



Code Maintenance Project

Index – Chapter 20

Introduction

The purpose of this table is to provide an overview of the proposed Beaverton Development Code changes being considered with the Code Maintenance Project, to be considered by the Beaverton Planning Commission on July 31, 2024 and Beaverton City Council on September 3, 2024.

This is a list of proposed changes and a summary of the reason for the proposed changes. Additional changes may also occur in response to Planning Commission or City Council feedback at the public hearings.

This table corresponds to proposed "redlines" which are also available as exhibits to the staff report. This index is intended to provide a brief description of the Development Code changes being considered. Highlighted portions of the table are to identify additions or changes since the distribution of earlier shared drafts of proposed changes for the Commission to more easily identify updates from earlier versions.

Draft redlines can be found [here](#).

Code Section(s)	Summary of Proposed Text Amendment	Staff Comments
CHAPTER 20 – LAND USES		
Chapter 20	Change the name of the chapter and headers from "Land Uses" to "Zoning".	Currently, the word "land uses" have multiple meanings in the Beaverton Development Code (BDC). Changing the Chapter name and zoning district names from "land uses" to "zoning" is intended to provide clarity.
Section 20.05.15 - and Section 20.05.20.A	Add Single Room Occupancies (SROs) as a Permitted Use to all Residential zoning districts and establish development standards for the new use. SROs are permitted in every zone where single detached dwellings are permitted but also in zones where five or more units are permitted on a lot. Within the RMA, RMB, and RMC zones, new single detached dwellings are permitted therefore, the standards applicable to SROs in	These changes are required as a result of HB 3395 .

	<p>those zones are proposed to match those that single detached dwellings are subject to. Within the MR zone, new single detached dwellings are not permitted, but five or more units on a lot are permitted, provided the minimum lot size is met, therefore, in the MR zone, SRO site development standards reflect those applicable to permitted attached housing types, such as multi-dwelling structures and townhomes. Within the MR zone and other zones that permit housing (other than RMA, RMB and RMC), the density requirements for SROs are proposed to be consistent with the density standards of the zone within which they are located. However, within the RMA, RMB and RMC zones, SROs shall meet the minimum density of the site, but shall not exceed 6 units per lot, as outlined in HB 3395. Therefore, a new footnote (footnote 22), is proposed for table 20.05.15 Residential Site Development Standards which would limit the maximum density of SROs, in the RMA, RMB and RMC zones to 6 units per lot. Additionally, SROs, by definition (HB 3395) contain "no fewer than four attached units", therefore, proposed footnote 23 states this requirements while also acknowledging that the minimum density of the zone must be met.</p>	
<p>Section 20.05.15, Footnote 11</p>	<p>A new definition of "Driveway" is proposed in Chapter 90 which has some effects on other sections of the Code, including Footnote 11 in Section 20.05.15.</p>	<p>Update necessary for clarity. Remove the word "common" from "common driveway" since "common driveway" is not defined, but "driveway" is</p>

	Proposed amendment includes removing "common driveway" from the footnote, which is not defined.	proposed to be defined with this Code Maintenance Project.
Section 20.05.15.F	Remove footnote 18 which requires that setbacks are measured from a building façade to a lot line or nearest edge of shared access, whichever is closest to the building.	Measuring building setbacks to a lot line is standard practice however measuring "to the nearest edge of a shared access" was a new standard added with the recent Housing Options Project (HOP) code amendment. This new standard has proven to be a challenge for many middle housing developments that use shared accessways. Therefore, proposed change includes removing the footnote 18 completely. Setbacks will continue to be measured from the property line.
Section 20.05.15.H	Proposed amendment includes adding another row for "Non-Residential Uses and Conditional Uses" under the Maximum Floor Area Ratio (FAR) site development standard and clarifying that these uses are exempt from the maximum FAR standards.	The current code permits some non-residential uses and conditionally allows others in the Residential zones but is silent on which, if any, maximum FAR standards apply to them. Therefore, the proposed amendment recommends that permitted non-residential uses and conditional uses are exempt from the maximum FAR standard. All other standards such as building height, setbacks, and lot dimensions are still applicable.
Section 20.05.20.A	Proposed amendment to edit footnote 1 to include "and structures".	Footnote 1 allows existing single detached dwellings in commercial zones to remain and acknowledges them as "permitted". The footnote also includes "their accessory uses". The current code has

		<p>one definition for “Accessory Structure and Use”. Proposed amendments to Chapter 90, include creating two separate definitions of “Accessory Structure” and “Accessory Use” as a use may not need a structure. Therefore, the proposed amendment is consistent with the current intent of the footnote but is being updated to reflect proposed changes with this Code Maintenance Project.</p>
<p>Section 20.10.20.A</p>	<p>The proposed amendment includes removing the Conditional Use requirement from housing in the NS zone, while retaining the limit on how much of the zone can be developed residentially.</p>	<p>The NS zone, a Commercial zone, currently requires Conditional Use approval for the development of residential uses and limits residential use to 50 percent of the contiguous NS zoned area. The proposed amendment would allow for the development of housing outright (without a Conditional Use) but would maintain the 50 percent cap in place. The proposed language also clarifies that the 50 percent maximum contiguous area limit is only applicable to ground floor uses, residential units located above ground floor non-residential uses would not count towards the 50 percent limit, and excludes land used for public right-of-way and private streets, which are unbuildable areas. Residential uses are permitted outright in all other commercial zoning districts, even those that are intended to be more commercially focused, such</p>

		as the CS and GC zones. Changing the NS zone to allow for the development of housing without significant barriers is consistent with the other commercial zones and the city's broader policies oriented toward enabling the development of more housing supply.
Table 20.10.20.A	Add SROs as a Permitted Use to Commercial zoning districts. Pursuant to HB 3395, SROs shall be permitted in zones where the development of residential dwellings with five or more units are permitted.	These changes are required as a result of HB 3395 . The same standards and processes applicable to other permitted housing types in the Commercial zones must apply to SROs.
Section 20.10.20	Proposed amendment to edit footnote 10 to include "and structures".	Footnote 10 allows existing single detached dwellings in commercial zones to remain and acknowledges them as "permitted". The footnote also includes "their accessory uses". The current code has one definition for "Accessory Structure and Use" . Proposed amendments to Chapter 90, include creating two separate definitions of "Accessory Structure" and "Accessory Use" as a use may not need a structure. Therefore, the proposed amendment is consistent with the current intent of the footnote but is being updated to reflect proposed changes with this Code Maintenance Project.
Section 20.10.20	Footnote 14 exempts Food Cart Pods from Site Development Standards in Section 20.20.15. The proposed amendment clarifies that their amenities and accessory structures such as storage structures and restroom	This change is intended to clarify how to regulate structures typically associated with Food Cart Pods. Add a reference to Section 60.11, Food Cart Pod Regulations to clarify that only the food cart

	facilities are also exempt from some or all of the Site Development Standards.	pod amenities described in this section are exempt from Section 20.20.15.
Chapter 20- Table 20.10.20, Section 20.10.30, Section 20.10.35, Section 20.10.40	<p>The proposed amendment would exempt Animal Care, Major from having to be wholly enclosed.</p> <p>Animal Care, Major is a Conditional Use within all commercial zones. Animal Care, Major is defined (in Chapter 90 of BDC) as:</p> <p style="padding-left: 40px;"><i>Animal uses that provide outdoor facilities. Uses may include kennels, animal day care, and other similar uses.</i></p> <p>However, additional requirements for the NS, CS and CC zones identified in Sections 20.10.30, 20.10.35 and 20.10.40 require that all activity be conducted inside.</p>	<p>These sections acknowledge that some uses cannot or should not be wholly enclosed, for example, food cart pods, parks, and recreational facilities.</p> <p>Additionally, by definition, Animal Care, Major includes outdoor facilities. If the intent was for the restrictions in Sections 20.10.30, 20.10.35 and 20.10.40 to apply to Animal Care uses, then Animal Care, Major would have been prohibited, as the primary difference between Major and Minor Animal Care is that Major Animal Care includes outdoor facilities.</p>
Section 20.15.15	Clarify that the maximum FAR is 0.35.	The information was already in a footnote, the proposed change simply brings the information further up into the Site Development Standards table for ease of use.
Section 20.15.20.A.26	Add "Transmission Lines" as a Permitted use to all Employment/Industrial zoning districts.	The proposed change to add "Transmission Lines" to the Employment/Industrial zoning districts is necessary to allow them in these zones. Section 10.20.5 states that, "Uses of land not expressly allowed or not incidental to a Permitted or Conditional Use are Prohibited."
Section 20.15.20.A	Footnote 25 exempts Food Cart Pods from Site Development Standards in Section 20.20.15. Proposed amendments clarify that their amenities are exempt from Site Development standards as well.	Include "amenities" in footnote 25 and add "as described in Section 60.11" to clarify that only those amenities are exempt from Section 20.15.20. This change is intended to clarify how to

		regulate structures typically associated with Food Cart Pods.
Chapter 20 – Table 20.20.20.A	Add SRO as a Permitted use in all Multiple Use zoning districts that allow housing.	The proposed change is necessary to comply with HB 3395 .
Chapter 20 – Table 20.20.20.A	Add Accessory Dwelling Units (ADUs) as a Permitted use in all multiple-use zones where existing single detached dwellings are permitted.	Existing single-detached dwellings are permitted in most multiple-use zones. The proposed change to allow ADUs for existing single-detached dwellings in Multiple Use zones reflects the existing approach already taken in the city's commercial zones, where existing single-detached dwellings are permitted and ADUs are also permitted. By definition, (Chapter 90) an ADU is only permitted on the same lot as a single-detached dwelling, it is not permitted with any other kind of dwelling type.
Chapter 20 – Table 20.20.20.A	Remove footnote 48 – buildings larger than 10,000 square feet require a Conditional Use permit, and Footnote 9, limiting the building footprint for buildings involving a single use, from the Places of Worship use.	Proposed changes are necessary to comply with the Religious Land Use and Institutionalized Persons Act (RLUIPA).
Chapter 20 – Table 20.20.20.A	Footnotes 5 and 6. Add “accessory structures and uses” to the footnotes.	The proposed change ensures that existing single detached dwellings, as well as their existing accessory structures and uses are permitted. This does not prevent the addition of new accessory uses or structures, including Accessory Dwelling Units from being added to the site, pursuant to other proposed amendments.
Chapter 20 - Table 20.20.20.A	Proposed to remove footnote 8 from the use, "Service	Footnote 8 states that "Service Business/Professional Service" in the SC-MU zone are only

	<p>Business/Professional Service", in the SC-MU zone.</p>	<p>permitted in mixed-use developments that include residential. The zone purpose statement in Section 20.20.10 states that "The SC-MU District is generally located within one-half mile of light rail station platforms. Primary Permitted uses include office, retail, and service uses. Multiple use and residential developments are also Permitted with no maximum residential density. Manufacturing and industrial uses are limited. Minimum densities and intensities are required." The zone's purpose statement reinforces that a "primary" use in the zone includes "office" and "service uses". Therefore, limiting Service Business/Professional Services uses to only be permitted in conjunction with residential uses is inconsistent with the intent of the SC-MU zone.</p>
<p>Section 20.20.20.A</p>	<p>Footnote 68 exempts Food Cart Pods from Site Development Standards in Section 20.20.20. The proposed change clarifies that their amenities as described in Section 60.11 Food Car Pod Regulations, are also exempt from the Site Development Standards.</p>	<p>This change is intended to provide clarity to an existing footnote for how to regulate structures typically associated with Food Cart Pods.</p>
<p>Section 20.20.20.A</p>	<p>Add footnote 71 to exempt certain uses from minimum FAR.</p>	<p>Uses proposed to be exempt from minimum FAR are those that do not require a lot of floor area, or any, to function, such as parks. For such uses, the minimum FAR standard would be difficult or impossible to meet.</p>

<p>Section 20.25</p>	<p>Proposed changes to Section 20.25 include, but are not limited to, addressing minimum and maximum density separately, clarifying how to calculate minimum and maximum densities, and clarifying how to apply floor area ratio standards.</p>	<p>These changes are intended to make it easier to understand and apply existing minimum and maximum density and FAR standards.</p>
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