



Code Maintenance Project

Index – Chapter 60

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](#).

Other Code Section(s)	Summary of Proposed Text Amendment	Staff Comments
CHAPTER 60 – SPECIAL REQUIREMENTS		
Section 60.05	The Design Review Standard and Guideline headers do not always directly correspond to each other, although they should. In some cases, standards may be applicable to all uses in all zones, but the corresponding guideline is specific to a certain zone or use.	This inconsistency can make it challenging to apply and write findings for corresponding guidelines because the applicability is unclear. The proposed changes would fix the inconsistencies. Changes have been proposed to Design Review Guideline headers.
Section 60.05.12	Create a table which outlines which Design Review Standards and Guidelines apply to accessory structures, non-habitable buildings or structures not considered a building.	The Design Review Standards and Guidelines often refer to “buildings” and “structures”, however, definitions of “Building” and “Structure” in the Code are very broad. Therefore, the standards and guidelines are applicable to buildings or structures that they were not intended for. For example, a trash enclosure meets the definition of building and therefore would be subject to the minimum articulation and variety standard or guideline.

		The proposed amendments include a new applicability table (Table 60.05.12) which is intended to outline the applicability of Design Review Standards and Guidelines based on structure or building type, size, visibility, proximity to a public street and function.
Section 60.05.15.1.B-D	Clarify these design standards and how they're applied. For example, what does "visible from" mean? If design is relying on off-set walls for articulation, which pane (the one in the forefront or background) is used in the calculation? How is the 40-foot spacing measured? How is the 150 square foot area measured?	Proposed language would provide clarity so that these standards could be applied more accurately and consistently. Proposed draft changes are intended to provide more specificity about how to apply these standards. The proposed changes also include adding "doors" as a type of Permanent Architectural Feature that can count towards the minimum articulation and variety standard.
Section 60.05.15.4	Remove standard related to double wall construction.	Construction standards are regulated by applicable Building Codes and not the Development Code, therefore the proposed change would remove this requirement from the Development Code.
Section 60.05.15.6	For design standards that require street frontage occupation by a building, it's unclear what part of the building can be used to meet the requirement.	Proposed changes would add clarifying language to these standards to ensure they are applied consistently. The proposed change specifies that the standard applies to the ground floor of the elevation used to meet the standard.
Section 60.05.15.7.B-C	Change reference to Section 20.20.20 to Chapter 20.	The proposed change to replace the reference to Section 20.20.20, (specific to multiple use zones) with Chapter 20 more broadly is intended to capture those areas of the city that have a Major Pedestrian Route but

		are not within a multiple use zone.
Section 60.05.15.7.C	Acknowledge other ways of receiving a height adjustment, including a PUD. The current standard only references adjustment and variance applications or where credits have been earned through Habitat Friendly Development Practices.	Height adjustments can be granted through Adjustment and Variance applications but also through a PUD which is not reflected in this standard. The proposed language would include a reference to PUD as another approach for height adjustments offered in the Code.
Section 60.05.15.8	Rename this section to clarify when it applies (all non-residential buildings). Current title could potentially be interpreted to exclude industrial, and civic buildings.	Proposed change to rename the subsection title to include all types of non-residential-only developments. The proposed change includes replacing "buildings" with "zones". This change will mean that any type of building (not just commercial or multiple use) to which Design Review is applicable, will be subject to this standard if it is located within a Commercial or Multiple Use Zone (while continuing to exclude residential-only buildings).
Section 60.05.15.8	Clarify how this minimum glazing standard is applied.	Proposed changes would clarify how to apply this standard.
Section 60.05.10 and 60.05.35.10	Remove all sections that reference "eligible residential-only buildings" since those standards have been replaced by the Downtown Code (Chapter 70).	Proposed change to remove reference to "eligible residential-only buildings". No longer necessary.
Section 60.05.20.2.B and Section 60.05.20.3.A.2	Correct "principle" to "principal".	Correct grammatical error.
Section 60.05.20.2.C	Update the kinds of materials that can be used for screening equipment. The current standard requires that the screening material be the same as the 'primary building material'.	Most enclosures are proposed to be masonry and wood which are acceptable screening materials but are not always a primary material on the primary building. The proposed change would allow for the use of other durable materials that may not be the "primary" material used on the primary building.

<p>60.05.20.3</p>	<p>Clarify how many walkways into a site are required for frontages that are less than 300 feet.</p>	<p>The current standard may be interpreted to mean that a walkway into the site is only required when a site has at least 300 feet of frontage. Proposed amendment could include requiring a walkway for every 300 lineal feet, including up to 300 feet.</p>
<p>Section 60.05.20.5.E</p>	<p>Remove language that is no longer necessary from a standard.</p>	<p>The proposed change includes removing language that explains what a “driveway” is for the purposes of the standard. Proposed changes to Chapter 90 include new definition of “Driveway” and “Drive Aisle” which reflect this explanation and therefore including it in the standard is redundant.</p>
<p>Section 60.05.20.7.A</p>	<p>Remove the requirement for a Sidewalk Design Modification (SDM) application.</p>	<p>The sidewalk dimensions required in this standard are not the same standard dimensions identified in the Engineering Design Manual (EDM). Thresholds for when an SDM application is required can be found in Section 40.58.</p>
<p>Section 60.05.20.7.B</p>	<p>The proposed amendment explains how to apply the standard in a potential situation when an onsite walkway abuts the street.</p>	<p>This standard can create a situation where there are two 10-foot-wide sidewalks (one onsite and one in the right-of-way) right next to each other. The proposed language is intended to provide clarity for these kinds of situations, explaining that the standard is not intended to be cumulative.</p>
<p>Section 60.05.25, 60.05.45 and Chapter 90</p>	<p>Clarify the various terms used to refer to “landscaping”, including:</p> <ul style="list-style-type: none"> • Landscape • Required open space • Common open space • Active open space • Passive open space 	<p>Proposed changes are intended to clarify and simplify the use of these terms. The proposed changes include consistently using “Open Space” to refer to the minimum amount of overall open space required on a site. Open Space can consist of Active Open Space, Passive</p>

	In some sections of the Code, they appear to be used interchangeably.	Open Space or Common Open Space (Common Open Space proposed to be added to the definition of Open Space in Chapter 90). Proposed amendments also include removing Section 60.05.25.2.C, since these standards can be modified by addressing the corresponding Design Review Guideline(s).
Section 60.05.25.1-3	Correct the applicability of the corresponding design guidelines. The standards do not specify a zone to which these standards apply, however, the corresponding guidelines apply to residential uses in residential zones only.	The proposed changes include correcting the corresponding design guidelines (Section 60.05.45) to be consistent with the design standard – the residential landscape and open space requirements would apply to residential-only developments in all zones, not just residential zones.
60.05.25.3.G	Correct reference to Section 60.05.25.6.A.2.	Current code incorrectly references Section 60.05.25.6.A.2.
Section 60.05.25.4.F.2	Clarify that trees are required for plazas less than 300 square feet.	The proposed amendment clarifies that a minimum of one tree is required for plazas less than 300 square feet. The current code could be interpreted to mean a tree is only required when a plaza is at least 300 feet.
Section 60.05.25.13 and Table 60.05-2	Clarify how to apply landscape buffer requirements in zones where the setback is less than the buffer width.	Amend code sections to be consistent – reinforcing that landscape buffer widths cannot be wider than the underlying zone's setbacks except for non-residential uses and parks within Residential zoning districts.
Section 60.05.25.13.A.1	Remove the word “or” from the section to close a potential loophole.	The word “or” in this section creates an unintended loophole for any development located on one parcel, meaning most developments would not need to comply with the buffer standards. The proposed

		change includes removing the word "or" from the section.
Section 60.05.25.13.A	The current Code states buffer standards are not required where necessary for visual access, as determined by the City Traffic Engineer or City Police. It does not address areas used for pedestrian and vehicular access to the site.	The proposed change would add areas used for access, such as pathways and driveways that may need to cross a buffer area.
Section 60.05.35 , Section 60.05.40 , Section 60.05.45	Clarify applicability of Design Review Guidelines.	Proposed changes are intended to reflect the corresponding Design Review Standards more accurately.
Section 60.05.40.3.E-F	Update the reference to standards in Section 60.05.20.3 .	Section 60.05.40.3.E incorrectly references "Standards 60.05.20.3.A through H". There is no "G" or "H" as the list of standards ends with "F". The proposed amendment replaces "H" with "F". Similarly, the reference to standards in Section 60.05.40.3.F erroneously includes "G". The list of corresponding standards in Section 60.05.20.3 ends with "F" therefore the proposed amendment includes removing the reference to "G".
Section 60.05.40.5	Remove explanative text regarding driveways.	A new definition of "Driveways" and "Drive Aisles" is proposed in Chapter 90 therefore the explanation within the guideline is unnecessary.
Section 60.05.60.1.C	Add clarifying text to the applicability section.	Add "...unless otherwise noted" to capture standard that apply to a structure rather than parent lot.
Section 60.05.60.2.S12	Proposed amendments specify where storage areas can be located within a development.	The standard refers to lots but acknowledges facilities, such as solid waste storage can be shared. However, it's not clear in the current text if these facilities can be within a shared tract or if they must be on the same lot. The proposed change would clarify where these facilities can

		be located on a site, specifically, the proposed change allows for these storage areas to be located within a shared tract.
Section 60.05.60.3.S4	Clarify open space requirements for townhomes.	The proposed language would clarify that the standard is intended to apply on a per townhouse structure basis and remove reference to "parent lot".
Table 60.05-1	Clarify how the maximum lighting level is applied at property lines and make a distinction between property lines internal to a development site and external.	The proposed amendment is intended to clarify the application of Table 60.05-1.D.2, specifically, how the 0.5 foot candle limit applies to property lines. The current code states that maximum illumination permitted within five (5) feet of "any" property line is 0.5 foot candles. The proposed change clarifies that this applies to areas 5 feet beyond any property line. Proposed changes also include exempting internal property lines within a development under common ownership, and property lines that abut public right-of-way, from having to comply with this standard. Additional changes to Table 60.05-1 include replacing roadways with driveways and access drives with drive aisles for clarity.
Table 60.05-2	Update the footnotes in Table 60.05-2 to clarify how the buffer standards apply to non-residential uses and park in Residential zones.	The current notes and standards for landscape buffers are unclear. The proposed changes clarify that landscape buffer widths cannot be wider than the underlying zone's setbacks except for non-residential uses and parks within Residential zoning districts. A minor amendment to footnote 7 is proposed, removing the requirement that a modification

		<p>modifying a 20-foot buffer is subject to a public hearing as additional amendments with this Code Maintenance Project include changing the thresholds and approval criteria for the Design Review Two application, allowing up to three Design Review Guidelines to be addressed through the Type 2 process, which does not require a public hearing.</p>
Section 60.15.15.2	Remove "solar access".	BDC no longer has solar access standards. Solar access standards were removed from the Code with a previous text amendment.
Section 60.25.15	Clarify that loading berths are not required for residential-only uses.	Residential-only uses are not listed in Table 60.25.15. the proposed text would add a "residential-only" use category to the table. No loading berth minimum will be required with this Code Maintenance Project, consistent with current practice.
Section 60.25.20	Allow for loading berths to be located on the "site" rather than having to be on the same lot.	Proposed change would allow loading facilities to be located on a "site" which can consist of multiple lots and parcels under the same ownership, rather than requiring that the facility be located on the same lot as use it is serving. This is helpful for large sites like shopping centers or mixed-use developments that may have buildings on multiple lots but place their loading facilities in a shared tract.
Section 60.30.05	Clarify that all parking spaces must be hard surfaced.	The proposed amendment would add a standard to Section 60.30 requiring all parking to be hard surfaced.
Section 60.35.20.	Clarify applicability of section.	Building orientation standards for single detached dwellings and middle housing in the RMA, RMB and RMC zones in Section

		60.05.60. Building orientation standards for triplexes, quadplexes, townhouses and multi-dwelling structures outside the RMA, RMB and RMC zones are provided in Section 60.05.15-60.05.30. The proposed changes include clarifying that in all other cases, the standards in Section 60.35.20.2 shall apply.
Section 60.35.50.2.A	Remove reference to “solar access requirement (60.45.05)” which was repealed.	Repealed with Ordinance 4822, 06/30/2022.
Section 60.50.05	Provide additional clarity to the applicability of this section and update some standards to reflect other sections of the Code, such as Section 60.50.03 Accessory Dwelling Unit.	The proposed changes include clarifying that Section 60.50.05 only applies to single-detached dwellings and middle housing dwelling types permitted in the RMA, RMB and RMC zones and is therefore not applicable to commercial, mixed-use or any other non-residential uses. The proposed changes also include amending the setback standard which is currently based on the height of the structure and could be more restrictive than the underlying zone's minimum setbacks. The proposed setback standard is similar to the setback standards already applicable to Accessory Dwelling Units. The proposed amendment also removes the 25% maximum coverage requirement, as with reduced required yard areas, the 25% coverage is easily exceeded.
Section 60.50.10	Add solar panels to the list of “normal appurtenances places on or extending above the roof level...” and therefore exempt from maximum height limits.	Solar panels are often installed after buildings have been built and because the original building design didn't anticipate solar panels, exceeding the maximum height could be an issue. Proposed changes could include adding solar panels to



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		the list of appurtenances exempt from height restrictions.
Section 60.50.25.4	Remove churches and other religious or eleemosynary institutions from this requirement.	The proposed amendment to remove churches, and other religious or eleemosynary institutions from this additional restriction is in response to The Religious Land Use and Institutionalized Persons Act (RLUIPA).
Section 60.50.25.7	Special requirements for childcare and day care facilities.	Proposed change would remove childcare and day care facilities from this section. HB3109 prohibits local governments from imposing more restrictive regulations, fees or conditions for child care centers.
Section 60.55.10.B.7	Remove the lighting requirement from this section as it's already addressed in other parts of the code.	Lighting is covered under Design Review (Section 60.05.30 and Section 60.05.50 and Technical Lighting Standards Table 60.05-1) and Downtown Design Review (Section 70.20). Remove the lighting requirement from this section of the Code as it's already addressed in other parts of the code and creates confusion and procedural challenges.
Section 60.65.10	Add Downtown Design Review applications.	Utility undergrounding is required for Design Review applications and Land Division applications. The proposed change would now also include Downtown Design Review.