

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

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
<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 Facilities ⁷¹											
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
2. Dwellings	A. Accessory Dwelling Units	P	P	P	P
	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

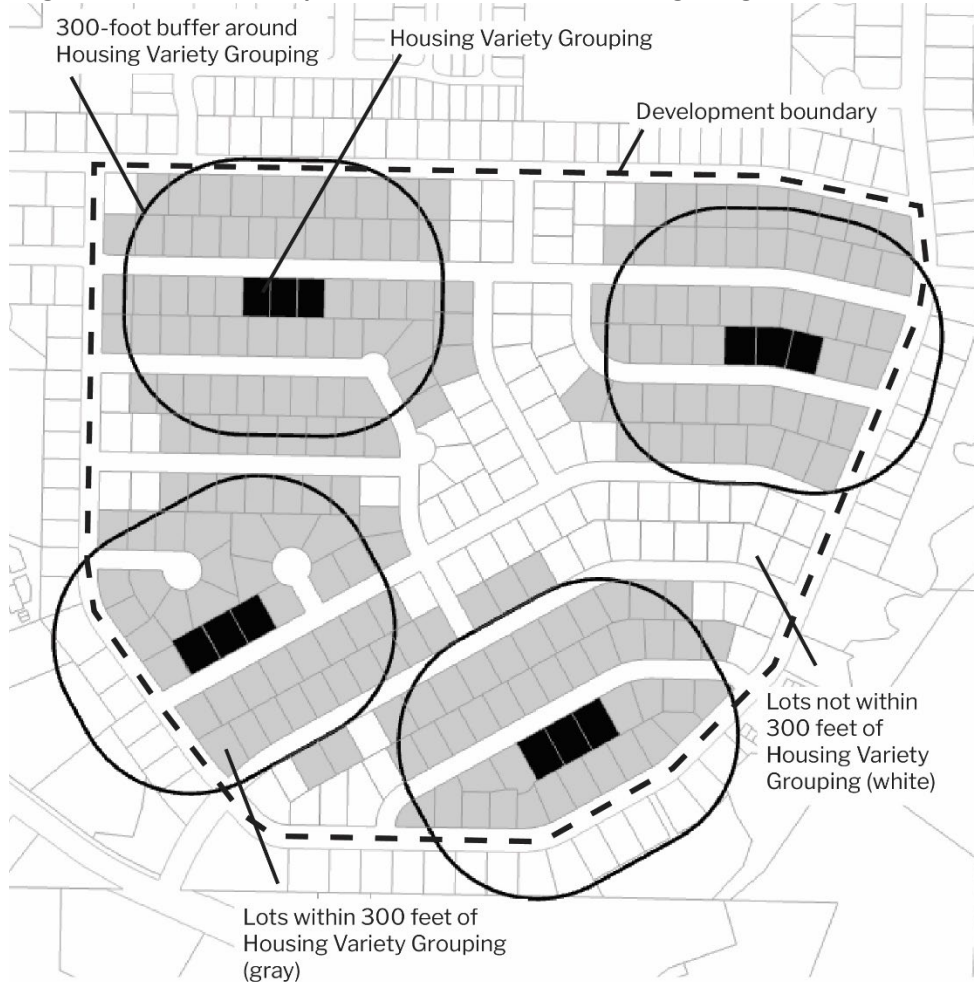


Figure caption: Four Housing Variety Groupings are shown with lots filled in with black. Four buffers are shown with a thin black line to indicate 300 feet from the outer edges of the Housing Variety Groupings. Lots within 300 feet of those groupings in the proposed development are filled in with gray. 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.

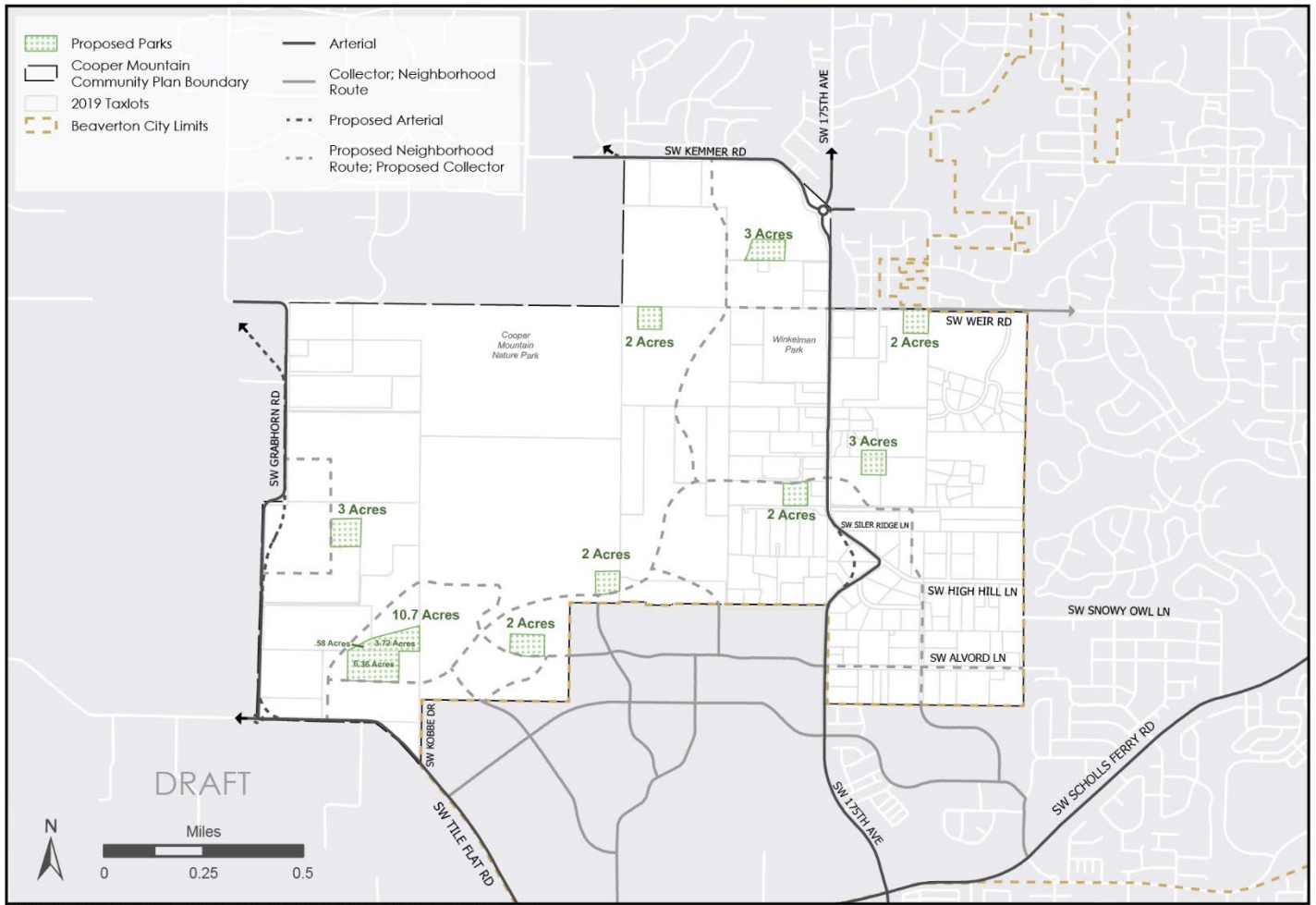
The Parks Overlay locations are geared toward sites that are able to accommodate common park and open space features such as a playground, playing fields, lawns, and other amenities that require relatively flat ground. Land use and site development standards are found in Chapter 20 with additional design 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

###