in size, the monitoring report shall include:

1. Photographs from fixed locations.
 2. Monitoring plan showing the location of plantings and photograph points and monitoring plots.
 3. Sampling data from permanent plots to estimate tree, shrub, herbaceous, and invasive plant species coverage. A minimum of 5 sample plots shall be used for mitigation areas of two acres or less. An additional two sample plots shall be used for each additional acre of mitigation. Each sample plot shall cover at least 700 square feet.
 4. Areas of invasive species removed and proposed trees and shrubs to be replanted to meet the plant survival thresholds.
- C. Plant Survival. During the monitoring period, if survival of trees or shrubs drops below 80 percent of the initial required planting quantities, replacement plants shall be added to maintain 80 percent or greater survival of plantings. Prior to re-planting, the cause of plant mortality shall be determined and documented with a description of how the problem will be corrected.
- D. Invasive Species. Invasive plant coverage shall not exceed 20 percent of the mitigation area or cover 25 square feet of contiguous area within the mitigation area. Invasive species that exceed these thresholds shall be removed prior to the submittal of the annual monitoring report.
6. Financial guarantee, in the form of an instrument approved by the City, shall be submitted to the City before building permits are issued or, when no building permit is required, before development within the Resource Overlay commences. The guarantee shall be in an amount adequate to cover 110 percent of the cost of performing the mitigation. The City will release the guarantee at the end of the two-year monitoring period or earlier if the City determines that the trees and shrubs have been successfully established.

Section 60.37.50 – Alternative Review

The alternative review process is the discretionary path for applicants that would like to propose an alternative approach to the land division process, the allowable disturbance areas, or the mitigation requirements. The Alternative Review process may be needed when a proposed development is planned in an area that can only be accessed by constructing infrastructure (roads) across the Resource Overlay and those roads would require disturbance of more than 20 percent of the overlay area on a particular property. The applicant would need to demonstrate that the impacts to the resource overlay cannot reasonably be avoided, that the design has taken measures to minimize impacts to high quality habitat areas and ecological functions, and that the resulting impacts will be mitigated.

Alternative Review is a Type 3 procedure.

Discretionary review for changes to the boundary of the Resource Overlay are addressed separately (through a Type 3 process) in Section 60.37.15 and Section 40.70.15.

60.37.50. Alternative Review

1. Applicants who cannot or choose not to comply with the standards of Sections 60.37.30, 60.37.35, 60.37.40, or 60.37.45 may submit a Resource Overlay – Alternative Review application pursuant to Section 40.70.15.4. The Alternative Review application shall include the information described in Sections 60.37.50.1.A through C and any additional information needed to demonstrate compliance with the approval criteria.
 - A. Alternatives Analysis and Impact Evaluation. An alternatives analysis and impact evaluation shall be required to determine compliance with the approval criteria and to evaluate development alternatives for a particular

property. For utility projects undertaken by public utilities on property that is not owned by the utility, the utility is not required to map or provide any information about the property except for the area within 100 feet of the location of the proposed disturbance area of the utility's project. The alternatives analysis and impact evaluation shall include all of the following items:

1. Identification and assessment of the ecological functions provided by the habitat areas within the Resource Overlay on the project site, including:
 - a. Hydrologic Function (water storage and delay)
 - b. Water Quality Function (sediment stabilization and retention, phosphorous retention, and nitrate removal and retention)
 - c. Aquatic Habitat Support Function (for anadromous and/or resident species)
 - d. Terrestrial Habitat (for invertebrates, native plant diversity, pollinators, birds, reptiles, amphibians, and mammals)
 - e. Stream Temperature Moderation
 2. Documentation of the site conditions or circumstances that make it physically difficult or impossible to develop an otherwise acceptable proposal without disturbing an area of the Resource Overlay that exceeds the disturbance limits in Sections 60.37.30 and 60.37.40.
 3. Evaluation of at least three practicable alternative designs or methods of development, with an analysis of the total disturbance area of each alternative and the resulting impacts on the ecological functions provided by the habitat areas within the Resource Overlay. The evaluation shall include an explanation of the rationale behind choosing the preferred alternative and list measures that will be taken to avoid, minimize, and mitigate for adverse impacts to ecological functions.
 4. With the exception of the standard(s) subject to the alternative review, documentation that all other applicable Resource Overlay standards are met.
 5. The Alternatives Analysis and Impact Evaluation shall be prepared and signed by a knowledgeable and qualified professional, such as a professional wetland scientist, wildlife biologist, botanist, or other appropriate and knowledgeable discipline.
- B. Mitigation Plan for Alternative Review. The purpose of a mitigation plan is to compensate for impacts that result from the chosen development alternative as identified in the impact evaluation. The mitigation plan shall either demonstrate compliance with the requirements of Section 60.37.45 or present an alternative mitigation plan that includes the following:
1. An explanation of how the proposed mitigation will compensate for the impacts to ecological functions described in the impact evaluation. The mitigation that would be required under Section 60.37.45 is assumed to be the baseline mitigation required to compensate for an average level of ecological functions resulting from impacts to the Resource Overlay.
 2. Documentation of permits or concurrence from Army Corps, DSL, and DEQ, if applicable.
 3. A list of all parties responsible for implementing and monitoring the mitigation plan and, if mitigation will occur off-site, the names of the owners of property where mitigation plantings will occur and documentation of a deed restriction.
 4. The mitigation site monitoring, success criteria, and reporting plan.
 5. A complete list of proposed mitigation plantings and locations.
 6. If mitigation is proposed outside the Cooper Mountain Plan area, a narrative description of why mitigation cannot be completed within the plan area.

7. The Alternative Mitigation Plan shall be prepared and signed by a knowledgeable and qualified natural resource professional, such as a professional wetland scientist, wildlife biologist, botanist, or other appropriate and knowledgeable discipline.
- C. Development Guidelines for Alternative Review.
1. Avoid intrusion. The Alternatives Analysis shall document the site conditions or circumstances that make it physically difficult or impossible to develop an otherwise acceptable proposal without disturbing an area of the Resource Overlay that exceeds the disturbance limits in Sections 60.37.30 and 60.37.40.
 2. Minimize impacts. If there is no practicable alternative that will avoid disturbance of the Resource Overlay beyond the allowable limits of this section, the proposal shall minimize the total disturbance area and minimize impacts to ecological functions of the disturbed habitat areas within the Resource Overlay to the extent practicable. The proposed development shall be located, designed, and constructed to minimize grading, removal of native vegetation, disturbance and removal of native soils, adverse hydrological impacts on water resources, and impacts on wildlife corridors and fish passage.
 3. Mitigate impacts. The development shall mitigate for impacts in accordance with Section 60.37.45 or in an alternative mitigation plan that provides the equivalent quantity and of plantings and compensates for the impacts to ecological functions of disturbed habitat areas.
2. Financial guarantee, in the form of an instrument approved by the City, shall be submitted to the City before building permits are issued, or when no building permit is required, before development within the Resource Overlay commences. It shall be in an amount adequate to cover 110 percent of the cost of performing the mitigation. The City will release the guarantee at the end of the two-year monitoring period, or before, if it determines that the trees and shrubs have been successfully established.

Cooper Mountain Community Plan

Proposed Beaverton 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 “***”

Commentary:

Edits to Section 60.40 for sign regulations propose minor updates to reflect the proposed Cooper Mountain Land Use Districts and an exemption for signs that are required to be installed on tree protection fencing and soil protection fencing during construction in Cooper Mountain. Sign regulations related to small-scale commercial uses in the CM-RM zoning district also are proposed.

60.40. Sign Regulations

[ORD 3227, 12/10/1981; ORD 4224, 09/19/2002]

60.40.05. Purpose.

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

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

[ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 4224, 09/19/2002; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

60.40.07 Compliance.

[ORD 4708; June 2017]

1. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign, or cause or permit the same to be done, contrary to or in violation of any of the provisions of Section 60.40 of this Code.

2. Except as provided in Section 60.40.10, no person shall erect, construct or alter a sign, or permit the same to be done, unless a sign permit has been issued by the city. A sign permit for the construction and continued use of a sign is subject to the terms and conditions stated in the permit and this Code.
3. An application for sign permit approval is subject to the procedures set forth in Section 40.60 (Signs) of this Code. The city may require as a condition of a sign permit that any and all unlawful sign(s) on the applicant's property be removed by a stated time.
4. The provisions of this Code shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other federal, state, or local law. Where a part of the provisions of Section 60.40 conflict with a provision of any zoning, development, building, fire, safety, or health ordinance or code, the more restrictive provision shall prevail.
5. If any section, subsection, paragraph, sentence, clause or phrase of this Code is declared invalid for any reason by a court having jurisdiction under State or Federal law, the remaining portions of this Code shall remain in full force and effect.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

60.40.10. Signs Exempt from Permits and Regulation.

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

1. Signs constructed or placed in a public right-of-way by or with the approval of a governmental agency having legal control of that right-of-way for the purpose of traffic control, transit, public safety and wayfinding.
2. Signs constructed or placed by public utility companies for the general purpose of providing information concerning a pole, line, pipe or other facility belonging to the public utility as an aid to public safety.
3. Signs that are placed outside and are not visible from public rights-of-way. [ORD 3374; July 1984] [ORD 4822; June 2022]
4. Public Art as defined in Section 2.03.245.A of the Beaverton City Code. [ORD 4482; May 2008] [ORD 4584; June 2012]
5. Street address identifiers (numbers or letters) of buildings.
6. Plaques, markers or banners placed by the city or city recognized agency or organization for the general purpose of recognizing historic significance or military service.
7. Signs allowed as part of a Special Event Permit, subject to separate regulation under Chapter 7, Section 7.05 of the Beaverton City Code.
8. No sign is exempt from the provisions of Section 60.40.25 (Prohibited Signs) and Section 60.40.55. (Nonconforming and Illegal Signs).
9. Signs approved pursuant to the Open Air Beaverton program. [ORD 4819; January 2022]
10. Signs required by Section 60.61 (Trees and Vegetation - Cooper Mountain) to be installed on tree protection fencing and soil protection fencing during construction.

[ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3374, 07/12/1984; ORD 4224, 09/19/2002; ORD 4584, 06/01/2012; ORD 4708, 06/08/2017; ORD 4819, 01/14/2022; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.40.15. Signs not Subject to Permit but Subject to Regulation for Size, Dimensions, Location, Duration and Aesthetics.

No permit is necessary before placing, constructing or erecting the following signs so long as any such signs conform to the following regulations:

1. Window Sign. As defined in [CHAPTER 90](#) of Development Code, such signs shall not exceed twenty percent (20%) of interior window area per window, excepting sites within the Downtown District, which may have window signs covering up to forty percent (40%) of interior window area per window. [ORD 4708; May 2017] [ORD 4799; January 2021]
2. Face Changes to Existing Cabinet Style Signs. Changes to existing approved cabinet style signs that only replace the material on which the sign text is located do not require a permit, provided that the replacement material is similar in opacity to the existing material.
3. Flags on Poles. In residential zones, flags on poles extending from the ground are limited to twenty-five (25) feet in height except for non-residential uses where the pole height is limited to sixty (60) feet. In all other zones, poles extending from the ground are limited to forty-five (45) feet in height. No flag shall be located within the public right-of-way. Flag area shall not exceed the dimensions of six feet by ten feet.
4. Signs Located in Parking Lots for Traffic Safety, Parking Restrictions and Compliance with State and Federal Standards. For the purpose of this section, signs for controlling traffic and parking, including but not limited to ADA posting and towing notification, are allowed in any zone. Signs for this purpose shall be placed outside the required sight clearance areas specified in Chapter 2 Section 210 of the City Engineering Design Manual and shall be limited to six (6) square feet in area and eight (8) feet in height as measured from the nearest parking lot surface where placed. [ORD 4782; April 2020]
5. Temporary Signs. Temporary signs as provided in Section [60.40.45.](#) of this Code and subject to regulations as stated therein.
6. Maintenance of Existing Signs that Conform to Standards. Maintenance and repair of existing signs that conform to current sign regulations and standards are not subject to permit, provided that the signs are not altered and retain the same size, shape, location and height. Preexisting nonconforming sign (s) are subject to restriction and regulation under Section [60.40.55.](#)
7. Sign(s) Associated with Temporary Use Permit. Temporary uses as allowed by Section [40.80](#) of the Development Code, shall be allowed one (1) wall sign thirty-two (32) square feet in area. A-frame style signs are not allowed in the public right-of-way for this purpose. Wall signs must be affixed to a structure. All signs shall be removed from the site when the use ceases operation. [ORD 3494; March 1986]
8. Signs Placed on Public Property for Internal Users. Signs placed on public property for general purpose of internal way-finding, circulation or posting of rules for use of property shall be placed outside required vision clearance areas and shall be limited to twenty-four (24) square feet in area and eight (8) feet in height as measured from the nearest ground or surface area where placed.
9. Name Plate. One (1) name plate associated with an approved Home Occupation, not to exceed two (2) square feet in size.

[ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3374, 07/12/1984; ORD 3464, 10/10/1985; ORD 3494, 03/27/1986; ORD 3726, 05/27/1990; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4139, 02/08/2001; ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4708, 06/08/2017; ORD 4782, 04/17/2020; ORD 4799, 01/08/2021]

Effective on: 1/8/2021

60.40.20. Signs for which a Sign Permit is Required.

The following new signs or proposals which alter the area, size, or dimensions of existing signs or sign structures are subject to all ordinance regulations, and permits are required prior to on-site construction, installation or placement of such signs or sign structures.

1. Fence Sign. Fence signs shall be subject to the same requirements as a freestanding sign and shall not exceed the height of the fence.
2. Freestanding Sign.
3. Wall Sign. [ORD 4139; February 2001]
4. Projecting Sign.
5. Athletic Field Signage (permanent oriented to face the field). Any number of signs, including but not limited to scoreboards, may be placed within existing athletic fields maintained by a public or private school or public park agency, provided that such signs are oriented to face the field of play and not to public rights-of-ways or abutting properties. Athletic field signage may be indirectly visible from a public right-of-way or abutting private property so long as the message is not readable from the public right-of-way because of the placement or angle of the sign and may be subject to other restrictions under past Conditional Use approval, if applicable. Athletic field signage shall be limited to 85 square feet in size and shall be no higher than 15 feet above grade on which the sign is located. [ORD 4389; May 2006]
6. Awning Sign.
7. Canopy Sign.
8. Blade Sign.
9. Electronic Message Center. Subject to the regulations as provided in Section 60.40.50. of this Code.
10. Signs Associated with Drive-up Window Facility. One or more signs are allowed, in addition to other signs allowed by permit. Any one sign for this purpose shall not exceed 25 square feet in size and the total cumulative area of all signs shall not exceed 50 square feet.

[ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3464, 10/10/1985; ORD 3494, 03/27/1986; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4139, 02/08/2001; ORD 4224, 09/19/2002; ORD 4389, 05/18/2006; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

60.40.25. Signs Expressly Prohibited.

The following signs are prohibited by this ordinance within City limits.

1. Bench Sign.
2. Billboard.

3. Feather Sign.
4. Flashing Sign.
5. Obstructing Sign.
6. Portable Sign except where allowed as a temporary sign in Section 60.40.45. of this Code.
7. Portable Electronic Message Center Sign.
8. Roof Sign except on single story buildings where a sloped roof is a predominant architectural feature of the building and the Planning Director determines that signs placed on wall(s) of the same building cannot be seen from the nearest abutting street. In these cases, the top of the sign shall not be placed higher than one foot below the roof parapet wall.
9. Rotating or Revolving Sign.
10. Trailer Sign including any sign attached to or placed on a trailer that is parked on public or private property.
11. Video Sign.
12. Other Prohibitions. In addition to 1 through 11 above, the following are prohibited:
 - A. Signs in vision clearance areas as established in Chapter 2 of the City Engineering and Design Manual. [ORD 4697; December 2016]
 - B. Pennants, streamers, festoon lights and other similar devices with parts that are moved by the wind.
 - C. Signs attached to any tree or public utility pole, other than signs identified as exempt in Section 60.40.10.
 - D. Signs using bare-bulb illumination or lighted so that the immediate source of illumination is visible. This is not intended to prohibit the use of neon as a source of illumination.
 - E. Signs using flame as a source of light.
 - F. Any sign which purports to be or is an imitation of or resembles an official traffic sign or signal.
 - G. Any sign which by reason of its size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control device, or which blocks visibility of any traffic sign or signal.
 - H. Signs designed or used for the purpose of emitting sound or dispersing smells.
 - I. Inflatable signs, balloons greater than eight cubic feet, or similar devices.

[ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3726, 05/27/1990; ORD 4224, 09/19/2002; ORD 4697, 12/02/2016; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

60.40.30. General Size and Location Provisions.

1. Size. The size of a sign shall be the entire area within any type of perimeter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with a parallelogram or a triangle of the smallest size sufficient to cover the entire area of the sign and computing the area of the parallelogram or a triangle. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign. Conforming and/or nonconforming

signs in existence at the time of the enactment of this ordinance shall be counted in establishing the permitted area or size of all new signs to be allowed on the property.

2. Height of Sign. The height of a sign shall be measured from the finished ground level, excluding mounds, berms, etc., to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.
3. Finish Ground Level (Grade). The average elevation of the ground adjoining the structure of building upon which the sign is erected.
4. Location. Sign location shall comply with Section 60.55.35.3. (Intersection Standards) of this Code and shall be accurately represented on sign permit applications. [ORD 3374; July 1984] [ORD 4139; February 2001] [ORD 4697; December 2016] [ORD 4708; June 2017]
5. Unless otherwise allowed by a specific Code provision, signs shall not be located within the public right-of-way. [ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3374, 07/12/1984; ORD 3494, 03/27/1986; ORD 4139, 02/08/2001; ORD 4224, 09/19/2002; ORD 4697, 12/02/2016; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

60.40.35. Signs in Commercial, Industrial, and Multiple Use Zones.

In all commercial, industrial zones, and multiple use zones, as defined in Sections 20.10, 20.15, and 20.20, the following regulations apply: [ORD 4111; July 2000] [ORD 4708; June 2017]

1. Wall Sign. [ORD 4139; February 2001] Wall signs, as defined in CHAPTER 90, shall be allowed for each business and shall be subject to the following regulations:
 - A. Wall Sign Area Calculation Method. The total signage area allowed for exterior building walls shall be determined by measuring the exterior wall length and the exterior wall height of the Primary Building Wall. Wall length is then multiplied by wall height, where for calculation purposes height may not exceed 25 feet, and the product is then multiplied by twenty percent (20%). The resulting product represents the cumulative maximum face area allowed for all signs on the subject building. The maximum face area of any one wall sign is 120 square feet. [ORD 4708; June 2017]
 - B. Wall Sign Area Allocation to Primary and Other Building Walls. The total amount of face area allowed for wall signs under section 1.A., above, may be allocated to building walls other than the Primary Building Wall at any percentage amount, provided the sum total for allocation purposes is equal or less than the total maximum face area as determined for the Primary Building Wall. For example, sign area may be allocated to an amount of ten percent (10%) of two building faces or five percent (5%) of four building faces. For buildings that have multiple tenants, the general allowance of 20% may be divided among the lessees in proportion to their lease frontages, or in another manner approved by the building owner in the case of a master sign program. [ORD 3374; July 1984] [ORD 3494; March 1986] [ORD 4584; June 2012] [ORD 4708; June 2017]
 - C. Wall Sign Location. One hundred percent (100%) of the allowed wall sign area may be located on any portion of the exterior wall that is up to twenty-five (25) feet above finished grade and in no case may any portion of a wall sign be higher than one (1) foot below the top of the exterior wall to which it is attached. For exterior walls that are in excess of twenty-five (25) feet in height, twenty-five percent (25%) of the total allowed wall sign area may be located

above the twenty-five (25) foot height and in no case may any portion of a wall sign be higher than one (1) foot below the top of the exterior wall to which it is attached. [ORD 4708; June 2017]

- D. Maximum Wall Sign Projection. The exposed face of the sign shall be in a plane approximately parallel to the face of said exterior wall and not projecting more than sixteen (16) inches from the wall. This distance is inclusive of the electrical raceway component if proposed. This provision does not apply to Projecting Signs, Blade Signs, Awning Signs and Canopy Signs. [ORD 4708; June 2017]
 - E. Master Sign Program. For developments containing one or more businesses, a master sign program may be proposed by the property owner. Master sign programs shall contain the proposed colors, lettering styles, sizes and the location of wall and freestanding signs for tenants in the development. The general allowance of twenty percent (20%) of exterior wall area for wall signs will be used with the allowable square footage divided among lessees. It shall be the responsibility of the property owner to administer and control any aspect of a master sign program that is more restrictive than the City's sign regulations. Individual business signs which are part of a master sign program are subject to the permit application process.
2. Awning Sign. Signs may be placed on or incorporated into awnings and canopies that are part of the building architecture. Signs placed on awnings and canopies are inclusive of the total wall sign area calculation and limited to 25 feet in height as measured from the ground. All signs attached to awnings and canopies must conform to the latest edition of the International Building Code in meeting wind and deadload requirements and must be adequately maintained to prevent deterioration which could be a hazard to pedestrian traffic beneath the sign. Awning signs shall have an underneath clearance of eight (8) feet. [ORD 3374; July 1984] [ORD 4058, September 1999] [ORD 4107; May 2000] [ORD 4365; October 2005] [ORD 4708; June 2017]
 3. Projecting Sign (Perpendicular to Building Wall). Buildings within the Commercial, Industrial, and Multiple Use zoning districts may have one projecting sign in-lieu of a freestanding sign. Projecting signs may project over private property, a public right-of-way, or both and shall be subject to the following:
 - A. Projecting signs may project no more than eight (8) feet or two-thirds (2/3) of the width of the sidewalk or to within two (2) feet of the curb, whichever is less.
 - B. Projecting signs shall have a minimum clearance of eight (8) feet above the ground or sidewalk.
 - C. The maximum size of a projecting sign is 32 square feet per sign face. The total amount of projecting sign area shall not exceed 64 square feet.
 - D. Projecting signs shall not utilize guy wires for structural support. Bracket or arm supports shall be utilized so that the sign is positioned at least two inches away from the nearest wall.[ORD 4708; June 2017]
 4. Blade Sign - Projecting. Buildings within the Commercial, Industrial, and Multiple Use zoning districts may attach blade signs perpendicular to building walls or to awnings. Blade signs are inclusive of the total wall sign area calculation and may project over private property, a public right-of-way, or both and shall be subject to the following:
 - A. Blade signs may project from the building elevation no more than five (5) feet or to within two (2) feet of a street curb, whichever is less.
 - B. Blade signs shall have a minimum clearance of eight (8) feet and a maximum clearance of twenty-five (25) feet above the ground or sidewalk.

- C. The maximum size of a blade sign is nine (9) square feet.
- D. Multiple blade signs per building are allowed and shall be limited to one (1) blade sign per tenant owned or leased space within the building and shall be separated by a minimum distance of ten (10) feet.
- E. Blade signs shall not be internally illuminated.
- F. Blade signs shall not utilize guy wires or cable lines for structural support. Bracket or arm supports shall be utilized so that the sign is positioned at least two inches away from the nearest wall.

[ORD 4708; June 2017]

- 5. Freestanding Sign. Except as provided in Section 60.40.35(5)(l), one Freestanding sign shall be allowed per legal lot of record. Contiguous legal lots of record under one ownership shall be considered one lot for the purposes of calculating the number of freestanding signs allowed. [ORD 3494; March 1986] [ORD 4058, September 1999] [ORD 4584; June 2012] [ORD 4708; June 2017]

Table 60.40.35.A Commercial and Industrial Zoning Districts [ORD 4584; June 2012] [ORD 4697; December 2016] [ORD 4708; June 2017]							
	NS	CS and CM-CS	CC	GC	IND	OI-NC	OI
A. Number*	1	1	1	1	1	1	1
B. Size (Maximum sq. ft. for all faces combined)	64	64	64	64	64	64	64
C. Size (Maximum for any one face)	32	32	32	32	32	32	32
D. Height Maximum	8'	15'	8'	15'	8'	8'	8'
* Additional freestanding signs are possible based on lineal street frontage length.							

Table 60.40.35.B Multiple Use Zoning Districts [ORD 4058, September 1999] [ORD 4107; May 2000] [ORD 4265; October 2003] [ORD 4584; June 2012] [ORD 4708; June 2017] [ORD 4799; January 2021]	
	RC-BC, RC-MU, RC- DT, RC-OT, RC-E, OI-WS, C-WS, TC-MU, TC-HDR, CM-HDR , SC-MU, SC-HDR, SC-S, SC-E1,2,3
E. Number*	1
F. Size (Maximum sq. ft. for all faces combined)	64
G. Size (Maximum for any one face)	32
H. Height Maximum	15'
* Additional freestanding signs are possible based on lineal street frontage length.	

- I. Number of Allowed Freestanding Signs based on Street Frontage Length.
 - 1. When the lineal frontage exceeds 300 feet, an additional freestanding sign shall be permitted for each 300 feet of lineal property frontage. In applying this standard, each freestanding sign must be at least 200 feet from any other freestanding sign on the same site along the lineal property frontage.

- a. Where lineal property frontage distance would allow four (4) or more signs (1200 lineal feet of property frontage), two (2) of the freestanding signs may be replaced with one (1) double face sign sixty-four (64) square feet per face and not more than twenty (20) feet in height. [ORD 3494; March 1986]
 - b. In the instance where multiple freestanding signs are allowed, projecting signs may be substituted for freestanding signs. If a freestanding sign and projecting sign are located on the same site, the separation standard of 300 feet only applies to freestanding signs.
2. In the case of a through lot which has a distance of 200 feet or greater at its shortest measurement point between the streets, and the frontages are on streets which have a collector or higher status, a freestanding sign may be placed on each street frontage, so long as all freestanding signs on the lot are a minimum of 200 feet apart. [ORD 3494; March 1986]
 3. Signs associated with drive-through window operation are not subject to location and spacing standards applied to freestanding signs.

[ORD 4708; June 2017]

- J. **Combined Freestanding Signs for Separate Properties.** Two or more owners of adjacent separate properties zoned commercial or multiple use may combine their respective street or highway frontages and erect one (1) freestanding sign with combined square footage per face, but not to exceed the height limitation for the zone, or twenty (20) feet and not to exceed 64 square feet for a double-faced sign if the combined frontage exceeds 1200 feet. In applying this option, no other freestanding signs shall be permitted on the premises and agreement between property owners for this purpose shall be recorded for posterity.

[ORD 4708; June 2017]

6. Downtown Regional Center Design and Material Standards In addition to the standards for sign number, size, height and placement identified in this section, signs located in Regional Center - Beaverton Central (RC-BC), Regional Center - Mixed Use (RC-MU), Regional Center - Downtown Transition (RC-DT), and Regional Center - Old Town (RC-OT) zones are subject to the following design and materials standards: [ORD 4799; January 2021]
 - A. Freestanding Signs Utilizing a Pole. All freestanding signs that are supported by pole(s) shall employ use of durable materials, including but not limited to, rock, brick, stone, tiles or combination thereof at the base of the pole for a minimum height of three feet and a minimum diameter of two feet. Similarly, all monument style freestanding signs with a single base for support shall apply the same material elements. If concrete is used as a base material, the exterior shall be architecturally treated to include scoring or texture.
 - B. Projecting Signs, including Blade Signs. Projecting signs shall employ use of durable materials, including but not limited to, wrought iron and steel for support where attached to the wall of a building. Use of guy wires for sign support is prohibited.

[ORD 4708; June 2017]

7. Signs at Entrances to Industrial Parks in Industrial Zones. Platted industrial land divisions may have a maximum of four (4) double-faced freestanding signs, at a maximum height of eight (8) feet, placed at primary vehicle entrances, at one per entrance, for the purpose of identifying the subdivision industrial parks. The sign face shall not exceed thirty-two (32) square feet. A sign shall be located at least 100 feet from any other permitted freestanding sign on the same lot. No sign may be located

in a public right-of-way or in a vision clearance area specified in Chapter 2 of the City Engineering Design Manual. [ORD 3494; March 1986] [ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3374, 07/12/1984; ORD 3494, 03/27/1986; ORD 4058, 09/16/1999; ORD 4075, 12/09/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4139, 02/08/2001; ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4365, 10/20/2005; ORD 4584, 06/01/2012; ORD 4697, 12/02/2016; ORD 4708, 06/08/2017; ORD 4799, 01/08/2021]

Effective on: 1/8/2021

60.40.40. Residential Zones (MR, RMA, RMB, RMC, CM-MR, CM-RM).

In residential zones as identified in 20.05, the following signs are allowed:

1. General Provisions.

- A. Authorized Non-residential uses. One (1) indirectly lighted sign not to exceed thirty-two (32) square feet in area per face shall be permitted for an authorized or conditional non-residential use not in conjunction with a home occupation. The one (1) sign may be a freestanding sign or a wall sign. If the sign is to be freestanding, the maximum height of the sign shall not exceed eight (8) feet. [ORD 3374; July 1984] [ORD 3494; March 1986] [ORD 4708; June 2017]
- B. Signs at Entrances to Land Divisions and Multi-Dwelling Uses. One (1) single or double faced indirectly lighted sign not to exceed thirty-two (32) square feet per face shall be allowed at primary vehicle entrances of land division or multi-dwelling development. If the sign is to be freestanding, the maximum height of the sign shall not exceed eight (8) feet. [ORD 3374; July 1984] [ORD 3494; March 1986] [ORD 4708; June 2017] [ORD 4822; June 2022]
- C. On sites in CM-RM with a small-scale commercial use approved consistent with Section 20.22.35:
 1. Each site that contains a small-scale commercial use shall have a maximum of 200 square feet of signage per site. Allowed sign types shall be awning, blade, free-standing, name-plate, projecting, wall, and window.
 2. Sites that are required to provide directional signage to the small-scale commercial use because the small-scale commercial use is not directly visible from the public right of way shall have an additional 100 square feet of signage per site.
 3. Wall signs: No individual wall sign shall exceed 120 square feet. The exposed face of the sign shall be in a plane approximately parallel to the face of said exterior wall and not projecting more than 16 inches from the wall. This distance is inclusive of the electrical raceway component if proposed.
 4. Awning signs: Awning signs shall comply with the requirements of Section 60.40.35.2.
 5. Projecting signs: Projecting signs shall comply with the size, clearance, and structural support standards of Section 60.40.35.3.
 6. Blade signs: Buildings with small-scale commercial uses may attach blade signs perpendicular to building walls or to awnings.
 - a. Blade signs may project from the building elevation no more than 5 feet or to within 2 feet of a street curb, whichever is less.
 - b. Blade signs shall have a minimum clearance of 8 feet and a maximum clearance of 25 feet above the ground or sidewalk.
 - c. The maximum size of a blade sign is 9 square feet.

- d. Multiple blade signs per building are allowed and shall be limited to 1 blade sign per small-scale commercial use.
 - e. Blade signs shall not be internally illuminated.
 - f. Blade signs shall not utilize guy wires or cable lines for structural support. Bracket or arm supports shall be utilized so that the sign is positioned at least two inches away from the nearest wall.
7. Free-standing signs: Each site, regardless of the length of street frontage, shall be limited to one free-standing sign with a maximum of 48 square feet for all sign faces combined and a maximum of 24 square feet for any one individual face. The maximum height of a free-standing sign is 8 feet. Free-standing sign square footage shall count toward the maximum signage square footage allowed on the site.
 8. Signs on the site may only be indirectly illuminated and shall not be illuminated outside business hours and in no case between 10 p.m. and 7 a.m., unless different hours are approved by a decision-making body considering an application related to hours of operation.

[ORD 4708; June 2017]

[ORD 3227, 12/10/1981; ORD 3374, 07/12/1984; ORD 3494, 03/27/1986; ORD 3726, 05/27/1990; ORD 4071, 11/25/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4708, 06/08/2017; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.40.45. Temporary Signs.

[ORD 4708; June 2017]

Temporary signs may be erected and maintained in the City only in compliance with the regulations in this Code, and with the following specific provisions:

1. The following provisions apply to all temporary signs in all zones:
 - A. Temporary signs shall not be illuminated.
 - B. Temporary signs shall be constructed in a manner that prevents the sign from being blown from its location and allows for the easy removal of the sign.
 - C. Temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
 - D. Temporary signs shall not be erected or maintained in a way which, by reason of their size, location or construction constitutes a hazard to the public.
 - E. Temporary signs shall be located outside of the vision clearance area specified in Chapter 2 of the City Engineering Design Manual.
 - F. Conditions of Temporary Use or Special Event approval shall govern the placement, type and duration of all temporary signs consistent with the approved signage plan.
 - G. During a period not to exceed sixty (60) days prior to any special, primary or general election, any number of lawful, indirectly lighted temporary signs not exceeding six (6) feet in height may be erected in all zones; provided, however, that,
 1. No signs shall be erected on public property or in the public right-of-way, and
 2. All signs erected pursuant to this subsection shall be removed no later than five (5) days following the election.

2. **Temporary Signs in Residential zones (Private Property).** In all Residential zoning districts, temporary signs are allowed under the following circumstances:
- A. If Property is for Sale or Rent. When properties or dwellings are for sale or rent, the owner or the owner's authorized representative may erect the following signs:
 - 1. Two (2) double-faced signs on the lot, not to exceed four (4) square feet per face.
 - 2. Four (4) off-premise portable signs no greater than four (4) square feet per face that comply with placement standards of Section 60.40.45.4 if placed in public right-of-way and with property owner consent if placed on private property. These signs must be removed within 24 hours of placement.
 - B. If Property has received Land Use approval for New Residential Subdivision. While property is under construction and has been approved for a land division that creates more than three (3) contiguous lots, the owner or the owner's authorized representative may erect the following signs:
 - 1. One (1) double-faced sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs placed at the primary vehicle entrance to the new residential subdivision. The sign(s) shall be removed at the end of the two (2) years or when ninety percent (90%) of the subdivision lots contain a completed structure, whichever occurs first. These signs may be externally illuminated.
 - C. If Property has received Land Use approval for New Multi-Dwelling Development or Non-Residential Use. While property is pending site development or under construction for a new multi-dwelling residential building or a non-residential use, the owner or the owner's authorized representative may erect the following signs: [ORD 4822; June 2022]
 - 1. One (1) double faced wall or freestanding sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs. Such signs may not be placed earlier than the first issuance of a certificate of occupancy for a residential structure. The sign(s) shall be removed no later than thirty (30) days after the issuance of the final certificate of occupancy for a residential structure, or one (1) year from the first issuance, whichever comes first. These signs may be externally illuminated.
 - 2. One (1) banner per building no more than thirty-two (32) square feet per face, from the date of issuing building permits to four (4) weeks after issuing a Certificate of Occupancy. Banners shall be affixed to exterior wall(s) of the building(s) so as to lie flat.
 - D. If Property Contains Athletic Field Maintained by a Public or Private School or Public Park Agency. Temporary banners or temporary rigid signs located on a fence and oriented to face athletic fields and not adjoining streets are allowed in any zone. Each sign shall be no more than thirty-two (32) square feet in area. There shall be no more than thirty-two (32) square feet of area for any eight (8) linear feet of fence. The maximum height shall not exceed eight (8) feet above grade.
 - E. If an approved small-scale commercial use exists on a site in CM-RM. A maximum of two Temporary Portable Signs in Public Right-of-Way, but not more than one per small-scale commercial use on the site. Each Portable Sign shall meet the standards of Section 60.40.45.4.
3. **Temporary Signs in Commercial, Industrial or Multiple Use zones (Private Property).** In any Commercial, Industrial or Multiple Use zoning district, the following temporary signs are allowed under the following circumstances:
- A. If Property Is for Sale or Rent. When properties or buildings are for sale or rent, the owner or the owner's authorized representative may erect the following signs:

1. One (1) double-faced wall or freestanding sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs. The sign(s) shall be removed no later than thirty (30) days after sale, lease or occupancy of the property, or one (1) year from the first occupancy, whichever comes first. These signs shall not exceed eight (8) feet in height. For properties that have more than 300 feet of frontage along a street, an additional sign, subject to the same size and height limits, may be placed on site for the same period.
 - B. If a New Business occupies a Building or when a Building Permit has been issued by the City for Tenant Improvements. While improvements to a building are under construction, the building owner or authorized representative may erect:
 1. One (1) banner per business, either from the date of issuing building permits to four (4) weeks after issuing a Certificate of Occupancy; or, if no building permit is issued, four (4) weeks from occupancy of the new business. Banners shall not exceed thirty-two (32) square feet in size and shall be affixed to exterior wall(s) of the building(s) so as to lie flat.
 - C. If Property has received Land Use approval for New Development or Redevelopment. While property is pending site development or under construction, the owner or the owner's authorized representative may erect the following signs:
 1. One (1) double-faced wall or freestanding sign of thirty-two (32) square feet per face, or two (2) thirty-two (32) square foot, single-faced signs. The sign(s) shall be removed no later than thirty (30) days after the issuance of the final certificate of occupancy. These signs may be externally illuminated.
 2. In addition to the above, the Planning Director may authorize additional temporary signs as determined necessary for traffic control and safety when approved through a Temporary Use permit.
4. **Temporary Portable Signs in Public Right-of-Way.** Signs on the ground within the public right-of-way, shall be permitted in accordance with the following standards:
- A. Placement Standards:
 1. Temporary signs shall be placed in accordance with the Portable Sign in Right-of-Way Graphic. For signs placed within the right-of-way with an adjacent sidewalk, the sign shall not be placed within six (6) inches of the face of the curb and shall provide a clearance width of at least four (4) feet on the sidewalk to ensure safe pedestrian passage. For signs placed in the right-of-way without an adjacent sidewalk, the sign shall be located outside of any street pavement and shall not be located closer than four (4) feet from the travel lane, turning lane, shoulder, parking lane or bicycle lane.
 2. Temporary signs shall not be placed in parking spaces, pedestrian pathways, bicycle paths, street corners, transit stop areas, ADA accessible curb ramps, ADA accessible parking spaces, at building exits or fire escapes, or any portion of the street (automobile and bicycle travel lanes, shoulder, medians, traffic islands, and parking areas). Temporary signs also shall not be placed in a way that impedes or hinders the vision of drivers or bicyclists. Any temporary sign shall be located entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. Signs placed within the right-of-way shall not obstruct traffic control signs or devices.

3. In addition to the above, temporary portable signs shall be placed within twenty (20) feet of an overhead existing light source that provides at least one foot-candle of illumination at the location where sign(s) are placed.
- B. Number of Portable Signs allowed in Public Right of-way:
1. In all Residential zones, temporary signs require a Special Event or Temporary Use approval, except for Portable Signs in CM-RM allowed on a site in association with a small-scale commercial use. Portable off-site signs placed when properties are for sale are limited to the number and duration stated in Section 60.40.45. of this Code.
 2. In all Commercial, Industrial and Multiple Use zones except for RC-OT, RC-BC, RC-MU, RC-DT, and RC-E, only one (1) temporary portable sign is allowed for every one hundred (100) linear feet of property frontage along a street. [ORD 4799; January 2021]
 3. In all Downtown Regional Center zones, including RC-OT, RC-BC, RC-MU, RC-DT, and RC-E, the number of signs on the ground within the right-of-way is limited to the number of operating and accessible public entrances that face the right-of-way where the sign is located. Multiple doors at one (1) entrance are allowed one (1) sign. Multiple individuals or entities which share the same public entrance are allowed one (1) sign. [ORD 4799; January 2021]
- C. Material, Design and Size Standards:
1. The sign shall be a T-frame or A-frame structure that is composed of wood, plastic or metal.
 2. The sign width shall not exceed twenty-eight (28) inches.
 3. The sign depth shall not exceed two (2) feet.
 4. The sign height shall not exceed three (3) feet.
 5. The display area shall not exceed twelve (12) square feet, and the sign face shall not exceed six (6) square feet.
- D. Duration of Placement in Public Right-of-way.
1. Except for Portable Signs in CM-RM allowed on a site in association with a small-scale commercial use, Portable signs in residential zones may be displayed on Saturday and Sundays, between the hours of 8:00 a.m. and 5:00 p.m. and from 6:00 a.m. to 1:00 p.m. on Tuesdays. Portable signs shall be removed at the end of each day. Portable Signs in CM-RM allowed on a site in association with a small-scale commercial use may be displayed during the hours of operation of the small-scale commercial use but in no case between the hours of 10 p.m. and 7 a.m.
 2. Portable signs in non-residential zones may be displayed all days of the week within the right-of-way between the hours of six 6:00 a.m. and 12:00 a.m., and shall be removed at the end of each day.
- E. Temporary banners which extend over a roadway or are attached to utility or streetlight poles shall be permitted in the right-of-way upon issuance of a Special Event permit under the Municipal Code.

[ORD 4708, 06/08/2017; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.40.50. Electronic Message Centers (EMCs).

[ORD 4708; June 2017]

Electronic Message Centers may be erected and maintained only in compliance with the regulations in this Code.

1. The following provisions shall apply to all Electronic Message Centers where allowed:
 - A. EMCs shall only be placed along streets that are classified as Arterials according to the Functional Classification Plan of the Beaverton Comprehensive Plan (Figure 6.4, Chapter 6).
 - B. EMCs are allowed only as a component to freestanding signs and shall not exceed fifty percent (50%) of the maximum sign face area for any one (1) sign as identified by the numeric standard of the zone.
 - C. EMCs shall remain in a static display where the frame effect does not appear to flash, dissolve, fade, scroll, travel, contain animation, portray blinking or chasing lights, or otherwise create continuously changing images. The rate of change from one (1) frame to another, shall be no more frequent than every eight (8) seconds and the actual frame change shall be accomplished in a transition period of two (2) seconds or less. Terms applied in this regulation are further defined in Electronic Message Center Technical Definitions, [CHAPTER 90](#).
 - D. EMCs shall not operate at illumination levels of more than 0.3-foot candles above ambient light, as measured using a foot-candle meter at a pre-set distance. The pre-set distances to measure the foot-candles are calculated using the following table:

Table 60.40.50 Sign Area Versus Measurement Distance	
Area of Sign	Distance
Less than or equal to 10 square feet	32 feet
11 to 15 square feet	39 feet
16 to 20 square feet	45 feet
21 to 25 square feet	50 feet
26 to 30 square feet	55 feet
Greater than 30 square feet	60 feet

All measurements shall be taken facing the sign structure with the light meter pointed at the sign. The measurement distance can be rounded to the nearest whole number.

- E. All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be either programmed to automatically dim according to ambient light conditions, or manually adjusted to comply with subsection (D) above.
 - F. Applications for EMCs shall include a statement by a licensed engineer certifying that the lighting will comply with the lighting standards of this Code. Along any property line where the abutting use is residential, the maximum permitted illumination from EMC is 0.5 foot-candles, or 0.3 foot-candles above ambient light as measured pursuant to the table in (D) of this section, whichever is less.
2. Allowed Locations for EMCs. EMCs are allowed in all Commercial, Industrial, Residential and Multiple Use zones under the following circumstances and standards:

- A. In residential zones (MR, RMA, RMB, RMC, CM-RM, CM-MR) EMCs must comply with the following standards: [ORD 4822; June 2022]
 - 1. The property where the EMC is located must be at least ten (10) acres in size and developed for a non-residential use. This standard applies to the combined area of multiple abutting properties under the same ownership and for the same use if the combined area is at least ten (10) acres in size.
 - 2. No more than one EMC is allowed per property as a component of a freestanding sign, subject to the sign height and size standards of the zone for freestanding signs.
 - 3. The EMC sign shall be located at a minimum distance of sixty (60) feet from any abutting property line where the abutting use is residential.
 - 4. EMC signs are prohibited on sites with small-scale commercial uses in CM-RM.
- B. In commercial and industrial zones (NS, CS, CM-CS, GC, CC, OI, OI-NC and IND) EMCs must comply with the following standards:
 - 1. The property where the EMC is located must be at least three (3) acres in size and developed for a non-residential use. This standard applies to the combined area of multiple abutting or adjacent properties under the same ownership.
 - 2. No more than one (1) EMC is allowed as a component of a freestanding sign, subject to the sign height and size standards of the zone.
 - 3. EMCs shall not be allowed as a component of a nonconforming sign unless the sign is brought into compliance with the standards of this Code.
- C. In multiple use zones (SC-S, SC-HDR, SC-E, SC-MU, TC-HDR, TC-MU, CM-HDR, RC-OT, RC-E, RC-BC, RC-MU, RC-DT, C-WS and OI-WS) EMCs must comply with the following standards: [ORD 4799; January 2021]
 - 1. The property where the EMC is located must be at least three (3) acres in size and developed for a non-residential use. This standard applies to the combined area of multiple abutting or adjacent properties under the same ownership.
 - 2. No more than one EMC is allowed as a component of a freestanding sign, subject to the sign height and size standards of the zone.
 - 3. EMCs shall not be allowed as a component of a nonconforming sign unless the sign is brought into compliance with the standards of this Code.

[ORD 4708, 06/08/2017; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.40.55. Nonconforming and Illegal Signs.

[ORD 4708; June 2017]

- 1. The City may require, as a condition of a sign permit or as a condition of any development approval on property that is the site of a preexisting nonconforming sign, that the nonconforming sign(s) be removed, reconstructed, or replaced.
- 2. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this Code, is hereby declared to be a public nuisance and may be removed by the Director as follows:
 - A. Immediate confiscation without prior notice to the owner of the sign.

- B. The city shall store any sign that has been confiscated for a period of thirty (30) calendar days from the time the person responsible for the sign is notified as provided in subsection C below.
- C. If a sign includes the telephone number or address of the sign owner of the sign or of the person or business that is the subject of the sign text, the City shall contact the person or business by telephone or by mail and advise that the City believes that:
 - 1. The sign was found in the public right-of-way or City-owned property;
 - 2. No permit was issued for the placement of the sign, and the sign is not lawfully permitted to be in such location;
 - 3. The communication shall advise the person or business that the City has confiscated the sign and will destroy the sign after thirty (30) calendar days from the date of notification, unless the sign is claimed and any citation fees are paid in full.

If the telephone number and mailing address of the sign owner or other appropriate party for notification are unknown, the City shall retain the sign for a period of fourteen (14) calendar days to permit the sign owner or appropriate party to notice that the sign has been removed and attempt to recover the sign from the City.

[ORD 3227, 12/10/1981; ORD 3374, 07/12/1984; ORD 3494, 03/27/1986; ORD 4111, 07/14/2000; ORD 4224, 09/19/2002; ORD 4332, 01/01/2005; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

60.45. [REPEALED]

[ORD 3619, 09/01/1988; ORD 4224, 09/19/2002; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

60.50. Special Use Regulations

[ORD 4224, 09/19/2002]

Commentary:

Proposed revisions to the Accessory Dwelling Unit section would add a reference to floor area ratio requirements in Section 20.22, which has the Cooper Mountain zoning district and site development rules.

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](#) and [20.22.15.J](#). [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. 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; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

60.50.05. Residential Accessory Structures. (Other than Accessory Dwelling Units)

[ORD 4048; July 1999]

1. Structures incidental and subordinate to the uses Permitted in RMA, RMB, ~~and-RMC,~~ and CM-RM zones as well as single-detached dwellings Permitted in all other zones, are allowed as accessory structures subject to the provisions of this section. [ORD 4462; January 2008] [ORD 4474; March 2008] [ORD 4498; January 2009]
2. All accessory structures must comply with the following provisions:
 - A. Size. For lots ten thousand (10,000) square feet or less, the combined footprint of all accessory structures may not exceed five hundred (500) square feet. For lots greater than ten thousand (10,000) square feet, the combined footprint may not exceed seven hundred (700) square feet. Community buildings associated with cottage cluster developments, trellises, and structures less than 30 inches in height are exempt from these size limitations; [ORD 4474; March 2008] [ORD 4822; June 2022]
 - B. Height. Accessory structures shall not exceed one story and shall be no greater than fifteen (15) feet in height. Community buildings associated with cottage cluster developments are exempt from this height limitation, and are instead subject to height limits in Section 20.05.15.G.; [ORD 4474; March 2008] [ORD 4822; June 2022]
 - C. Location. Accessory structures- shall not be allowed in a required front yard, except a Book Sharing Box and Trellis, which may be placed in the required front yard; [ORD 4822; June 2022]
 - D. Proximity to other structure(s) on the site shall be applicable Building Code standards; [ORD 4224; August 2002] [ORD 4474; March 2008]
 - E. Setbacks. A structure with a height of eight feet or less shall be located no closer than three (3) feet to any lot line, except for trellises which may be located at the lot line. For structures more than eight (8) feet in height and up to fifteen (15) feet in height, the Accessory Structure shall be setback a minimum of five (5) feet from side and rear lot lines. Accessory structures proposed for Permitted single-detached dwellings outside of the RMA, RMB, ~~and-RMC,~~ and CM-RM zones may apply the underlying zone's setback standards if less restrictive. In any case, the accessory structure shall comply with applicable Building Code standards and shall not be built over an easement-; [ORD 4224; August 2002] [ORD 4474; March 2008]
 - F. They shall cause no encroachment upon or interference with the use of any adjoining property or public right-of-way;
 - G. Attached accessory structures. When an accessory structure, other than a Trellis, is attached to the main structure, such accessory structure shall be considered as part of the main structure and no longer an Accessory Structure. Attached means wall-to-wall or any permanent attachment, as determined by the Director; and [ORD 4474; March 2008]
 - H. They shall be built in accordance with the applicable building codes and as determined by the Building Official. [ORD 3293; November 1982] [ORD 4474; March 2008]

~~[ORD 4474; March 2008]~~
3. A conflict of interpretation concerning whether a use or structure is an accessory use or structure shall be resolved in accordance with the provisions of Section 10.20.
 4. A. The City Council may, by resolution, establish a list of uses found not to be accessory to specific Permitted Uses.

- B. Prior to including a use on such list, the City Council shall hold a public hearing and allow interested persons an opportunity to testify on the matter.
- C. The City Council may delegate to the Planning Commission the authority to perform the functions authorized and required by this subsection.

[ORD 4474; March 2008]

[ORD 3162, 04/03/1980; ORD 3293, 11/25/1982; ORD 4048, 07/08/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4111, 07/14/2000; ORD 4224, 09/19/2002; ORD 4462, 01/10/2008; ORD 4474, 03/27/2008; ORD 4498, 01/15/2009; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

Proposed revisions to the Projections into Required Yards and Public Right-of-Way section would add references to Cooper Mountain zone CM-RM.

60.50.15. Projections into Required Yards and Public Right-of-Way.

[ORD 3162; April 1980]

1. The following structures may project into required yards, but may not project into a utility easement without an encroachment permit, as issued by the City Attorney per the consent and approval of the City Engineer. [ORD 4584; June 2012]
 - A. Paved terraces may project into required front, side or rear yards provided that no structures placed thereon shall violate other requirements of this ordinance.
 - B. Unroofed landings and stairs may project into required front and rear yards only.
 - C. Window sills, belt courses, cornices, eaves and similar incidental architectural features may project not more than 2 feet into any required yard if the side setback is 5 feet. If the side setback is less than 5 feet, then architectural features allowed in the side setback shall be determined by the applicable Building Code. [ORD 4822; June 2022]
 - D. Open fire escapes shall not project more than 4 feet, 6 inches into any required yard.
 - E. Chimneys shall not project more than 24" into any required yard.
 - F. Bay windows without a foundation may project into the front and rear yard setback by not more than 2 feet and may not occupy more than 50 percent of any one wall plane of a structure. In no case shall such bay windows be located less than 3 feet from a property line. [ORD 3739; September 1990] [ORD 4397; August 2006] [ORD 4822; June 2022]
 - G. Decks may project into a required rear yard in the RMB, ~~RMC~~, or CM-RM zoning district, provided the deck is no less than 5 feet from the rear property line, and provided the height of the deck is limited to 10 feet, as measured at the top of the railing. [ORD 4822; June 2022]
2. Buildings within the RC-E zone may have the following projections into the public right-of-way; [ORD 3352; January 1984] [ORD 4058, September 1999] [ORD 4584; June 2012] [ORD 4799; January 2021]
 - A. Planters;
 - B. Awnings and Canopies; [ORD 4107; May 2000]

C. Ornamental and architectural features.

The type, size and other features of the projections may be approved by the appropriate decision making authority after receiving a recommendation from the Facilities Review Committee. The decision making authority may also impose reasonable conditions. [ORD 3162; April 1980] [ORD 4224; August 2002]

3. Except as Otherwise Permitted: [ORD 3293]

A. No person shall obstruct any public right-of-way or any portion thereof or place or cause to be placed therein or thereon anything whatsoever tending to obstruct or interfere with the full and free use of such public right-of-way or in any degree interfere with the normal flow of pedestrian or vehicular traffic.

B. No person shall erect, construct, build, raise, place or maintain any post, pole, sign, wall, fence, tree, building structure or any other object in or upon any public right-of-way, except trees planted in planter strips.

C. No person in charge of property shall allow anything prohibited by this section or which otherwise restricts the public use of a sidewalk or parking strip abutting such property to remain there.

[ORD 3162, 04/03/1980; ORD 3293, 11/25/1982; ORD 3352, 01/19/1984; ORD 3739, 09/08/1990; ORD 4058, 09/16/1999; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4224, 09/19/2002; ORD 4397, 08/10/2006; ORD 4584, 06/01/2012; ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

This Subsection includes edits that establish requirements for Neighborhood Parks and Community Parks based on THPRD's 2019 Parks Functional Plan.

This Subsection also establishes the minimum standards for dwellings to be considered visitable in order to qualify for the housing variety visitability option of Section 20.22.40.2.C and Cooper PUD provisions of Section 60.36 for enhanced development flexibility.

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]

1. Kennels, Riding Academies and Stables. Kennels, riding academies and stables shall be located not less than 200 feet from any lot line. Applications for such use when required by this ordinance shall include information which describes the applicant's intended actions to ensure that odors, dust, noise, and drainage from the use will not create a nuisance, hazard or health problem to adjoining property uses. [ORD 4584; June 2012]

2. Animal Hospitals. An animal hospital shall not be located within 100 feet of a lot in any Residential district. The applicant shall provide information which describes the measures and controls to be taken that are intended to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises. [ORD 4332; January 2005]
3. Cemetery, Crematory, Mausoleum, Columbarium. A cemetery, crematory, mausoleum, or columbarium shall be located to have a principal access to site by way of a street with a Collector or higher designation as established by the Comprehensive Plan.
4. Hospitals. In any residentially zoned property such uses shall be located on a street with a Collector or higher designation as established by the Comprehensive Plan. All buildings shall be set back a minimum of 30 feet from a side or rear property line abutting a Residential district. [ORD 3162; April 1980] [ORD 3739; September 1990]
5. Aircraft Landing Facilities. All aircraft landing facilities shall be so designed and so oriented, that the incidence of aircraft passing directly over dwellings during landing or take off is minimized. They shall be located so that traffic, both land and air, shall not severely impact neighboring uses. Applications shall describe the measures taken to prevent noise, vibrations, dust and glare. New aircraft landing facilities shall require a Conditional Use. Prior to obtaining approval for a landing facility, the applicant shall furnish proof of compliance with applicable State and Federal laws and regulations.
6. Natural Resource Extraction.
 - A. Any natural resource extraction operation shall require a Conditional Use. In addition to the information normally required for a Conditional Use application, the following shall also be supplied:
 1. Graphic (and legal) description of the area.
 2. Existing topographic contours (not more than 10 feet contour intervals).
 3. Finished topographic contours when extraction is completed (not more than 10 feet contour intervals).
 4. Existing and proposed buildings and structures on the site.
 5. Principal access points which will be used by truck and equipment, ingress and egress points, internal circulation, and anticipated traffic volume.
 6. Indication of the existing landscape features.
 7. Location and nature of other operations, if any, which are proposed to take place on the site.
 - B. A narrative statement shall also be submitted with the application for a Conditional Use which shall set forth in detail the following information:
 1. Method of drainage.
 2. Method of fencing or barricading the petition area to prevent casual access.
 3. Estimated amount of material to be removed from the site.
 4. Estimated length of time necessary to complete the operation.
 5. Description of operations or processing which will take place on the site during and after the time and material is extracted.
 6. Plan or program of regarding and reshaping the land for future use.
 7. Proposed hours of operation.
 8. Other pertinent information that may pertain to the particular site.
 9. Method to abate overloading of trucks and consequent spillage upon highways.

C. General requirements.

1. Principal access to the site shall minimize the use of residential streets, and access roads shall be treated in a manner so as to make them dust free; further, where access roads intersect Arterials, suitable traffic controls shall be established.
2. A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public right-of-way. This periphery strip shall not be altered except for access points.
3. All banks shall be graded to a slope no steeper than two (2) units horizontal to one (1) unit vertical unless a soils report provides sufficient information to satisfy the City Engineer that a steeper slope would have long term stability. No concentrated drainage shall be directed onto any slope greater than 15 percent. Slope banks created at the working surface of the excavation shall be kept safe, but shall only need to conform to the above after work has ceased on that surface for a period of one year.
4.
 - a. No alteration to drainage flow onto, or out of property shall be made except as in accordance with a grading and drainage plan approved by the City Engineer. No water shall be retained on site by a dam rising above the natural contour of the site without a plan approved by the City Engineer.
 - b. No pit shall be excavated to a depth which will intersect an imaginary line, extending from the property line, at an angle of 45 degrees from the horizontal downward into the earth. This condition may be waived by the owner of property abutting said property line or by submittal of a soils report demonstrating, to the satisfaction of the City Engineer, that the surcharge which could be generated by a structure on said adjacent property is fully supported by a lesser requirement.

[ORD 4584; June 2012]

7. Utilities. The erection, construction, alteration, or maintenance by public utility or municipal or other governmental agencies of any electrical, gas, steam or water transmission or distribution systems, collection, communication, supply or disposal system, including poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings, shall be Permitted in any district. [ORD 3293; November 1982] [ORD 4118; September 2000] [ORD 4584; June 2012]
8. Drop Boxes. Recycling receptacles or charity drop boxes shall not be located in any Residential district or in any public right-of-way. Recycling receptacles or charity drop boxes are Permitted in any commercial or industrial zone.
9. Park and Ride Facilities. Approved off-street parking lots connected with a non-residential use may be used jointly as park and ride lots 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] [ORD 4844; August 2023]
10. Noise Levels. Noise levels shall meet the standards established by the State of Oregon Department of Environmental Quality. [ORD 3293; November 1982]
11. Air Quality. Air quality shall meet the standards established by the State of Oregon Department of Environmental Quality. [ORD 3293; November 1982]

12. Public Art. Public Art as defined in [CHAPTER 90](#) of the Development Code is permitted in all zoning districts when the following requirements are met, unless separately authorized through an adjustment or variance application, or Engineering Design Exception:
 - A. Does not exceed the maximum building height of the underlying zoning district.
 - B. In the public right-of-way, ADA requirements, and sight clearance requirements are met. [ORD 4782; April 2020]
13. Vehicle Camping. Vehicle camping, including parking spaces, storage and sanitary facilities, shall be located no less than 10 feet from any lot line. Where vehicle camping abuts a residential use, storage and sanitary facilities shall have a minimum setback of 20 feet from the property line that abuts the residential use. Vehicle camping shall not occupy pedestrian walkways, fire lanes or other emergency vehicle access areas, or the Vision Clearance Area, as described in the *Engineering Design Manual*. [ORD 4779; March 2020]
14. Domestic Violence Shelters, Emergency Shelters, or Mass Shelters. If smoking or vaping is allowed outdoors on the property, there shall be a designated smoking or vaping area. If a Domestic Violence Shelter, Emergency Shelter, or Mass Shelter site includes a designated outdoor smoking or vaping area, the smoking or vaping area shall be located at least 20 feet from any lot line that abuts a residential use and any on-site or off-site building air intakes including entrances, exits, windows that open, or ventilation intakes that serve an enclosed area. [ORD 4838; March 2023]
15. Public Parks and Parks Overlay open space in the Cooper Mountain Community Plan area. To ensure that Tualatin Hills Park & Recreation District's (THPRD) expected level of service is met, Public Parks and open space tracts within the Cooper Mountain Parks Overlay shall meet the following requirements:
 - A. Neighborhood Parks. Public Parks and open space tracts located within a mapped Neighborhood Park shall include at a minimum:
 1. Five park components from at least four of the six categories listed in Section 60.50.25.16.C.
 2. Two types of comfort and convenience amenities, such as drinking fountains, restrooms, seating, and trash receptacles
 - B. Community Parks. Public Parks and open space tracts located within a mapped Community Park shall include at a minimum:
 1. Eight park components from at least five of the six categories listed in Section 60.50.25.16.C.
 2. Three types of comfort and convenience amenities, such as drinking fountains, restrooms, seating, and trash receptacles
 - C. Park components include, but are not limited to:
 1. Games and activities: archery range, bocce court, community garden, dog parks and runs, game court, horseshoe court, pool, skate feature, skate park, water play
 2. Gathering places: amphitheater, educational experience, event space, picnic ground, public art, shelter, water feature
 3. Nature: display garden, natural area, open turf, open water, passive node, water access
 4. Paths and trails: bike course, fitness course, loop walk, multi-use trail, soft surface trail
 5. Playgrounds: destination playgrounds, local playgrounds, nature play and exploration
 6. Sports: basketball court, diamond field, futsal court, multi-use court, multi-use field, multi-use pad, pickleball court, rectangular field, tennis complex, tennis court, tennis wall, track, volleyball court

16. Visitable Dwellings. A visitable dwelling provides a baseline of physical accessibility features which allow people of all ages and abilities to enter and visit a dwelling. To be considered visitable, the dwelling shall be consistent with one of the following:
- A. Section 1105 of the current edition (2017) of ICC A117.1 for Type C (Visitable) Units; or
 - B. All of the following standards:
 - 1. Visitable Entrance. At least one entrance to the dwelling shall be accessible via a hard-surfaced pathway between either an on-site parking space or the public or private Pedestrian Way abutting the lot.
 - a. The pathway to the visitable entrance may be designed to also meet the pedestrian circulation requirements of Section 60.55.25.10. If the pathway to the visitable entrance is provided in addition to the connection(s) required by Section 60.55.25.10, the pathway shall have a minimum unobstructed width of 42 inches.
 - b. The slope of the pathway shall not exceed 1:12, and the pathway shall not have any stairs.
 - c. The visitable entrance to the dwelling may be an interior door accessed from a garage door.
 - 2. Visitable Bathroom. At least one bathroom with a sink and toilet shall be located on the same floor as the visitable entrance or shall be accessible from the visitable entrance via a ramp, elevator, or lift. The size and layout of the bathroom shall accommodate a wheelchair turnaround area in one of the ways below. The turnaround area shall be unobstructed in the vertical space between the finished floor and a minimum of 27 inches above the finished floor.
 - a. An unobstructed circle that is at least 60-inches in diameter, or
 - b. An unobstructed area comprised of two rectangles that are at least 36-inches by 60-inches and oriented at right angles to each other.
 - 3. Visitable Living Area. At least 200 square feet of living area, not including the area of the visitable bathroom, shall be provided on the same floor as the visitable entrance or shall be accessible from the visitable entrance via a ramp, elevator, or lift. If hallways, vestibules, or similar spaces connect the visitable living area to the visitable bathroom or the visitable entrance, the minimum width of such spaces shall be 36 inches.
 - 4. Visitable Doors. All doors between and including the visitable entrance, visitable living area, and the visitable bathroom shall have a minimum clear opening of 32 inches. All visitable door thresholds over a ¼-inch tall shall be beveled with a maximum slope of 1:2 or ramped.

[ORD 3135, 08/28/1979; ORD 3162, 04/03/1980; ORD 3181, 07/16/1980; ORD 3204, 02/26/1981; ORD 3218, 08/13/1981; ORD 3242, 01/28/1982; ORD 3293, 11/25/1982; ORD 3345, 12/08/1983; ORD 3352, 01/19/1984; ORD 3494, 03/27/1986; ORD 3739, 09/08/1990; ORD 3998, 01/01/1998; ORD 4079, 12/09/1999; ORD 4107, 05/02/2000; ORD 4118, 09/14/2000; ORD 4224, 09/19/2002; ORD 4312, 07/22/2004; ORD 4332, 01/01/2005; ORD 4532, 04/01/2010; ORD 4584, 06/01/2012; ORD 4779, 03/06/2020; ORD 4782, 04/17/2020; ORD 4838, 03/09/2023; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Commentary:

Proposed edits to the Traffic Management Plan would add a reference to the Cooper Mountain zone CM-RM.

60.55.15. Traffic Management Plan.

[ORD 4302; June 2004]

Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local Street or Neighborhood Route and having abutting property zoned RMA, RMB, ~~or RMC~~, or CM-RM. [ORD 4584; June 2012] [ORD 4822; June 2022]

1. For each development application that requires a Traffic Management Plan, the Plan shall identify:
 - A. The hours when the added trips from the development will be 20 or more vehicles per hour.
 - B. The existing volume of trips on the residential street during each of those same hours.
 - C. The volume of trips that the development will add on the residential street during each of those same hours.
 - D. Recommended traffic management strategies designed to City standards to mitigate the impacts of the increased trips attributed to the development. Potential traffic management strategies include, but are not limited to, any combination of speed humps, curb extensions, intersection treatments, and traffic control devices.
2. The Traffic Management Plan shall discuss whether the recommended improvements both on-site and off-site are justified, reasonably related to, and roughly proportional to the impacts of the proposed development and shall include information sufficient for the City to assess whether the proposed mitigation strategies are reasonably related and roughly proportional to the level of impact. [ORD 4103; May 2000]

[ORD 3238, 01/28/1982; ORD 3494, 03/27/1986; ORD 4061, 10/15/1999; ORD 4103, 05/04/2000; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

The proposed amendments to Street and Bicycle and Pedestrian Connection Requirements add references to Cooper Mountain and include five-plexes and six-plexes in a standard because they are allowed in the Cooper Mountain – Residential Mixed zone.

The proposed amendments also fix a problem with lighting and on-site walkway. Currently, parks projects that do not light on-site walkways are subject to a Variance application for deviating from the 0.5 foot-candle minimum luminance in this section. The proposed amendments would reference the public parks exemption to the technical lighting standards to ensure that a Variance application is not required. This exemption is citywide, not just in Cooper Mountain.

60.55.25. Street and Bicycle and Pedestrian Connection Requirements.

[ORD 4302; June 2004]

1. All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.
2. The *Comprehensive Plan Transportation Element* Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel. For properties within the South Cooper Mountain Community Plan area, Figure 10: Community Plan Street Framework and Figure 11: Community Plan Bicycle & Pedestrian Framework of the South Cooper Mountain Community Plan shall be used to identify functional classifications of streets, future streets, bicycle, and pedestrian connections. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. Trails identified in Figure 11: Community Plan Bicycle & Pedestrian Framework shall be designed to meet applicable Tualatin Hills Parks & Recreation (THPRD) District trail design standards, unless otherwise approved by THPRD. Deviations from Figure 10: Community Street Framework or Figure 11: Community Plan Bicycle & Pedestrian Framework shall be reviewed through the Planned Unit Development application. [ORD 4822; June 2022]
3. Where a future street or bicycle and pedestrian connection location is not identified in the *Comprehensive Plan Transportation Element*, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.
4. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel(s) under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.
5. Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.
6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.
7. Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.

8. To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.
9. Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14. [ORD 4397; August 2006] [ORD 4697, December 2016]

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

A. Accessways shall be provided as follows:

1. In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.
2. If any of the conditions described in Section 60.55.25.14. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block. [ORD 4397; August 2006] [ORD 4697; December 2016]
3. Where a street connection is not feasible due to conditions described in Section 60.55.25.14. one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park. [ORD 4397; August 2006] [ORD 4697; December 2016]
4. The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.
5. In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.
6. Within the South Cooper Mountain Community Plan area, the City may require an accessway to connect from multi-use paths or trails to streets, multi-use paths, or trails. [ORD 4652; March 2015]

B. Accessway Design Standards.

1. Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.
2. Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations. [ORD 4332; January 2005]

10. Pedestrian Circulation. [ORD 4487; August 2008]

A. Standards for Single-Detached Dwellings and Middle Housing and Multi-Dwelling Structures with Five or Six Units on One Lot in CM-RM.

1. A pedestrian way is required to connect at least one main entrance of each residential structure to at least one adjacent public street.

2. The pedestrian way required in subsection 1 shall be hard-surfaced and a minimum of ~~five (5)~~ feet wide. Any hard-surface path connecting entrances to the street (including a driveway) could meet this standard.
3. In lieu of meeting the standards above, cottage clusters are subject to the pedestrian access standards in Section 60.05.60.3.

[ORD 4822; June 2022]

B. Standards for Other Development. [ORD 4822; June 2022]

1. Walkways are required between parts of a development where the public is invited or allowed to walk.
2. A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.
3. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multi-dwelling, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development. [ORD 4822; June 2022]
4. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
5. Walkways shall be ~~paved~~ hard surfaced, except for Nature Trails, and shall maintain at least ~~five (5)~~ feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards. Nature Trails may be soft surfaced. [ORD 4782; April 2020]
6. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.

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

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

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

transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,

5. Provide lighting at the transit stop to City standards.
 - B. Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.
12. Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.

"Assessment" for the purposes of this section means to assess the site-specific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. "Review" for the purposes of this section includes but is not limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.

13. New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.
14. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:
 - A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
 - B. Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,
 - C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

[ORD 4061, 10/15/1999; ORD 4224, 09/19/2002; ORD 4302, 06/10/2004; ORD 4332, 01/01/2005; ORD 4397, 08/10/2006; ORD 4487, 08/21/2008; ORD 4652, 03/06/2015; ORD 4697, 12/02/2016; ORD 4782, 04/17/2020; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

The proposed amendments to Section 60.55.35 Access Standards add requirements for private alleys citywide and update language for consistency with the rest of the Development Code.

60.55.35. Access Standards.

[ORD 4302; June 2004]

1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved.
- ~~2-1.~~ No more than 25 dwelling units may have access onto a closed-end street or private alley system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03. [ORD 4584; June 2012]
- ~~3-2.~~ Intersection Standards.
 - A. Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers. [ORD 4462; January 2008]
 1. The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the *Engineering Design Manual and Standard Drawings*, and other applicable criteria. [ORD 4111; July 2000]
 2. The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the *Engineering Design Manual*, and other applicable criteria.
 - B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the *Engineering Design Manual and Standard Drawings*.
 1. When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered. [ORD 4782; April 2020]
 - C. Driveways.
 1. ~~Corner Clearance Sight Distance~~ Sight Distance for Driveways. ~~Corner clearance Sight distance~~ at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the *Engineering Design Manual and Standard Drawings*.
 2. Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.

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

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

D. Alleys.

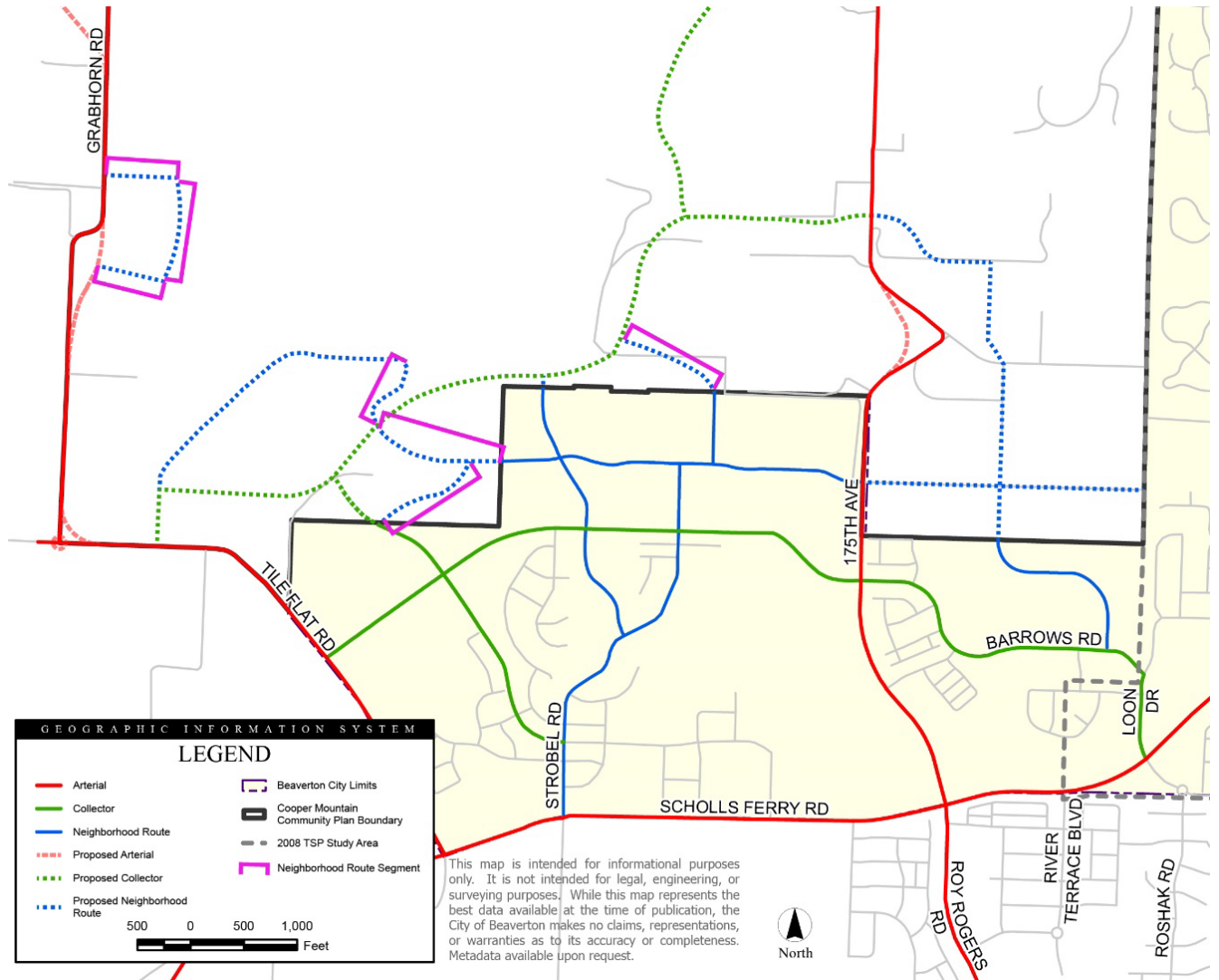
1. When vehicle access for dwelling(s) on a lot is not provided via a direct vehicular access to a public street, a private alley may serve the lot as the primary vehicle access.
2. Private alleys shall provide a minimum of 24 feet between buildings at the ground floor, a paved area at least 16 feet wide, and vertical clearance above the 24-foot-wide alley of at least 16 feet.
3. A private alley may be up to 330 feet long, measured from the terminus of the alley to the near side of the intersecting street or driveway, although this standard does not supersede other Development Code standards that directly or indirectly limit alley length.
4. Alleys exceeding 150 feet, with only one driveway or street connection, shall provide a turnaround.

E. In the Cooper Mountain Community Plan area, vehicular access to Neighborhood Routes west of SW 175th Avenue shall be limited consistent with the following. For the purposes of this Subsection, the distance between intersections along a Neighborhood Route is the distance along a side of a Neighborhood Route between the rights of way of intersecting streets. The distance between intersections for each side of the Neighborhood Route shall be determined independently.

1. Vehicular access is not allowed between intersections if the distance between intersections is 350 feet or less.
2. For situations where the distance between intersection is more than 350 feet, one vehicular access shall be allowed per 350 feet in distance between intersections.
3. If an applicant receives approval of an Engineering Design Manual Design Exception that removes bicycle lanes from the abutting Neighborhood Route cross-section, the limitations in Subsection D.1 and D.2, above, are not applicable. If dedicated bicycle lanes consistent with the Engineering Design Manual cross-sections are not provided on the street, the development shall include a facility or facilities that accommodate bicycle travel (and may accommodate other non-vehicular modes), make the same connections, and clearly and safely connect with other bicycle facilities. If a facility that accommodates bicycle travel is within one of the segments indicated by brackets in Figure 60.55.35.3.E.3, it shall be provided consistently for the entire length of that segment. The facility or facilities that accommodates bicycle travel (and may accommodate other non-vehicular modes) shall:
 - a. Be within 150 feet of the Neighborhood Route.
 - b. Provide a paved area at least 14 feet wide consistent with Engineering Design Manual Typical Shared-Use Path.

c. Provide the same or higher level of safety and comfort as the bicycle facilities specified in the standard Engineering Design Manual cross-section for Neighborhood Routes.

Figure 60.55.3.E3: Neighborhood Route Segments



Cooper Mountain Community Plan

EXHIBIT 10.5

Proposed Beaverton 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 “***”

Commentary:

The proposed changes to 60.60 Trees and Vegetation exempt the Cooper Mountain Community Plan because a new section is proposed related to trees and vegetation that is specific for Cooper Mountain.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 60 - SPECIAL REQUIREMENTS

60.60. Trees and Vegetation

[ORD 4224; August 2002] [ORD 4348; May 2005]

[ORD 4224, 09/19/2002]

60.60.05. Purpose.

Healthy trees and urban forests provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. In conjunction with processes set forth in Section 40.90. of this Code, this section is intended to help manage changes to the City's urban forest outside the Cooper Mountain Community Plan Area by establishing regulations and standards for the protection, pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, Mitigation Trees and trees within a Significant Natural Resource Area (SNRA) or Significant Grove), Landscape Trees, and Community Trees. [ORD 4584; June 2012]

[ORD 3740, 08/21/1990; ORD 4224, 09/19/2002; ORD 4348, 05/19/2005; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

CHAPTER 60 – SPECIAL REQUIREMENTS

Cooper Mountain Community Plan

Proposed Beaverton Code Amendments

- Commentary is for information only.
- Language that has been skipped is indicated by “***”

The entire Section 60.61 is proposed to be added to Chapter 60. To make it easier to read, it is not all shown in red and underlined.

Commentary: Section 60.61. Trees and Vegetation - Cooper Mountain

This is a new code section that regulates trees within the Cooper Mountain Community Plan area in both development and non-development situations. Different tree rules are being proposed for Cooper Mountain to meet Council goals and desired outcomes regarding natural resource and Tree Canopy. The intent is to apply development-related tree code standards for larger development projects and not for smaller projects such as building additions, plumbing permits, or landscape projects. These code sections are also not intended to regulate projects limited to right-of-way construction.

60.61. Trees and Vegetation - Cooper Mountain

60.61.05. Purpose.

The purpose of this Section is to provide regulations for preserving, planting, and maintaining trees inside the Cooper Mountain Community Plan area to preserve and enhance the benefits that trees provide for all people.

Trees provide many benefits for community members including:

- Providing shade, which helps reduce the urban heat island effect by blocking the sun’s rays from heating homes, sidewalks, and driveways, which decreases the energy required to cool and heat buildings and reduces watering needs for lawns;
- Supporting a cooler environment, which makes it more comfortable to walk and bike;
- Providing wildlife habitat, even in urban settings;
- Absorbing stormwater, which improves water quality by reducing runoff that flows to streams and wetlands;
- Reducing erosion by helping stabilize soil;
- Contributing to the local food supply;
- Sequestering carbon, a heat trapping gas that raises the Earth’s temperature;
- Absorbing pollutants and releasing oxygen, which improves air quality;
- Helping reduce driving speeds in urban neighborhoods;
- Providing aesthetic benefits; and
- Contributing to health benefits.

Section 60.61 promotes these outcomes by establishing standards for tree preservation and Tree Canopy that can advance the environmental, economic, and social benefits that trees provide. This Section also sets forth alternative, discretionary approaches that provide flexibility for meeting tree preservation and Tree Canopy minimums.

Commentary: Section 60.61.10. Applicability for Tree Preservation and Tree Canopy Standards and Guidelines

This Section specifies that the development related tree code standards and/or guidelines apply concurrently when other site development review standards apply inside the Cooper Mountain Community Plan area.

The term “preservation” refers to saving existing trees on a site at the time of development application. The term “canopy” refers to the ground area under a tree or trees, either the actual area for existing trees or the eventual area when the tree is 15 years old for newly planted trees – or in some cases a combination of both. To find definitions for canopy, reference “Tree Canopy” and “Tree Canopy, Mature” in Chapter 90.

Here are some example scenarios to illustrate how preservation and canopy work:

1. An applicant could preserve all the trees on a site. If the canopy preserved is large enough to satisfy the minimum Tree Canopy standard, the Tree Canopy standard is met without planting additional trees.
2. An applicant could preserve all the trees on a site. If the canopy coverage provided by those preserved trees is not large enough to satisfy the minimum Tree Canopy standard, the applicant would need to plant enough new trees to meet the standard.
3. An applicant preserves some trees on a site and removes some trees. If the Tree Canopy standard is not met, the applicant would need to plant enough trees to meet the standard.

Preservation standards apply inside and outside the Resource Overlay. Canopy standards generally apply inside the Resource Overlay with a few exceptions (some are described in this section, and others are described in other sections in Chapter 60).

Tree planting standards in other code sections. In addition to minimum tree preservation and minimum Tree Canopy rules in this section, other code sections also have tree planting standards. Unless otherwise noted, tree planting standards are in addition to preservation and canopy rules. For example:

1. **Development in all Cooper Mountain zones.** All proposed developments in all Cooper Mountain zones shall comply with Street Tree requirements in Section 60.55.30.
2. **Development in the CM-RM zone.** Generally, single-detached dwellings, middle housing, five- and six-unit multi-dwelling structures, and small-scale commercial uses that add a detached building or increase the existing square footage of an attached building shall meet the tree planting and tree preservation requirements in Section 60.05.60 or 60.05.65.
3. **Development in the CM-CS, CM-HDR or CM-MR zones.** Residential developments consisting of at least four units of attached housing or compact detached housing, non-residential development and mixed-use development shall comply with tree planting standards in Section 60.05.25 or the associated guidelines in Section 60.05.45. Proposed Planned Unit Development (PUD) applications within Cooper Mountain have the opportunity to address different standards in Section 60.36.

60.61.10. Applicability.

In the Cooper Mountain Community Plan area:

1. The applicability of tree preservation and tree canopy standards and guidelines of Sections 60.61.15 through 60.61.35 is as follows:
 - A. All Initial Development shall comply with tree preservation standards in Section 60.61.15 and tree canopy standards in Section 60.61.20. Applicants may instead choose to comply with tree preservation guidelines in Section 60.61.25 and/or Tree Canopy guidelines in Section 60.51.30. Applicants may choose to comply with standards in both sections, comply with guidelines in both sections, or comply with standards in one section and guidelines in another.
 - B. All Initial Development shall comply with technical specifications for tree protection and planting in Section 60.61.35 until the end of the monitoring period.
 - C. These standards do not apply to existing dwellings as of (effective date of this ordinance) that are adding floor area to the primary structure, subject to the limitations of the zoning district in which the dwelling is located or are being rebuilt after being unintentionally destroyed.
 - D. These standards do not apply to Middle Housing created through conversion of, or addition to, an existing single-detached dwelling.
 - E. If a duplex, triplex, quadplex, or cottage cluster has been divided by a Middle Housing Land Division, the standards 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. The Tree Replacement and Maintenance standards of Section 60.61.40 apply to tree removal that is not associated with Initial Development and is not exempt per Section 40.91.10.

Commentary: Section 60.61.12 General Tree Provisions

The General Tree Provisions Section includes detailed information about tree locations and classifications, Tree Canopy calculations and tree conditions that apply to all of Section 60.61, unless otherwise noted.

Tree Conditions. In the January draft code, the draft included the following tree conditions definitions: Good (no significant health issues); Fair (moderate health issues but likely viable for the foreseeable future); Poor (significant health issues and likely in decline); Very Poor (in severe decline), and Dead.

In the April draft code, tree definitions have been simplified, allowing more trees to count toward preservation requirements. Instead of regulating trees by whether they are in good, fair, poor or very poor conditions, staff has defined Dying Trees, Dead Trees and Hazardous Trees. If a tree is not dying, dead or hazardous, then it counts towards preservation and canopy standards and guidelines. This update simplifies the inventory process by avoiding a more striated approach where there might be subtle distinctions between a good tree and fair tree, or a fair tree and poor tree. Also, a fair tree can become a good tree, and a poor tree can become a fair tree or good tree with proper abatement.

Additional benefits to this approach include maintaining the ecological functions of the existing forest. By allowing what used to be called trees in fair condition to count towards preservation, the forest holds on to higher DBH trees. If we don't allow trees in fair condition to count towards preservation, and we expect applicants to meet the Tree Canopy standard, then the applicant would likely have to remove the trees in fair condition (potentially large trees) and replace them with 1.5-inch caliper broadleaf trees or 5-foot-tall conifers, which could take decades to grow and replace the ecological functions of the original trees.

60.61.12. General Tree Provisions.

1. Tree Locations and Classifications.

- A. Native Trees and Nuisance Trees are identified on the City of Beaverton Tree List.
- B. If any part of a tree's trunk is on a property line, then that tree is considered an on-site tree for both lots for the purpose of meeting minimum tree preservation and Tree Canopy standards and guidelines.
- C. If any part of a tree's trunk is inside the Resource Overlay, then that tree is considered a tree within the Resource Overlay.
- D. If a tree trunk is completely within a right of way at ground level abutting the site, then that tree is considered a Street Tree.

2. Tree Canopy Calculations.

- A. If any part of a tree's trunk is on a property line, then each lot shall count 50 percent of the Tree Canopy towards minimum tree preservation or minimum Tree Canopy standards and guidelines.
- B. When calculating Tree Canopy to meet tree preservation and Tree Canopy standards and guidelines, no Tree Canopy area shall be counted more than once, including when preserved Tree Canopy and/or anticipated Mature Tree Canopy overlap.

3. Tree Conditions.

- A. Tree conditions for all Initial Development shall be assessed and documented in a report by an arborist certified in International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ) techniques.
 - 1. Dying. Dying Trees include evidence of disease, pests, deterioration, or rot. Signs of declining tree health include but are not limited to:
 - a. Crown and branches:
 - i. Crown damage, crown breakage or crown dieback more than 50 percent of canopy for deciduous trees and more than 30 percent of canopy for conifer trees.
 - ii. Greater than 50 percent of leaves have damage (ragged leaves with holes; black or brown leaves; or spots or bumps that indicate insects or mites).
 - iii. Tree is missing more than 50 percent of its leaves in leaf-on conditions between June 1 and September 30.
 - iv. Dead crown limbs or cracks in branches or stems greater than 4 inches in diameter.
 - v. Dead crown limbs with no fine twigs and bark peeling away, and in some cases, saprophytic fungal evidence.
 - b. Trunk:
 - i. Tree is leaning 15 degrees or more, as calculated by using a plumb line, or similar device, and measuring the angle between the vertical line and the tree's trunk.
 - ii. Cavity opening or other stem damage greater than 30 percent of the circumference measured at any height of the tree trunk.
 - c. Roots and root collar:
 - i. Stem girdling root affects 40 percent or more of trunk circumference.

- ii. More than 33 percent of roots are damaged within the root protection zone, as defined in Figure 60.61.35.1.A.1.c.
 - iii. Recent root breakage, soil mounding, cracks, or extensive decay evident.
2. Dead. Dead Trees may be removed without an arborist's report if they comply with Section 40.91.
 3. Hazardous. Hazardous trees are defined in Chapter 90.

Commentary: Section 60.61.15 Minimum Tree Preservation Standards

This Section provides a clear and objective way to meet minimum tree preservation percentages by following the standards. A discretionary option to meet minimum tree preservation percentages by following guidelines is in Section 60.61.25.

Tree Inventory. A tree inventory will be required in the submittal requirements for Initial Development applications. More detailed information regarding what content is required in the inventory will be included in updated applications published outside of the Development Code. For each tree on site, the inventory will require information such as the tree number and location, the common name and scientific name, DBH, and Tree Canopy area.

Tree Multipliers Provide Extra Preservation Credit for Certain Trees. When calculating how much Tree Canopy counts toward Tree Canopy preservation, the draft code includes rules for multipliers. Multipliers mean Tree Canopy preserved from high-value count more toward the standard than other trees. Multipliers are proposed as an incentive for preservation. For example, using a multiplier for Oregon white oaks also has the benefit of allowing the lower density of oak canopy consistent with lower oak woodland habitat canopy levels.

Tree Classifications. A table is included which indicates which trees are eligible to count towards the minimum Tree Canopy preservation standard. Since the January 2024 draft code was released for public review, staff has been reviewing public comments about how to improve the tree classifications table. In response, a notable change is that non-native trees in the Resource Overlay shall now count towards the preservation and canopy requirements. By allowing them to count, applicants may be incentivized to keep older, non-native trees that provide important ecological services for the plan area. If we don't allow non-native trees to count towards preservation and canopy requirements, and we expect applicants to meet the Tree Canopy standard, then the applicant would likely have to remove non-native trees (potentially large trees) and replace them with 1.5-inch caliper broadleaf trees or 5-foot-tall conifers, which could take decades to grow and replace the ecological functions of the original trees.

Regarding Agricultural Trees, the definition of Agricultural Trees was written to cover a range of agriculturally managed trees in the Cooper Mountain Community Plan area. The definition does not include naturally occurring forested areas with a range of tree species, even if these areas are in forest deferral per Oregon Revised Statutes 527.722(2).

Tree Preservation Fee-in-Lieu. If trees are removed from inside the Resource Overlay, Section 60.37.45 will generally require replanting to mitigate for that removal. If trees are removed from outside the Resource Overlay in an amount that exceeds the standards, an in-lieu fee will be required, as described in Section 60.61.15.3. The in-lieu fee is intended to provide funding for the City to plant and maintain trees in places that are easy to access and maintain, such as the right of way and public spaces, further contributing to the tree canopy goals for this planning area.

60.61.15. Minimum Tree Preservation Standards.

1. **Standards for Minimum Tree Preservation Percentages.**
 - A. For eligible, on-site trees, the minimum amount of tree preservation shall be:
 1. 65 percent of existing, on-site Tree Canopy within the Resource Overlay.
 - a. If a Parent Parcel containing any Resource Overlay meets the preservation requirement of 60.61.15.1.A at the time of Initial Development, Section 60.61.15.1.A shall be considered met for future development applications not involving tree removal of trees preserved in Section 60.61.15.1.A.
 2. 40 percent of existing, on-site Tree Canopy outside the Resource Overlay.
 3. Within a proposed development, minimum tree preservation standards shall be based on the eligible Tree Canopy within the boundaries of the development prior to right of way dedication.
 - B. The following Tree Canopy multipliers shall be used when calculating how much certain tree species count toward the minimum tree preservation standards of Section 60.61.15.1.A above when they are preserved:
 1. 2 times existing Tree Canopy for the following trees: Madrone (*Arbutus menziesii*), Ponderosa pine (*Pinus ponderosa* var. *benthamiana*), Oregon white oak (*Quercus garryana*), and Pacific yew (*Taxus brevifolia*), and any native tree with a DBH that is 36 inches or greater; and
 2. 1.5 times existing Tree Canopy for the following trees: Grand fir (*Abies grandis*), Douglas-fir (*Pseudotsuga menziesii*), or any native tree with a DBH that is 20 inches or greater and less than 36 inches.
 3. Tree Canopy multipliers shall not be applied when calculating the total Tree Canopy on the site. The multipliers shall be applied when calculating the Tree Canopy of preserved trees.
 4. Only one Tree Canopy multiplier shall be applied to an individual tree.
2. **Tree Classifications.** Table 60.61.15.1 indicates which trees are exempt from the tree preservation standards in this Subsection and which are eligible for meeting minimum tree preservation requirements.

Table 60.61.15.1. Tree Classifications for Minimum Tree Preservation Standards

Tree Category	Exempt	Eligible
Species		
A. Native and non-native ¹	No	Yes
Size		
C. Low stature ²	Yes	No
D. Less than 6 inches DBH ³	Yes	No
Type		
E. Nuisance	Yes	No
F. Agricultural	Yes	No
Condition		
G. Dying or Dead	Yes	Yes (Within Overlay) ⁴ , No (Outside Overlay)
H. Hazardous	Yes	No
Location		
I. Within rights of way, right-of-way dedication areas, and public easements ⁵	Yes	No
Notes		
<ol style="list-style-type: none"> 1. A native or non-native tree that also qualifies as a Nuisance Tree, Agricultural Tree, Hazardous Tree, Dying Tree, Dead Tree, tree less than 6 inches DBH, or low stature tree is exempt from the minimum tree preservation standards in Section 60.61.15. 2. For the purposes of complying with Section 60.61.15, plant species that cannot attain a mature height of at least 16 feet or are not classified as trees. 3. Refers to existing trees on a site plan when a land use application is submitted for development review. 4. Applies to eligible trees. Although a tree that is dying or dead is exempt from preservation requirements, applicants shall receive 100 square feet of preserved Tree Canopy area towards minimum preservation requirements if they retain a dying or dead tree on site because it provides valuable wildlife habitat. 5. Public easements include pedestrian easements. 		

3. Tree Preservation In-Lieu Fee. When development activity reduces existing on-site Tree Canopy below the standards set in 60.61.15.1, the preservation standard may be met through an in-lieu fee, provided for every square foot of removal below the standard. The amount of the in-lieu fee shall be established by City Council by resolution.

Commentary: Section 60.61.20 Minimum Tree Canopy Standards

Standards. This Section provides a clear and objective way to provide minimum Tree Canopy coverage by following the standards. Here are some example scenarios to illustrate how meeting Tree Canopy standards can work:

1. An applicant can meet canopy targets by preserving all eligible trees on a site (according to Section 60.61.20.2), as outlined in the preservation section, if the site has existing Tree Canopy of a sufficient size to meet the standard.

2. An applicant could preserve all native trees in good or fair condition on a site, but if there aren't enough existing trees then the applicant will still need to plant new trees to meet the canopy target in Section 60.61.20.1.
3. An applicant could preserve some native trees in good or fair condition on a site and remove some trees, and then plant new native trees to make up for the tree removal and meet the canopy target in Section 60.61.20.1.

Eligible Trees. Trees that are eligible to count towards the Tree Canopy standard are listed. If a tree type is not listed below, then it shall not count toward the minimum Tree Canopy percentage.

Tree Inventory. A tree inventory will be required as part of the submittal for development applications. More detailed information regarding what content is required in the inventory will be included in updated applications published outside of the Development Code. For meeting minimum Tree Canopy standards, the expectation is that the inventory will require information such as the number and location of trees, the common name and scientific name of each tree, the DBH of each tree, and the Tree Canopy area.

Tree Canopy In-Lieu Fee. If applicants cannot meet minimum Tree Canopy standards for areas inside the Resource Overlay, then the applicant shall pay an in-lieu fee based on the difference between the overall Tree Canopy of eligible trees and 65 percent. Proposed Tree Canopy coverage shall not be less than 50 percent. This value is based on the fact that existing canopy coverage inside the Resource Overlay, excluding Cooper Mountain Nature Park is approximately 55 percent. If the proposed Tree Canopy coverage is above 50 percent, then the site may be able to provide similar ecological functions to predevelopment conditions.

60.61.20. Minimum Tree Canopy Standards.

1. Standards for Minimum Tree Canopy Percentages.

- A. Within the Resource Overlay on the site, the development shall provide Tree Canopy coverage over at least 65 percent of the site area from eligible trees identified in Section 60.61.20.2, unless applicants pay the in-lieu fee consistent with Section 60.61.20.3.
- B. For the purpose of the minimum Tree Canopy standards, Tree Canopy shall be calculated consistent with the following:
 1. For all native trees planted to satisfy the requirements of Section 60.37.45 or Section 60.61.20.1.A, Tree Canopy coverage shall be based on Mature Tree Canopy coverage.
 2. For all existing native trees that are less than 6-inch DBH, Tree Canopy coverage shall be based on Mature Tree Canopy coverage.
 3. For each preserved or planted Street Tree, 50 percent of the Mature Tree Canopy for each Street Tree within 12 feet of the site area within the Resource Overlay shall count towards minimum Tree Canopy coverage for the site.
 4. The site area subject to the 65 percent Tree Canopy coverage standard includes the gross site area within the boundaries of the Resource Overlay minus existing rights of way and right-of-way dedication areas.

2. Eligible Trees. The following trees shall count toward meeting minimum Tree Canopy percentages:

- A. On-site trees that are preserved to count toward Section 60.61.15 Minimum Tree Preservation Standards;

- B. Trees planted to meet the mitigation requirements in Section 60.37.45 for disturbances to the Resource Overlay shall count toward meeting the requirements of Section 60.61.20.1;
 - C. All native trees planted to satisfy the requirements of Section 60.61.20.1 that are identified on the City of Beaverton Tree List, excluding trees in the ash (*Fraxinus*) genus; native trees planted to satisfy tree planting requirements in Section 60.05; and trees planted to satisfy parking area landscaping requirements in Section 60.30.15.10.
 - D. Preserved or planted Street Trees;
 - E. Existing native trees that are less than 6-inch DBH provided they would otherwise be eligible trees according to this Subsection; and
 - F. Trees planted to satisfy vegetated corridor enhancement requirements from Clean Water Services or other natural resource mitigation actions required by another government agency.
3. **Tree Canopy In-Lieu Fee.** If a development proposes less than 65 percent Tree Canopy coverage of the site area, the applicant shall pay an in-lieu fee based on the difference between the overall proposed Tree Canopy coverage of eligible trees and 65 percent. Proposed Tree Canopy coverage shall not be less than 50 percent of the site area, except as allowed by the exceptions below. The amount of the in-lieu fee shall be established by the City Council by resolution.
- A. For any portion of the Resource Overlay where a 10-foot by 10-foot square cannot entirely fit inside the overlay, an applicant may pay an in-lieu fee for that portion of the overlay.
 - B. If a site only includes site area within the Resource Overlay coverage that meets the criterion in Subsection 3.A, an applicant may pay an in-lieu fee for the entirety of the area within the overlay.

Commentary: Section 60.61.25 Minimum Tree Preservation Guidelines

This Section provides a discretionary way to meet minimum tree preservation percentages by following the guideline(s) while Section 60.61.15 provides a clear and objective approach that relies on standards. Applicants may choose which option is most compatible with their proposed development.

Tree Inventory. A tree inventory will be required as part of the submittal for development applications. More detailed information regarding what content is required in the inventory will be included in updated applications published outside of the Development Code. The inventory will require information such as the number and location of trees, the common name and scientific name of each tree, the DBH of each tree, and the Tree Canopy area. See the commentary box for Section 60.61.15 Minimum Tree Preservation Standards to read more about considerations of alternative ways to measure Tree Canopy, as well as the cost and timing of arborist’s reports.

Tree Multipliers Provide Extra Preservation Credit for Certain Trees. When calculating how much Tree Canopy counts toward Tree Canopy preservation, the draft code includes rules for multipliers. Multipliers mean Tree Canopy preserved from high-value, native trees that are in good condition counts more toward the standard than other trees. Multipliers are proposed as an incentive for preservation. For example, using a multiplier for Oregon white oaks also has the benefit of allowing the lower density of oak canopy consistent with lower oak woodland habitat canopy levels.

Trees Vulnerable to Windthrow. Both Planning Commission and the community asked staff to consider how the draft code could address risks associated with trees vulnerable to windthrow. As a result, staff added new content to Sections 60.61.25.1.B.1.e and 60.61.25.1.B.2 that provide additional guidance when it comes to tree preservation inside and outside the Resource Overlay.

60.61.25. Minimum Tree Preservation Guidelines.

1. Guidelines for Minimum Tree Preservation Percentages.

- A. For eligible, on-site trees, the minimum tree preservation percentage shall be 50 percent of existing Tree Canopy for the overall site provided that each Initial Development:
 - 1. Preserves at least 65 percent of existing, on-site Tree Canopy within the Resource Overlay.
 - 2. Provides the balance of required preserved Tree Canopy inside or outside the Resource Overlay; and
- B. Each development shall meet the following requirements.
 - 1. Inside the Resource Overlay, each development shall prioritize preserving trees in the situations below if the site includes the habitat or tree species described:
 - a. To promote healthy and resilient forests and tree groves, the development shall:
 - i. Prioritize preservation of a mix of native tree species and ages; and
 - ii. Prioritize preservation of a mix of native tree sizes; and
 - iii. Prioritize preservation of native trees that have a low overall tree risk rating according to the ISA Basic Tree Risk Assessment Form (2017); and
 - iv. Preserve understory trees that support natural succession; and
 - v. Preserve understory shrubs, forbs/wildflowers, grasses, sedges, and ferns that provide food for wildlife, flowers for native pollinators, organic material to build healthier soil, and resiliency against invasion by foreign weeds; and
 - vi. Reasonably maintain the ecological functions of the existing forest.
 - b. Prioritize protection of Interior Habitat over Edge Habitat to enhance habitat connectivity by preserving more trees inside the Resource Overlay and adjacent to Clean Water Services vegetated corridor(s), unless tree removal is necessary to:
 - i. Provide access, through a road or bridge, to developable land; or
 - ii. Provide infrastructure to support development; or
 - iii. Result in a reasonable amount of land to accommodate new housing that meets the minimum required density when that land is not available outside the Resource Overlay; or
 - iv. Result in a reasonable amount of space to provide a public trail.
 - c. Prioritize preservation of all Oregon white oak (*Quercus garryana*) trees unless tree removal is necessary for the same reasons described in 60.61.25.1.B.1.b.
 - d. Preserve a special habitat of concern, such as oak woodland habitat, madrone woodland habitat, or prairie habitat.
 - i. The scientific justification for preserved Tree Canopy within the boundary of a special habitat of concern shall be determined by a knowledgeable and Qualified Professional, such as an arborist, wildlife biologist or habitat expert, and included in a report.
 - ii. If applicants choose to meet the requirement in Subsection 60.61.25.1.B.1.d, they may also choose to meet the requirements in Subsection 60.61.25.1.B.2.c.
 - e. Avoid or minimize the preservation of:

overall site. Replacement shall be provided as an in-lieu fee. To determine replacement value, applicants shall subtract the percentage of preserved, on-site Tree Canopy inside the Resource Overlay from 50 percent. The amount of the in-lieu fee shall be established by the City Council by resolution.

Commentary: Section 60.61.30 Minimum Tree Canopy Guidelines

This Section provides two discretionary options to provide minimum Tree Canopy coverage by following the guideline(s) while Section 60.61.20 provides a clear and objective approach that relies on standards. Applicants may choose which option is most compatible with their proposed development.

During public engagement, some community members asked staff to consider the relationship between higher tree canopy requirements and potential wildfire risk. Staff met with Tualatin Valley Fire & Rescue (TVF&R) to review the draft code and discuss this issue. Since there is no wildland-urban interface in or near the Cooper Mountain Community Plan area, the overall wildfire risk is low. What matters to TVF&R is transportation access and water supply, which are well planned for in this area. Therefore, no additional code updates have been made with wildfire risk in mind, such as lower tree canopy requirements, requirements for fire-resistant plantings, or requirements for defensible space around homes.

60.61.30. Minimum Tree Canopy Guidelines.

1. Guidelines for Minimum Tree Canopy Percentages (Type 2)

- A. Through any combination of on-site tree planting and eligible tree preservation, each Initial Development shall provide at least 50 percent Tree Canopy for the overall site provided that:
 - 1. On-site tree plantings required to meet Section 60.61.30.1.A shall comply with the following:
 - a. If there are 17 or fewer required on-site tree plantings, then each development shall provide no more than 30 percent of any one species.
 - b. If there are at least 18 and less than 54 required on-site tree plantings, then each development shall provide no more than 25 percent of any one species.
 - c. If there are more than 54 on-site required on-site tree plantings, then each development shall provide no more than 20 percent of any one species.
 - 2. Trees planted to satisfy the requirements of Section 60.61.30.1 are sited in locations where the slope, aspect and soil type are suitable for the long-term growth of the tree.
 - 3. Street Trees shall not count toward the minimum Tree Canopy requirements of Section 60.61.30.1.
 - 4. The development satisfies the mitigation requirements in Section 60.37.45, if applicable.
 - 5. The development is a single-phase development. Multi-phase developments shall comply with minimum Tree Canopy standards of Section 60.61.20.
- B. In addition, each development shall meet one of the following requirements or a combination of the following requirements to achieve minimum 50 percent Tree Canopy for the overall site.
 - 1. Plant on-site trees adjacent to the Resource Overlay. Prioritize tree plantings in locations where Tree Canopy outside the Resource Overlay will be contiguous with Tree Canopy inside the Resource Overlay at 15 years maturity. Trees planted to satisfy this requirement shall be preserved by placing them in a separate tract and executing a deed restriction, such as a restrictive covenant.

2. Enhance Tree Canopy within a special habitat of concern, such as oak woodland habitat or madrone woodland habitat.
 - a. The scientific justification for optimal Tree Canopy within the boundary of a special habitat of concern, inside and outside the Resource Overlay, shall be determined by a knowledgeable and qualified natural resources professional, such as an arborist, wildlife biologist or habitat expert, and included in a report.
 - b. If applicants choose to meet this requirement, they shall also meet the requirements in Section 60.61.25.1.B.1.d, and if applicable, Section 60.61.25.1.B.2.c.
 - c. If the boundary of a special habitat of concern extends outside the Resource Overlay, then the applicant shall preserve the special habitat of concern area located outside the Resource Overlay by executing a deed restriction, such as a restrictive covenant.
3. Enhance vegetation within a special habitat of concern that, even when a healthy ecosystem, has few trees, such as prairie habitat.
 - a. The scientific justification for the amount and type of native plants within the boundary of a special habitat of concern, inside and outside the Resource Overlay, shall be determined by a knowledgeable and qualified natural resources professional, such as a landscape architect, ecologist, or horticulturist, and included in a report.
 - b. For the purposes of requirement B.3, the area inside the special habitat of concern shall be assumed to have 50 percent Tree Canopy when calculating Tree Canopy for the overall site.
 - c. If the boundary of a special habitat of concern extends outside the Resource Overlay, then the applicant shall preserve the special habitat of concern area located outside the Resource Overlay by executing a deed restriction, such as a restrictive covenant.
4. Complete a wildlife corridor for birds, small mammals, or large mammals outside the Resource Overlay.
 - a. The wildlife corridor shall connect at least two noncontiguous portions of the Resource Overlay on or abutting the site and shall extend across the site in a way that connects two different sides of the Parent Parcel boundary.
 - b. The design of the wildlife corridor shall be based on the species that is primarily intended to benefit from the corridor and illustrate features, including but not limited to, width, shape and distance, that are critical for safe passage within the corridor, in a report by a knowledgeable and qualified natural resources professional, such as a wildlife biologist or habitat expert.
 - c. The scientific justification for minimum Tree Canopy inside the boundary of the wildlife corridor (outside the Resource Overlay) at 15 years maturity shall be determined by a knowledgeable and qualified natural resources professional and included in a report.
 - d. All lighting inside of a wildlife corridor shall be wildlife friendly. This could include dark sky techniques that minimize glare, reduce light trespass and reduce light pollution, which collectively reduce disruptions to migratory pattern and breeding behaviors. If the photometric distribution of lighting outside of a wildlife corridor includes light that falls into a wildlife corridor, then this lighting shall also employ wildlife-friendly techniques as determined by a knowledgeable and qualified natural resources professional and included in a report.
 - e. All fencing inside of a wildlife corridor shall incorporate wildlife friendly design features. Fencing design shall be based on the species that is primarily intended to benefit and may include features such as a low height which allows wildlife to jump over the fence, large openings which make it easier

for wildlife to move through the fence, removable gates that support seasonal migration and durable markers that enhance visibility.

- f. The boundary of the wildlife corridor outside the Resource Overlay shall remain outside the Resource Overlay after implementation. However, the applicant shall preserve the wildlife corridor by executing a deed restriction(s), such as a restrictive covenant.

2. Guidelines for Minimum Tree Canopy Percentages (Type 3)

A. Through any combination of on-site tree planting and eligible tree preservation, each Initial Development shall provide as much canopy as reasonably possible, but the minimum Tree Canopy percentage shall not be lower than 40 percent for the overall site, unless otherwise noted, provided that:

1. On-site tree plantings include a variety of tree species to promote diverse forests that are more resilient to pests, disease, extreme weather events and other disturbances.
2. Trees planted to satisfy tree planting requirements in Section 60.05 and trees planted to satisfy parking area landscaping requirements in Section 60.30.15.10 shall not count towards the minimum Tree Canopy requirements of Section 60.61.30.2.
3. Street Trees shall not count toward the minimum Tree Canopy requirements of Section 60.61.30.2.
4. The development satisfies the mitigation requirements in Section 60.37.45, as applicable.
5. The development is a single-phase development. Multi-phase developments shall comply with minimum Tree Canopy standards in 60.61.20.

B. In addition, each Initial Development shall meet at least one of the requirements of Subsection B.1 through 3 below.

1. Demonstrate that a site with more than 40 percent Tree Canopy presents a significant hazard or risk to a utility or infrastructure, either on site or adjacent to the overall site.
2. Demonstrate that a site with more than 40 percent Tree Canopy presents a significant hazard or risk because the topography or hydrology, either on site or adjacent to the overall site.
3. Provide a large open space or series of smaller open spaces that preserve land for sustainable landscapes that clean the air and water, add to the local food supply, restore habitats or provide similar environmental or ecological benefits. To meet this requirement, the applicant shall provide approximately 4,000 square feet of landscape, open space or natural area for every two acres of net acreage of the site; and dedicate this space(s) by executing a deed restriction(s), such as a restrictive covenant.

3. Eligible Trees

- A. Preserved trees that satisfy the requirements in Section 60.61.15 (Minimum Tree Preservation Standards) or Section 60.61.25 (Minimum Tree Preservation Guidelines);
- B. The listed Mature Tree Canopy area of planted, on-site trees inside the Resource Overlay that are identified as native trees in the City of Beaverton Tree List, excluding trees in the ash (*Fraxinus*) genus.
- C. The listed Mature Tree Canopy area of planted on-site trees outside the Resource Overlay that are identified on the City of Beaverton Tree List, except for Nuisance Trees.
- D. Native trees planted to satisfy tree planting requirements in Section 60.05, and trees planted to satisfy parking area landscaping requirements in Section 60.30.15.10.
- E. 50 percent the canopy of planted or preserved Street Trees within 20 feet of the site;
- F. Preserved trees that are less than 6-inch DBH are eligible to count as Mature Tree Canopy provided they are not dead, dying or hazardous and would otherwise be eligible trees according to this Subsection.

60.61.35. Technical Specifications for Tree Protection and Planting.

All proposed Initial Development that includes trees contributing towards the preservation or canopy requirements of Sections 60.61.15 through 60.61.30 shall be protected or planted in accordance with the following requirements, with the exception of Street Trees which are subject to the City of Beaverton Tree Planting & Maintenance Policy, Beaverton City Code and Beaverton Engineering Design Manual.

Commentary: Section 60.61.35.1 Tree Protection Standards

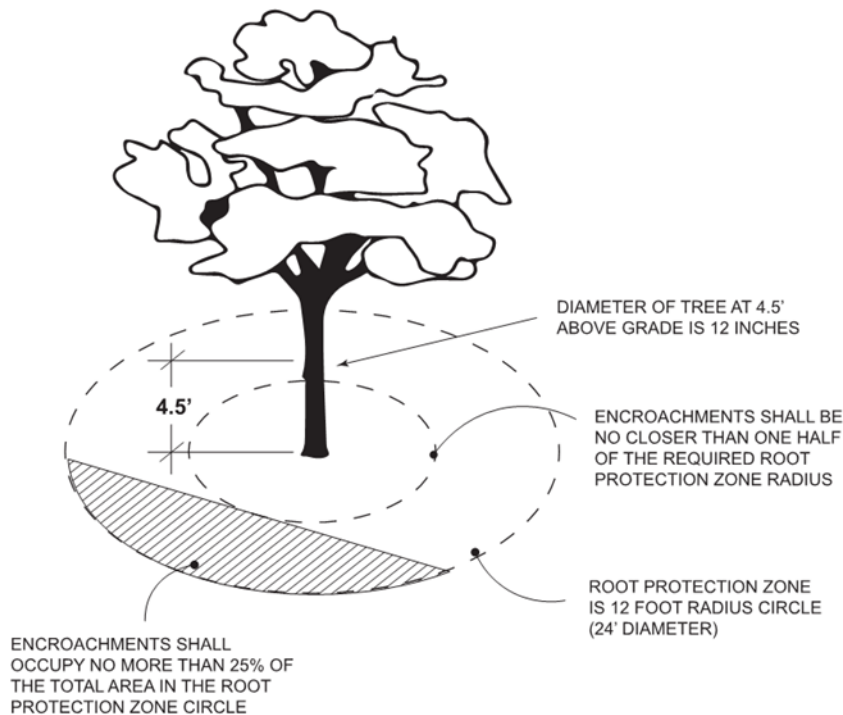
The Tree Protection Standards section of the draft Development Code includes information on how to protect trees from construction impacts during site development. For the ease of review, all associated standards are included in this draft code. In the future, some of this content may be moved to a technical document that would be referenced in the Development Code.

1. **Tree Protection Standards.** A tree protection plan by a Certified Arborist or Oregon Registered Landscape Architect shall demonstrate that it meets the requirements of Section 60.61.35, unless otherwise approved by the City Arborist. Tree protection methods and specifications shall be consistent with the American National Standards Institute (ANSI) A300 Tree Care Standards (2023).

A. Standards for Tree Protection from Construction Impacts

1. Establish a root protection zone:
 - a. For on-site trees and off-site trees with root protection zones that extend into the site – a minimum of 1 foot radius (measured horizontally away from the center of the tree trunk) for each inch of DBH. Root protection zones for off-site trees may be estimated if no access is available to measure the DBH.
 - b. Existing encroachments into the root protection zone, including structures, paved surfaces and utilities, may remain.
 - c. New encroachments into the root protection zone are allowed provided:
 - i. The area of all new encroachments is less than 25 percent of the remaining root protection zone area when existing encroachments are subtracted; and
 - ii. No new encroachment is closer than one-half the required radius distance (see Figure 60.61.35.1.A.1.c).

Figure 60.61.35.1.A.1.c: Root Protection Zone



- d. The following is prohibited within the area of the root protection zone that is within one-half of the required radius distance from the tree:
- i. Ground disturbance or construction activity, including machinery, equipment or vehicles, but excluding access on existing streets or driveways,
 - ii. Storage of equipment or materials, including soil,
 - iii. Temporary or permanent stockpiling,
 - iv. Proposed buildings,
 - v. Impervious surfaces,
 - vi. Underground utility transmission lines,
 - vii. Excavation or fill,
 - viii. Soil compaction and vegetation removal, unless approved by a Certified Arborist,
 - ix. Trees used as rigs or anchors for stabilizing construction equipment,
 - x. Construction or grading, unless there is a plan approved by a Certified Arborist and the area is inspected before, during, and after work by a Certified Arborist, and
 - xi. Trenching or other work activities.
- e. Installation of landscaping is not an encroachment if proposed work is approved by a Certified Arborist and entirely installed with hand tools. Any in-ground irrigation systems are considered encroachments.

2. Tree protection fence:

- a. The tree protection fence is required to be installed before any ground disturbing activities, including clearing and grading, or construction starts, and shall remain in place until acceptance of final inspection.
- b. Tree protection fencing consisting of a minimum 4-foot-high metal chain link or no-climb horse fence, secured with 6-foot metal posts shall be established at the edge of the root protection zone and permissible encroachment area on the site. Existing structures and/or existing secured fencing at least 3.5 feet tall can serve as the required tree protection fencing.
- c. When a root protection zone extends beyond the site, tree protection fencing is not required to extend beyond the development site.
- d. Signs designating the tree protection zone and describing penalties for violations shall be secured in a prominent location on each tree protection fence.

Commentary: Section 60.61.35.2 Tree Planting Standards

The Tree Planting Standards section of the draft Development Code includes technical specifications that shall guide tree planting associated with development activity. For the ease of review, all associated standards are included in this draft code. In the future, some of this content may be moved to a technical document that would be referenced in the Development Code.

Species diversity requirements are loosely based on City of Portland diversity standards. Some are included to further increase species diversity. Other are to help protect against complete losses of trees due to pests, diseases, or other tree stressors.

- 2. **Tree Planting Standards.** A tree planting plan by a Certified Arborist or Oregon Registered Landscape Architect is required for trees on individual lots. Tree planting methods, specifications, and procedures shall be consistent with the ANSI A300 Tree Care Standards (2023) and applicable provisions of the City of Beaverton Tree Planting & Maintenance Policy, unless otherwise approved by the City Arborist.
 - A. The minimum size of planted trees is 1.5-inch caliper for broadleaf trees and 5-foot tall for conifers unless otherwise approved by the City Arborist or required by Clean Water Services, the Department of State Lands, or Army Corps of Engineers. Nursery stock shall be in good health with the size and quality consistent with ISA standards and the most current version of the ANSI Z-60.1 standards adopted by City Council.
 - B. The minimum spacing and setback requirements in Table 60.61.35.2.B shall be met based on Mature Tree Canopy coverage identified on the City of Beaverton Tree List unless otherwise specified in the City of Beaverton Tree Planting & Maintenance Policy, approved by the City Arborist, or required by Clean Water Services, the Department of State Lands, or Army Corps of Engineers:

Table 60.61.35.2.B. Minimum Spacing and Setback Requirements for Tree Plantings

Spacing/Setback	Small Stature	Medium Stature	Large Stature
Between existing and new trees	15 feet	25 feet	35 feet
From habitable buildings	10 feet	15 feet	20 feet
From pavement	2 feet	3 feet	4.5 feet

* The City of Beaverton Tree Planting & Maintenance Policy supersedes any conflicting standards and specifications in Section 60.61.

- C. Unless otherwise regulated in Section 60.61, the following plant diversity requirements apply to on-site tree plantings required to comply with applicable provisions of Section 60.61.15 through 60.61.30:
1. If there are 17 or fewer required on-site tree plantings, then they may all be the same species.
 2. If there are at least 18 and less than 54 required on-site tree plantings, then no more than 33 percent can be of one species.
 3. If there are 54 or more required trees, then no more than 25 percent can be of one species.
 4. This standard applies only to the trees being planted, not to existing trees that are preserved.
- D. At least 25 percent of required on-site tree plantings shall be conifers.
- E. Root barriers shall be installed according to the manufacturer's specifications when a tree is planted within 10 feet of pavement or an underground utility box, unless otherwise approved by the City Arborist. The City of Beaverton Engineering Design Manual supersedes any conflicting standards in this requirement.
- F. Irrigation shall be provided to ensure planted trees will survive their establishment period. Establishment period irrigation shall be provided through one of the following options or a combination of options:
1. A permanent, in-ground irrigation system with an automatic controller.
 2. An irrigation system designed and certified by a licensed landscape architect as part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen can be adequately served by the proposed irrigation system.
 3. Irrigation by hand.
- G. **Monitoring.** The applicant is responsible for monitoring and maintaining tree plantings required to comply with applicable requirements of Section 60.61.20 or 60.61.30 for three years following planting. The applicant shall submit an annual monitoring report to the city during the monitoring period, demonstrating that the minimum thresholds for plant survival and invasive species eradication on the site are being met.
1. For tree planting areas on a site totaling less than or equal to 0.25 acres in size, the monitoring report shall include:
 - a. Photos from fixed locations
 - b. Monitoring plan showing the location of plantings and photo points,
 - c. A complete census of installed tree plantings, and
 - d. A visual estimate of invasive plant coverage.
 - e. Areas of invasive species removed and proposed trees to be replanted to meet the plant survival thresholds.
 2. For tree planting areas on a site totaling greater than 0.25 acres in size, the monitoring report shall include:
 - a. Photos from fixed locations
 - b. Monitoring plan showing the location of plantings and photo points and monitoring plots,
 - c. Sampling data from permanent plots to estimate tree and invasive plant species coverage. A minimum of 5 sample plots shall be used for tree planting areas of two acres or less. An additional two sample plots shall be used for each additional acre of tree planting. Each sample plot shall cover at least 700 square feet.
 - d. Areas of invasive species removed and proposed trees to be replanted to meet the plant survival thresholds.

- H. **Plant Survival.** During the monitoring period, if survival of trees drops below 80 percent of the initial required planting quantities, replacement trees shall be added to the site to maintain 80 percent or greater survival of plantings. Prior to re-planting, the cause of plant mortality shall be determined and documented with a description of how the problem will be corrected.
- I. **Invasive Species.** Invasive plant coverage shall not exceed 20 percent of any tree planting area or cover 25 square feet of contiguous area within the tree planting area. Invasive species that exceed these thresholds shall be removed prior to the submittal of the annual monitoring report.

Commentary: Section 60.61.35.3 Soil Volume Standards

For the ease of review, all standards for soil volume are included below. In the future, this content may be moved to a technical document that would be referenced in the Development Code.

Section 60.61.35.3 creates a clear and objective path for providing a minimum soil volume standard of 1,000 cubic feet of soil volume per tree.

- The City of Tigard has required 1,000 cubic feet of soil volume per parking lot tree and from 400 to 1,000 cubic feet of soil volume per Street Tree since 2012.
- The City of Milwaukie requires 1,000 cubic feet of soil volume for all trees in their recently adopted code.
- James Urban, FASLA and creator of the Landscape Architectural Graphic Standard for tree/soil volume relationships, recommends cities create soil volume targets of 1,000 cubic feet per tree.

The city considered the option of creating soil volume minimums based on mature tree size of 300 cubic feet for small trees, 600 cubic feet for medium trees, and 1,000 cubic feet for large trees which is generally accepted in urban forestry. However, these small and medium tree standards could eliminate future opportunities to plant large trees, which are shown in peer-reviewed scientific studies to provide the most public benefits. Therefore, the staff recommendation is to require 1,000 cubic feet of soil volume for all trees to increase current and future opportunities for large stature trees.

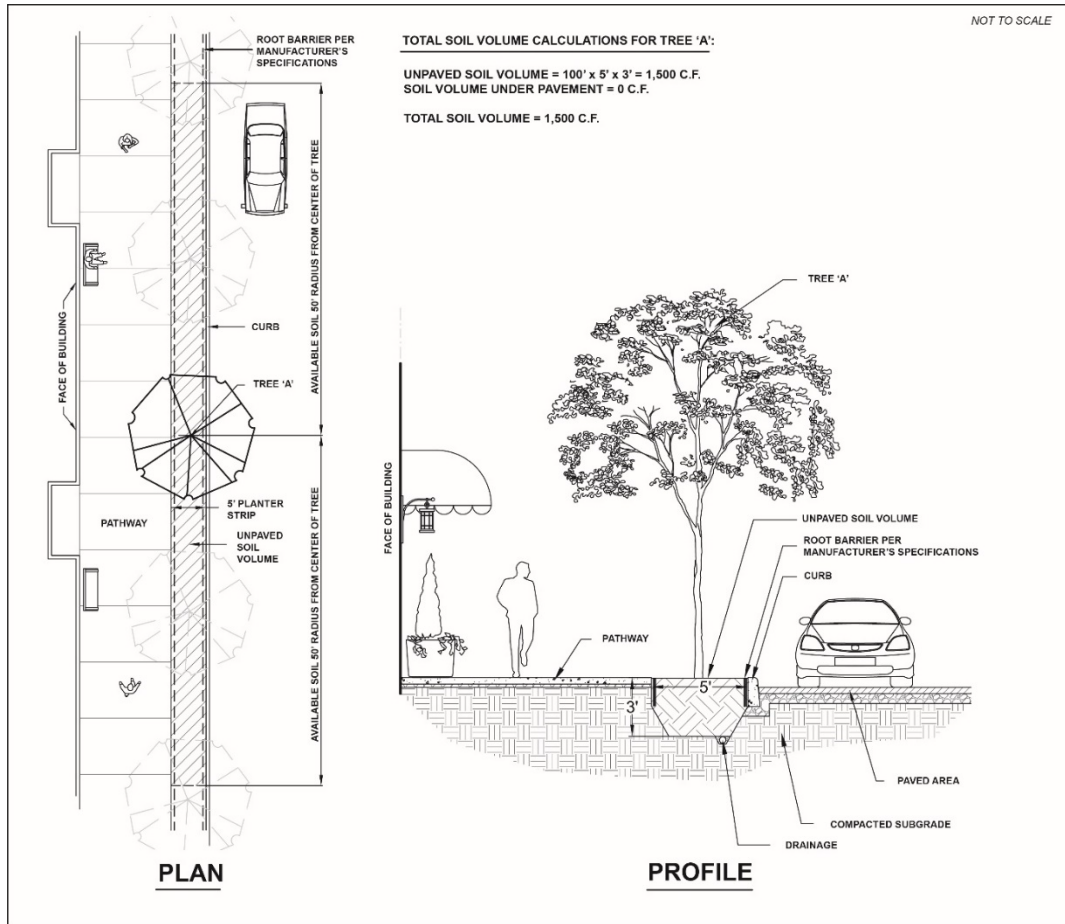
3. **Soil Volume Standards.** A soil volume plan by a Certified Arborist or Oregon Registered Landscape Architect is required that demonstrates at least 1,000 cubic feet of soil volume is available per planted tree. A Certified Arborist shall verify the soil volume plan was successfully implemented prior to tree planting.

A. Standards for Soil Volume

1. If a Certified Arborist provides a narrative and site plan that demarcates the surface area of existing soils at the site and abutting sites that are adequate to support healthy tree growth to maturity based on factors including but not limited to compaction levels, drainage, fertility, pH, and potential contaminants, the existing soils may be used to meet the soil volume requirements. The Certified Arborist shall estimate soils at abutting sites if access is not available.
2. For the purposes of calculating soil volume, the soil depth shall be assumed to be 3 feet unless a Certified Arborist confirms the soil depth is not 3 feet or provides a determination that the assumption should be different in the planting location (see Figure 60.61.35.3.A). When the assumed depth of the soil volume is 3 feet, the surface area at ground level for the soil volume shall be at least 333 square feet per tree.
3. The surface area of the soil volume at ground level shall be contiguous and within a 50-foot radius of the tree to be planted. Contiguous surface areas shall be at least 5 feet wide for the entire area.

4. Trees may share an area with the same soil volume provided that all spacing requirements are met.
5. Soil volumes shall be protected from construction impacts using the following methods:
 - a. Soil protection fencing:
 - i. Fencing consisting of a minimum 4-foot-high metal chain link or no-climb horse fence, secured with 6-foot metal posts established at the edge of the soil volume area on the site. Existing secured fencing at least 3.5 feet tall can serve as the required soil protection fencing.
 - ii. When a soil volume extends beyond the site, soil protection fencing is not required to extend beyond the development site.
 - iii. Signage designating the soil protection zone and penalties for violations shall be secured in a prominent location on each soil protection fence.
 - b. Compaction prevention options for encroachment into soil volumes:
 - i. Steel plates placed over the soil volume area;
 - ii. A 12-inch layer of course wood chips over geotextile fabric continuously maintained over the soil volume;
or
 - iii. A 6-inch layer of crushed gravel over geotextile fabric continuously maintained over the soil volume.
6. Soil contaminants with the potential to damage trees or their root systems are prohibited from the soil volume. Soil contaminants include, but are not limited to, petroleum products, concrete, stucco mix, concrete tank-rinse, solvents and paint. The disposal of soil contaminants shall not be permitted in the root protection zone consistent with ANSI A300 Tree Care Standards (2023).

Figure 60.61.35.3.A: Soil Volume Calculation for a Tree in a Planter Strip



Commentary: Section 60.61.40 Tree Replacement and Maintenance Standards

The tree removal and tree maintenance section applies to situations where rules pertaining to the Resource Overlay, minimum tree preservation and minimum Tree Canopy do not apply. Tree removal allowed by this Section is covered by the tree and vegetation applications in Section 40.91.

60.61.40. Tree Replacement and Maintenance Standards.

1. The requirements of this Subsection apply when tree removal requires a Cooper Mountain Tree Removal application consistent with Section 40.91.
2. **Tree Replacement Standards**
 - A. For every 6-inches of DBH removed, one replacement tree shall be planted. If the resulting number of required replacement trees is not a whole number, the number shall be rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up. If the decimal is less than 0.5, then the number is rounded down.
 - B. If a report prepared by a Certified Arborist or the City Arborist determines that it is not possible to plant replacement trees consistent with the ratio in Section 60.61.40.2.A, tree replacement may be provided in part

or in full as a fee-in-lieu payment. The amount of the in-lieu fee shall be specified in the Community Development In-Lieu Fee schedule.

- C. The minimum size of replacement trees shall be 1.5-inch caliper for broadleaf trees and 5-foot tall for conifers unless otherwise approved by the City Arborist or required by Clean Water Services, the Department of State Lands, or Army Corps of Engineers.
 - D. Nursery stock shall be in good health with the size and quality consistent with ISA standards and the most current version of the ANSI Z60.1 standards adopted by City Council.
 - E. Replacement trees shall be planted in a manner consistent with (ANSI) A300 Tree Care Standards (2023).
 - F. For every tree removed, the replacement tree shall be capable of achieving the same or greater Mature Tree Canopy area as the removed tree.
 - G. Replacement tree(s) shall be planted on the subject property or site.
2. **Ongoing Maintenance.** The required replacement tree(s) shall be maintained according to (ANSI) A300 Tree Care Standards (2023). Maintenance requirements include:
- A. Proper pruning of branches and roots;
 - B. Protection from damage from construction, vehicle parking, storage, waste, and contaminants. The City may condition tree protection measures when the City Arborist determines construction or development projects may impact trees;
 - C. Watering for early tree establishment;
 - D. Removal of vines and other vegetation growth that could result in tree death, smothering, or structural damage; and
 - E. Replacement of trees that die.

Commentary: Section 60.61.45 Enforcement

The enforcement Subsection mirrors the enforcement Subsection in Section 60.60 so that civil violation procedures are consistent with the rest of the Beaverton Development Code.

60.61.45. Enforcement.

A person found responsible for causing damage to a non-exempt, regulated tree in a manner inconsistent with ISA standards or for the removal of a non-exempt regulated tree in violation of the requirements set forth in Section 60.61. shall be subject to monetary penalties. In cases of unlawful removal, the person shall also replace the removed or damaged tree pursuant to the requirements of Section 60.61.35 and Section 60.61.40.

1. Monetary penalties imposed by a court of competent jurisdiction upon conviction for violating any provision of CHAPTER 60 Section 61 of this Ordinance shall be deposited into the City’s Tree Mitigation Fund.

Cooper Mountain Community Plan Proposed Beaverton 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 “***”

Commentary: Section 60.70 Wireless Communications Facilities

Proposed amendments to this Subsection update references to other parts of the Development Code for consistency.

60.70. Wireless Communications Facilities

[ORD 4248; May 2003]

[ORD 4248, 05/08/2003]

60.70.05. Purpose.

1. The purpose of these regulations is to ensure that Wireless Communications Facilities (WCF) are regulated in a manner that:
 - A. Conforms to the current federal, state, local laws and with FCC Declaratory Rulings to date. [ORD 4596; February 2013]
 - B. Promotes universal communication service to all City residents, businesses and visitors.
 - C. Establishes clear and objective standards for the placement, design and continuing maintenance of WCF.
 - D. Minimizes the adverse visual, aesthetic and structural safety impacts of WCF on residential neighborhoods and on the community as a whole.
 - E. Encourages the design of WCF to be as aesthetically and architecturally compatible as possible with the surrounding natural and built environments.
 - F. Encourages collocation of WCF on existing support structures to minimize the number of new facilities required.
 - G. Ensures that regulations do not constitute a barrier to entry and apply to providers on a competitively neutral basis.

[ORD 4248, 05/08/2003; ORD 4596, 02/08/2013]

Effective on: 2/8/2013

60.70.10. Applicability.

1. The regulations contained within this section shall apply to the construction or installation or modification of Wireless Communication Facilities (WCF) within the municipal limits of the City of Beaverton.

2. Regulations contained in this section shall apply to ~~w~~Wireless ~~e~~Communication ~~f~~Facilities used for essential public communication services conducted by police, fire, and other public safety or emergency networks.
3. Compliance with the regulations contained within this section shall be required in addition to any other applicable standards and regulations contained within the Code.

[ORD 4248, 05/08/2003]

Effective on: 6/1/2012

60.70.15. Federal and State Compliance.

1. In addition to compliance with the regulations in this section, the applicant shall be responsible for the identification of and compliance with all applicable federal and state regulations pertaining to WCF.
2. Permanent alterations to previously City reviewed and approved WCF resulting from the adoption of new or updated federal and/or state regulations shall be reviewed through the City's development review process prior to the making of such alterations, unless local review and approval is exempted by federal or state statute.

[ORD 4248, 05/08/2003]

Effective on: 6/1/2012

60.70.20. Exemptions.

1. All of the following are exempt from the regulations contained in this section of the Code:
 - A. Emergency or routine repairs, or maintenance of existing facilities and of transmitters, antennas or other components of existing facilities that do not increase the size, footprint, or bulk of such facilities, and which otherwise comply with City, state and federal regulations.
 - B. Federally-authorized industrial, scientific and medical equipment operating at frequencies designated for that purpose by the Federal Communications Commission (FCC) in Part 18 of Title 47 of the Code of Federal Regulations (CFR).
 - C. Amateur radio facility antennas, or a combination of antennas and support structures seventy (70) feet or less in height as measured from the base of the support structure consistent with ORS 221.295. This includes antennas attached to towers capable of telescoping or otherwise being extended by mechanical device to a height greater than 70 feet so long as the amateur radio facility is capable of being lowered to 70 feet or less. This exemption applies only to the Beaverton Development Code and does not apply to other applicable city, state, and federal regulations. Amateur radio facilities not meeting the requirements of this exemption are considered non-exempt, and must comply with Section 60.70.45.
 - D. Military and civilian radar equipment, operating within the regulated frequency ranges, for the purpose of national, state or local defense or aircraft safety.
 - E. Antennas and associated equipment completely located within the interior of an existing or proposed structure with no associated exterior equipment, the purpose of which is to enhance or facilitate communication functions within the structure or other structures on the site.
 - F. Satellite antennas up to and including two (2) meters in diameter in Commercial, Industrial, and Multiple Use zoning districts. [ORD 4584; June 2012]
 - G. Direct-to-home satellite service and satellite antennas up to and including one (1) meter in diameter located in Residential zoning districts. [ORD 4584; June 2012]
 - H. AM or FM radio broadcast towers and equipment, or television broadcast towers and equipment, as regulated by the Federal Communications Commission (FCC).

- I. Antennas installed by a public agency for the purpose of emergency communications that are less the 30-inches in diameter affixed to existing structures with associated equipment completely located within the interior of an existing or proposed structure. [ORD 4397; August 2006]
- J. All small wireless facilities reviewed under the City's Small Wireless Facility Policy. [ORD 4804; August 2021]

[ORD 4248, 05/08/2003; ORD 4397, 08/10/2006; ORD 4584, 06/01/2012; ORD 4804, 08/13/2021]

Effective on: 8/13/2021

60.70.25. Nonconforming Use Status for Existing Wireless Communication Facilities.

1. WCF and associated equipment and site improvements in existence as of May 8, 2003, that are nonconforming as to the use or development standards contained in this Code section shall be subject to the provisions of CHAPTER 30 (Nonconforming Uses) except:
 - A. A proposal to collocate new antennas on existing nonconforming structures shall comply with the standards of this Section.
 - B. Abandoned facilities shall not be considered nonconforming uses and shall comply with Section 60.70.65.
 - C. If the owner, operator or both propose a permanent alteration of an existing nonconforming WCF, the use, structure, or both shall lose its nonconforming status and shall comply with the provisions of this section. For the purposes of this Code, a permanent alteration shall consist of the removal of an existing tower support structure, except as modified by Section 60.70.25.1.D.-E.
 - D. The expansion of a previously approved wireless communication facility, that is considered a "substantial change," as defined by federal law, shall result in the loss of nonconforming status and shall require compliance with the provisions of Section 60.70. [ORD 4596; February 2013] [ORD 4804; August 2021]
 - E. For satellite antennas not exempted by this Code, the removal and replacement of these stations shall not be considered a permanent alteration, provided that the diameter of the replacement satellite antennas shall be no more than fifty (50) percent greater or four (4) meters greater, whichever is less, of the existing diameter of the satellite antenna. The installation of replacement satellite antennas greater than fifty (50) percent or more than four (4) meters of the existing station diameter shall result in the loss of nonconforming status and shall require compliance with the provisions of this Section.
 - F. The addition of new WCF antennas, or equipment shelters, or on-site improvements shall not be considered permanent alterations to an existing nonconforming WCF, but shall be reviewed under applicable provisions of this Section.

[ORD 4248, 05/08/2003; ORD 4596, 02/08/2013; ORD 4804, 08/13/2021]

Effective on: 8/13/2021

60.70.30. Permit Process.

Applicants shall refer to CHAPTER 20 (~~Land Uses~~Zoning Districts) or CHAPTER 70 (Downtown Design District) of this Code to determine whether a proposed WCF is a Permitted Use, a Conditional Use or a Prohibited Use within a specific underlying zoning district. The different permit types and associated thresholds are specified in CHAPTER 40 (Applications). The procedures for the review and approval of applications are contained in CHAPTER 50 (Procedures) of this Code. [ORD 4799; January 2021]

[ORD 4248, 05/08/2003; ORD 4596, 02/08/2013; ORD 4799, 01/08/2021]

Effective on: 1/8/2021

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]

1. General.

- A. Lattice tower support structures are prohibited.
- B. Guyed tower support structures are prohibited.
- C. "Top hat" antenna arrays are prohibited.
- D. Collocation of new WCF antennas on existing lattice tower support structures, or guyed tower support structures is allowed.
- E. The attachment of WCF and associated equipment on single-detached dwellings, [Middle Housing dwellings](#), or to any tree is prohibited. [ORD 4804; August 2021] [ORD 4822; June 2022]
- F. WCF attachments to historic, decorative, or ornamental streetlight poles are prohibited. [ORD 4804; August 2021]
- G. WCF attachments to traffic signal poles are prohibited. [ORD 4804; August 2021]
- H. WCF, with exception to small wireless facilities, are prohibited in the public right of way. [ORD 4804; August 2021]
- I. Small wireless facilities within the public right-of-way, evaluated through a separate process and standards are exempt from the requirements of Section 60.70. [ORD 4804; August 2021]

2. Height.

- A. The maximum height of any new WCF tower, WCF antenna collocation, or both shall conform to the maximum height standards specified in the site development requirements in [CHAPTER 20 \(Land Uses Zoning Districts\)](#) for Residential, Commercial, Industrial, and Multiple Use zoning districts [and in Chapter 70 \(Downtown Design District\)](#). Adjustments and Variances to the height standards for any new WCF tower shall be authorized through the Adjustment and Variance provisions specified in [CHAPTER 40 \(Applications\)](#). [ORD 4804; August 2021]
- B. The height of any type of WCF shall include the support structure and any attached antennas. A lightning rod that is up to and including ten (10) feet tall and any required lighting by the Federal Aviation Administration (FAA) shall not be included within the calculation of the maximum height.
- C. For collocation proposals that are eligible facilities requests without substantial change, the height of the WCF may exceed the maximum height allowed in the zoning district. The maximum height permitted is determined by the regulations in Title 47 of the Code of Federal Regulations (47 CFR 1.6100). [ORD 4804; August 2021]

3. **Lighting.** The installation of light fixtures to a WCF tower is prohibited except for lighting required by the Federal Aviation Administration (FAA) or the Oregon Department of Aviation (ODA). A maximum of one (1) motion-sensitive or permanently shielded light fixture attached at or near the entrance door to the at-grade equipment shelter shall be allowed.

4. Signage.

- A. For new WCF towers and/or proposed collocation of WCF on existing towers one (1) non-illuminated sign having a maximum sign face of three (3) square feet and comprised of a white background with black lettering shall be provided and shall be permanently affixed to the entrance gate of the required fence. The sign shall identify the name of the WCF provider(s) and shall specify an emergency contact telephone number. For proposed collocation actions, the applicant for collocation shall be responsible for the production and installation of a required sign for the existing WCF service provider(s) if not already present at the site.

- B. No additional signage including logos and advertisements shall be allowed on any new or existing WCF towers, at grade equipment shelters or required fencing.
5. **At-Grade Equipment Screening.** All at-grade equipment shall be fully screened from the public view. Screening shall be accomplished by the following methods:
- A. **Sight Obscuring Fencing.** A sight-obscuring fence that is a minimum of six (6) feet high shall prohibit public access to WCF towers, or shall screen all at grade equipment shelters, or both. Sigh-obscuring fencing shall consist of chain link with slats, vinyl, wood, masonry, or brick.
 - B. **Equipment Shelters.** All at-grade equipment shall be enclosed within equipment shelters constructed of wood, metal, or masonry. Building materials shall be stained or painted in a color that is consistent and compatible with surrounding development and then sealed for weather protection. Roofing and other architectural treatments proposed for the material shall also be consistent compatible with surrounding development.
 - C. **Screening Landscaping.** At-grade equipment shelters shall be screened with evergreen shrubs installed immediately outside of the required fencing on all sides. The portion of the fenced enclosure used as an access gate shall feature wooden slats or other sight-obscuring material in lieu of landscaping. Evergreen shrubs shall:
 - i. Be planted with a minimum height of four (4) feet.
 - ii. Be spaced evenly apart to create adequate screening density, provided that the maximum spacing shall be thirty-six (36) inches on center.
 - iii. Be of a species that attains a minimum mature height of ten (10) feet.
 - iv. Be comprised of a minimum of three (3) varieties of evergreen shrub species.

[ORD 4596; February 2013]

6. **Evergreen Trees.** In addition to the at-grade equipment screening landscaping requirements specified in Section 60.70.35.5.C, the decision-making authority may require the planting of evergreen trees when a new WCF tower is located on property within or immediately abutting Residential or Multiple Use zoning districts. When required, evergreen trees shall: [ORD 4584; June 2012]
- A. Be placed immediately outside of a required fenced enclosure on all sides within or abutting the same planting area for the required evergreen shrubs.
 - B. Be planted with a minimum height of ten (10) feet. [ORD 4804; August 2021]
 - C. Be planted a maximum of thirty (30) feet on center.

[ORD 4596; February 2013]

7. **Required Plantings.** Required landscaping shall be planted and maintained in a manner to achieve 100 percent% survival rate within the first year of planting. All landscaped areas shall be:
- A. Irrigated by a sprinkler, drip irrigation system or hand watered throughout the landscape establishment period.
 - B. Demonstrate a regular scheduled watering and maintenance program which will be provided throughout the landscape establishment period after the first year of planting through a signed maintenance agreement by the property owner or authorized individual.
 - C. Maintained by regular weeding and pruning.
 - D. Replaced if dead or dying.

[ORD 4596; February 2013]

8. **Visual Impacts.** The decision-making authority shall identify whether new WCF towers shall either be left in a non-reflective metal finish or shall be painted based on the characteristics of the surrounding terrain in which the parent parcel is located, unless required by the FAA to be painted in an alternating red-and-white striped pattern.

9. **Noise.** Noise-generating equipment shall be sound-buffered by means of baffling or structural barriers to reduce the sound level measured at the property line abutting Residential or Multiple Use zoning districts. [ORD 4584; June 2012]
10. **Stealth Design.** Specific WCF threshold in [CHAPTER 40](#) of this Code provide for stealth design to be utilized. [ORD 4596; February 2013] [CHAPTER 90](#) of this Code defines stealth design. The purpose of stealth design is to minimize the visibility of wireless communications facilities by disguising, concealing, or camouflaging these facilities. Acceptable methods of stealth design include, but are not limited to: [ORD 4804; August 2021]
 - A. Disguised as Other Structures or Elements of Physical Environment. WCF support structures, antennas and associated equipment that are disguised to look like another structure including but not limited to a flagpole or church cross or are made to appear part of the natural environment such as an evergreen tree. Disguised WCF facilities shall not contain any visible exterior attributes of a WCF support structure, antenna and associated equipment.
 - B. Concealed Roof-Mounted Antennas. WCF antenna array installed on a building roof shall be concealed from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement behind the roof parapet, within or on the mechanical penthouse or on a roof-mounted building element such as a chimney, exhaust pipe, cupola, bell tower or flagpole.
 - C. Camouflaged Roof-Mounted Equipment Shelters. Roof-mounted equipment shelters shall be camouflaged from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement within the interior of the building or the structure, behind the roof parapet, within a mechanical penthouse or completely within a roof-mounted element such as a chimney, exhaust pipe, cupola or bell tower.
11. **Allowable Height for Building-Roof-Mounted Antennas.** Antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district or in the case of existing buildings which are non-conforming in height, shall not extend beyond the existing height of the building. The antenna height shall be measured from the existing height of the building roofline. All roof-mounted antennas shall comply with the stealth design requirements of Section 60.70.35.10. [ORD 4596; February 2013]
12. **Building-Wall-Mounted Antennas.** Any WCF antennas mounted to the roof edge or sidewall elevation of a building shall be completely covered with the same exterior finish and painted the same color as the exterior of the building or structure.
13. **Structure-Mounted Antennas.** Any WCF antennas mounted to a structure that is not a building shall comply with the following standards:
 - A. Antennas shall not extend beyond the maximum height for structures of the underlying zoning district.
 - B. Antennas on existing tower structures or pole structures, other than those used for cellular phone service shall extend a maximum of ten (10) feet above the existing structure height as measured from its tallest point.
 - C. Antennas on water reservoir tanks shall extend a maximum of five (5) feet above the existing structure height as measured from its tallest point.
 - D. Antennas on structures shall be painted the same color as the structure. [ORD 4596; February 2013]
14. **Setbacks.**

All new WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters shall comply with the setbacks established in the underlying zoning district. These standards shall also apply to WCF collocation proposals:

 - A. In all underlying zoning districts, building wall-mounted antennas and at-grade equipment shelters shall comply with all setbacks contained in the underlying zoning district. For the purposes of this Code, the setback shall be measured from the portion of the at-grade equipment shelter or building wall-mounted antennas that extend outward towards the property line to the greatest extent.

- B. New WCF towers shall be set back from all property lines by a distance equal to the height of the tower plus five (5) additional lineal feet. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in **CHAPTER 40** (Applications). [ORD 4659; July 2015] [ORD 4804; August 2021]
 - C. New WCF towers located on commercially or industrially zoned property shall meet the setback of the underlying zone where the new WCF tower is more than the height of the tower plus five (5) feet from a Residential or Multiple Use zoning district. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in **CHAPTER 40** (Applications). [ORD 4584; June 2012] [ORD 4659; July 2015] [ORD 4804; August 2021]
 - D. For collocation proposals that are eligible facilities requests without substantial change, the setback of the WCF may be less than the minimum required and are determined by the original approval. [ORD 4804; August 2021]
15. **Clustering of Towers.** Clustering of towers shall be prohibited in all Residential and Multiple Use zoning districts. Proposals for the clustering of towers in Commercial and Industrial zoning districts shall comply with all development standards of this Section, and other applicable sections of the Development Code. [ORD 4584; June 2012]
16. **Collocation Capacity.** New WCF towers and associated site area shall be designed to accommodate a minimum of one (1) additional future service. Collocation capacity shall be reserved through all of the following methods:
- A. Construction of a tower of sufficient height to accommodate a minimum of two (2) antenna arrays; and,
 - B. Installation of a foundation of adequate size and structural bearing capacity to accommodate a tower with a minimum of two (2) antenna arrays; and,
 - C. Provision of a fenced enclosure of sufficient size to accommodate the equipment shelters for a minimum of two (2) antenna arrays.
17. **Specific Development Standards in Multiple Use Zoning Districts.** The following standards are specific to WCF on lots in Multiple Use zoning districts and are in addition to the other development standards specified in this section of the Code:
- A. Equipment for new WCF towers or new attached WCF or incorporated WCF shall either be placed underground, entirely within an existing building, on a screened rooftop, or entirely within a new above ground structure constructed solely for the purpose of housing this equipment. This enclosed building shall be architecturally treated to blend in with the surrounding built environment. Acceptable types of architectural treatments include but are not limited to painted metal roofs, faux windows, awnings, canopies, brick, or colored or textured masonry.
 - B. Cables and other connection devices between equipment shelters and new WCF towers or new attached WCF or incorporated WCF shall be placed entirely underground, or shall be placed above-ground in a completely enclosed structure. If placed above-ground, the completely enclosed structure shall be compatible in scale, design, and materials to the above-ground equipment shelter, and the surrounding built environment.
 - C. For new WCF towers located on a lot that because of physical site constraints, tower related site design, or lease or ownership restrictions cannot be developed for any other Permitted Use while the tower is in operation, property perimeter structural bearing walls having a minimum height of ten (10) feet and composed of brick or colored and textured masonry or a combination of brick and colored and textured masonry shall be installed along all property lines for the portion of the lot being developed for WCF, abutting public streets. Required perimeter walls shall have architectural treatments including but not limited to faux windows, or awnings, covering a minimum of fifty (50) percent of each wall elevation; provided, the Director may determine a different type of perimeter treatment along property lines not abutting public streets for compatibility with the current uses of abutting properties.
 - D. For new WCF towers located on property that could be developed for another use concurrent with the tower operation, the tower and, if applicable, above-ground equipment building shall be placed on the lot so as to not preclude future development of the remaining portion of the site and to allow for conformance to site design, parking and other applicable standards. Any lot area not proposed for WCF development that is

disturbed by site development activity shall be landscaped. The decision-making authority shall determine the type of landscaping based on the existing landscaped nature of the lot and abutting lots.

- E. For WCF towers located on property occupied by an existing use, the tower and, if applicable, above grade equipment building, shall be located on the site so as to not preclude future redevelopment of the remaining portion of the site or future compliance with code requirements for a different use of the site. [ORD 4462; January 2008]

[ORD 4248, 05/08/2003; ORD 4365, 10/20/2005; ORD 4397, 08/10/2006; ORD 4462, 01/10/2008; ORD 4584, 06/01/2012; ORD 4596, 02/08/2013; ORD 4659, 07/10/2015; ORD 4702, 01/04/2017; ORD 4799, 01/08/2021; ORD 4804, 08/13/2021; ORD 4822, 06/30/2022; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

60.70.40. Development Standards for Satellite Antennas.

The following development standards shall apply to all satellite antennas in all zoning districts, except for satellite antennas and direct-to-home satellite services exempted by Section 60.70.20.1.F.-G.:

1. New satellite antennas shall be mounted on the ground or on building roofs only.
2. New satellite antennas shall not be mounted on lattice towers or guyed tower support structures.
3. New ground-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through one of more methods listed in Sections 60.70.35.5-7 on all directions, except for the direction that the antenna is oriented for sending, receiving, or both. The decision-making authority shall determine the appropriate type and height of screening based on the area proposed for development, the nature of the surrounding development, and the proximity of the development area to this surrounding development. [ORD 4596; February 2013]
4. New building roof-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through the placement of the antennas behind parapet walls or other permanent architectural features.
5. Satellite antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district or, in the case of existing buildings which are non-conforming in height, shall not extend beyond the existing height of the building. The satellite antenna height shall be measured from the height of the building roofline. [ORD 4596; February 2013]

[ORD 4248, 05/08/2003; ORD 4596, 02/08/2013]

Effective on: 2/8/2013

60.70.45. Requirements for Non-Exempt Amateur Radio Facilities.

1. Non-exempt amateur radio facilities may not be erected until a valid building permit has been obtained from the City of Beaverton.
2. Notwithstanding CHAPTER 30 of the Development Code, the following rules apply to non-exempt amateur radio facilities in existence on or before May 8, 2003:
 - a. Facilities constructed before May 8, 2003 under building permits validly issued on the date of construction are not subject to these regulations.
 - b. Exempt facilities that are proposed to be modified to become a non-exempt facility, shall acquire a new building permit from the City.
 - c. Facilities without permits from the City of Beaverton, Washington County, or Multnomah County shall acquire a building permit from the City.

60.70.50. Required Studies and Information.

The following requirements for studies and information shall be provided in addition to the submittal requirements specified in the application checklist to be provided by the Director:

1. For new WCF towers or poles, the following information is required to be submitted at time of application: [ORD 4702; January 2017]
 - A. A visual impact report prepared by an Oregon licensed engineer or Oregon licensed architect shall be submitted. For purposes of this section of the Code, the extent of the adjacent area to be analyzed in this report shall be determined by the Director at the time of pre-application based on the type of tower proposed and the nature of the surrounding development. The visual impact report shall be comprised of: [ORD 4804; August 2021]
 1. A written summary of the findings of the visual impact analysis.
 2. A to-scale (engineer scale measurement) vicinity map identifying in plan-view the location of the proposed WCF tower.
 3. A to-scale (engineer scale measurement) aerial plan showing in plan view the location of the proposed WCF tower and the location and type of adjacent development.
 4. A to-scale (engineer scale measurement) elevation drawing indicating the height, dimensions, type, design, materials and color of the tower and any on-ground associated equipment.
 5. A visual graphic (photo) simulation of the proposed WCF tower from northern, southern, western and eastern orientations inclusive of adjacent buildings, structures, natural features and public or private streets. [ORD 4702; January 2017]
 6. Recommended methods to mitigate the visual impacts of the proposed WCF tower on adjacent properties.
 - B. For a new WCF tower, a coverage analysis report prepared by an Oregon licensed professional engineer with demonstrated experience in the preparation of coverage analysis reports specifying the search ring within which service is proposed inclusive of the location, height and frequency of existing and approved WCF, and addressing the quality of existing wireless service and new wireless service within the search ring. [ORD 4702; January 2017]
 - C. All WCF applications abutting or within Residential, or Multiple Use zoning districts proposing exterior at-grade equipment shelters shall be accompanied by the equipment manufacturer's written noise specifications if these specifications are proposed to be followed. [ORD 4397; August 2006]
 - D. Copy of the license application or received license from the Federal Communications Commission (FCC) or documentation that a license is not required. A copy of an approved license, or evidence of exemption shall be provided to the Planning Division prior to the issuance of a building permit. [ORD 4702; January 2017]
 - E. Copy of the permit application or received permit from the Federal Aeronautics Administration (FAA), if applicable. A copy of an approved permit shall be provided to the Planning Division prior to the issuance of a building permit. [ORD 4702; January 2017]
 - F. Copy of written authorization from the Oregon Department of Aviation, if applicable. A copy of the written authorization, if applicable, shall be provided to the Community Development Department prior to the issuance of a building permit.
 - G. Copies of all environmental reports and assessments required to be submitted to the FCC or FAA for proposed WCF shall be provided to the City at their time of filing with these agencies. It is the applicant's responsibility



to conform to all requirements of these agencies resulting from the submittal of the environmental assessments.

- H. Noise Study: If applicable, provide a noise study prepared by a licensed Oregon acoustical engineer in accordance with Section ~~60.50.25.101~~ [ORD 4702; January 2017]
- I. New poles located within 10-feet of a roadway without a curb and gutter shall include a vehicle impact study and protective devices such as bollards. [ORD 4702; January 2017]

[ORD 4248, 05/08/2003; ORD 4397, 08/10/2006; ORD 4702, 01/04/2017; ORD 4804, 08/13/2021]

Effective on: 8/13/2021

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 70 - DOWNTOWN DESIGN DISTRICT

[ORD 4799, 01/08/2021]

70.20 Downtown Design Guidelines and Standards

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

70.20.05.6 Pedestrian Circulation

- A. Intent. To create a safe, comfortable, well-connected pedestrian circulation network that links private development, open spaces and the public realm.
- B. Applicable Design Principles
 - o Design Places for People (Section 70.10.1)
 - o Promote High Quality Design (Section 70.10.3)
 - o Provide Safe and Comfortable Connectivity (Section 70.10.5)
 - o Preserve, Enhance and Engage Nature (Section 70.10.6)
 - o Incorporate Sustainability and Resiliency (Section 70.10.7)
- C. Design Guideline and Standards

Table 70.20.05.6.A Design Guidelines and Standards: Pedestrian Circulation

Design Guideline	Design Standard
Pedestrian Connections	
<p>G1. On-site pedestrian connections shall provide sufficient and high-quality connections among important destinations on a site and to off-site transportation routes and facilities.</p>	<p>S1. At least one pedestrian connection to the public street network shall be provided for every 300 feet of street frontage. On-site pedestrian connections shall link to abutting streets, planned accessways in the Comprehensive Plan Transportation Element; multi-use paths on or adjacent to the site, including those required to meet Block Design standards identified in Figure 70.20.05.3.1 Future Connections; transit stops; building entries; automobile and bicycle parking; loading areas, solid waste facilities and similar improvements; and outdoor open spaces. Connections that are not feasible because of topographic features; buildings or other man-made structures; natural areas; or similar obstacles may be waived as approved by the decision-making authority.</p>

Table 70.20.05.6.A Design Guidelines and Standards: Pedestrian Circulation

Design Guideline	Design Standard
<p>G2. On-site pedestrian walkways shall be of adequate width and design to provide unobstructed walking areas that accommodate the anticipated amount of pedestrian traffic, be Americans with Disabilities Act compliant, and incorporate high-quality and attractive materials that promote sustainability and reduce heat island effect.</p>  <p>On-site Pedestrian Walkways Shaded by Tree Canopy (Portland, OR)</p>	<p>S2. On-site pedestrian walkways shall be at least 5 feet in width with 5 feet of unobstructed clearance, shall be paved with scored concrete, modular paving material, or other high quality hard surfaced material approved by the decision-making authority, and be compliant with Americans with Disabilities Act standards. In addition, development shall incorporate one of the following sustainability features:</p> <ol style="list-style-type: none"> At least 30 percent of paving material shall be permeable pavement; or At least 30 percent of the paving material shall be made from recycled content; or At least 50 percent of the pedestrian walkway pavement shall have a solar reflective index rating of a least 29; or Provide shading for at least 50 percent of the total pedestrian walkway surfaces on the site. Shade can be provided by current or proposed buildings that shade the paving material at 3 p.m. June 21 and current or proposed trees, with the amount of shade included for each planted tree to be measured by the diameter of the mature crown cover <u>Mature Tree Canopy</u> stated for the species of the tree. Walkways or other pedestrian connections within 25 feet of a creek as measured from top of bank shall meet Section 70.20.05.6.S2.4 and one of the sustainability features in 70.20.05.6.S2.1 through 3.
<p>G3. Pedestrian walkways abutting parking areas shall be of adequate width and design to provide unobstructed walking areas and accommodate the anticipated amount of pedestrian traffic.</p>	<p>S3. Pedestrian walkways that abut the head of vehicle parking spaces shall be 7 feet wide unless wheel stops or curbs are used to ensure a minimum unobstructed width of 5 feet.</p>
<p>G4. Pedestrian walkways that cross driveways or vehicular access aisles shall meet standards S4.</p>	<p>S4. Where a pedestrian walkway crosses driveways or vehicular access aisles, a continuous 5-foot walkway shall be provided and shall be composed of a different paving material that utilizes texture, color, or both, to contrast visually from the adjoining driving/parking surface. Paint may not be used to satisfy this requirement.</p>
<p>G5. Pedestrian connections through parking lots shall be evenly spaced and separated from vehicles. Parking lots with six or fewer spaces are exempt.</p>	<p>S5. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees and lighting, if not otherwise provided in the parking lot design. Parking lots with six or fewer spaces are not required to physically separate connections from vehicle parking and circulation but they must comply with the rules of Section 70.20.05.6.S4.</p>

Table 70.20.05.6.A Design Guidelines and Standards: Pedestrian Circulation

Design Guideline	Design Standard
<p>G6. Fences between buildings and creeks shall be designed and installed to allow views of the creeks and/or creekside natural areas from ground-floor viewpoints on buildings (including doors and windows) and allow views from pedestrian circulation areas between buildings and the creek.</p>	<p>S6. Fences between buildings and creeks shall not be taller than 4 feet in height and shall be at least 70 percent transparent to allow views of creeks and natural areas from building fenestration and pedestrian circulation areas between the building and the creek.</p>
<p>G7. The project must meet the Design Standard.</p>	<p>S7. Sidewalks are required along all streets. Except where approved through a Sidewalk Design Modification, the sidewalk shall be at least 10 feet wide, and provide an unobstructed path at least 5 feet wide.</p>

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Effective on: 8/18/2023

70.20.05.8 Landscaping

- A. Intent. To use landscape design to create character and identity; enhance the appearance and function of outdoor spaces; encourage pedestrian activity; promote social interaction; enhance or integrate new natural systems; add shade to the urban environment; and provide stormwater management. Landscaping should feasibly further sustainability goals and incorporate solutions that are appropriate to the climate, region and local conditions.
- B. Applicable Design Principles
 - o Design Places for People (Section 70.10.1)
 - o Promote High-quality Design (Section 70.10.3)
 - o Provide Safe and Comfortable Connectivity (Section 70.10.5)
 - o Preserve, Enhance and Engage Nature (Section 70.10.6)
 - o Incorporate Sustainability and Resiliency (Section 70.10.7)
 - o Integrate Places to Gather and Spend Time Outdoors (Section 70.10.8)
- C. Design Guideline and Standards

Table 70.20.05.8.A Design Guidelines and Standards: Landscaping

Design Guideline	Design Standard
Site Landscaping	
<p>G1. Sites shall be landscaped with live plantings to soften the edges of buildings and paved areas, add visual interest, and increase the attractiveness of the development. Landscaped areas may be at-grade or integrated with structures. and shall provide options for storm water management and/or provide shade to on-site hardscaped areas. Sites one acre and larger in particular shall ensure a balance of hardscape and landscape features where structures are not present.</p>	<p>S1. Sites one acre and larger shall have landscaped areas with live plantings equal to 10 percent of the site area. Up to 50 percent of the landscaping required by this provision may be met by areas with live plantings provided to satisfy the requirements of 70.20.10.7 Usable Open Space and 70.20.10.8 Roof Elements. Landscaping with plantings that is provided to meet other requirements of this code, including, but not limited to, screening requirements, buffering requirements, parking lot island requirements, and setback design requirements, may be used to meet up to 100 percent of the landscaping required by this provision. Sites under one acre do not have minimum landscaping requirement, but must still meet all other applicable provisions of this code.</p>
<p>G2. Landscaped areas shall be fully planted or hardscaped to create sustainable, attractive developments that are consistent with the uses on site, prevent erosion and preserve and enhance nature. Mulch shall be used sparingly, and shall have a material and color that is appropriate for the uses on site and contributes to site aesthetics.</p>	<p>S2. All site areas not planted with trees, shrubs or other vegetated landscaping and also not occupied by structures, hardscaped areas (including paved areas), and sensitive natural areas shall be planted with live ground cover plants or other plants identified 70.20.05.8.S4 Plant Specifications, subsection e-f, as well as turf grasses. Mulch, as a ground cover, shall be composed of a naturally occurring material, have a natural color, and confined to areas underneath plants and within areas expected to be underneath plants at maturity. Mulch is not a substitute for ground cover plants.</p>
Establishment	
<p>G3. Irrigation shall be provided as appropriate, based on plant species and site conditions, to ensure proper establishment of plantings in all landscaped areas.</p>	<p>S3. Irrigation shall be provided to ensure plants will survive their establishment period. Applications shall provide establishment period irrigation through one of the following options or a combination of options as long as the options cover all site plantings:</p> <ul style="list-style-type: none"> a. A permanent, in-ground irrigation system with an automatic controller. b. An irrigation system designed and certified by a licensed landscape architect this is part of a landscape plan that provides sufficient water to ensure that the plants will become established. The system does not have to be permanent if a licensed landscape architect certifies that the plants chosen can survive. c. Irrigation by hand for a maximum of 500 square feet per site.
Plant specifications	

Table 70.20.05.8.A Design Guidelines and Standards: Landscaping

Design Guideline	Design Standard
<p>G4. Standard S4 shall be met.</p>	<p>S4. Unless specified elsewhere in CHAPTER 70, all landscaping shall be planted at sizes no less than the following (measures shall be taken based on the American Standard for Nursery Stock ANSI standards). In the case of a code conflict, the higher requirement shall be met.</p> <ul style="list-style-type: none"> a. Deciduous canopy trees shall be a minimum of 2-inch caliper size, balled and burlapped; and b. Deciduous ornamental trees shall be a minimum of 2-inch caliper size, balled and burlapped; and c. Evergreen trees shall be a minimum of 8 feet in height, balled and burlapped; and d. Evergreen and deciduous shrubs shall be a minimum of 24 inches high from finished grade and a minimum of 1 gallon in size, except dwarf shrubs such as boxwood, which have no minimum size; and e. Ferns and perennials shall be at least 1 gallon in size; and f. Ground-covers plants including ornamental grasses shall be at least 4-inch pot size. g. Areas subject to Clean Water Services regulations including stormwater facilities, vegetated corridors, and sensitive natural areas shall be planted consistent with Clean Water Services requirements.
<p>Plant variety and density</p>	

Table 70.20.05.8.A Design Guidelines and Standards: Landscaping

Design Guideline	Design Standard
<p>G5. Site landscaping shall be planted with a variety that provides visual interest, including in color, seasonal color and scale, and shall be planted at a density that provides sufficient opportunities for shade and fully cover areas not occupied by structures, paving or hardscaped areas.</p>	<p>S5. Unless specified by other requirements in this Code, landscaped areas will be planted based on the following specifications:</p> <ul style="list-style-type: none"> a. Landscaped areas will include plants from the following categories at the specified densities: <ul style="list-style-type: none"> I. Deciduous or evergreen trees that are able to reach a height <u>of</u> 20 feet and a canopy width of 20 feet at maturity. If 25 square feet of surface soil area is not available for each tree, or if an existing or proposed structure would prevent full canopy width growth at maturity <u>Mature Tree Canopy</u>, ornamental, dwarf, columnar and similar species are permitted as determined by the decision-making authority. <ul style="list-style-type: none"> 1. Sites under one acre shall provide one tree per 1,000 square feet of site area not occupied by a structure. 2. Sites one acre and greater shall provide one tree per 3,000 square feet of total site area. 3. All trees planted or preserved on-site to meet any provisions of this code may count toward the density requirements of this sub-section, providing that they meet the size requirements of this subsection. II. Shrubs and perennials. III. Ground cover, including ornamental grasses, shall be planted at a density such that the plants will cover the entire area within two years of planting. Applicants shall provide an objective source of information about the plant's spacing requirements. b. Plant diversity: <ul style="list-style-type: none"> I. If more than 10 trees are provided on a site, no more than 40 percent of the trees can be of one species; and II. If more than 25 shrubs are provided on a site, no more than 75 percent can be of one species.
<p>G6. Drought-resistant landscaping shall be incorporated where possible to reduce the need for irrigated water.</p>	<p>S6. A minimum of 25 percent of landscape plantings shall be drought-resistant species.</p>
<p>Tree planting and preservation</p>	
<p>G7. Existing trees on-site that provide shade or visual interest shall be preserved where possible.</p>	<p>S7. Existing Surveyed Trees that are preserved in the proposal may be counted as two required site trees when calculating required trees in 70.20.05.8.S5.a.I. For Surveyed Trees to counted toward the site tree requirement, they shall be confirmed as healthy as determined by a certified arborist or city arborist.</p>
<p>G8. Standard S8 shall be met.</p>	<p>S8. New trees shall be supported (by use of stakes, wires or similar material) for at least one year. Trees may be staked for less than one year if based on the recommendation of a certified arborist.</p>
<p>Residential Zone Buffers</p>	

Table 70.20.05.8.A Design Guidelines and Standards: Landscaping

Design Guideline	Design Standard
<p>G9. Development on sites that abut a residentially zoned property located outside of the Regional Center shall provide a landscape buffer consisting of trees, shrubs, and ground cover along the shared property line to provide screening and horizontal separation.</p>	<p>S9. Development on sites that abut a residentially zoned property located outside of the Regional Center shall provide a 10 foot landscape buffer, measured from the shared property line. Only landscaping shall be allowed in the landscape buffer area. The buffer areas shall extend the length of the shared property line.</p> <ul style="list-style-type: none"> a. The buffer shall consist of the following: <ul style="list-style-type: none"> I. Live ground cover consisting of low-height plants, or shrubs, ornamental grasses, or turf; and II. 1 evergreen tree having a minimum planting height of 8 feet, and that will reach 20 feet in height and a canopy width of 20 feet at maturity, for every 30 lineal feet of buffer width; and III. Evergreen shrubs which reach a minimum height of 4 feet within 2 years of planting, planted evenly between the required evergreen trees. IV. Ground cover and shrubs shall be spaced and located dependent on the mature spread of the selected vegetation to create a fully vegetated screen at maturity. Bare gravel, rock, bark or other similar materials may be used, as a ground cover, but shall be confined to areas underneath plants and within areas expected to be underneath plants at maturity, and is not a substitute for ground cover plants. b. The buffer standards shall not apply to the following: <ul style="list-style-type: none"> I. Single-detached dwellings on individual parcels. [ORD 4822; June 2022] II. Areas where emergency access is required. III. Areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover. IV. Areas required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover.
<p>Surface Parking Landscaping</p>	

Table 70.20.05.8.A Design Guidelines and Standards: Landscaping

Design Guideline	Design Standard
<p>G10. Surface parking areas shall be landscaped to provide shade, afford permeable areas for water runoff management, and reduce continuous areas of parking.</p>	<p>S10. Surface parking shall be landscaped according to the following provisions.</p> <ul style="list-style-type: none"> a. Landscape islands shall be provided at a rate of one for every 10 contiguous parking spaces and at the end of each parking row. b. The island shall have a minimum area of 70 square feet, shall be curbed, and a minimum width of 6 feet, measured from the interior curb face. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. 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. c. Raised pedestrian 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 the following is met: <ul style="list-style-type: none"> I. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk. II. The minimum unobstructed sidewalk width is five feet. III. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides. IV. Trees are located in planting area with ground cover or planted in covered tree wells. V. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total number of trees within required landscaped islands. All remaining required trees shall be located within landscaped islands. d. Trees planted within required landscaped 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. Areas of parking and vehicle circulation covered by upper-floor structures are exempt from these requirements.

[ORD 4799, 01/08/2021; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

70.20.10. Building Design

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

70.20.10.9 Structured Parking

- A. Intent. To ensure parking structures are efficient in design and integrated into the urban fabric of Downtown Beaverton, add visual interest into the pedestrian experience, include human-scaled details, and minimize the impact of vehicles on the public right of way and adjacent buildings.
- B. Applicable Design Principles
 - Design Places for People (Section [70.10.1](#))
 - Support an Intensely Developed, Mixed-income, Mixed-use Downtown (Section [70.10.2](#))
 - Promote High-quality Design (Section [70.10.3](#))
- C. Design Guideline and Standards

Table 70.20.10.9 Design Guidelines and Standards: Structured Parking

Design Guideline	Design Standard
Structured Parking	
<p>G1. Structured parking facing rights of way and multi-use paths way are discouraged. Below grade and structured parking spaces above ground level are encouraged. Parking facilities shall be placed toward the rear or interior of the property. Where structured parking is located adjacent to street, the street facing facades shall provide ground-floor active uses, whether residential or commercial, especially at corners, or be sufficiently screened to minimize visual impacts to pedestrians.</p>	<p>S1. The location of structured parking shall be limited to the following:</p> <ul style="list-style-type: none"> a. Parking structures subject to the Active Ground-floor Design rules as identified in Figure 70.20.10.6.1 Active Frontages Map shall: <ul style="list-style-type: none"> I. Be constructed with a finished ceiling entirely underground or have the parking area’s lowest floor 12 feet or more above grade; or II. Provide ground-floor facades on the street facing elevations that comply with the provisions of 70.20.10.6 Active Ground Floor Design for at least 50% of the width of the facade. b. On other streets, structured parking shall: <ul style="list-style-type: none"> I. Provide ground-floor facades on the street facing elevations that comply with the provisions of 70.20.10.6 Active Ground Floor Design for at least 50% of the width of the facade; or II. Provide a building a minimum 5-foot building setback from all street-facing property lines and provide the following landscaping within that setback: <ul style="list-style-type: none"> 1. One 1.5-inch caliper tree for every 15 linear feet from the Beaverton’s approved street tree list<u>City of Beaverton Tree List</u>, with trees of different sizes being acceptable; and 2. Evergreen shrubs a maximum of 30 inches high from finished grade and a minimum 1 gallon in size planted next to each other to form a screen. Additional shrubs in excess of those necessary to form a screen are allowed; and 3. Ground cover plants shall fully cover the remainder of the landscaped areas.
<p>G2. Parking structures shall be designed to minimize light trespass from vehicle headlights and interior lighting when viewed from public rights-of- way and adjacent buildings.</p>	<p>S2. Screening shall be designed to minimize light trespass on adjacent public rights-of-way and buildings:</p> <ul style="list-style-type: none"> a. Solid screening and/or building walls shall extend a minimum 3 feet from top of parking slab so vehicle headlights do not trespass beyond the building facade. b. Interior building lighting shall be screened and directed away from exterior walls to reduce light trespass and glare.

Table 70.20.10.9 Design Guidelines and Standards: Structured Parking

Design Guideline	Design Standard
<p>G3. Parking structures facades facing the right of way, any internal drive or any internal accessway shall provide facade modulations and articulation that create visual interest, surface relief, depth, and shadows to the facade. Upper floors facing streets shall meet the guidelines corresponding to the standards required in S3 a through f:</p> <ul style="list-style-type: none"> a. Section 70.20.10.4. G10; and b. Section 70.20.10.4 G11; and c. Section 70.20.10.5 G1 through G3; and d. Section 70.20.10.7 G2; and e. Section 70.20.10.9 guidelines; and f. Section 70.20.10.10 guidelines. 	<p>S3. Structured parking on upper floors facing the right of way, any internal drive or any internal accessway are exempt from Section 70.20.10. Building Design guidelines and standards except for the following standards.</p> <ul style="list-style-type: none"> a. Section 70.20.10.4. S10; and b. Section 70.20.10.4 S11; and c. Section 70.20.10.5 S1 through S3; and d. Section 70.20.10.7 S2; and e. Section 70.20.10.9 standards; and f. Section 70.20.10.10 standards. g. In addition, parking structures shall provide facade modulation and architectural interest through: <ul style="list-style-type: none"> I. Vertical and/or horizontal recess(es) and/or projection(s) with a minimum average depth of 12 inches that changes the primary plane of the facade at a minimum of one recess or projection every 50 feet distributed in a consistent pattern along the facade; and II. One of the following: <ul style="list-style-type: none"> 1. Prominent emphasis of vertical stairwells or elevator columns that incorporate at least two of the following features: <ul style="list-style-type: none"> (A) Change of material from the primary material used on the facade; or (B) The entire elevator column or stairwell projects at least 2 feet from the rest of the facade. (C) Windows or openings provide at least 60 percent transparency; or 2. Parking garage decorative metal screening that cover at least 40 percent of the facade and does not obscure more than 50 percent of any opening that allows visibility into areas where cars will be parked.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Cooper Mountain Community Plan

EXHIBIT 10.7

Proposed Beaverton 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 “***”

Many existing definitions were omitted from this document to reduce the document size. The city’s full list of existing definitions is in [Chapter 90](#) of the Development Code.

Commentary:

A new definition for Land Division Housing Plan has been added to support changes in Sections 40.20, 40.21, 40.23, and 40.45. Specifically, new application approval criteria in these sections along with the new Land Division Housing Plan Amendment application in Section 40.45.15.11 provide a mechanism that ensures a project’s compliance with Site Development requirements of Section 20.22.15 like minimum density when no housing construction is proposed at the same time as a Land Division. The approval criteria will require compliance with either a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.

Many tree-related and natural resource-related terms also are proposed to be added to the Development Code to support standards in the proposed amendments, especially the Cooper tree code in Section 60.61 and the Resource Overlay code in section 60.37.

Solar access requirements were removed from the Development Code several years ago but several definitions that relate to solar access remain in Chapter 90, despite the terms no longer appearing anywhere else in the Code. These definitions include Northern Lot Line, North-South Dimension, and South or South Facing.

Flexible setback applications were removed from the Development Code in 2022 but two definitions that relate to flexible setbacks remain in Chapter 90, despite the terms no longer appearing anywhere else in the Code. These definitions include Abut and Compatibility, Flexible and Zero Yard Setbacks. In the case of Abut, only the parts of the definition that applied solely to flexible setback applications are proposed for deletion; the general definition of Abut is proposed to remain. The entirety of the Compatibility, Flexible and Zero Yard Setbacks definition is proposed for deletion.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 90 - DEFINITIONS

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.

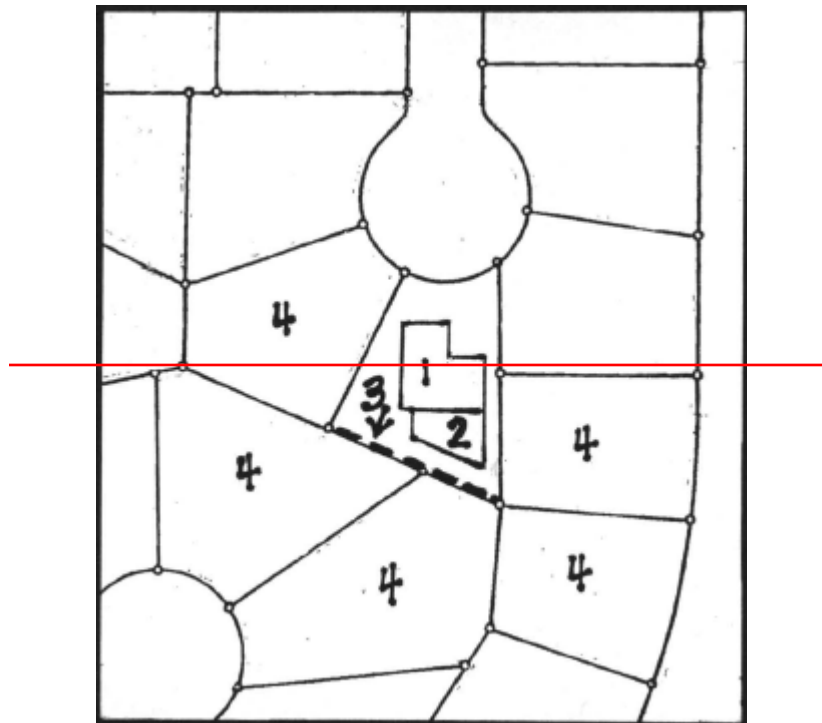
The term "shall" is always mandatory and the words "may" and "should" are permissive. [ORD 4659; July 2015]

The masculine gender includes the feminine and neuter.

[ORD 4224; September 2002]

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

Abut. Contiguous to; adjoining with a common boundary line. ~~For the purposes of defining an affected abutting property for a Flexible Setback request, the following graphic will guide the definition.~~



1. ~~Existing structure in conformance with building setbacks.~~
2. ~~Proposed new structure or addition requiring Flexible Setback approval.~~
3. ~~Affected lot line(s) subject to proposed reduced building setback~~
4. ~~Affected abutting properties required for endorsement by property owners. Affected properties includes common lot corners.~~

[ORD 4473, 03/27/2008]

Effective on: 6/1/2012

Access. The place, means or way by which pedestrians, vehicles or both shall have safe, adequate and usable ingress and egress to a property or use. A private access is an access not in public ownership or control by means of deed, dedication or easement.

[ORD 3494, 03/27/1986; ORD 4302, 06/10/2004]

Effective on: 6/1/2012

A-Frame Sign. A double-faced temporary sign composed of two (2) sign boards attached at the top and separate at the bottom, not permanently attached to the ground.

[ORD 4708, 06/08/2017]

Commentary

The definition of agricultural trees was written to cover a range of agriculturally managed trees in the Cooper Mountain Community Plan Area. Also, the definition does not include naturally occurring forested areas with a range of tree species, even if these areas are in forest deferral. ORS 527.722(2) states:

“Nothing in subsection (1) of this section prohibits local governments from adopting and applying a comprehensive plan or land use regulation to forestland to allow, prohibit or regulate:

- (a) Forest practices on lands located within an acknowledged urban growth boundary;
- (b) Forest practices on lands located outside of an acknowledged urban growth boundary, and within the city limits as they exist on July 1, 1991, of a city with a population of 100,000 or more, for which an acknowledged exception to an agriculture or forestland goal has been taken;
- (c) The establishment or alteration of structures other than temporary on-site structures which are auxiliary to and used during the term of a particular forest operation;
- (d) The siting or alteration of dwellings;
- (e) Physical alterations of the land, including but not limited to those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities, when such uses are not auxiliary to forest practices; or
- (f) Partitions and subdivisions of the land.”

Agricultural Trees. Trees that were planted by people, in identifiable rows or other patterns, with one or a limited number of species, and part of an existing or former agricultural use such as a horticultural nursery, holiday tree farm, edible fruit or nut orchard, or tree plantation. Trees that were not planted by people or occur in a randomized mix of ages and species and are not in identifiable rows or other patterns are not considered agricultural trees.

Agricultural Use. The term includes farming, dairying, pasturage, horticultural, floriculture, viticulture, apiaries, and animal and poultry husbandry; it does not include the operation of a feed lot or other commercial feeding of animals.

Effective on: 3/20/1998

Agriculture, Urban. The practice of growing plants or raising animals for human consumption within cities and suburbs.

Alley. A public way providing a secondary means of access to abutting properties.

Effective on: 3/20/1998

Animal Hospital. A place where animals are given medical or surgical treatment and related care.

Effective on: 3/20/1998

ANSI (American National Standards Institute) Z60.1. In the United States, industry-developed, national consensus standards for nursery stock.

Antenna. A device commonly in the form of a metal rod, wire panel or dish used for transmitting or receiving electromagnetic radiation. An antenna is typically mounted on a supporting tower, pole, mast or building.

[ORD 4248, 05/08/2003]

Effective on: 6/1/2012

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

Automated Irrigation System. A system for delivering water to plants using a timer, sensor, or other electronic device that requires minimal human or manual intervention.

Automotive Services, Major. Service or repair to motorized vehicles, which affect the body or frame. This term includes: painting, bodywork, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical car washes that are used by and open to the general public.

[ORD 3975, 03/07/1997; ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Book Sharing Box. An Accessory Structure allowed in the front yard setback if the height is limited to 48 inches and volume is limited to 7 square feet, and the accessory structure is not in the Sight Clearance Area described in the Engineering Design Manual. A book-sharing box placed in an easement shall be subject to the terms of the easement.

[ORD 4857, 10/03/2024]

Effective on: 10/3/2024

Broadleaf. A tree or other plant that has broad or wide leaves rather than needlelike or scalelike leaves.

Building. Any structure built for the support, shelter or enclosure of persons, animals, or property of any kind.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Building Footprint. The plan view of a building or structure, measured from the outside edge of all exterior walls and supporting columns. The building footprint does not include patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access. The footprint of each detached building or structure on a site is calculated separately.

[ORD 4414, 01/05/2007; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

The Building Height definition is proposed to change to allow for more flexibility and variety in building design. The current definition treats all buildings the same, regardless of roof form, which means that the height of a building with a flat roof and the height of a building with a peaked roof are both measured from the grade plane the highest point of the building, which might discourage the use of roof types other than flat roofs. Measuring height to the midpoint of a peaked roof instead of the highest point recognizes that non-flat roof types have lesser impacts on light and air for neighboring properties.

Building Height. The vertical distance from grade plane to the highest ~~point of a sloped roof structure or in the case of a flat roof, the vertical distance from grade plane to the highest point of the parapet.~~ roof-type reference point. The methods for determining the roof-type reference point are as follows:

1. Flat roof (pitch is 4 in 12 or less): Measure to the highest point of the roof if there is no parapet, or to the top of the parapet
2. Mansard roof: Measure to the deck line.
3. Gabled, hipped, gambrel, or pyramidal roof: Measure to the average height of the gable.
4. Other roof types such as domed, shed, or vaulted shapes: Measure to the highest point of the roof.
5. Stepped or terraced building: Measure to the highest point of any segment of the building.

[ORD 3587, 01/01/1988; ORD 4542, 06/17/2010; ORD 4782, 04/17/2020]

Effective on: 4/17/2020

Building Line. A line parallel to the front lot line and passing through the most forward point or plane of a building.

Effective on: 3/20/1998

Cabinet Style Sign. A sign structure typically rectangular in shape that has a metal body and a polycarbonate face that does not include Electronic Message Center components.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Caliper Measurement. The ~~thickness~~ diameter of ~~a~~ a trees measured in inches. Unless otherwise specified, a A caliper measurement for trees shall be measured taken at 12 inches above the soil line, or across the stump if the tree has been severed at less than 12 inches above the soil line.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Candle Power. The amount of light that will illuminate a surface one (1) foot distant from a light source to an intensity of one (1) foot candle. Maximum (peak) candle power is the largest amount of candlepower emitted by any lamp, light source, or luminaire.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Commentary:

“Canopy” is proposed for deletion because it is not possible to express an area as a “mass or volume.” In addition, the definition of “Tree Canopy” provides the required definition.

~~**Canopy.** Area of the tree above ground including the trunk and branches measured in mass or volume.~~

~~[ORD 3740, 08/21/1990]~~

~~Effective on: 3/20/1998~~

Canopy. A rooflike structure projecting from the elevation of a structure designed to provide overhead weather protection that maintains at least an eight foot (8’) clearance above the ground.

[ORD 4079, 12/09/1999; ORD 4107, 05/02/2000]

Effective on: 6/1/2012

Canopy Sign. A sign attached to or incorporated into a canopy.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Certified Arborist. An individual who has demonstrated knowledge and competency through obtainment of the current International Society of Arboriculture arborist certification, or who is a member of the American Society of Consulting Arborists.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

~~**Channelization.** The improvement of a waterway to ensure containment of flow within a designated alignment. The purpose for such is to minimize erosion and retain a long range capability to convey the maximum flow discharge. This work may be accomplished with the use of native materials, vegetation, rip-rap, as well as structural improvements.~~

~~Effective on: 3/20/1998~~

Child Care or Day Care Facility. A facility providing care for compensation for seven or more children during a 24-hour period. This includes: day nursery, nursery school group, or other similar unit operating under any name, but not including any:

- a. Facility providing care that is primarily educational, unless provided to a preschool child for more than four hours a day;

- b. Facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music, or religion;
- c. Facility providing care that is primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group;
- d. Facility operated by a school district, political subdivision of this State or a governmental agency;
- e. Residential facility licensed under ORS 443.400 to 443.455;
- f. Babysitters;
- g. Family Day Care or Group Home, which provides day care in the family living quarters of the provider, for not more than 16 children, including the provider's children. For this purpose only, a "child" shall mean a person under the age of 13 years. [ORD 3613; July 1988] [ORD 4462; January 2008]

[ORD 4365, 10/20/2005; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Community Garden. A garden or gardening on land that is owned by a community group, institution, special service district, or the City.

[ORD 4659, 07/10/2015]

Effective on: 7/10/2015

Community Tree. Outside the Cooper Mountain Community Plan area, A a healthy tree of at least ten inches (10") DBH located on developed, partially developed, or undeveloped land. Community Trees are not those trees identified as Significant, Historic, Landscape, or Mitigation Trees, trees within a Grove or a Significant Natural Resource Area, or trees that bear edible fruits or nuts grown for human consumption.

[ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Commuter Rail. A railway for passenger train service consisting of travel between or within metropolitan areas, central cities and suburbs. Commuter rail service may be either locomotive-hauled or self-propelled and is generally characterized by a limited number of stations, multi-trip tickets, specific station-to-station fares and railroad employment practices. Such commuter service may share the right-of-way of an inter-city or long-haul railroad or use new or vacated right-of-way.

[ORD 4295, 05/20/2004]

Effective on: 6/1/2012

Compact Detached Housing. See "Dwelling Types."

[ORD 4584, 06/01/2012; ORD 4652, 03/06/2015; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

~~**Compatibility, Flexible and Zero Yard Setbacks.** For the purposes of how the phrase "compatible with the surrounding area" is used in the Flexible and Zero Yard Setback for Proposed Residential Land Division and the Flexible Setback for Proposed Land Division applications, the phrase is defined as abutting properties and properties directly across the street from the proposed development. Properties directly across the street from the development shall be those properties perpendicular from the property line of the proposed development.~~

~~[ORD 4224, 09/19/2002; ORD 4486, 07/24/2008]~~

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

Comprehensive Plan. See "Beaverton Comprehensive Plan".

Effective on: 3/20/1998

Conifer. Cone-bearing tree or other plant that has its seeds in a structure called a cone.

Conservation Easement. Nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open space values of real property, ensuring its availability for agricultural, forest, recreational, or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Coverage, Building. That percentage of the total lot area covered by buildings, including covered parking areas.

Effective on: 3/20/1998

~~**Crown Cover.** The area within the drip line or perimeter of the foliage of a tree.~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

Cul-de-Sac. A short dead-end street with a circular turn-around at the end. Cul-de-sac length is measured along the centerline of the roadway from the near side right-of-way of the nearest through traffic intersecting street to the farthest point of the cul-de-sac right-of-way.

[ORD 3238, 01/28/1982; ORD 4302, 06/10/2004]

Effective on: 6/1/2012

Cutoff-Type Luminaire. A luminaire with elements such as shields, reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety (90) degrees.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Datum. For sites within the Downtown District and Cooper Mountain Community Plan area, a continuous linear element such as a signage band, cornice, or roof parapet that is maintained across the facade of a building as a visual reference point or continued across multiple buildings in a street wall to provide an architectural relationship between or among the buildings.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Day Care Facility. See "Child Care or Day Care Facility".

[ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Denial, Final. The decision to deny a proposal by the appellate decision making authority.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Density, Net. ~~The number of dwelling units per unit of land expressed as the number of acres of land per dwelling unit. The net density for any lot is computed by dividing the net acreage of the parcel by the number of dwelling units. The net density for any unit of land is the number of dwelling units on that unit of land divided by the net acreage of the unit of land.~~

[ORD 4046, 06/03/1999]

Effective on: 6/1/2012

De Novo. Considering the matter anew, the same as if it had not been heard before and as if no decision previously had been rendered.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Development. The act of bringing about growth or change; to construct or alter a structure, to make a change in use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

[ORD 4111, 07/14/2000; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Development. Any plat, partition, subdivision or planned unit development that is created under the city's land division or zoning regulations.

[ORD 3619, 09/01/1988; ORD 4111, 07/14/2000]

Effective on: 6/1/2012

Development, Area of Special Flood Hazard. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

[ORD 3563, 05/05/1987; ORD 4744, 10/17/2018]

Effective on: 10/17/2018

Development, Surface Stormwater. As it relates to Section 50.25., and pursuant to the Clean Water Services Design and Construction Standards manual, development shall refer to all human-induced changes of the following types to improved or unimproved real property: Construction of structures requiring a building permit if such structures are external to existing structures; land division; drilling; site alterations resulting from surface mining or dredging; grading; construction of earthen berms; paving; excavating; and clearing when it results in the removal of trees or vegetation which would require a City permit. The following activities are not included in the definition of development: Farming activities when conducted in accordance with accepted farming practices as defined in ORS 30.930 or under a Senate Bill 1010 water quality management plan, and construction on lots in subdivisions meeting the criteria of ORS 92.040(2).

[ORD 4155, 05/11/2001]

Effective on: 6/1/2012

Diameter at Breast Height (DBH). ~~The diameter of the trunk of a tree measured at 54 inches above natural grade. The diameter of the trunk of a tree measured 4.5 feet above the uphill side at the base of the trunk. If the tree splits into multiple trunks above ground, but below 4.5 feet above the uphill sides at the bases of the trunks, the diameter is measured at the narrowest part of the main stem below the split. Additional acceptable DBH measurement methods are described in the *Guide for Plant Appraisal, 10th Edition, Revised by the Council of Tree and Landscape Appraisers.*~~

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Direct Access. The provision for immediate ingress and egress of vehicles from an abutting property to an adjacent street.

[ORD 3238, 01/28/1982]

Effective on: 3/20/1998

District or Zoning District. A portion of the territory of the city within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Code.

[ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Disturbance Area. ~~An area identified in an approved development application that contains, or will contain, all allowed temporary and permanent activities and uses subject to Resource Overlay requirements in Section 60.37. A disturbance area may contain two subareas, the permanent disturbance area and the temporary disturbance area.~~

- **Disturbance Area, Permanent.** ~~The permanent disturbance area includes all areas occupied by existing or proposed structures, infrastructure, or exterior improvements (including landscaping). The permanent disturbance area also includes areas where vegetation is managed to accommodate overhead utilities, existing or proposed landscaped areas, and roadside areas subject to regular vegetation management to maintain safe visual or vehicle clearance.~~
- **Disturbance Area, Temporary.** ~~The temporary disturbance area is the portion of the site that will be disturbed for the proposed development but not permanently occupied by structures or exterior improvements (including landscaping). The temporary disturbance area includes staging and storage areas used during construction and all areas graded to facilitate proposed development on the site but will not be covered by permanent development. It also includes areas disturbed during construction to place underground utilities, where the land above the utility will not otherwise be occupied by structures or exterior improvements.~~

Double Face Sign. See “Faces”.

Effective on: 3/20/1998

Double Frontage Lot. See “[Through Lot](#)”.

Effective on: 3/20/1998

~~**Drip Line.** A line on the ground below the edge of the maximum overhead canopy of a tree.~~

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

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

Drive-In Use. Any commercial use which permits the driver to transact business from his automobile.

Effective on: 6/1/2012

Dwelling, Live/Work. See "Dwelling Types".

[ORD 4005, 02/05/1998; ORD 4058, 09/16/1999; ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

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, CM-MR, Commercial ~~Land Use Zoning~~ Districts, and Multiple Use ~~Land Zoning~~ 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, and CM-RM, 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. [ORD 4844; August 2023]
- **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.

[ORD 4822, 06/30/2022; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Dwelling Unit. One or more rooms used or intended to be used by one household containing, at a minimum, the living facilities required by the current Oregon Structural Code or applicable ordinance. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.

[ORD 4822, 06/30/2022; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

Dying Tree. A tree that is diseased, infested by insects, deteriorating, or rotting, as determined by a knowledgeable and qualified arborist, and that cannot be saved by reasonable treatment or pruning, or a tree that must be removed to prevent the spread of infestation or disease to other trees ~~tree with greater than 20% dead limbs during the growing season.~~

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Eating or Drinking Establishments. An establishment where meals or drinks (either alcoholic or non-alcoholic) are prepared and served to the public for consumption. This use includes: Restaurants, Cafes, Delicatessens, Sandwich Shops, Coffee Houses, and Taverns or Bars or other establishments primarily engaged in serving alcoholic beverages.

[ORD [3975](#), 03/07/1997]

Effective on: 6/1/2012

Finish Ground Level (Grade). The average elevation of the ground adjoining the structure of building upon which the sign is erected. See also "Grade."

[ORD [3227](#), 12/10/1981; ORD [4584](#), 06/01/2012]

Effective on: 6/1/2012

Fire Marshal, Designated. Individual(s) authorized by Tualatin Valley Fire & Rescue to oversee the enforcement of fire codes, new construction review, fire investigations, and public education activities designed to reduce hazard and risks in Washington County, Oregon.

Flag. A rectangular piece of fabric of distinctive design that is generally displayed hanging free from a staff halyard or building to which it is attached. A flag is often used to display the symbol of the United States, a nation, state or local government.

[ORD [4708](#), 06/08/2017]

Effective on: 6/8/2017

Floodway Fringe. The area of the floodplain lying outside of the floodway.

Effective on: 3/20/1998

Floor Area. Floor area is the total area of a building measured from the interior of exterior walls of the building or structure. Floor area does not include space devoted to off-street parking (except in RMA, RMB, ~~and~~ RMC, and CM-RM where floor area includes garages but does not include carports), vehicle maneuvering areas, or loading; areas where the elevation of the finished floor is 4 feet or more below the nearest point of an adjacent right of way; areas where the ceiling height is less than 6 feet 8 inches; roof area, including roof-top parking; rooftop mechanical equipment; and roofed porches, exterior balconies, or other similar areas unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of the perimeter. In RMA, RMB, RMC, and CM-RM, floor area includes garages but does not include carports. Floor area may be calculated for a site by adding the floor area for multiple buildings.

[ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022

Floor Area Ratio. The ratio of gross floor area to ~~net acreage on a site~~ the area of a unit of land that the floor area occupies.

[ORD [4005](#), 02/05/1998; ORD [4079](#), 12/09/1999; ORD [4107](#), 05/02/2000; ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022

Food Cart. A mobile vehicle, such as a food truck, trailer or cart, from which service of food and/or beverages is provided to walk-up customers.

[ORD 4662, 09/11/2015]

Effective on: 9/11/2015

General Site Plan. A site plan for a geographic area which anticipates the streets, utilities and other infrastructure that will be necessary to serve an area larger than the development being proposed.

[ORD 3918, 02/01/1995]

Effective on: 6/1/2012

Geological Assessment. A geological assessment is a report bearing the stamp of a certified engineering geologist that includes information and data regarding the nature, distribution of underlying geology, and physical and chemical properties of existing soils; an opinion as to stability of the site; and conclusions regarding the effect of geologic conditions on the proposed development.

Geotechnical Report. A geotechnical report is a report bearing the stamp of a geotechnical engineer (and if required a certified engineering geologist) that includes a comprehensive description of site topography and geology; an opinion as to the adequacy of the proposed development from an engineering standpoint; an opinion as to the extent that instability on adjacent properties may adversely affect the project; a description of the field investigation and findings; conclusions regarding the effect of geologic conditions on the proposed development; and specific requirements for plan modification, corrective grading, and special techniques and systems to facilitate a safe and stable development. The report includes other recommendations, as necessary, commensurate with the project grading and development.

Glare. The brightness of a light source, which may cause eye discomfort.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Grade. (Adjacent Ground Elevation). The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

- A. **Existing Grade.** The grade prior to grading.
- B. **Rough Grade.** The stage at which the grade approximately conforms to the approved plan.
- C. **Finish Grade.** The final grade of the site which conforms to the approved plan.

[ORD 3587, 01/01/1988; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Grade Plane. A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than ~~six (6)~~ feet from the building, between the building and a point ~~six (6)~~ feet from the building.

[ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Green Roof. A Green Roof consists of vegetation and soil, or a growing medium, planted over a waterproofing membrane. Additional layers, such as a root barrier and drainage and irrigation systems may also be included.

[ORD 4430, 04/19/2007]

Effective on: 6/1/2012

Guest House. An accessory building used for the purpose of providing temporary living accommodations, and containing no kitchen facilities. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.

[ORD 4838, 03/09/2023]

Effective on: 3/9/2023

Habitat, Edge. Edge habitat refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development. Edge habitat typically includes trees with larger, unbalanced tree coverage more susceptible to branch failure and uprooting.

Habitat, Interior. Interior habitat exists beyond the habitat edge and inside a natural resource area. Interior habitat generally provides a more stable environment for birds, mammals, and amphibians. Interior habitat typically includes trees with smaller, balanced tree coverage less susceptible to branch failure and uprooting.

Habitat Benefit Area (HBA). An area of land determined to provide a benefit to wildlife. Identification of HBA is accomplished by referencing the *Comprehensive Plan Volume III Habitat Benefit Area Map* that is included in the *Comprehensive Plan of the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*. Habitat resource classification and delineation methodologies are included in the *Comprehensive Plan of the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*. HBAs are in addition to any areas required for natural resource protection by other jurisdictional regulations.

For the South Cooper Mountain Community Plan area Class I and II riparian habitat areas and Class A and B upland wildlife areas are also considered to be Significant Natural Resource Areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro Title 13 implementation for areas brought within the Metro UGB after December 28, 2005.

[ORD 4414, 01/05/2007; ORD 4652, 03/06/2015]

Effective on: 3/6/2015

Habitat Friendly Development Practice (HFDP). A development technique or activity that reduces detrimental impacts on fish and wildlife habitat resulting from traditional development practices.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Hazardous Tree. A tree that possesses a structural defect which poses an imminent risk if the tree, or part of the tree, were to fall on someone or something of value (target) as determined by an arborist certified in International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ) techniques and confirmed by the City Arborist. A hazardous tree can be a dead or dying tree, dead parts of live trees, or unstable live trees (due to structural defects or other factors).

- Structural Defect. Any structural weakness or deformity of a tree or its parts. ~~A tree with a structural defect can be verified to be hazardous by a certified arborist and confirmed as such by the City Arborist.~~
- Target. People, vehicles, structures or property, such as other trees or landscape improvements. A tree may not be a hazard if a 'target' is absent within the falling distance of the tree or its parts (e.g., a substandard tree in a non-populated area away from pedestrian pathways may not be considered a hazard).

[ORD 4348, 05/19/2005]



Effective on: 6/1/2012

Height of Sign. The height of a sign measured from the finished ground level, excluding mounds, berms, etc., to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.

[ORD [3227](#), 12/10/1981]

Effective on: 3/20/1998

Historic District. A geographic area with a high concentration of historical, architectural, archeological or cultural Landmarks and/or a high concentration of contributing resources.

[ORD [3561](#), 05/29/1987]

Effective on: 3/20/1998

Historic Tree or Historic Grove. Outside the Cooper Mountain Community Plan area, ~~Trees(s)~~ tree(s) designated by the City to be of historic significance based on their association with historic figures, properties, or the general growth and development of the City.

[ORD [4224](#), 09/19/2002]

Effective on: 6/1/2012

Holding Capacity. The volume over the floodway fringe between the land contour grades and the base flood elevation.

Effective on: 3/20/1998

Infiltration. The process or rate at which water percolates from the land surface into the ground. Infiltration is also a general category of BMP designed to collect runoff and allow it to flow through the ground for pollutant removal. The Environmental Protection Agency or Oregon Department of Environmental Quality may require additional permitting for infiltration facilities.

[ORD [4414](#), 01/05/2007]

Effective on: 6/1/2012

Initial Development. After [\[effective date of this ordinance\]](#) in the Cooper Mountain Community Plan area, the first Land Division (Section 40.45), Design Review (Section 40.20), or Single-Detached and Middle Housing Design Review (Section 40.21) application or multiple concurrent applications submitted to the City, approved by the applicable decision-making authority, and obtained release of performance security. If more than one of the aforementioned Development applications are submitted for the same site, or portion thereof, that are not being processed concurrently, this definition shall apply to the first application received in chronological order and approval of any other applicable application for the site shall be dependent upon approval of the first application.

Intermodal. The connection of one type of transportation mode with another.

[ORD [4295](#), 05/20/2004]

Effective on: 6/1/2012

Internal Drive. For sites within the Downtown District, connections that provide, at minimum, motor vehicle passage between streets or a street and an on-site destination. For the purposes of this definition, service and loading areas are not considered destinations.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

International Society of Arboriculture (ISA) Standards. Generally accepted industry standards for tree care practices detailed in the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations and further described in the ISA Best Management Practices publications that are a companion to the ANSI Standards. In addition, ISA standards include adherence to all applicable rules and regulations for the completion of any tree care operation. The publications in this definition refer to the most current version adopted by City Council.

International Society of Arboriculture (ISA) Tree Risk Assessment Qualified (TRAQ). An individual deemed qualified by the ISA to conduct tree risk assessments by passing the TRAQ course and exam, and maintaining their TRAQ credential.

Intersection. The meeting or crossing of public and/or private streets or accessways at a common space.

[ORD 3494, 03/27/1986]

Effective on: 6/1/2012

Invasive. A type of plant that is ~~not local to an area, but rather originates from another place. Also called "exotic," "non-native," or "alien" species~~ non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Inventory. A census (survey) of historical, architectural, archeological or cultural buildings, structures, objects, districts or sites. Each resource (i.e. building, structure, etc.) shall have a location; a physical description, photograph, and a discussion of the resource's significance.

[ORD 3561, 05/29/1987]

Effective on: 3/20/1998

Light Rail Transit (LRT) Station Site. Land currently or eventually to be owned or leased by Tri-Met, on which facilities will be located related to a light rail transit station. The Station Site may include station platforms, park and ride lots, bus stops, and other similar facilities.

[ORD 4005, 02/05/1998]

Effective on: 6/1/2012

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Limited Access Street. A Street which allows only indirect access to abutting properties primarily by distributing traffic to intersecting lesser volume streets or some other means as needed to allow for efficient local circulation.

[ORD 3238, 01/28/1982; ORD 3494, 03/27/1986]

Effective on: 6/1/2012

Laboratory. A facility equipped for scientific research, experimentation or testing; or a facility where chemicals, dental equipment and supplies, medical devices, pharmaceuticals or explosives are prepared or manufactured.

[ORD [4542](#), 06/17/2010; ORD [4782](#), 04/17/2020]

Effective on: 4/17/2020

Land Division Housing Plan. A scaled lot and street layout plan of the land associated with a Land Division or Reconfiguration application of Section 40.45 which identifies the dwelling type(s) and number of dwelling units that will be constructed on each proposed residential dwelling lot.

Landmark. Those buildings, structures, objects or sites that are fifty (50) years old or older that are significant or important because of historic, architectural, archeological, or cultural value as shall be designated by the Beaverton City Council. All designated Landmarks shall have a location, a physical description, photograph and a discussion of the landmark's significance. Buildings, structures, objects or sites that are less than 50 years old may be designated if they are exceptional in terms of historic, architectural, archeological or cultural value.

[ORD [3561](#), 05/29/1987]

Effective on: 3/20/1998

Lot Width. The perpendicular distance measured between the mid-points of the two principal opposite side lot lines and at approximately right angles to the lot depth.

Effective on: 3/20/1998

Low Impact Development Approach (LIDA). A stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic predevelopment hydrologic functions. LIDA tools are designed to reduce environmental impacts of development, such as increased storm water runoff due to impervious areas, poor water quality and inconsistent water quantity in streams and rivers. LIDA techniques control storm water runoff volume and reduce pollutant loadings to receiving waters. Not all sites are suitable for LIDA. Considerations such as soil permeability, depth of water table and slope shall be considered, in addition to other factors. LIDA techniques may not completely replace the need for conventional stormwater controls.

Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

[ORD [4332](#), 01/01/2005]

Effective on: 6/1/2012

Middle Housing Child Lot. A unit of land created from the division of a middle housing parent lot through a middle housing land division.

[ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022



Middle Housing Land Division. A partition or subdivision of a lot on which the development of middle housing is allowed under ORS 197.758 (2) and that is in the RMA, RMB, ~~or RMC~~, or CM-RM zone. The lot that is the subject of the division is referred to as the middle housing parent lot; a lot created by the division is referred to as a middle housing child lot.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Middle Housing Parent Lot. A lot or parcel that is developed, or proposed to be developed, with middle housing, and which may therefore be further divided through a middle housing land division to create middle housing child lots.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Minimum Permitted Illumination. The minimum permitted illumination measured in foot-candles within the interior of a site to provide adequate illumination for public safety purposes.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Mitigation, ~~Natural Resources~~. The reduction of adverse effects of a proposed project by considering, in the order: a) avoiding the impact all together by not taking a certain action or parts of an action; b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; c) rectifying the impact by repairing, rehabilitating or restoring the affected environment; d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action by monitoring and taking appropriate measures; and e) compensating for the impact by replacing or providing comparable substitute.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Mitigation Tree. A tree planted in an effort to alleviate the impact of the removal of another tree(s). A mitigation tree takes on the designation of the tree(s) removed (i.e. tree(s) planted to mitigate for a tree(s) removed from a grove or SNRA becomes a tree(s) protected as if it were part of a grove or SNRA).

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Name Plate. A permanent wall sign located on the facade of a residential structure associated with a home occupation.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Native Tree. A type of plant that is local to an area. If a species is listed as a native species on the City of Beaverton Tree List, then it shall be considered native for the purposes of this code.

Native Understory. Foliage layer located between the floor and the canopy of a forest, wood, or grove containing plant materials that have origins in the Tualatin Valley Region of the state of Oregon. Limited to plant species identified on ~~Metro's Native Plant List or in Clean Water Services' Design and Construction Standards~~ Clean Water Services' Design and Construction Standards, Appendix A (2019); Metro Native Plants for Willamette Valley Yards Booklet (2020); and Portland Plant List (2016).

Native Vegetation. Plant materials that have origins the Tualatin Valley Region of the state of Oregon, as listed on ~~Metro's Native Plant List or in Clean Water Services' Design and Construction Standards~~ Clean Water Services' Design and Construction Standards, Appendix A (2019); Metro Native Plants for Willamette Valley Yards Booklet (2020); and Portland Plant List (2016).

Natural Areas. A substantially undeveloped area that is composed of vegetation, animal habitat, water ways or bodies, or soil and rock that is identified as a natural resource in an adopted city plan. Natural areas ~~may~~ include wetlands, riparian areas, Significant Natural Resource Areas, ~~and significant~~ Significant groves Groves of trees, Habitat Benefit Areas, Vegetated Corridors required by Clean Water Services, Resource Overlay, and land within the Cooper Mountain Nature Park.

Natural Landscaping. The act of landscaping using plant materials that include groundcover and shrubs to cover bare earth and prevent erosion. Native plants, native-friendly plants and naturalized plants are recommended because they are adapted to the local environment and require little water and few chemicals to survive.

[ORD [4414](#), 01/05/2007]

Effective on: 6/1/2012

Nature Trail. A public or private trail or other Pedestrian Way that provides pedestrian or non-motorized, multi-modal access within, through, or adjacent to a Natural Area, which is primarily a recreational amenity for the enjoyment of nature and does not provide a primary transportation connection between destinations. Nature Trails may be soft or hard surface.

Neighborhood Association Committee (NAC). A group of people who are residents, property owners, business owners, or representatives of a non-profit entity, such as a church, that are organized within the recognized boundary of a City of Beaverton established neighborhood area for the purpose of discussing a broad range of issues affecting the neighborhood and the community.

[ORD [4224](#), 09/19/2002]

Effective on: 6/1/2012

No-Climb Horse Fence. Galvanized wire mesh fence designed so horses' legs cannot get caught in the fencing.

Non-Exempt Surveyed Tree. Outside the Cooper Mountain Community Plan a tree ~~Trees~~ that fits within the definition of Surveyed Tree, with the exception of Nuisance Trees.

[ORD [4348](#), 05/19/2005]

Effective on: 6/1/2012

Non-Native. A type of plant that is not local to an area, but rather originates from another place ~~If a tree species is not listed as native on the City of Beaverton Tree List, then the tree species shall be considered non-native for the purposes of this Code.~~

[ORD [4348](#), 05/19/2005]

Effective on: 6/1/2012

Non-Pole-Mounted Luminaires. Non-pole mounted Luminaires consists of Luminaires vertically or horizontally attached to building or structural wall elevations, soffit Luminaires, recessed Luminaires, access Luminaires, and ground-mounted Luminaires.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

~~**Northern Lot Line.** The lot line that is the smallest angle from a line drawn east-west and intersecting the northernmost point of the lot, excluding the pole portion of a flag lot. If the north line adjoins an undevelopable area other than a required yard, the northern lot line shall be at the north edge of such undevelopable area. If two lot lines have an identical angle relative to a line drawn east-west, then the northern lot line shall be a line 10' in length within the lot parallel with and at a maximum distance from the front lot line (see Figure 2 – SOL).~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

~~**North-South Dimension.** The length of a line beginning at the mid-point of the northern lot line and extending in a southerly direction perpendicular to the northern lot line until it reaches a property boundary (see Figure 3 – SOL).~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

Nuisance Tree. Outside the Cooper Mountain Community Plan area, tree species that invade natural areas eventually resulting in their domination of native tree species. Includes those nuisance tree species listed in Section 40.90.10 of the Development Code. Inside the Cooper Mountain Community Plan area, tree species that are listed as Nuisance Trees on the City of Beaverton Tree List.

[ORD 4697, 12/02/2016]

Effective on: 12/2/2016

Nuisance Vegetation. Plant species that invade natural areas eventually resulting in their domination of native plant species. Includes those nuisance and prohibited species listed on ~~Metro's Native Plant List or in Clean Water Services' Design and Construction Standards~~ Clean Water Services' Design and Construction Standards, Appendix A (2019); Metro Native Plants for Willamette Valley Yards Booklet (2020); and Portland Plant List (2016). ~~Also see invasive and non-native.~~

[ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Nursery Stock. A plant obtained from or grown in a nursery and intended to be planted out in the landscape.

Oak Woodlands. A general term to describe wildlife habitat with Oregon white oak (*Quercus garryana*) as the dominant tree species. The percentage of Oregon white oak tree canopy in Oak Woodlands can vary from 5 to 30 percent coverage (oak savannah), 30 to 60 percent coverage (oak woodland), to greater than 60 percent coverage (oak forest). Oak Woodlands are often associated with prairie habitat.

Obstructing Sign. A sign or sign structure situated so that any portion of their surfaces or supports will interfere in any way with the free use of a fire escape, exit, standpipe or exterior windows.

[ORD 4139, 02/08/2001; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Oregon Department of Aviation. State agency that is responsible for developing aviation as an integral part of Oregon’s transportation network; creating and implementing strategies to protect and improve Oregon’s aviation system; encouraging aviation-related economic development; supporting aviation safety and education; and increasing commercial air service and general aviation in Oregon.

[ORD 4248, 05/08/2003]

Effective on: 6/1/2012

Oregon Registered Landscape Architect. A person registered with the Oregon State Landscape Architecture Board to practice landscape architecture in Oregon.

Oversized Lot. Except in RMB, RMC, CM-RM, and RMA for lots where single-detached dwellings or middle housing are existing or proposed, a lot which is greater than twice the required minimum lot size allowed by the subject zoning district.

[ORD 4224, 09/19/2002; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Overstory Tree. Trees adapted to form the highest layer of vegetation in a forest with direct exposure to sunlight.

Owner. The owner of record of real property as shown in the records of Washington County Department of Records and Elections, or a person purchasing a piece of property under contract, or a public body or public agency with authority to exercise the power of eminent domain which has formally enacted a resolution of its intent to acquire the property described in the application.

[ORD 3995, 12/18/1997]

Effective on: 6/1/2012

Parking, Tuck-Under. Tuck under parking is unenclosed parking located below the unit where parking is accessed from an open parking drive, at grade or below.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Parks Overlay Open Space Developable Area. The developable area for Parks Overlay open space is defined as the proposal size expressed in acreage minus any undevelopable area. The following areas are deemed undevelopable for the purposes of calculating developable acreage:

1. Environmentally constrained lands, such as open waters, floodplains, water quality facilities, wetlands, resource areas, and tree preservation areas; and
2. Topographical features with a slope equal to or greater than:
 - a. 25 percent shall deduct 100 percent of the applicable area, or
 - b. 15 percent shall deduct 50 percent of the applicable area.

Partition. Either an act of partitioning land or an area or tract of land partitioned as defined in Chapter 90.

[ORD 3226, 11/04/1981]

Effective on: 3/20/1998

Plat. Includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

[ORD 3226, 11/04/1981]

Effective on: 3/20/1998

Plaza. A continuous open outdoor space which is readily accessible to the public at all times, predominately open above and designed specifically for use by people as opposed to serving as a setting for a building.

[ORD 4005, 02/05/1998]

Effective on: 6/1/2012

Pole (Wireless Communications Facilities). A type of structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or similar function, or for collocation of small wireless facilities; provided, such term does not include a tower, building or electric transmission structures.

[ORD 4804, 08/13/2021]

Effective on: 8/13/2021

Pole Sign. A freestanding sign connected to the ground by one or more supports, with the lower edge of the sign separated vertically from the ground.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

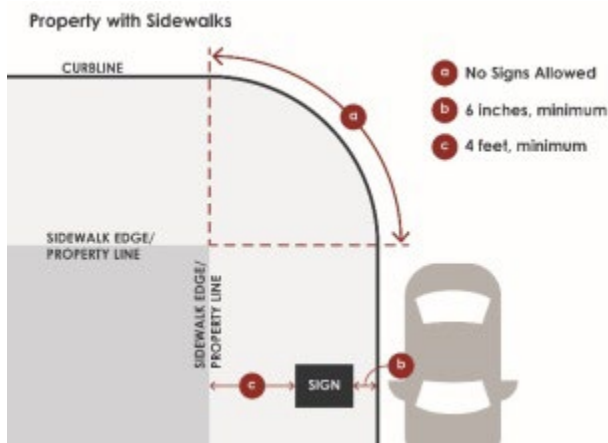
Porous Pavement. Also known as permeable or pervious pavement, a stormwater management system that allows water to move through void spaces within pavement and eventually infiltrate into underlying soils.

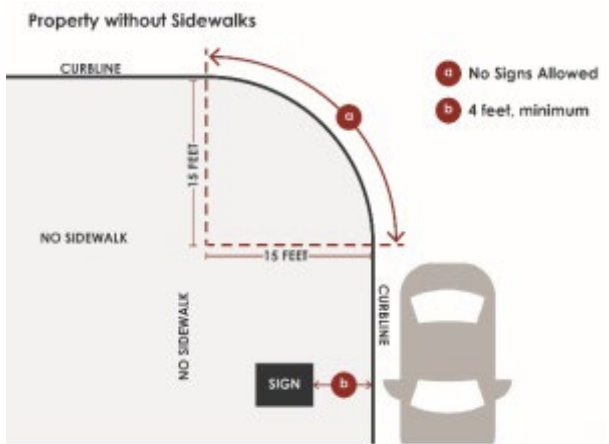
Portable Sign. A temporary sign placed in one (1) location that is not permanently connected to the ground or a structure, or carried or moved during display.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Portable Sign in Public Right-of-way Graphic. For the purpose of clarifying permissible locations of portable signs placed within public right-of-way, consistent with standards, the following graphic is provided.





[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

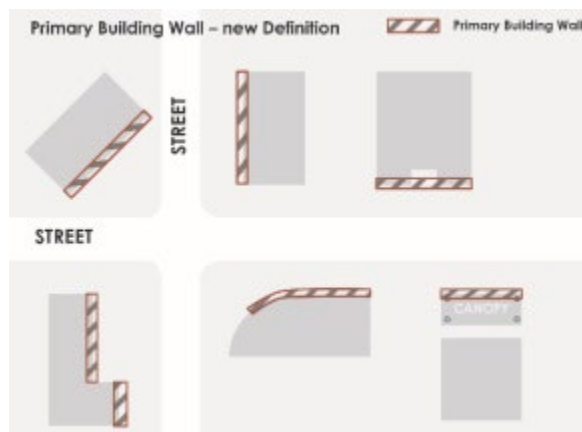
Prairie. A general term to describe wildlife habitat with grasses and grass-like plants as the dominant plant species. Two main types of Prairies in the Willamette Valley include Upland Prairies characterized by perennial bunchgrasses and wildflowers, and Wet Prairies which support facultative or obligate wetland plant species such as sedges and camas. Prairies are often associated with Oregon white oaks (*Quercus garryana*).

Preservation. The identification, study, protection, restoration, rehabilitation, or enhancement of designated Landmarks.

[ORD 3561, 05/29/1987]

Effective on: 3/20/1998

Primary Building Wall. For the purpose of calculating the maximum sign area, the primary building wall is the length of a single building wall positioned to face the frontage of a street. For buildings located along two or more streets, the primary building wall is the longest street-facing building façade. For curvilinear and varied building walls, the following graphic is provided as a guide for applying the definition:



[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Primary Entrances. Any building entrance that is accessible to all building users, including employees, customers, residents and visitors. A primary entrance is typically emphasized over other entrances by architectural features such as weather protection, materials changes, massing changes, and/or special features such as lobbies, reception areas, and other semi-public interior spaces designed to receive building users. Primary entrances provide weather protection and are typically distinguished from Secondary Entrances using architectural design features such as changes in material or massing. Buildings with multiple tenants or multiple dwelling units may have more than one Primary Entrance.

[ORD 4332, 01/01/2005; ORD 4706, 05/19/2017]

Effective on: 5/19/2017

Primary Façade Plane. For sites within the Downtown District, the single most predominant vertical plane of any building elevation

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Property Line Adjustment (Lot Line Adjustment). The adjustment of a property line between two (2) lots of record by the relocation of a common boundary where an additional lot is not created and where the number of existing lots is not reduced, and the resulting lots do not conflict with the minimum requirements of the zoning district in which they are located.

[ORD 3226, 11/04/1981; ORD 4405, 10/19/2006; ORD 4487, 08/21/2008]

Effective on: 6/1/2012

Protected Tree. Outside the Cooper Mountain Community Plan area, includes includes Significant Individual Trees, Historic Trees, Trees within a Significant Natural Resource Area or Significant Grove, and Mitigation Trees.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Pruning, Minor. Removal of less than 10% of a tree's canopy or disturbance of less than 10% of a tree's root system.

[ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Public Buildings. Structures, services, and uses such as City Hall, Post Office, Police and Fire Stations.

[ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Public Dog Park or Dog Run. A component of a public park, containing a fenced area designated for dogs to exercise and socialize off leash. Elements of a dog park or dog run may include but are not limited: a perimeter fence, separate areas for small and large dogs, appropriate surfacing for the chosen location, seating (benches), shade, fountain or other appropriate water source, covered trash receptacles, dog waste bag dispensers, and regulatory signage. Private dog parks or dog runs that are offered as an amenity for the residents of a housing development or associated with a subdivision are accessory uses, not Public Dog Park or Dog Run uses.

[ORD 4782, 04/17/2020]



Effective on: 4/17/2020

Public Park. Outdoor areas, operated by the Tualatin Hills Park & Recreation District or other public agency, that provide recreational opportunities to city residents and visitors. Public Parks contain open and/or natural areas and may include components such as playgrounds, dog parks, sports fields and courts, trails, picnic grounds, and related facilities.

Public Park, Community. A large public park, operated by the Tualatin Hills Park & Recreation District or other public agency, that is typically more than 8 acres in size and is intended to meet a wide variety of community recreation needs, including open areas for active recreational opportunities and natural areas for passive recreational opportunities. Community Parks serve large geographic areas and are designed to draw visitors from across the park district and region.

Public Park, Neighborhood. A public park, operated by the Tualatin Hills Park & Recreation District or other public agency, that is typically 2 to 8 acres in size and is intended to meet the recreational needs of neighborhood residents. Neighborhood Parks generally include play areas, small open areas for active recreation, green space, and natural areas for passive recreation.

Public Sign. A sign erected, constructed, or placed within the public right-of-way or on public property, by or with the approval of the governmental agency having authority over, control of, or ownership of the right-of-way or public property.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Redevelopment Potential. Redevelopment potential exists when assessed building value per square foot is less than 50 percent of the mean value per square foot of surrounding buildings on lots within a 500 foot distance as measured from any point of the property line.

[ORD 4302, 06/10/2004]

Effective on: 6/1/2012

Regulated Affordable Housing. Housing developments where the combined average income of all households served is 60% percent of the area median income (AMI) or less, evidenced by agreement or statutory regulation that restricts or limits resident income levels and rents for a minimum of 60 years. If a provision of this Code identifies a different Regulated Affordable Housing household income threshold, such as 80 percent of the AMI or less, the combined average income shall be evidenced by agreement or statutory regulation that restricts or limits resident income levels and rents for a minimum of 60 years.

Repair and Replacement. The definition of both of these terms, as it applies to the Transportation Facilities application, is located in the *Engineering Design Manual and Standard Drawings*.

[ORD 4332, 01/01/2005; ORD 4418, 02/22/2007; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Roof Sign. A sign that is erected, maintained and displayed above the top of an exterior wall.

[ORD 4139, 02/08/2001; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Root Barrier. Membranes or sheets installed vertically in the soil to limit or direct the growth of tree roots away from improvements to prevent, limit, or delay damage by tree roots.

Root Path. A method for increasing soil volume available for tree growth by connecting an area of limited soil volume such as a street tree cutout, under pavement such as a sidewalk, to a larger soil volume such as a front yard landscaping area using soils under pavement such as structural tree soils.

Root Protection Zone. Inside the Cooper Mountain Community Plan area, the surface area of tree root concentration to be protected from construction damage, measured at a minimum of one-foot radius (measured horizontally away from the center of the tree trunk) for each inch of DBH.

Root Zone. Outside the Cooper Mountain Community Plan area, root zone is the aArea of the ground around the base of the tree measured from the trunk to 5 feet beyond the outer base of the branching system.

[ORD 3740, 08/21/1990]

Effective on: 3/20/1998

Rotating Sign. A sign structure wherein any physical part turns about on an axis and rotates or revolves.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Sign Associated with Drive-up Window Facility. A sign placed along the approach to a drive-up window facility that may include communication devices.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Significant Grove. Outside the Cooper Mountain Community Plan area, Grovesgroves that are mapped on the City's Inventory of Significant Trees and Groves, that have a unique identification code and include all species within the grove boundary as listed in the inventory documents for that grove code.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Significant Natural Resource Area (SNRA). Outside the Cooper Mountain Community Plan area, Resourceesresources identified in Volume III of the Comprehensive Plan as "significant" pursuant to Statewide Planning Goal 5.

For the South Cooper Mountain Community Plan area Significant Natural Resource Areas include Class I and II riparian habitat areas and Class A and B upland wildlife areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro Title 13 implementation for areas brought within the Metro UGB after December 28, 2005.

[ORD 4224, 09/19/2002; ORD 4652, 03/06/2015]

Effective on: 3/6/2015

Significant Tree. Outside the Cooper Mountain Community Plan area, Aa tree or grouping of trees that is mapped on the City's Inventory of Significant Trees and Groves, which has a unique identification code as listed in the inventory documents for that individual tree code.

[ORD 4348, 05/19/2005]



Effective on: 6/1/2012

Significant Tree and Grove Inventory Analysis. Outside the Cooper Mountain Community Plan area, The the inventory of significant trees and groves conducted under the direction of the Beaverton Board of Design Review in 1991. The criteria on which listed trees and groves were determined to be significant are as follows:

1. An individual tree shall be considered significant if the Board finds:
 - (a) The tree has a distinctive size, shape, or location which warrants a significant status; or
 - (b) The tree possesses exceptional beauty which warrants a significant status; or
 - (c) The tree is significant due to a functional or aesthetic relationship to a natural resource.
2. A grove as defined in Section 90 shall be considered significant if the Board finds that:
 - (a) The grove is relatively mature and evenly aged; and
 - (b) The grove has a purity of species composition or is of a rare or unusual nature; and
 - (c) The grove is in a healthy growing condition; or
 - (d) The grove has a crucial functional and/or aesthetic relationship to a natural resource.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Sight Clearance Area. A triangular shaped area in the vicinity of an intersection that must be kept clear of visual obstructions in order to maintain safe operation of the intersection. Sight clearance area standards are identified in the Engineering Design Manual.

[ORD 4302, 06/10/2004; ORD 4462, 01/10/2008]

Effective on: 6/1/2012

Social Organizations. Social and fraternal organizations.

[ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Soil Volume. A measurement of the length, width, and depth of soil substrate with the ability to support tree or plant root growth typically expressed in cubic feet.

Solar Access. Access to sunlight.

~~**South or South Facing.** True south, or 20 degrees east of magnetic south.~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

Square Footage. [ORD 4079; December 1999] In all instances in the Development Code where the text reads "square feet" or "square footage", the term shall mean "gross square feet" or "gross square footage" except in those instances where the Development Code text specifically reads "net square feet" or "net square footage". In those instances, "net square feet" or "net square footage" shall apply. [ORD 4584; June 2012]

[ORD 4107, 05/02/2000]

Effective on: 6/1/2012

Story. That portion of a building between any floor and the next floor above, except that the topmost story shall be that portion of a building between the topmost floor and the ceiling or roof above it. If the finished floor level directly above a basement, cellar, or unused under floor space is more than six feet above grade at any point, such basement, cellar, or unused under floor space shall be considered a story.

Effective on: 3/20/1998

Stream or Spring, Intermittent. A stream or spring that consistently does not have year-round water or saturated soil within the channel or swale in a year with wet to average precipitation patterns. Intermittent flow must occur with some degree of regularity and must be in a definite direction. The methodology for determining the intermittent status of springs or streams shall follow the methodology in Clean Water Services' Design and Construction Standards.

Stream or Spring, Perennial. A stream or spring that has year-round water or saturated soil within the channel in a year with wet to average precipitation patterns. A stream will be considered perennial unless determined to be intermittent using one of the criteria outlined in Clean Water Services' Design and Construction Standards.

Street. A public way which affords the principal means of access to abutting property.

Effective on: 3/20/1998

Support Structure (Wireless Communications Facilities). A "structure" as defined by the FCC in 47 C.F.R. § 1.6002, as may be amended or superseded, means a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of services).

[ORD 4804, 08/13/2021]

Effective on: 8/13/2021

Surveyed Tree. Outside the Cooper Mountain Community Plan area, trees on a proposed development site that are required to be identified in a Tree Plan application. Trees required to be surveyed include all trees greater than or equal to ten (10) inches DBH (including nuisance trees) and the following trees greater than or equal to six (6) inches DBH: western hemlock (*Tsuga heterophylla*) or mountain hemlock (*Tsuga mertensiana*) trees, Pacific madrone (*Arbutus andrachne*) trees, and big-leaf maple (*Acer macrophyllum*) trees. Inside the Cooper Mountain Community Plan area, Surveyed Trees are all trees inventoried in development situations and proposed for removal in non-development situations.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Sustainable Building Practices. Land preparation, materials selection, life-cycle of the building (construction, operation and maintenance, demolition). Sustainable building includes such practices as redevelopment of inefficiently designed or environmentally damaged sites; job-site recycling of construction materials; native vegetation landscapes; stream and wetland protection and restoration; natural drainage; energy and water efficiency; low toxicity materials; recycled materials; reduced use of land and materials; and design for re-use.

[ORD 4430, 04/19/2007]

Effective on: 6/1/2012

Sustainable Landscape Practices. Landscape maintenance and design that limits the use of herbicides, fertilizers, and pesticides by planting native plants and appropriate ornamentals and uses METRO certified composted mulch to amend soils and mulch plant beds. These practices naturally fertilize the soil and reduce irrigation and fertilizer needs by creating healthy soils. Sustainable landscape practices also include the concept of creating multi-functional landscapes that can serve various purposes. For example an area may be designed to manage runoff, provide screening, wind protection habitat, and serve active open space use.

[ORD 4430, 04/19/2007]

Effective on: 6/1/2012

Temporary Living Quarters. Temporary living accommodations ~~that can be rented out for an increment of less than 30 days,~~ such as: Hotels, Motels, Extended-Stay Hotels, Bed and Breakfasts, or Boarding, Rooming or Lodging House. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.

[ORD 3975, 03/07/1997; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

Temporary Real Estate Office. A permanent structure that is used as an office for the purpose of selling real estate on a temporary basis. This definition does not include model homes, unless a sales office is located within the model home.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Terrace. For sites within the Downtown District, an area raised above grade, often delineated by a retaining wall or slope, that is adjacent to a building.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Thinning. The selective removal of trees from a grove to reduce excessive competition for resources between trees thereby improving the health of the remaining trees.

Through Lot. A lot other than a corner lot with frontage on more than one public or private street. In the case of a through lot, each street has a front lot line.

[ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Tree Box Filter. Tree box filters are essentially 'boxed' bio-retention cells that are placed at the curb (typically where storm drain inlets are positioned). They receive the first flush of runoff along the curb and the storm water is filtered through layers of vegetation and soil before it enters a catch basin.

[ORD 4414, 01/05/2007]

Tree Canopy. The shape of a tree produced by the outer most leaves. A tree's canopy cover is equal to the area within the drip line. The equation for determining tree canopy area is $3.1416 \times (r)^2 = x$ square feet (r being the radius from the center of the trunk to the drip line measured in feet). EXAMPLE: The tree canopy area for one tree with a radius of 20 feet will be equal to $3.1416 \times (20)^2 = 1,257$ square feet. The area covered by the outermost branch of the tree by determining the area of the circle, with pi being 3.1416, based on a radius from the trunk's center to the outermost branch of the tree that is the farthest away from the trunk's center. If the tree has multiple trunks, the applicant shall select a single trunk to use as the basis for the calculation. (EXAMPLE: The tree canopy area for one tree with a radius of 20 feet will be equal to $3.1416 \times 20^2 = 1,257.64$ square feet). The resulting number, if not a whole number, shall be rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number

[ORD 4414, 01/05/2007]

Tree Canopy, Mature. The expected size of the tree canopy at 10 years. Mature tree canopy listed on the City of Beaverton Tree List, unless otherwise specified in Development Code standards, or as determined by the City Arborist for trees not on the tree list based on the typical canopy spread of the tree at maturity.

[ORD 4414, 01/05/2007]

Tree Establishment. The period after planting a new tree until the tree's annual growth rate becomes more consistent. During the establishment period, shoots and trunk grow more slowly than they did before planting. When the growth rate becomes more consistent from one year to the next, the tree is considered established. During the establishment period, trees typically require supplemental irrigation during the late spring, summer, and early fall months and other periods of low or inconsistent rainfall. The tree establishment period typically lasts at least three growing seasons after planting.

Trellis. An open framework of wooden or metal bars, primarily used as a support for fruit trees or climbing plants. May include a gateway with a roof formed by trees or climbing plants trained over a framework of wooden or metal bars.

[ORD 4857, 10/03/2024]

Effective on: 10/3/20X24

Triplex. See "Dwelling Types."

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Understory Tree. Trees that thrive and reproduce in the light and shade conditions beneath existing tree canopy.

Undevelopable Area. An area that cannot be used practicably for a habitable structure, because of natural conditions, such as slopes exceeding 20% in a direction greater than 45 degrees east and west of true south, severe topographic relief, water bodies, or conditions that isolate one portion of a property from another portion so that access is not practicable to the unbuildable portion; or manmade conditions, such as existing development which isolates a portion of the site and prevents its further development; setbacks or development restrictions that prohibit development of a given area of a lot by law or private agreement; or existence or absence of easements or access rights that prevent development of a given area.

[ORD 3619, 09/01/1988]

Effective on: 3/20/1998

Wall Sign. A sign attached to, erected against or painted on an exterior wall of a building.

[ORD [4139](#), 02/08/2001]

Effective on: 6/1/2012

Wetland. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetland categories are determined using Clean Water Services' Design and Construction Standards.

Wholesale. The bulk sale of goods primarily for resale to a person other than the direct consumer, and is typically not open to the general public.

[ORD [4782](#), 04/17/2020]

Effective on: 4/17/2020

Wildlife Corridor. A linear area of Wildlife Habitat that provides a connection between larger patches of Wildlife Habitat.

Wildlife Habitat. The aquatic and terrestrial environments required for fish and wildlife to complete their life cycles, providing air, food, cover, water, and spatial requirements.

Window Sign. A sign permanently or temporarily attached to or placed within three (3) feet of a window to a building or structure in any manner so that the sign is used primarily as a stationary identification. Window signs include words, symbols, figures or images. Window signs include paint applied to the window area and adhesive vinyl film that is perforated to allow visibility through the window.

[ORD [4708](#), 06/08/2017]

Effective on: 6/8/2017

Wireless Communication Facility, Towers. A structure, tower, pole or mast solely dedicated to support one or more wireless communications antenna systems. For the purpose of this Chapter, such a support structure will be referred to generically as a "tower". Tower types include:

1. **Guyed Tower.** A tower that is supported by use of cables (guy wires) that are permanently anchored to the ground.
2. **Lattice Tower.** A tower characterized by an open framework of lateral cross-members that stabilize the structure.
3. **Monopole.** A single, upright pole, engineered to be self-supporting and requiring no guy wires or lateral cross-members.

[ORD [4248](#), 05/08/2003; ORD [4584](#), 06/01/2012]

Effective on: 6/1/2012

Wood Repurposing. The salvaging of wood waste from tree removal for uses such as building materials, furniture, art, and other uses to divert wood from landfills and ensure continued carbon storage in wood.

Yard. A required area of land on the same lot with a principal use unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts, other customary yard accessories, ornaments and furniture or other allowed accessory structures or uses may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

[ORD [4486](#), 07/24/2008; ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022



Cooper Mountain Community Plan Proposed Zoning Map

Proposed zoning

- Cooper Mountain Community Service (CM-CS)
- Cooper Mountain High Density Residential (CM-HDR)
- Cooper Mountain Multi-Unit Residential (CM-MR)
- Cooper Mountain Residential Mixed (CM-RM)
- Cooper Mountain Community Plan Boundary
- 2019 Taxlots
- Beaverton City Limits
- Park Overlay
- Parks and Natural Areas
- Arterial
- Collector
- Neighborhood Route
- Proposed Arterial
- Proposed Collector
- Proposed Neighborhood Route

