

Cooper Mountain Community Plan

EXHIBIT 10.7

Proposed Beaverton Code Amendments

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

Many existing definitions were omitted from this document to reduce the document size. The city’s full list of existing definitions is in [Chapter 90](#) of the Development Code.

Commentary:

A new definition for Land Division Housing Plan has been added to support changes in Sections 40.20, 40.21, 40.23, and 40.45. Specifically, new application approval criteria in these sections along with the new Land Division Housing Plan Amendment application in Section 40.45.15.11 provide a mechanism that ensures a project’s compliance with Site Development requirements of Section 20.22.15 like minimum density when no housing construction is proposed at the same time as a Land Division. The approval criteria will require compliance with either a previously approved Land Division Housing Plan associated with an existing Land Division or Land Division Housing Plan Amendment approval.

Many tree-related and natural resource-related terms also are proposed to be added to the Development Code to support standards in the proposed amendments, especially the Cooper tree code in Section 60.61 and the Resource Overlay code in section 60.37.

Solar access requirements were removed from the Development Code several years ago but several definitions that relate to solar access remain in Chapter 90, despite the terms no longer appearing anywhere else in the Code. These definitions include Northern Lot Line, North-South Dimension, and South or South Facing.

Flexible setback applications were removed from the Development Code in 2022 but two definitions that relate to flexible setbacks remain in Chapter 90, despite the terms no longer appearing anywhere else in the Code. These definitions include Abut and Compatibility, Flexible and Zero Yard Setbacks. In the case of Abut, only the parts of the definition that applied solely to flexible setback applications are proposed for deletion; the general definition of Abut is proposed to remain. The entirety of the Compatibility, Flexible and Zero Yard Setbacks definition is proposed for deletion.

DEVELOPMENT CODE OF THE CITY OF BEAVERTON

CHAPTER 90 - DEFINITIONS

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

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

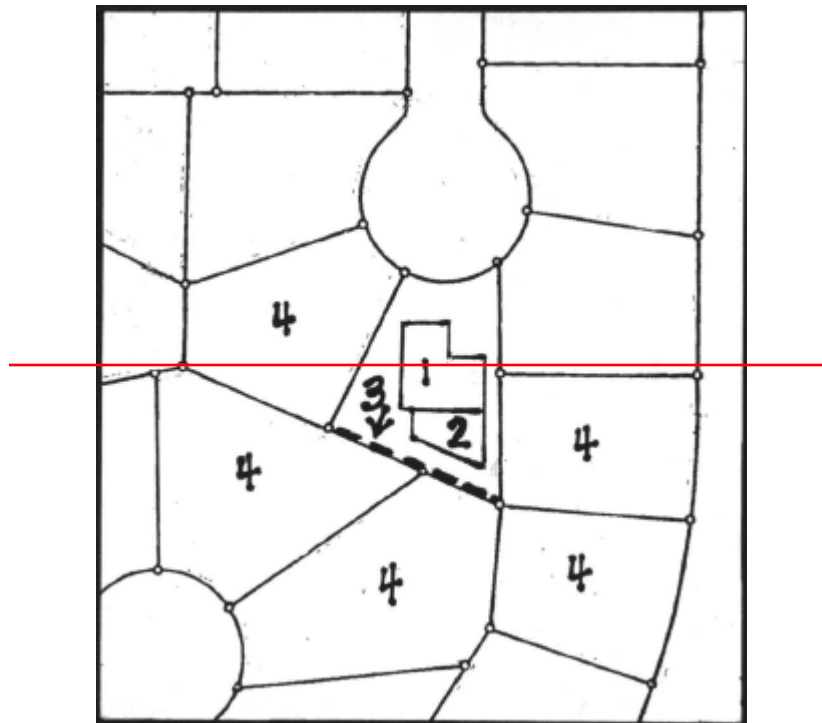
The term "shall" is always mandatory and the words "may" and "should" are permissive. [ORD 4659; July 2015]

The masculine gender includes the feminine and neuter.

[ORD 4224; September 2002]

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

Abut. Contiguous to; adjoining with a common boundary line. ~~For the purposes of defining an affected abutting property for a Flexible Setback request, the following graphic will guide the definition.~~



1. ~~Existing structure in conformance with building setbacks.~~
2. ~~Proposed new structure or addition requiring Flexible Setback approval.~~
3. ~~Affected lot line(s) subject to proposed reduced building setback~~
4. ~~Affected abutting properties required for endorsement by property owners. Affected properties includes common lot corners.~~

[ORD 4473, 03/27/2008]

Effective on: 6/1/2012

Access. The place, means or way by which pedestrians, vehicles or both shall have safe, adequate and usable ingress and egress to a property or use. A private access is an access not in public ownership or control by means of deed, dedication or easement.

[ORD 3494, 03/27/1986; ORD 4302, 06/10/2004]

Effective on: 6/1/2012

A-Frame Sign. A double-faced temporary sign composed of two (2) sign boards attached at the top and separate at the bottom, not permanently attached to the ground.

[ORD 4708, 06/08/2017]

Commentary

The definition of agricultural trees was written to cover a range of agriculturally managed trees in the Cooper Mountain Community Plan Area. Also, the definition does not include naturally occurring forested areas with a range of tree species, even if these areas are in forest deferral. ORS 527.722(2) states:

“Nothing in subsection (1) of this section prohibits local governments from adopting and applying a comprehensive plan or land use regulation to forestland to allow, prohibit or regulate:

- (a) Forest practices on lands located within an acknowledged urban growth boundary;
- (b) Forest practices on lands located outside of an acknowledged urban growth boundary, and within the city limits as they exist on July 1, 1991, of a city with a population of 100,000 or more, for which an acknowledged exception to an agriculture or forestland goal has been taken;
- (c) The establishment or alteration of structures other than temporary on-site structures which are auxiliary to and used during the term of a particular forest operation;
- (d) The siting or alteration of dwellings;
- (e) Physical alterations of the land, including but not limited to those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities, when such uses are not auxiliary to forest practices; or
- (f) Partitions and subdivisions of the land.”

Agricultural Trees. Trees that were planted by people, in identifiable rows or other patterns, with one or a limited number of species, and part of an existing or former agricultural use such as a horticultural nursery, holiday tree farm, edible fruit or nut orchard, or tree plantation. Trees that were not planted by people or occur in a randomized mix of ages and species and are not in identifiable rows or other patterns are not considered agricultural trees.

Agricultural Use. The term includes farming, dairying, pasturage, horticultural, floriculture, viticulture, apiaries, and animal and poultry husbandry; it does not include the operation of a feed lot or other commercial feeding of animals.

Effective on: 3/20/1998

Agriculture, Urban. The practice of growing plants or raising animals for human consumption within cities and suburbs.

Alley. A public way providing a secondary means of access to abutting properties.

Effective on: 3/20/1998

Animal Hospital. A place where animals are given medical or surgical treatment and related care.

Effective on: 3/20/1998

ANSI (American National Standards Institute) Z60.1. In the United States, industry-developed, national consensus standards for nursery stock.

Antenna. A device commonly in the form of a metal rod, wire panel or dish used for transmitting or receiving electromagnetic radiation. An antenna is typically mounted on a supporting tower, pole, mast or building.

[ORD 4248, 05/08/2003]

Effective on: 6/1/2012

At or Near a Major Transit Stop.

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

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

[ORD 3965, 11/07/1996]

Effective on: 6/1/2012

Automated Irrigation System. A system for delivering water to plants using a timer, sensor, or other electronic device that requires minimal human or manual intervention.

Automotive Services, Major. Service or repair to motorized vehicles, which affect the body or frame. This term includes: painting, bodywork, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical car washes that are used by and open to the general public.

[ORD 3975, 03/07/1997; ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Book Sharing Box. An Accessory Structure allowed in the front yard setback if the height is limited to 48 inches and volume is limited to 7 square feet, and the accessory structure is not in the Sight Clearance Area described in the Engineering Design Manual. A book-sharing box placed in an easement shall be subject to the terms of the easement.

[ORD 4857, 10/03/2024]

Effective on: 10/3/2024

Broadleaf. A tree or other plant that has broad or wide leaves rather than needlelike or scalelike leaves.

Building. Any structure built for the support, shelter or enclosure of persons, animals, or property of any kind.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Building Footprint. The plan view of a building or structure, measured from the outside edge of all exterior walls and supporting columns. The building footprint does not include patios; areas of porch, deck, and balcony less than 30 inches from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access. The footprint of each detached building or structure on a site is calculated separately.

[ORD 4414, 01/05/2007; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Commentary:

The Building Height definition is proposed to change to allow for more flexibility and variety in building design. The current definition treats all buildings the same, regardless of roof form, which means that the height of a building with a flat roof and the height of a building with a peaked roof are both measured from the grade plane the highest point of the building, which might discourage the use of roof types other than flat roofs. Measuring height to the midpoint of a peaked roof instead of the highest point recognizes that non-flat roof types have lesser impacts on light and air for neighboring properties.

Building Height. The vertical distance from grade plane to the highest ~~point of a sloped roof structure or in the case of a flat roof, the vertical distance from grade plane to the highest point of the parapet.~~ roof-type reference point. The methods for determining the roof-type reference point are as follows:

1. Flat roof (pitch is 4 in 12 or less): Measure to the highest point of the roof if there is no parapet, or to the top of the parapet
2. Mansard roof: Measure to the deck line.
3. Gabled, hipped, gambrel, or pyramidal roof: Measure to the average height of the gable.
4. Other roof types such as domed, shed, or vaulted shapes: Measure to the highest point of the roof.
5. Stepped or terraced building: Measure to the highest point of any segment of the building.

[ORD 3587, 01/01/1988; ORD 4542, 06/17/2010; ORD 4782, 04/17/2020]

Effective on: 4/17/2020

Building Line. A line parallel to the front lot line and passing through the most forward point or plane of a building.

Effective on: 3/20/1998

Cabinet Style Sign. A sign structure typically rectangular in shape that has a metal body and a polycarbonate face that does not include Electronic Message Center components.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Caliper Measurement. The ~~thickness~~ diameter of a trees measured in inches. Unless otherwise specified, a A caliper measurement for trees shall be measured taken at 12 inches above the soil line, or across the stump if the tree has been severed at less than 12 inches above the soil line.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Candle Power. The amount of light that will illuminate a surface one (1) foot distant from a light source to an intensity of one (1) foot candle. Maximum (peak) candle power is the largest amount of candlepower emitted by any lamp, light source, or luminaire.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Commentary:

“Canopy” is proposed for deletion because it is not possible to express an area as a “mass or volume.” In addition, the definition of “Tree Canopy” provides the required definition.

~~**Canopy.** Area of the tree above ground including the trunk and branches measured in mass or volume.~~

~~[ORD 3740, 08/21/1990]~~

~~Effective on: 3/20/1998~~

Canopy. A rooflike structure projecting from the elevation of a structure designed to provide overhead weather protection that maintains at least an eight foot (8’) clearance above the ground.

[ORD 4079, 12/09/1999; ORD 4107, 05/02/2000]

Effective on: 6/1/2012

Canopy Sign. A sign attached to or incorporated into a canopy.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Certified Arborist. An individual who has demonstrated knowledge and competency through obtainment of the current International Society of Arboriculture arborist certification, or who is a member of the American Society of Consulting Arborists.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

~~**Channelization.** The improvement of a waterway to ensure containment of flow within a designated alignment. The purpose for such is to minimize erosion and retain a long range capability to convey the maximum flow discharge. This work may be accomplished with the use of native materials, vegetation, rip-rap, as well as structural improvements.~~

~~Effective on: 3/20/1998~~

Child Care or Day Care Facility. A facility providing care for compensation for seven or more children during a 24-hour period. This includes: day nursery, nursery school group, or other similar unit operating under any name, but not including any:

- a. Facility providing care that is primarily educational, unless provided to a preschool child for more than four hours a day;

- b. Facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music, or religion;
- c. Facility providing care that is primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group;
- d. Facility operated by a school district, political subdivision of this State or a governmental agency;
- e. Residential facility licensed under ORS 443.400 to 443.455;
- f. Babysitters;
- g. Family Day Care or Group Home, which provides day care in the family living quarters of the provider, for not more than 16 children, including the provider's children. For this purpose only, a "child" shall mean a person under the age of 13 years. [ORD 3613; July 1988] [ORD 4462; January 2008]

[ORD 4365, 10/20/2005; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Community Garden. A garden or gardening on land that is owned by a community group, institution, special service district, or the City.

[ORD 4659, 07/10/2015]

Effective on: 7/10/2015

Community Tree. Outside the Cooper Mountain Community Plan area, A a healthy tree of at least ten inches (10") DBH located on developed, partially developed, or undeveloped land. Community Trees are not those trees identified as Significant, Historic, Landscape, or Mitigation Trees, trees within a Grove or a Significant Natural Resource Area, or trees that bear edible fruits or nuts grown for human consumption.

[ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Commuter Rail. A railway for passenger train service consisting of travel between or within metropolitan areas, central cities and suburbs. Commuter rail service may be either locomotive-hauled or self-propelled and is generally characterized by a limited number of stations, multi-trip tickets, specific station-to-station fares and railroad employment practices. Such commuter service may share the right-of-way of an inter-city or long-haul railroad or use new or vacated right-of-way.

[ORD 4295, 05/20/2004]

Effective on: 6/1/2012

Compact Detached Housing. See "Dwelling Types."

[ORD 4584, 06/01/2012; ORD 4652, 03/06/2015; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

~~**Compatibility, Flexible and Zero Yard Setbacks.** For the purposes of how the phrase "compatible with the surrounding area" is used in the Flexible and Zero Yard Setback for Proposed Residential Land Division and the Flexible Setback for Proposed Land Division applications, the phrase is defined as abutting properties and properties directly across the street from the proposed development. Properties directly across the street from the development shall be those properties perpendicular from the property line of the proposed development.~~

~~[ORD 4224, 09/19/2002; ORD 4486, 07/24/2008]~~

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

Comprehensive Plan. See "Beaverton Comprehensive Plan".

Effective on: 3/20/1998

Conifer. Cone-bearing tree or other plant that has its seeds in a structure called a cone.

Conservation Easement. Nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open space values of real property, ensuring its availability for agricultural, forest, recreational, or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Coverage, Building. That percentage of the total lot area covered by buildings, including covered parking areas.

Effective on: 3/20/1998

~~**Crown Cover.** The area within the drip line or perimeter of the foliage of a tree.~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

Cul-de-Sac. A short dead-end street with a circular turn-around at the end. Cul-de-sac length is measured along the centerline of the roadway from the near side right-of-way of the nearest through traffic intersecting street to the farthest point of the cul-de-sac right-of-way.

[ORD 3238, 01/28/1982; ORD 4302, 06/10/2004]

Effective on: 6/1/2012

Cutoff-Type Luminaire. A luminaire with elements such as shields, reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety (90) degrees.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Datum. For sites within the Downtown District and Cooper Mountain Community Plan area, a continuous linear element such as a signage band, cornice, or roof parapet that is maintained across the facade of a building as a visual reference point or continued across multiple buildings in a street wall to provide an architectural relationship between or among the buildings.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Day Care Facility. See "Child Care or Day Care Facility".

[ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Denial, Final. The decision to deny a proposal by the appellate decision making authority.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Density, Net. ~~The number of dwelling units per unit of land expressed as the number of acres of land per dwelling unit. The net density for any lot is computed by dividing the net acreage of the parcel by the number of dwelling units. The net density for any unit of land is the number of dwelling units on that unit of land divided by the net acreage of the unit of land.~~

[ORD 4046, 06/03/1999]

Effective on: 6/1/2012

De Novo. Considering the matter anew, the same as if it had not been heard before and as if no decision previously had been rendered.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Development. The act of bringing about growth or change; to construct or alter a structure, to make a change in use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

[ORD 4111, 07/14/2000; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Development. Any plat, partition, subdivision or planned unit development that is created under the city's land division or zoning regulations.

[ORD 3619, 09/01/1988; ORD 4111, 07/14/2000]

Effective on: 6/1/2012

Development, Area of Special Flood Hazard. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

[ORD 3563, 05/05/1987; ORD 4744, 10/17/2018]

Effective on: 10/17/2018

Development, Surface Stormwater. As it relates to Section 50.25., and pursuant to the Clean Water Services Design and Construction Standards manual, development shall refer to all human-induced changes of the following types to improved or unimproved real property: Construction of structures requiring a building permit if such structures are external to existing structures; land division; drilling; site alterations resulting from surface mining or dredging; grading; construction of earthen berms; paving; excavating; and clearing when it results in the removal of trees or vegetation which would require a City permit. The following activities are not included in the definition of development: Farming activities when conducted in accordance with accepted farming practices as defined in ORS 30.930 or under a Senate Bill 1010 water quality management plan, and construction on lots in subdivisions meeting the criteria of ORS 92.040(2).

[ORD 4155, 05/11/2001]

Effective on: 6/1/2012

Diameter at Breast Height (DBH). ~~The diameter of the trunk of a tree measured at 54 inches above natural grade. The diameter of the trunk of a tree measured 4.5 feet above the uphill side at the base of the trunk. If the tree splits into multiple trunks above ground, but below 4.5 feet above the uphill sides at the bases of the trunks, the diameter is measured at the narrowest part of the main stem below the split. Additional acceptable DBH measurement methods are described in the *Guide for Plant Appraisal, 10th Edition, Revised by the Council of Tree and Landscape Appraisers.*~~

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Direct Access. The provision for immediate ingress and egress of vehicles from an abutting property to an adjacent street.

[ORD 3238, 01/28/1982]

Effective on: 3/20/1998

District or Zoning District. A portion of the territory of the city within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Code.

[ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Disturbance Area. ~~An area identified in an approved development application that contains, or will contain, all allowed temporary and permanent activities and uses subject to Resource Overlay requirements in Section 60.37. A disturbance area may contain two subareas, the permanent disturbance area and the temporary disturbance area.~~

- **Disturbance Area, Permanent.** ~~The permanent disturbance area includes all areas occupied by existing or proposed structures, infrastructure, or exterior improvements (including landscaping). The permanent disturbance area also includes areas where vegetation is managed to accommodate overhead utilities, existing or proposed landscaped areas, and roadside areas subject to regular vegetation management to maintain safe visual or vehicle clearance.~~
- **Disturbance Area, Temporary.** ~~The temporary disturbance area is the portion of the site that will be disturbed for the proposed development but not permanently occupied by structures or exterior improvements (including landscaping). The temporary disturbance area includes staging and storage areas used during construction and all areas graded to facilitate proposed development on the site but will not be covered by permanent development. It also includes areas disturbed during construction to place underground utilities, where the land above the utility will not otherwise be occupied by structures or exterior improvements.~~

Double Face Sign. See “Faces”.

Effective on: 3/20/1998

Double Frontage Lot. See “[Through Lot](#)”.

Effective on: 3/20/1998

~~**Drip Line.** A line on the ground below the edge of the maximum overhead canopy of a tree.~~

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

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

Drive-In Use. Any commercial use which permits the driver to transact business from his automobile.

Effective on: 6/1/2012

Dwelling, Live/Work. See "Dwelling Types".

[ORD 4005, 02/05/1998; ORD 4058, 09/16/1999; ORD 4542, 06/17/2010; ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Dwelling Types.

- **Accessory Dwelling Unit.** [ORD 4782; April 2020] An additional dwelling unit on the same lot as a single-detached dwelling. The unit can be within or attached to the single-detached dwelling, a detached building or a manufactured home. If attached, the unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside. An accessory dwelling unit contains the minimum living facilities required by the current Oregon Structural Code or applicable ordinance to be classified as a dwelling unit. When adding a second unit to a property, if the second unit meets both the accessory dwelling unit definition and the duplex definition, the applicant can decide whether to apply for an accessory dwelling unit or a duplex. When adding a third unit to a property, the housing development would be classified as a triplex.
- **Cottage Cluster.** A grouping of detached dwelling units (cottages) with a density of at least four dwelling units per acre, a footprint of less than 900 square feet each, and that includes a common courtyard. Dwelling units may be located on a single lot, or on individual lots following a middle housing land division. No more than three dwellings on the same lot in a cottage cluster development shall be manufactured homes. Cottage clusters are considered a type of middle housing and are not considered single-detached dwellings for the purposes of this code.
- **Duplex.** Two dwelling units total on a single lot in any configuration. If detached, each unit could be a site-built home or a manufactured home. The units may also be located on two child lots created through a middle housing land division. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.
- **Live / Work.** [ORD 4058; September 1999] [ORD 4542; June 2010] A dwelling unit combining Residential use types with Commercial or Limited Industrial use types. This Use Classification ~~includes, but is not limited to: HOffice, Live/Work Facilities or other similar uses, but~~ is not a Home Occupation.
- **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction. Manufactured homes do not include prefabricated structures as defined in ORS 455.010 (Building Code). [ORD 3846; May 1993]
- **Manufactured Home.** For floodplain regulation purposes the term "manufactured home" also includes recreational vehicles, park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days if permitted to be placed on a permanent foundation, permanently connected to utilities, or anchored to the land. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. [ORD 3563; May 1987] [ORD 4392; July 2006] [ORD 4782; April 2020]
- **Mobile Home.** A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction. [ORD 3846; May 1993]

- **Multi-Dwelling.** In MR, CM-MR, Commercial ~~Land Use Zoning~~ Districts, and Multiple Use ~~Land Zoning~~ Districts, attached dwellings in any number or configuration, unless that number or configuration is prohibited in that zoning district (for example, if duplexes are prohibited in the zoning district, two-unit multi-dwellings are also prohibited). For the purposes of Mixed Use Development or Multiple Use Development, the units may be attached to another use that is also allowed in that zoning district. In RMA, RMB, ~~and~~ RMC, and CM-RM, a structure that contains five or more dwelling units that share at least one common wall, floor, or ceiling with one or more units. In all zones, the land underneath the multi-dwelling is not divided into separate lots.
- **Quadplex.** Four dwelling units total on a single lot in any configuration. If detached, each unit could be a site-built home, but only three units can be a manufactured home. The units may also be located on four child lots created through a middle housing land division.
- **Single-detached dwelling.** A dwelling unit that is not attached to any other dwelling, excluding accessory dwellings, and that is located on its own lot. Dwelling units on individual lots that are part of a duplex, triplex, quadplex or cottage cluster are not single-detached dwellings for the purposes of this code.
 - **Cluster Housing.** [ORD 4430; April 2007] Single-detached dwelling units located within a Planned Unit Development where dwellings are located in close proximity to each other and share common open space including recreation areas and parking.
 - **Compact Detached Housing.** [ORD 4652; February 2015] Single-detached dwelling units that front onto a shared court, common green, or public street.
- **Studio.** A Multi-Dwelling unit containing only one combined living, sleeping, and kitchen area, although it may have a separate bathroom containing sanitary facilities. [ORD 4844; August 2023]
- **Townhouse.** A dwelling unit, located on an individual lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall between units must be shared for at least 25 percent of the length of the side of the building, as measured along the longer adjoining wall. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. A townhouse does not share common floor/ceilings with other townhouse units. A townhouse is also commonly called a rowhouse or a common-wall house.
- **Triplex.** Three dwelling units total on a single lot in any configuration. If detached, each unit could be a site-built home or manufactured home. The units may also be located on three child lots created through a middle housing land division.

[ORD 4822, 06/30/2022; ORD 4844, 08/18/2023]

Effective on: 8/18/2023

Dwelling Unit. One or more rooms used or intended to be used by one household containing, at a minimum, the living facilities required by the current Oregon Structural Code or applicable ordinance. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.

[ORD 4822, 06/30/2022; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

Dying Tree. A tree that is diseased, infested by insects, deteriorating, or rotting, as determined by a knowledgeable and qualified arborist, and that cannot be saved by reasonable treatment or pruning, or a tree that must be removed to prevent the spread of infestation or disease to other trees ~~tree with greater than 20% dead limbs during the growing season.~~

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Eating or Drinking Establishments. An establishment where meals or drinks (either alcoholic or non-alcoholic) are prepared and served to the public for consumption. This use includes: Restaurants, Cafes, Delicatessens, Sandwich Shops, Coffee Houses, and Taverns or Bars or other establishments primarily engaged in serving alcoholic beverages.

[ORD [3975](#), 03/07/1997]

Effective on: 6/1/2012

Finish Ground Level (Grade). The average elevation of the ground adjoining the structure of building upon which the sign is erected. See also "Grade."

[ORD [3227](#), 12/10/1981; ORD [4584](#), 06/01/2012]

Effective on: 6/1/2012

Fire Marshal, Designated. Individual(s) authorized by Tualatin Valley Fire & Rescue to oversee the enforcement of fire codes, new construction review, fire investigations, and public education activities designed to reduce hazard and risks in Washington County, Oregon.

Flag. A rectangular piece of fabric of distinctive design that is generally displayed hanging free from a staff halyard or building to which it is attached. A flag is often used to display the symbol of the United States, a nation, state or local government.

[ORD [4708](#), 06/08/2017]

Effective on: 6/8/2017

Floodway Fringe. The area of the floodplain lying outside of the floodway.

Effective on: 3/20/1998

Floor Area. Floor area is the total area of a building measured from the interior of exterior walls of the building or structure. Floor area does not include space devoted to off-street parking (except in RMA, RMB, ~~and~~ RMC, and CM-RM where floor area includes garages but does not include carports), vehicle maneuvering areas, or loading; areas where the elevation of the finished floor is 4 feet or more below the nearest point of an adjacent right of way; areas where the ceiling height is less than 6 feet 8 inches; roof area, including roof-top parking; rooftop mechanical equipment; and roofed porches, exterior balconies, or other similar areas unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of the perimeter. In RMA, RMB, RMC, and CM-RM, floor area includes garages but does not include carports. Floor area may be calculated for a site by adding the floor area for multiple buildings.

[ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022

Floor Area Ratio. The ratio of gross floor area to ~~net acreage on a site~~ the area of a unit of land that the floor area occupies.

[ORD [4005](#), 02/05/1998; ORD [4079](#), 12/09/1999; ORD [4107](#), 05/02/2000; ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022

Food Cart. A mobile vehicle, such as a food truck, trailer or cart, from which service of food and/or beverages is provided to walk-up customers.

[ORD 4662, 09/11/2015]

Effective on: 9/11/2015

General Site Plan. A site plan for a geographic area which anticipates the streets, utilities and other infrastructure that will be necessary to serve an area larger than the development being proposed.

[ORD 3918, 02/01/1995]

Effective on: 6/1/2012

Geological Assessment. A geological assessment is a report bearing the stamp of a certified engineering geologist that includes information and data regarding the nature, distribution of underlying geology, and physical and chemical properties of existing soils; an opinion as to stability of the site; and conclusions regarding the effect of geologic conditions on the proposed development.

Geotechnical Report. A geotechnical report is a report bearing the stamp of a geotechnical engineer (and if required a certified engineering geologist) that includes a comprehensive description of site topography and geology; an opinion as to the adequacy of the proposed development from an engineering standpoint; an opinion as to the extent that instability on adjacent properties may adversely affect the project; a description of the field investigation and findings; conclusions regarding the effect of geologic conditions on the proposed development; and specific requirements for plan modification, corrective grading, and special techniques and systems to facilitate a safe and stable development. The report includes other recommendations, as necessary, commensurate with the project grading and development.

Glare. The brightness of a light source, which may cause eye discomfort.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Grade. (Adjacent Ground Elevation). The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

- A. **Existing Grade.** The grade prior to grading.
- B. **Rough Grade.** The stage at which the grade approximately conforms to the approved plan.
- C. **Finish Grade.** The final grade of the site which conforms to the approved plan.

[ORD 3587, 01/01/1988; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Grade Plane. A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than ~~six (6)~~ feet from the building, between the building and a point ~~six (6)~~ feet from the building.

[ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Green Roof. A Green Roof consists of vegetation and soil, or a growing medium, planted over a waterproofing membrane. Additional layers, such as a root barrier and drainage and irrigation systems may also be included.

[ORD 4430, 04/19/2007]

Effective on: 6/1/2012

Guest House. An accessory building used for the purpose of providing temporary living accommodations, and containing no kitchen facilities. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.

[ORD 4838, 03/09/2023]

Effective on: 3/9/2023

Habitat, Edge. Edge habitat refers to the boundary between two landscape elements, such as when a tree grove abuts a residential development. Edge habitat typically includes trees with larger, unbalanced tree coverage more susceptible to branch failure and uprooting.

Habitat, Interior. Interior habitat exists beyond the habitat edge and inside a natural resource area. Interior habitat generally provides a more stable environment for birds, mammals, and amphibians. Interior habitat typically includes trees with smaller, balanced tree coverage less susceptible to branch failure and uprooting.

Habitat Benefit Area (HBA). An area of land determined to provide a benefit to wildlife. Identification of HBA is accomplished by referencing the *Comprehensive Plan Volume III Habitat Benefit Area Map* that is included in the *Comprehensive Plan of the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*. Habitat resource classification and delineation methodologies are included in the *Comprehensive Plan of the City for Beaverton Volume III: Statewide Planning Goal 5 Resource Inventory Documents*. HBAs are in addition to any areas required for natural resource protection by other jurisdictional regulations.

For the South Cooper Mountain Community Plan area Class I and II riparian habitat areas and Class A and B upland wildlife areas are also considered to be Significant Natural Resource Areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro Title 13 implementation for areas brought within the Metro UGB after December 28, 2005.

[ORD 4414, 01/05/2007; ORD 4652, 03/06/2015]

Effective on: 3/6/2015

Habitat Friendly Development Practice (HFDP). A development technique or activity that reduces detrimental impacts on fish and wildlife habitat resulting from traditional development practices.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Hazardous Tree. A tree that possesses a structural defect which poses an imminent risk if the tree, or part of the tree, were to fall on someone or something of value (target) as determined by an arborist certified in International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ) techniques and confirmed by the City Arborist. A hazardous tree can be a dead or dying tree, dead parts of live trees, or unstable live trees (due to structural defects or other factors).

- Structural Defect. Any structural weakness or deformity of a tree or its parts. ~~A tree with a structural defect can be verified to be hazardous by a certified arborist and confirmed as such by the City Arborist.~~
- Target. People, vehicles, structures or property, such as other trees or landscape improvements. A tree may not be a hazard if a 'target' is absent within the falling distance of the tree or its parts (e.g., a substandard tree in a non-populated area away from pedestrian pathways may not be considered a hazard).

[ORD 4348, 05/19/2005]



Effective on: 6/1/2012

Height of Sign. The height of a sign measured from the finished ground level, excluding mounds, berms, etc., to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.

[ORD [3227](#), 12/10/1981]

Effective on: 3/20/1998

Historic District. A geographic area with a high concentration of historical, architectural, archeological or cultural Landmarks and/or a high concentration of contributing resources.

[ORD [3561](#), 05/29/1987]

Effective on: 3/20/1998

Historic Tree or Historic Grove. Outside the Cooper Mountain Community Plan area, ~~Trees(s)~~ tree(s) designated by the City to be of historic significance based on their association with historic figures, properties, or the general growth and development of the City.

[ORD [4224](#), 09/19/2002]

Effective on: 6/1/2012

Holding Capacity. The volume over the floodway fringe between the land contour grades and the base flood elevation.

Effective on: 3/20/1998

Infiltration. The process or rate at which water percolates from the land surface into the ground. Infiltration is also a general category of BMP designed to collect runoff and allow it to flow through the ground for pollutant removal. The Environmental Protection Agency or Oregon Department of Environmental Quality may require additional permitting for infiltration facilities.

[ORD [4414](#), 01/05/2007]

Effective on: 6/1/2012

Initial Development. After [\[effective date of this ordinance\]](#) in the Cooper Mountain Community Plan area, the first Land Division (Section 40.45), Design Review (Section 40.20), or Single-Detached and Middle Housing Design Review (Section 40.21) application or multiple concurrent applications submitted to the City, approved by the applicable decision-making authority, and obtained release of performance security. If more than one of the aforementioned Development applications are submitted for the same site, or portion thereof, that are not being processed concurrently, this definition shall apply to the first application received in chronological order and approval of any other applicable application for the site shall be dependent upon approval of the first application.

Intermodal. The connection of one type of transportation mode with another.

[ORD [4295](#), 05/20/2004]

Effective on: 6/1/2012

Internal Drive. For sites within the Downtown District, connections that provide, at minimum, motor vehicle passage between streets or a street and an on-site destination. For the purposes of this definition, service and loading areas are not considered destinations.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

International Society of Arboriculture (ISA) Standards. Generally accepted industry standards for tree care practices detailed in the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations and further described in the ISA Best Management Practices publications that are a companion to the ANSI Standards. In addition, ISA standards include adherence to all applicable rules and regulations for the completion of any tree care operation. The publications in this definition refer to the most current version adopted by City Council.

International Society of Arboriculture (ISA) Tree Risk Assessment Qualified (TRAQ). An individual deemed qualified by the ISA to conduct tree risk assessments by passing the TRAQ course and exam, and maintaining their TRAQ credential.

Intersection. The meeting or crossing of public and/or private streets or accessways at a common space.

[ORD 3494, 03/27/1986]

Effective on: 6/1/2012

Invasive. A type of plant that is ~~not local to an area, but rather originates from another place. Also called "exotic," "non-native," or "alien" species~~ non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Inventory. A census (survey) of historical, architectural, archeological or cultural buildings, structures, objects, districts or sites. Each resource (i.e. building, structure, etc.) shall have a location; a physical description, photograph, and a discussion of the resource's significance.

[ORD 3561, 05/29/1987]

Effective on: 3/20/1998

Light Rail Transit (LRT) Station Site. Land currently or eventually to be owned or leased by Tri-Met, on which facilities will be located related to a light rail transit station. The Station Site may include station platforms, park and ride lots, bus stops, and other similar facilities.

[ORD 4005, 02/05/1998]

Effective on: 6/1/2012

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Limited Access Street. A Street which allows only indirect access to abutting properties primarily by distributing traffic to intersecting lesser volume streets or some other means as needed to allow for efficient local circulation.

[ORD 3238, 01/28/1982; ORD 3494, 03/27/1986]

Effective on: 6/1/2012

Laboratory. A facility equipped for scientific research, experimentation or testing; or a facility where chemicals, dental equipment and supplies, medical devices, pharmaceuticals or explosives are prepared or manufactured.

[ORD [4542](#), 06/17/2010; ORD [4782](#), 04/17/2020]

Effective on: 4/17/2020

Land Division Housing Plan. A scaled lot and street layout plan of the land associated with a Land Division or Reconfiguration application of Section 40.45 which identifies the dwelling type(s) and number of dwelling units that will be constructed on each proposed residential dwelling lot.

Landmark. Those buildings, structures, objects or sites that are fifty (50) years old or older that are significant or important because of historic, architectural, archeological, or cultural value as shall be designated by the Beaverton City Council. All designated Landmarks shall have a location, a physical description, photograph and a discussion of the landmark's significance. Buildings, structures, objects or sites that are less than 50 years old may be designated if they are exceptional in terms of historic, architectural, archeological or cultural value.

[ORD [3561](#), 05/29/1987]

Effective on: 3/20/1998

Lot Width. The perpendicular distance measured between the mid-points of the two principal opposite side lot lines and at approximately right angles to the lot depth.

Effective on: 3/20/1998

Low Impact Development Approach (LIDA). A stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic predevelopment hydrologic functions. LIDA tools are designed to reduce environmental impacts of development, such as increased storm water runoff due to impervious areas, poor water quality and inconsistent water quantity in streams and rivers. LIDA techniques control storm water runoff volume and reduce pollutant loadings to receiving waters. Not all sites are suitable for LIDA. Considerations such as soil permeability, depth of water table and slope shall be considered, in addition to other factors. LIDA techniques may not completely replace the need for conventional stormwater controls.

Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

[ORD [4332](#), 01/01/2005]

Effective on: 6/1/2012

Middle Housing Child Lot. A unit of land created from the division of a middle housing parent lot through a middle housing land division.

[ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022

Middle Housing Land Division. A partition or subdivision of a lot on which the development of middle housing is allowed under ORS 197.758 (2) and that is in the RMA, RMB, ~~or RMC~~, or CM-RM zone. The lot that is the subject of the division is referred to as the middle housing parent lot; a lot created by the division is referred to as a middle housing child lot.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Middle Housing Parent Lot. A lot or parcel that is developed, or proposed to be developed, with middle housing, and which may therefore be further divided through a middle housing land division to create middle housing child lots.

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Minimum Permitted Illumination. The minimum permitted illumination measured in foot-candles within the interior of a site to provide adequate illumination for public safety purposes.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

Mitigation, ~~Natural Resources~~. The reduction of adverse effects of a proposed project by considering, in the order: a) avoiding the impact all together by not taking a certain action or parts of an action; b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; c) rectifying the impact by repairing, rehabilitating or restoring the affected environment; d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action by monitoring and taking appropriate measures; and e) compensating for the impact by replacing or providing comparable substitute.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Mitigation Tree. A tree planted in an effort to alleviate the impact of the removal of another tree(s). A mitigation tree takes on the designation of the tree(s) removed (i.e. tree(s) planted to mitigate for a tree(s) removed from a grove or SNRA becomes a tree(s) protected as if it were part of a grove or SNRA).

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Name Plate. A permanent wall sign located on the facade of a residential structure associated with a home occupation.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Native Tree. A type of plant that is local to an area. If a species is listed as a native species on the City of Beaverton Tree List, then it shall be considered native for the purposes of this code.

Native Understory. Foliage layer located between the floor and the canopy of a forest, wood, or grove containing plant materials that have origins in the Tualatin Valley Region of the state of Oregon. Limited to plant species identified on ~~Metro's Native Plant List or in Clean Water Services' Design and Construction Standards~~ Clean Water Services' Design and Construction Standards, Appendix A (2019); Metro Native Plants for Willamette Valley Yards Booklet (2020); and Portland Plant List (2016).

Native Vegetation. Plant materials that have origins the Tualatin Valley Region of the state of Oregon, as listed on ~~Metro's Native Plant List or in Clean Water Services' Design and Construction Standards~~ Clean Water Services' Design and Construction Standards, Appendix A (2019); Metro Native Plants for Willamette Valley Yards Booklet (2020); and Portland Plant List (2016).

Natural Areas. A substantially undeveloped area that is composed of vegetation, animal habitat, water ways or bodies, or soil and rock that is identified as a natural resource in an adopted city plan. Natural areas ~~may~~ include wetlands, riparian areas, Significant Natural Resource Areas, ~~and significant~~ Significant groves Groves of trees, Habitat Benefit Areas, Vegetated Corridors required by Clean Water Services, Resource Overlay, and land within the Cooper Mountain Nature Park.

Natural Landscaping. The act of landscaping using plant materials that include groundcover and shrubs to cover bare earth and prevent erosion. Native plants, native-friendly plants and naturalized plants are recommended because they are adapted to the local environment and require little water and few chemicals to survive.

[ORD [4414](#), 01/05/2007]

Effective on: 6/1/2012

Nature Trail. A public or private trail or other Pedestrian Way that provides pedestrian or non-motorized, multi-modal access within, through, or adjacent to a Natural Area, which is primarily a recreational amenity for the enjoyment of nature and does not provide a primary transportation connection between destinations. Nature Trails may be soft or hard surface.

Neighborhood Association Committee (NAC). A group of people who are residents, property owners, business owners, or representatives of a non-profit entity, such as a church, that are organized within the recognized boundary of a City of Beaverton established neighborhood area for the purpose of discussing a broad range of issues affecting the neighborhood and the community.

[ORD [4224](#), 09/19/2002]

Effective on: 6/1/2012

No-Climb Horse Fence. Galvanized wire mesh fence designed so horses' legs cannot get caught in the fencing.

Non-Exempt Surveyed Tree. Outside the Cooper Mountain Community Plan a tree ~~Trees~~ that fits within the definition of Surveyed Tree, with the exception of Nuisance Trees.

[ORD [4348](#), 05/19/2005]

Effective on: 6/1/2012

Non-Native. A type of plant that is not local to an area, but rather originates from another place ~~If a tree species is not listed as native on the City of Beaverton Tree List, then the tree species shall be considered non-native for the purposes of this Code.~~

[ORD [4348](#), 05/19/2005]

Effective on: 6/1/2012

Non-Pole-Mounted Luminaires. Non-pole mounted Luminaires consists of Luminaires vertically or horizontally attached to building or structural wall elevations, soffit Luminaires, recessed Luminaires, access Luminaires, and ground-mounted Luminaires.

[ORD 4332, 01/01/2005]

Effective on: 6/1/2012

~~**Northern Lot Line.** The lot line that is the smallest angle from a line drawn east-west and intersecting the northernmost point of the lot, excluding the pole portion of a flag lot. If the north line adjoins an undevelopable area other than a required yard, the northern lot line shall be at the north edge of such undevelopable area. If two lot lines have an identical angle relative to a line drawn east-west, then the northern lot line shall be a line 10' in length within the lot parallel with and at a maximum distance from the front lot line (see Figure 2 – SOL).~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

~~**North-South Dimension.** The length of a line beginning at the mid-point of the northern lot line and extending in a southerly direction perpendicular to the northern lot line until it reaches a property boundary (see Figure 3 – SOL).~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

Nuisance Tree. Outside the Cooper Mountain Community Plan area, tree species that invade natural areas eventually resulting in their domination of native tree species. Includes those nuisance tree species listed in Section 40.90.10 of the Development Code. Inside the Cooper Mountain Community Plan area, tree species that are listed as Nuisance Trees on the City of Beaverton Tree List.

[ORD 4697, 12/02/2016]

Effective on: 12/2/2016

Nuisance Vegetation. Plant species that invade natural areas eventually resulting in their domination of native plant species. Includes those nuisance and prohibited species listed on ~~Metro's Native Plant List or in Clean Water Services' Design and Construction Standards~~ Clean Water Services' Design and Construction Standards, Appendix A (2019); Metro Native Plants for Willamette Valley Yards Booklet (2020); and Portland Plant List (2016). ~~Also see invasive and non-native.~~

[ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Nursery Stock. A plant obtained from or grown in a nursery and intended to be planted out in the landscape.

Oak Woodlands. A general term to describe wildlife habitat with Oregon white oak (*Quercus garryana*) as the dominant tree species. The percentage of Oregon white oak tree canopy in Oak Woodlands can vary from 5 to 30 percent coverage (oak savannah), 30 to 60 percent coverage (oak woodland), to greater than 60 percent coverage (oak forest). Oak Woodlands are often associated with prairie habitat.

Obstructing Sign. A sign or sign structure situated so that any portion of their surfaces or supports will interfere in any way with the free use of a fire escape, exit, standpipe or exterior windows.

[ORD 4139, 02/08/2001; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Oregon Department of Aviation. State agency that is responsible for developing aviation as an integral part of Oregon’s transportation network; creating and implementing strategies to protect and improve Oregon’s aviation system; encouraging aviation-related economic development; supporting aviation safety and education; and increasing commercial air service and general aviation in Oregon.

[ORD 4248, 05/08/2003]

Effective on: 6/1/2012

Oregon Registered Landscape Architect. A person registered with the Oregon State Landscape Architecture Board to practice landscape architecture in Oregon.

Oversized Lot. Except in RMB, RMC, CM-RM, and RMA for lots where single-detached dwellings or middle housing are existing or proposed, a lot which is greater than twice the required minimum lot size allowed by the subject zoning district.

[ORD 4224, 09/19/2002; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Overstory Tree. Trees adapted to form the highest layer of vegetation in a forest with direct exposure to sunlight.

Owner. The owner of record of real property as shown in the records of Washington County Department of Records and Elections, or a person purchasing a piece of property under contract, or a public body or public agency with authority to exercise the power of eminent domain which has formally enacted a resolution of its intent to acquire the property described in the application.

[ORD 3995, 12/18/1997]

Effective on: 6/1/2012

Parking, Tuck-Under. Tuck under parking is unenclosed parking located below the unit where parking is accessed from an open parking drive, at grade or below.

[ORD 4414, 01/05/2007]

Effective on: 6/1/2012

Parks Overlay Open Space Developable Area. The developable area for Parks Overlay open space is defined as the proposal size expressed in acreage minus any undevelopable area. The following areas are deemed undevelopable for the purposes of calculating developable acreage:

1. Environmentally constrained lands, such as open waters, floodplains, water quality facilities, wetlands, resource areas, and tree preservation areas; and
2. Topographical features with a slope equal to or greater than:
 - a. 25 percent shall deduct 100 percent of the applicable area, or
 - b. 15 percent shall deduct 50 percent of the applicable area.

Partition. Either an act of partitioning land or an area or tract of land partitioned as defined in Chapter 90.

[ORD 3226, 11/04/1981]

Effective on: 3/20/1998

Plat. Includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

[ORD 3226, 11/04/1981]

Effective on: 3/20/1998

Plaza. A continuous open outdoor space which is readily accessible to the public at all times, predominately open above and designed specifically for use by people as opposed to serving as a setting for a building.

[ORD 4005, 02/05/1998]

Effective on: 6/1/2012

Pole (Wireless Communications Facilities). A type of structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or similar function, or for collocation of small wireless facilities; provided, such term does not include a tower, building or electric transmission structures.

[ORD 4804, 08/13/2021]

Effective on: 8/13/2021

Pole Sign. A freestanding sign connected to the ground by one or more supports, with the lower edge of the sign separated vertically from the ground.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

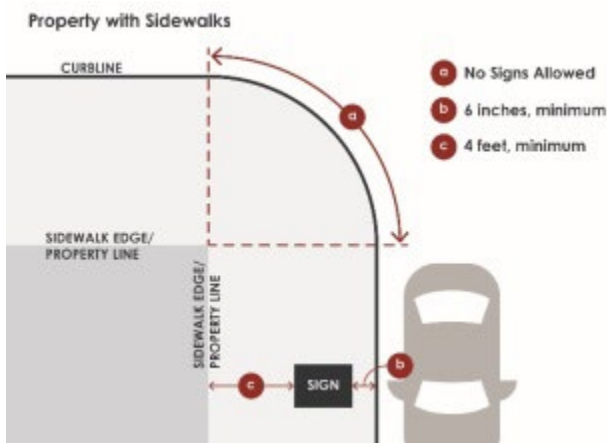
Porous Pavement. Also known as permeable or pervious pavement, a stormwater management system that allows water to move through void spaces within pavement and eventually infiltrate into underlying soils.

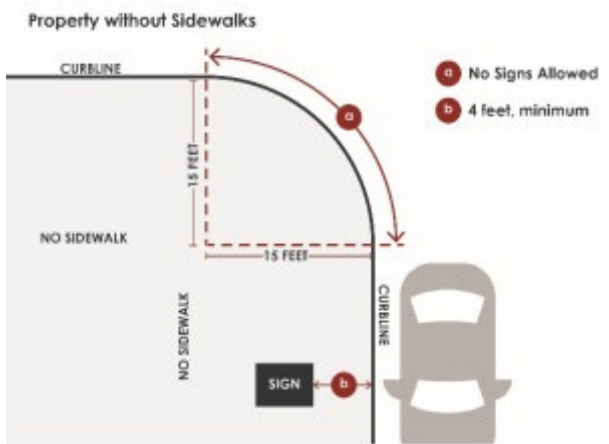
Portable Sign. A temporary sign placed in one (1) location that is not permanently connected to the ground or a structure, or carried or moved during display.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Portable Sign in Public Right-of-way Graphic. For the purpose of clarifying permissible locations of portable signs placed within public right-of-way, consistent with standards, the following graphic is provided.





[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

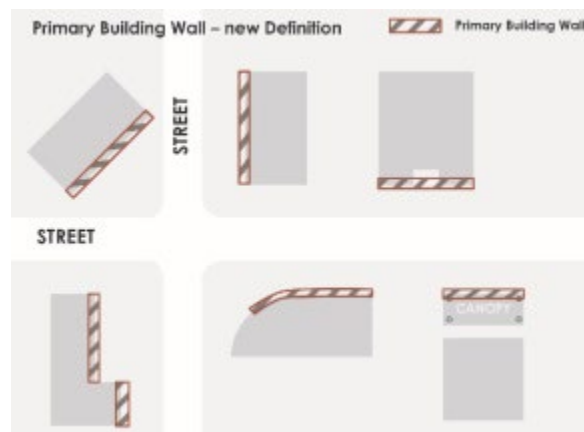
Prairie. A general term to describe wildlife habitat with grasses and grass-like plants as the dominant plant species. Two main types of Prairies in the Willamette Valley include Upland Prairies characterized by perennial bunchgrasses and wildflowers, and Wet Prairies which support facultative or obligate wetland plant species such as sedges and camas. Prairies are often associated with Oregon white oaks (*Quercus garryana*).

Preservation. The identification, study, protection, restoration, rehabilitation, or enhancement of designated Landmarks.

[ORD 3561, 05/29/1987]

Effective on: 3/20/1998

Primary Building Wall. For the purpose of calculating the maximum sign area, the primary building wall is the length of a single building wall positioned to face the frontage of a street. For buildings located along two or more streets, the primary building wall is the longest street-facing building façade. For curvilinear and varied building walls, the following graphic is provided as a guide for applying the definition:



[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Primary Entrances. Any building entrance that is accessible to all building users, including employees, customers, residents and visitors. A primary entrance is typically emphasized over other entrances by architectural features such as weather protection, materials changes, massing changes, and/or special features such as lobbies, reception areas, and other semi-public interior spaces designed to receive building users. Primary entrances provide weather protection and are typically distinguished from Secondary Entrances using architectural design features such as changes in material or massing. Buildings with multiple tenants or multiple dwelling units may have more than one Primary Entrance.

[ORD 4332, 01/01/2005; ORD 4706, 05/19/2017]

Effective on: 5/19/2017

Primary Façade Plane. For sites within the Downtown District, the single most predominant vertical plane of any building elevation

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Property Line Adjustment (Lot Line Adjustment). The adjustment of a property line between two (2) lots of record by the relocation of a common boundary where an additional lot is not created and where the number of existing lots is not reduced, and the resulting lots do not conflict with the minimum requirements of the zoning district in which they are located.

[ORD 3226, 11/04/1981; ORD 4405, 10/19/2006; ORD 4487, 08/21/2008]

Effective on: 6/1/2012

Protected Tree. Outside the Cooper Mountain Community Plan area, includes includes Significant Individual Trees, Historic Trees, Trees within a Significant Natural Resource Area or Significant Grove, and Mitigation Trees.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Pruning, Minor. Removal of less than 10% of a tree's canopy or disturbance of less than 10% of a tree's root system.

[ORD 4224, 09/19/2002; ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Public Buildings. Structures, services, and uses such as City Hall, Post Office, Police and Fire Stations.

[ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Public Dog Park or Dog Run. A component of a public park, containing a fenced area designated for dogs to exercise and socialize off leash. Elements of a dog park or dog run may include but are not limited: a perimeter fence, separate areas for small and large dogs, appropriate surfacing for the chosen location, seating (benches), shade, fountain or other appropriate water source, covered trash receptacles, dog waste bag dispensers, and regulatory signage. Private dog parks or dog runs that are offered as an amenity for the residents of a housing development or associated with a subdivision are accessory uses, not Public Dog Park or Dog Run uses.

[ORD 4782, 04/17/2020]



Effective on: 4/17/2020

Public Park. Outdoor areas, operated by the Tualatin Hills Park & Recreation District or other public agency, that provide recreational opportunities to city residents and visitors. Public Parks contain open and/or natural areas and may include components such as playgrounds, dog parks, sports fields and courts, trails, picnic grounds, and related facilities.

Public Park, Community. A large public park, operated by the Tualatin Hills Park & Recreation District or other public agency, that is typically more than 8 acres in size and is intended to meet a wide variety of community recreation needs, including open areas for active recreational opportunities and natural areas for passive recreational opportunities. Community Parks serve large geographic areas and are designed to draw visitors from across the park district and region.

Public Park, Neighborhood. A public park, operated by the Tualatin Hills Park & Recreation District or other public agency, that is typically 2 to 8 acres in size and is intended to meet the recreational needs of neighborhood residents. Neighborhood Parks generally include play areas, small open areas for active recreation, green space, and natural areas for passive recreation.

Public Sign. A sign erected, constructed, or placed within the public right-of-way or on public property, by or with the approval of the governmental agency having authority over, control of, or ownership of the right-of-way or public property.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Redevelopment Potential. Redevelopment potential exists when assessed building value per square foot is less than 50 percent of the mean value per square foot of surrounding buildings on lots within a 500 foot distance as measured from any point of the property line.

[ORD 4302, 06/10/2004]

Effective on: 6/1/2012

Regulated Affordable Housing. Housing developments where the combined average income of all households served is 60% percent of the area median income (AMI) or less, evidenced by agreement or statutory regulation that restricts or limits resident income levels and rents for a minimum of 60 years. If a provision of this Code identifies a different Regulated Affordable Housing household income threshold, such as 80 percent of the AMI or less, the combined average income shall be evidenced by agreement or statutory regulation that restricts or limits resident income levels and rents for a minimum of 60 years.

Repair and Replacement. The definition of both of these terms, as it applies to the Transportation Facilities application, is located in the *Engineering Design Manual and Standard Drawings*.

[ORD 4332, 01/01/2005; ORD 4418, 02/22/2007; ORD 4584, 06/01/2012]

Effective on: 6/1/2012

Roof Sign. A sign that is erected, maintained and displayed above the top of an exterior wall.

[ORD 4139, 02/08/2001; ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Root Barrier. Membranes or sheets installed vertically in the soil to limit or direct the growth of tree roots away from improvements to prevent, limit, or delay damage by tree roots.

Root Path. A method for increasing soil volume available for tree growth by connecting an area of limited soil volume such as a street tree cutout, under pavement such as a sidewalk, to a larger soil volume such as a front yard landscaping area using soils under pavement such as structural tree soils.

Root Protection Zone. Inside the Cooper Mountain Community Plan area, the surface area of tree root concentration to be protected from construction damage, measured at a minimum of one-foot radius (measured horizontally away from the center of the tree trunk) for each inch of DBH.

Root Zone. Outside the Cooper Mountain Community Plan area, root zone is the aArea of the ground around the base of the tree measured from the trunk to 5 feet beyond the outer base of the branching system.

[ORD 3740, 08/21/1990]

Effective on: 3/20/1998

Rotating Sign. A sign structure wherein any physical part turns about on an axis and rotates or revolves.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Sign Associated with Drive-up Window Facility. A sign placed along the approach to a drive-up window facility that may include communication devices.

[ORD 4708, 06/08/2017]

Effective on: 6/8/2017

Significant Grove. Outside the Cooper Mountain Community Plan area, Grovesgroves that are mapped on the City's Inventory of Significant Trees and Groves, that have a unique identification code and include all species within the grove boundary as listed in the inventory documents for that grove code.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Significant Natural Resource Area (SNRA). Outside the Cooper Mountain Community Plan area, Resourcesresources identified in Volume III of the Comprehensive Plan as "significant" pursuant to Statewide Planning Goal 5.

For the South Cooper Mountain Community Plan area Significant Natural Resource Areas include Class I and II riparian habitat areas and Class A and B upland wildlife areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro Title 13 implementation for areas brought within the Metro UGB after December 28, 2005.

[ORD 4224, 09/19/2002; ORD 4652, 03/06/2015]

Effective on: 3/6/2015

Significant Tree. Outside the Cooper Mountain Community Plan area, Aa tree or grouping of trees that is mapped on the City's Inventory of Significant Trees and Groves, which has a unique identification code as listed in the inventory documents for that individual tree code.

[ORD 4348, 05/19/2005]



Effective on: 6/1/2012

Significant Tree and Grove Inventory Analysis. Outside the Cooper Mountain Community Plan area, The the inventory of significant trees and groves conducted under the direction of the Beaverton Board of Design Review in 1991. The criteria on which listed trees and groves were determined to be significant are as follows:

1. An individual tree shall be considered significant if the Board finds:
 - (a) The tree has a distinctive size, shape, or location which warrants a significant status; or
 - (b) The tree possesses exceptional beauty which warrants a significant status; or
 - (c) The tree is significant due to a functional or aesthetic relationship to a natural resource.
2. A grove as defined in Section 90 shall be considered significant if the Board finds that:
 - (a) The grove is relatively mature and evenly aged; and
 - (b) The grove has a purity of species composition or is of a rare or unusual nature; and
 - (c) The grove is in a healthy growing condition; or
 - (d) The grove has a crucial functional and/or aesthetic relationship to a natural resource.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Sight Clearance Area. A triangular shaped area in the vicinity of an intersection that must be kept clear of visual obstructions in order to maintain safe operation of the intersection. Sight clearance area standards are identified in the Engineering Design Manual.

[ORD 4302, 06/10/2004; ORD 4462, 01/10/2008]

Effective on: 6/1/2012

Social Organizations. Social and fraternal organizations.

[ORD 4542, 06/17/2010]

Effective on: 6/1/2012

Soil Volume. A measurement of the length, width, and depth of soil substrate with the ability to support tree or plant root growth typically expressed in cubic feet.

Solar Access. Access to sunlight.

~~**South or South Facing.** True south, or 20 degrees east of magnetic south.~~

~~[ORD 3619, 09/01/1988]~~

~~Effective on: 3/20/1998~~

Square Footage. [ORD 4079; December 1999] In all instances in the Development Code where the text reads "square feet" or "square footage", the term shall mean "gross square feet" or "gross square footage" except in those instances where the Development Code text specifically reads "net square feet" or "net square footage". In those instances, "net square feet" or "net square footage" shall apply. [ORD 4584; June 2012]

[ORD 4107, 05/02/2000]

Effective on: 6/1/2012

Story. That portion of a building between any floor and the next floor above, except that the topmost story shall be that portion of a building between the topmost floor and the ceiling or roof above it. If the finished floor level directly above a basement, cellar, or unused under floor space is more than six feet above grade at any point, such basement, cellar, or unused under floor space shall be considered a story.

Effective on: 3/20/1998

Stream or Spring, Intermittent. A stream or spring that consistently does not have year-round water or saturated soil within the channel or swale in a year with wet to average precipitation patterns. Intermittent flow must occur with some degree of regularity and must be in a definite direction. The methodology for determining the intermittent status of springs or streams shall follow the methodology in Clean Water Services' Design and Construction Standards.

Stream or Spring, Perennial. A stream or spring that has year-round water or saturated soil within the channel in a year with wet to average precipitation patterns. A stream will be considered perennial unless determined to be intermittent using one of the criteria outlined in Clean Water Services' Design and Construction Standards.

Street. A public way which affords the principal means of access to abutting property.

Effective on: 3/20/1998

Support Structure (Wireless Communications Facilities). A "structure" as defined by the FCC in 47 C.F.R. § 1.6002, as may be amended or superseded, means a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of services).

[ORD 4804, 08/13/2021]

Effective on: 8/13/2021

Surveyed Tree. Outside the Cooper Mountain Community Plan area, trees on a proposed development site that are required to be identified in a Tree Plan application. Trees required to be surveyed include all trees greater than or equal to ten (10) inches DBH (including nuisance trees) and the following trees greater than or equal to six (6) inches DBH: western hemlock (*Tsuga heterophylla*) or mountain hemlock (*Tsuga mertensiana*) trees, Pacific madrone (*Arbutus andrachne*) trees, and big-leaf maple (*Acer macrophyllum*) trees. Inside the Cooper Mountain Community Plan area, Surveyed Trees are all trees inventoried in development situations and proposed for removal in non-development situations.

[ORD 4348, 05/19/2005]

Effective on: 6/1/2012

Sustainable Building Practices. Land preparation, materials selection, life-cycle of the building (construction, operation and maintenance, demolition). Sustainable building includes such practices as redevelopment of inefficiently designed or environmentally damaged sites; job-site recycling of construction materials; native vegetation landscapes; stream and wetland protection and restoration; natural drainage; energy and water efficiency; low toxicity materials; recycled materials; reduced use of land and materials; and design for re-use.

[ORD 4430, 04/19/2007]

Effective on: 6/1/2012

Sustainable Landscape Practices. Landscape maintenance and design that limits the use of herbicides, fertilizers, and pesticides by planting native plants and appropriate ornamentals and uses METRO certified composted mulch to amend soils and mulch plant beds. These practices naturally fertilize the soil and reduce irrigation and fertilizer needs by creating healthy soils. Sustainable landscape practices also include the concept of creating multi-functional landscapes that can serve various purposes. For example an area may be designed to manage runoff, provide screening, wind protection habitat, and serve active open space use.

[ORD 4430, 04/19/2007]

Effective on: 6/1/2012

Temporary Living Quarters. Temporary living accommodations ~~that can be rented out for an increment of less than 30 days,~~ such as: Hotels, Motels, Extended-Stay Hotels, Bed and Breakfasts, or Boarding, Rooming or Lodging House. This use classification does not include Domestic Violence Shelters, Emergency Shelters, or Mass Shelters.

[ORD 3975, 03/07/1997; ORD 4838, 03/09/2023]

Effective on: 3/9/2023

Temporary Real Estate Office. A permanent structure that is used as an office for the purpose of selling real estate on a temporary basis. This definition does not include model homes, unless a sales office is located within the model home.

[ORD 4224, 09/19/2002]

Effective on: 6/1/2012

Terrace. For sites within the Downtown District, an area raised above grade, often delineated by a retaining wall or slope, that is adjacent to a building.

[ORD 4799, 01/08/2021]

Effective on: 1/8/2021

Thinning. The selective removal of trees from a grove to reduce excessive competition for resources between trees thereby improving the health of the remaining trees.

Through Lot. A lot other than a corner lot with frontage on more than one public or private street. In the case of a through lot, each street has a front lot line.

[ORD 4584, 06/01/2012; ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Tree Box Filter. Tree box filters are essentially 'boxed' bio-retention cells that are placed at the curb (typically where storm drain inlets are positioned). They receive the first flush of runoff along the curb and the storm water is filtered through layers of vegetation and soil before it enters a catch basin.

[ORD 4414, 01/05/2007]

Tree Canopy. The shape of a tree produced by the outer most leaves. A tree's canopy cover is equal to the area within the drip line. The equation for determining tree canopy area is $3.1416 \times (r)^2 = x$ square feet (r being the radius from the center of the trunk to the drip line measured in feet). EXAMPLE: The tree canopy area for one tree with a radius of 20 feet will be equal to $3.1416 \times (20)^2 = 1,257$ square feet. The area covered by the outermost branch of the tree by determining the area of the circle, with pi being 3.1416, based on a radius from the trunk's center to the outermost branch of the tree that is the farthest away from the trunk's center. If the tree has multiple trunks, the applicant shall select a single trunk to use as the basis for the calculation. (EXAMPLE: The tree canopy area for one tree with a radius of 20 feet will be equal to $3.1416 \times 20^2 = 1,257.64$ square feet). The resulting number, if not a whole number, shall be rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number

[ORD 4414, 01/05/2007]

Tree Canopy, Mature. The expected size of the tree canopy at 10 years. Mature tree canopy listed on the City of Beaverton Tree List, unless otherwise specified in Development Code standards, or as determined by the City Arborist for trees not on the tree list based on the typical canopy spread of the tree at maturity.

[ORD 4414, 01/05/2007]

Tree Establishment. The period after planting a new tree until the tree's annual growth rate becomes more consistent. During the establishment period, shoots and trunk grow more slowly than they did before planting. When the growth rate becomes more consistent from one year to the next, the tree is considered established. During the establishment period, trees typically require supplemental irrigation during the late spring, summer, and early fall months and other periods of low or inconsistent rainfall. The tree establishment period typically lasts at least three growing seasons after planting.

Trellis. An open framework of wooden or metal bars, primarily used as a support for fruit trees or climbing plants. May include a gateway with a roof formed by trees or climbing plants trained over a framework of wooden or metal bars.

[ORD 4857, 10/03/2024]

Effective on: 10/3/20X24

Triplex. See "Dwelling Types."

[ORD 4822, 06/30/2022]

Effective on: 6/30/2022

Understory Tree. Trees that thrive and reproduce in the light and shade conditions beneath existing tree canopy.

Undevelopable Area. An area that cannot be used practicably for a habitable structure, because of natural conditions, such as slopes exceeding 20% in a direction greater than 45 degrees east and west of true south, severe topographic relief, water bodies, or conditions that isolate one portion of a property from another portion so that access is not practicable to the unbuildable portion; or manmade conditions, such as existing development which isolates a portion of the site and prevents its further development; setbacks or development restrictions that prohibit development of a given area of a lot by law or private agreement; or existence or absence of easements or access rights that prevent development of a given area.

[ORD 3619, 09/01/1988]

Effective on: 3/20/1998

Wall Sign. A sign attached to, erected against or painted on an exterior wall of a building.

[ORD [4139](#), 02/08/2001]

Effective on: 6/1/2012

Wetland. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetland categories are determined using Clean Water Services' Design and Construction Standards.

Wholesale. The bulk sale of goods primarily for resale to a person other than the direct consumer, and is typically not open to the general public.

[ORD [4782](#), 04/17/2020]

Effective on: 4/17/2020

Wildlife Corridor. A linear area of Wildlife Habitat that provides a connection between larger patches of Wildlife Habitat.

Wildlife Habitat. The aquatic and terrestrial environments required for fish and wildlife to complete their life cycles, providing air, food, cover, water, and spatial requirements.

Window Sign. A sign permanently or temporarily attached to or placed within three (3) feet of a window to a building or structure in any manner so that the sign is used primarily as a stationary identification. Window signs include words, symbols, figures or images. Window signs include paint applied to the window area and adhesive vinyl film that is perforated to allow visibility through the window.

[ORD [4708](#), 06/08/2017]

Effective on: 6/8/2017

Wireless Communication Facility, Towers. A structure, tower, pole or mast solely dedicated to support one or more wireless communications antenna systems. For the purpose of this Chapter, such a support structure will be referred to generically as a "tower". Tower types include:

1. **Guyed Tower.** A tower that is supported by use of cables (guy wires) that are permanently anchored to the ground.
2. **Lattice Tower.** A tower characterized by an open framework of lateral cross-members that stabilize the structure.
3. **Monopole.** A single, upright pole, engineered to be self-supporting and requiring no guy wires or lateral cross-members.

[ORD [4248](#), 05/08/2003; ORD [4584](#), 06/01/2012]

Effective on: 6/1/2012

Wood Repurposing. The salvaging of wood waste from tree removal for uses such as building materials, furniture, art, and other uses to divert wood from landfills and ensure continued carbon storage in wood.

Yard. A required area of land on the same lot with a principal use unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts, other customary yard accessories, ornaments and furniture or other allowed accessory structures or uses may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

[ORD [4486](#), 07/24/2008; ORD [4822](#), 06/30/2022]

Effective on: 6/30/2022