

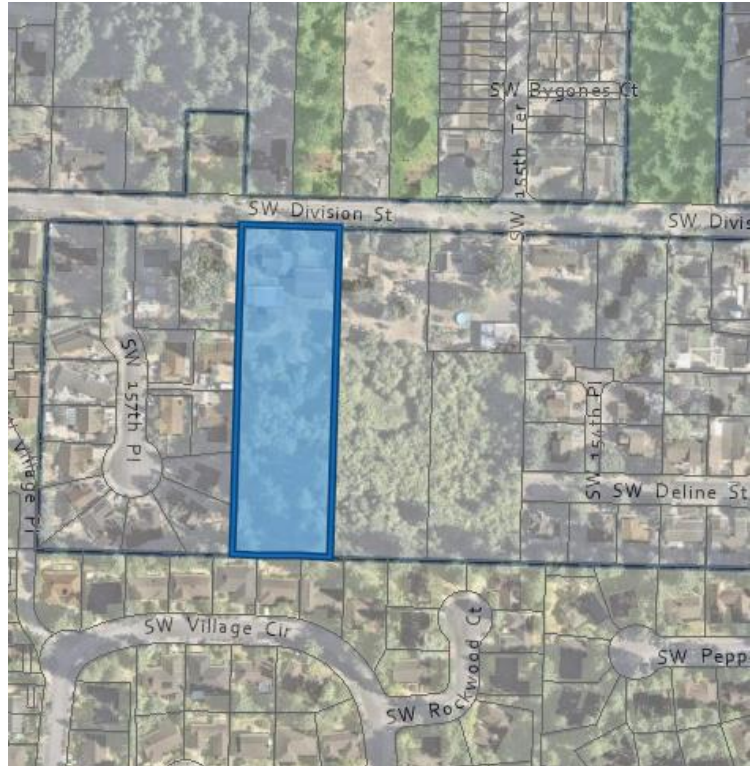
STAFF REPORT

Report Date: June 18, 2024

Application/Project Name: LU32023-00649 Beaverton Sikh Temple

Application Numbers: CUN32023-00644 / DR22023-00645 / TP22023-00646

Proposal: The applicant, Sikh Center of Oregon, is proposing a New Conditional Use Application and Design Review Application to convert an existing single-detached dwelling and accessory structures into a religious institution. Onsite improvements will consist of two driveways that provide one way ingress and egress. The west access will provide egress and the east driveway will provide ingress. Additional site improvements include a parking lot of 80 spaces, landscaping improvements and a refuse container. A Tree Plan Two application is proposed to remove 64 Community Trees to facilitate the proposed parking and vehicular circulation areas.



Proposal Location: The site is located at 15660 SW Division Street. Specifically identified as Tax Lot 02900 on Washington County Tax Assessor's Map 1S117CA.

Applicant: Sikh Center of Oregon

Recommendation: APPROVAL of LU32023-00649 Beaverton Sikh Center CUN32023-00644 / DR22023-00645 / TP22023-00646, subject to conditions.

Hearing Information: 6:30 p.m. June 26, 2024, via Zoom Webinar

Note: Public Hearings are held remotely and can be viewed at the following link:
<https://beavertonoregon.gov/913/Agendas-Minutes>

Contact Information:

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Applicant: Sikh Center of Oregon
17514 SW Scholls Ferry Road
Beaverton, OR 97007

Property Owners: Sikh Center of Oregon
17514 SW Scholls Ferry Road
Beaverton, OR 97007

Applicant Representative: Reece Engineering & Survey
Hayden Wooten
321 1st Avenue, Suite 3A
Albany, OR 97321

Existing Conditions

Zoning: Residential Mixed C (RMC)

Site Size: 1.99 acres

Location: 15660 SW Division Street. Specifically identified as Tax Lot 02900 on Washington County Tax Assessor’s Map 1S117CA.

Neighborhood Association Committee: West Beaverton

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	Washington County R-9	Single-detached dwelling.
South	City of Beaverton RMC	Single-detached dwelling.
East	Washington County R-5	Single-detached dwelling.
West	Washington County R-5	Single-detached dwelling.

Application Information

Table 2: Application Summaries

Application	Application Type	Proposal Summary	Approval Criteria Location
CUN32023-00644	New Conditional Use	To change the use of the site from a detached dwelling to a religious institution.	Development Code Section 40.03.1 and 40.15.15.5.C
DR22023-00645	Design Review Two	Site and building improvements associated with converting an existing dwelling and accessory structures into a religious institution.	Development Code Sections 40.03.1 and 40.20.15.2.C
TP22023-00646	Tree Plan Two	To remove 64 Community Trees to facilitate development of the site including parking and circulation.	Development Code Section 40.90.15.2.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
CUN32023-00644	September 14, 2023	February 12, 2024	August 10, 2024	February 11, 2025
DR22023-00645	September 14, 2023	February 12, 2024	August 10, 2024	February 11, 2025
TP22023-00646	September 14, 2023	February 12, 2024	August 10, 2024	February 11, 2025

* The applicant has provided a 60-day continuance to the 120-day requirement, extending the required decision date from June 11, 2024 to August 10, 2024.

** Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Summary of Public Comment

Staff has identified the following as the themes or issues raised in public testimony and addresses those issues herein, and/or refers to the portion(s) of the staff report and record in which those issue are addressed. In addition to the concerns below, staff notes one comment was received in support of the project proposal.

Vehicular Traffic and Pedestrian Safety

Several concerns were raised about SW Division Street's ability to handle the increased traffic, the lack of pedestrian and bicycle infrastructure and narrow street widths. The proposal is conditioned to dedicate an additional right of way along the frontage abutting SW Division Street. Washington County, which has jurisdiction over SW Division Street, has conditioned the project to dedicate right of way and to improve the frontage with a gutter/curb, 7-foot planter strip with street trees, 6-foot sidewalk located 1 foot from ROW, and conduit per County/City standards. Additionally, to ensure the new proposed driveways meet sight distance requirements, as outlined in the Engineering Design Manual, the Committee recommends several conditions of approval requiring the applicant to submit plans that verify sight distance. Staff would also like to clarify that only proposals which are expected to generate 300 vehicle trips per day are subject to a Traffic Impact Analysis (Section 60.55.20.2.A). The proposed change of use from a single-detached dwelling to a place of worship is not expected to reach that threshold and therefore is not required to conduct a Traffic Impact Analysis.

Staff acknowledges that there will be an increase in vehicle trips generated by the proposed development, given the nature and the identified programming of the of the proposed use, said increase in vehicle trip generation will be limited to the primary service scheduled at the facility beginning at noon on Sundays. This timeframe does not coincide with general peak hours of operations along City streets which occur during the weekdays.

Tree Removal

A few concerns were raised about mature trees being removed. The City of Beaverton Development Code outlines several tree classifications: Community Trees, Protected Trees, Landscape Trees, and Street Trees. Trees within different categories are subject to different regulations. The proposed development site does contain several Community Trees, including some that are greater than 30 inches in diameter at breast height (DBH), however, none of the trees located on the site are designated as Protected Trees and the size of the tree does not correlate to its classification. Tree Removal is addressed in the Tree Plan Two section of this report, Attachment E.

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Attachment E: RECOMMENDED CONDITIONS OF APPROVAL.....51

Exhibits

Exhibit 1. Maps submitted by Staff

- Exhibit 1.1 Zoning Map (page 8 of this report)
- Exhibit 1.2 Vicinity Map (page 9 of this report)

Exhibit 2. Public Comment

- Exhibit 2.1 Aaron Jensen
- Exhibit 2.2 Amanda Good
- Exhibit 2.3 Ann Wolston-Smith
- Exhibit 2.4 Bridget Adams
- Exhibit 2.5 Donald and Cheryl Dutro
- Exhibit 2.6 Denise Humphrey
- Exhibit 2.7 Ingrid Nichols
- Exhibit 2.8 Janell Buchmann
- Exhibit 2.9 Joanna Olson
- Exhibit 2.10 Josh King
- Exhibit 2.11 Ken Reed
- Exhibit 2.12 Mary Ulmer
- Exhibit 2.13 Philip and Karen Royce

Exhibit 2.14 Richard Crimi

Exhibit 2.15 Steve Perry

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.01 Applicant's Narrative

Exhibit 3.02 Traffic Memorandum

Exhibit 3.03 Service Provider Letters

Exhibit 3.04 Preliminary Site Plan Set

Exhibit 3.05 Architectural Plan Set

Exhibit 3.06 Landscape Plan Set

Exhibit 3.07 Sight Distance Analysis

Exhibit 3.08 Stormwater and Drainage Report

Exhibit 3.09 Photometric Plan

Exhibit 3.10 Pre-Application Conference Notes

Exhibit 3.11 Neighborhood Meeting

Exhibit 1.1 Zoning Map

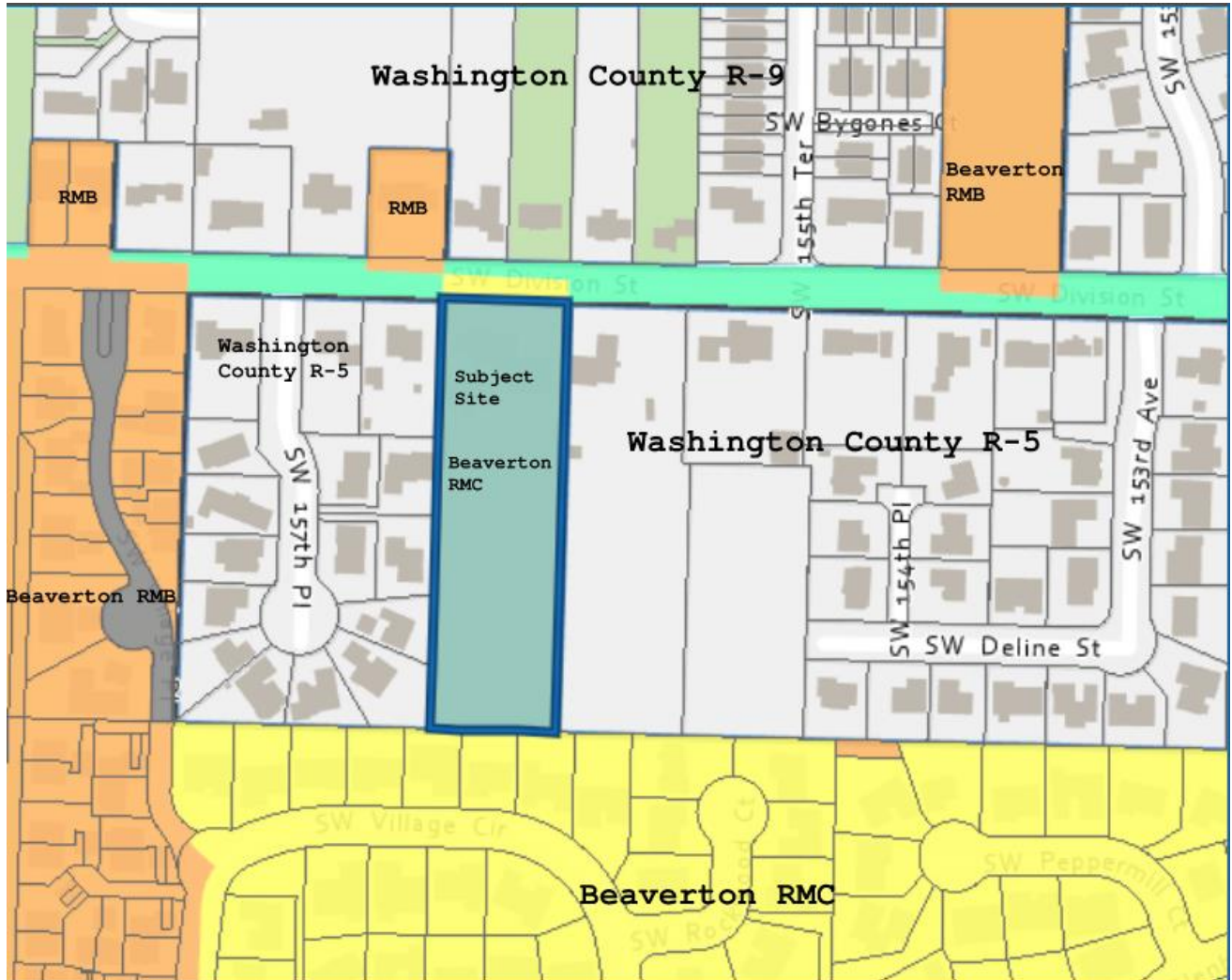
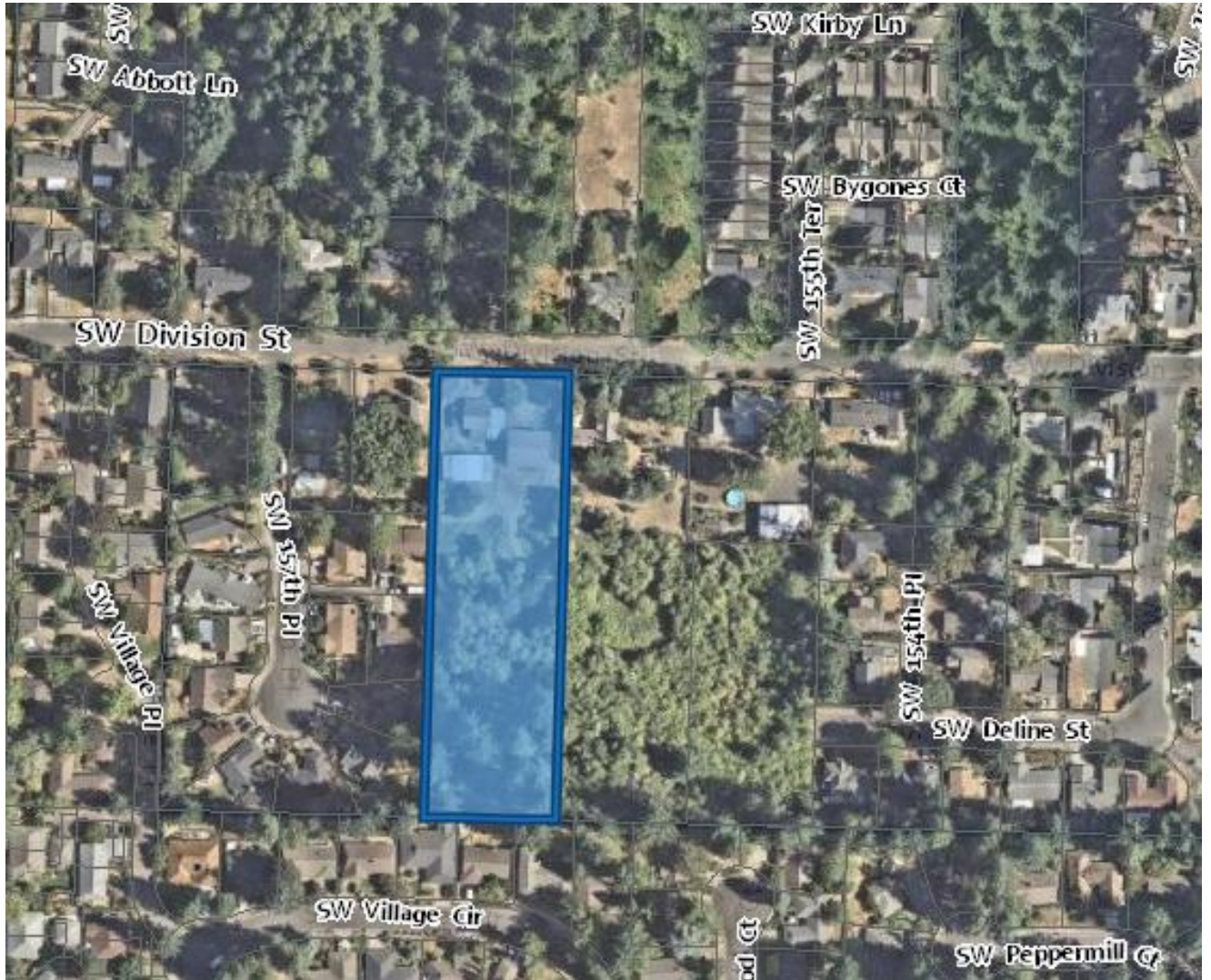


Exhibit 1.2 Vicinity Map



Attachment A: FACILITIES REVIEW

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: LU32023-00649 Beaverton Sikh Temple

Proposal: The applicant, Sikh Center of Oregon, is proposing a New Conditional Use Application and Design Review Application to convert an existing single-detached dwelling and accessory structures into a religious institution. Onsite improvements will consist of two driveways that provide one way ingress and egress. The west access will provide egress and the east driveway will provide ingress. Additional site improvements include a parking lot of 80 spaces, landscaping improvements and a refuse container. A Tree Plan Two application is proposed to remove 64 Community Trees to facilitate the proposed parking and vehicular circulation areas.

Recommendation: APPROVE CUN32023-00644 / DR22023-00645 / TP22023-00646

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted application(s) as identified below:

- All twelve (12) criteria are applicable to the New Conditional Use (CUN32023-00644) and Design Review Two (DR22023-00645) applications.

Section 40.03.1.A

Approval Criterion: *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

FINDING:

Chapter 90 of the Development Code defines "critical facilities" to be services that include potable and non-potable public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection.

Potable Water: The subject site is located in the City of Beaverton water service area and is serviced by an existing 36-inch main located within SW Division Street. The applicant

has provided an approved Water Service Provider Letter from the City of Beaverton that there is adequate infrastructure to serve the development. Additionally, the applicant states that a new connection and new meter will be provided if determined they're necessary during construction of the site.

Non-Potable Water: There is no non-potable water network in the area of development. Therefore, the proposal is exempt from connecting to a non-potable water network.

Sanitary Sewer: An existing 8-inch City of Beaverton sanitary sewer line is located north of the site within SW Division Street. The applicant proposes that sanitary sewer service to the site will be provided by this existing 8-inch public line. An additional connection to the line will be added to provide service to the proposed community kitchen.

Stormwater Drainage, Treatment, and Retention: The property is served by City of Beaverton storm sewer service and the applicant has stated that the storm sewer services are adequate to service the proposed development. The applicant has provided a Preliminary Stormwater and Drainage Report for the quantity and quality of stormwater resulting proposed improvements to the site, including the new parking area. The applicant's plans show an existing 12-inch storm line located within SW Division Street approximately 166 feet to the east of the site. There is no existing surface water management infrastructure on the site. The existing site topography slopes to the northeast to an existing ditch along SW Division Street and ultimately into South Johnson Creek approximately 2,000 feet east of the site.

Water quality retention and treatment is proposed via a Lynch Style Catch Basin that will route untreated stormwater to a Contech Chambermass retention system that will be located underneath a portion of the eastern half of the proposed new parking area. The treated water will then be routed by four 18" cartridges by means of a 72" StormFilter manhole. Three additional manholes will be located along a proposed 12" storm line in the eastern half of the site will drain the treated water to the 12" line existing with SW Division Avenue.

While the Stormwater Drainage Report states that the proposed stormwater facilities are adequate to service the site, the Committee recommends conditions of approval prior to the issuance of the site development permit to address specific stormwater facility requirements pursuant to CWS standards. As conditioned, the Committee finds that adequate stormwater drainage and detention service can be provided to the site to serve the proposed development.

Transportation: The subject site has frontage on SW Division Street which is a two-lane collector and maintained by Washington County. The ultimate right of way (ROW) width for SW Division Street is 74 feet per Washington County standards. The existing ROW is approximately 50 feet; therefore, the applicant proposes to dedicate ROW across the project's frontage along SW Division Street. The project has been conditioned to ensure that the dedication will satisfy the ultimate 37 foot half-street width requirement for the

site's frontage along SW Division Street. The applicant's plan set dated April 11, 2024, indicates a sidewalk width of 5 feet and a planter width of 7 feet. The Beaverton Engineering Design Manual states the minimum sidewalk and planter widths for a Collector are 6 and 7.5 feet respectively, with a half-foot frontage/buffer zone (area between back of sidewalk and property line). Therefore, the committee recommends a condition of approval that the applicant submit new site plans displaying a half-street improvement consisting of pavement width per County Engineer, gutter/curb, 7-foot planter strip (7.5 feet with curb) with street trees and a 6-foot sidewalk located 1 foot from ROW prior to the issuance of the Site Development Permit because Washington County requires the sidewalk to be located one foot from the right of way, one half foot greater than the City's requirement.

A Traffic Impact Analysis is not required for the proposed development. Section 60.55.20.2 of the Beaverton Development Code states that a Traffic Impact Analysis is required when the proposed land use change of development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer. The Institute of Traffic Engineers (ITE) Trip Generation, 11th Manual provides professional guidance for estimating trip generation of potential development. This industry-accepted document, which is also codified in Beaverton Development Code (Section 60.55.20) as the source for traffic generation estimates, provides estimated traffic rates based on various land uses. The applicant has provided a traffic generation memo provided by Lancaster Mobley, dated March 7, 2024 to provide insight on the expected trips the proposed Sikh Temple will produce. The memo states that a Sikh Temple isn't defined in the ITE and has identified ITE land use code 560 Church, as the most reflective use of the Sikh Temple. The traffic memorandum also utilizes the existing single-detached dwelling on the property in the expected trip calculations as it will remain as a private residence. Table 2 of the traffic memorandum summarizes that net new site trips will increase by 30 on weekdays and 120 on Sundays because congregation of the temple is held on Sundays. Therefore, the threshold of 300 new daily trips is not satisfied to require a Traffic Impact Analysis.

Fire Protection: Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). The applicant has provided a copy of a TVF&R permit # 2023-0138 for Fire Code and Land Use Code, including a note that a TVF&R final inspection is required for the project.

The Committee finds that all critical facilities and services are available with adequate capacity to serve the proposed development.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the approval criterion.

Section 40.03.1.B

Approval Criterion: *Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its*

occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both, will be provided to serve the proposed development within five (5) years of occupancy.

FINDING:

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

Schools: The proposed development is within the boundaries of the Beaverton School District. No new dwelling units are proposed as part of the development. Therefore, the Committee finds that the proposal will not affect the existing school capacity.

Transit Improvements: There isn't any direct access to transit near the site, the closest Tri Met bus routes include:

- #52, runs on SW Farmington Road, approximately a quarter mile from the subject site.
- #88, runs on SW 170th Avenue., approximately 0.65 miles from the subject site.

Both routes provide access to the Beaverton Transit Center and run seven days a week. The Committee finds that there are adequate transit services to serve the proposed development.

Police Protection: To the date of this report Beaverton Police have not provided comments or recommendations to the Committee. Beaverton Police will serve the development site and any comments will be shared with the applicant.

Pedestrian and Bicycle Facilities: The subject site is located along SW Division Street, which is a Washington County maintained street and is designated as a collector. SW Division Street is also classified as an enhanced bikeway, which requires buffered bike lanes. The county has conditioned the half street improvement along SW Division Street to include a buffered bike facility, which includes a five-foot-wide bike lane with a 2-foot buffer. The applicant's plan set dated April 11, 2024, indicates a sidewalk width of 5 feet and a planter width of 7 feet. The Beaverton Engineering Design Manual states the minimum sidewalk and planter widths for a Collector are 6 and 7.5 feet respectively, with a half-foot frontage/buffer zone (area between back of sidewalk and property line). Therefore, staff recommend a condition of approval that the applicant submit new site plans displaying a half-street improvement consisting of pavement width per County Engineer, gutter/curb, 7-foot planter strip (7.5 feet with curb) with street trees and a 6-foot sidewalk located 1 foot from ROW prior to the issuance of the Site Development Permit because Washington County requires the sidewalk to be located one foot from the right of way, one half foot greater than the City's requirement

For these reasons, the Committee finds that essential facilities and services related to the proposed development are available with adequate capacity to serve the development.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.C

Approval Criterion: *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses), or Sections 20.25 and 70.15 if located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses) or Sections 20.25 and 70.15 if located within the Downtown Design District.*

FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 20 for the Residential Mixed C (RMC) zone, as applicable to the aforementioned criterion. As demonstrated in the chart, the development proposal either meets all applicable standard or will so with implementation of the proposed conditions of approval.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the approval criterion.

Section 40.03.1.D

Approval Criterion: *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.*

FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements). Staff will provide findings for the Design Review Two request within the applicable section of the staff report.

Section 60.30 Off-Street Parking: The proposal includes a new parking area to accommodate the expected congregants of the proposed place of worship. Pursuant to the development code, there isn't any minimum parking required for the use and the maximum parking is governed by Table 60.30.10.5.A. The applicant has provided a trip

generation memorandum which states that Sunday service is expected to have between 100 and 150 attendees. Using the estimated 150 attendees and multiplying by the 0.8 parking spaces per seat, the maximum parking spaces for the site is 120 spaces. As proposed, the development will provide 80 vehicle parking spaces, meeting the standards identified in Table 60.30.10.5.A. By providing 80 parking spaces the applicant states that the site can effectively satisfy the expected 54 average vehicles visiting the site identified in the traffic memorandum. The additional 26 parking spaces should reasonably accommodate any services that exceed the expected 54 trips and alleviate any use of on-street parking.

Bicycle Parking: Bicycle parking requirements are governed by Table 60.30.10.5.B. The applicant states the existing single-detached dwelling will remain and therefore, requires one long-term and one short-term parking space. The proposed community kitchen and temple do not exceed 10,000 square feet which requires one-short term space and two long term spaces. Therefore, the applicant has provided three long-term parking spaces and two short term spaces to account for the temple/community kitchen use and the existing single-detached dwelling use, as seen on sheet 3 of the preliminary plan set.

Section 60.50.25.4 Using Requiring Special Regulation: Section 60.50.25.4 Churches, Hospitals or other Religious or Eleemosynary Institutions states, “In any residentially zoned property such uses shall be located on a street with a Collector or higher designation as established by the Comprehensive Plan. All buildings shall be set back a minimum of 30 feet from a side or rear property line abutting a Residential district.” The proposed Beaverton Sikh Temple is considered a Religious Institution and is therefore subject to the standards identified in Section 60.50.25.4. The site is located and has access to SW Division Street which is identified as a Collector pursuant to the Comprehensive Plan.

The applicant states that the proposed Sikh Temple will occupy two existing accessory structures on the site. The structure closest to the western property line will be converted to a community kitchen/dining hall and be located 20 feet from the west property line. The eastern accessory structure will be converted to the prayer hall and is located approximately 23 feet from the eastern property line. Each of these structures are located closer than the 30 foot minimum allowed by Section 60.50.25.4.

However, staff finds that the restrictions imposed on the proposed church and other religious institutions found in Section 60.50.25.4 of the Development Code is in violation of the “equal terms” provision of the Religious Land Use and Institutionalized Persons Act (RLUIPA), a federal law which was enacted to protect religious persons and institutions from discrimination in zoning laws. This provision requires that “no government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.” The special setback standards imposed by the Beaverton Development Code found in Section 60.50.25.4 apply to religious institutions, but not other similar nonreligious assembly uses, such as educational institutions. Based on the equal terms provision, and to remain

compliant with federal law, staff will disregard the setback requirements of Section 60.50.25.4, and instead implement setbacks that would be applicable if the development were an educational institution or other place of assembly not regulated by 60.50.25.4. In the RMC zone the side yard setbacks for a school would be a minimum of 5 feet pursuant to section 20.05.15 of the code. Compliance with these setback standards is demonstrated Code Conformance Analysis Table later in this document.

Section 60.55 Transportation Facilities: The applicant has provided a Traffic Memorandum prepared by Lancaster Mobley. The applicant states that the proposed development did not meet the threshold for a Traffic Impact Analysis or Traffic Management Plan. Analysis is required when the proposed land use change of development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer. The Institute of Traffic Engineers (ITE) Trip Generation, 11th Manual provides professional guidance for estimating trip generation of potential development. This industry-accepted document, which is also codified in Beaverton Development Code (Section 60.55.20) as the source for traffic generation estimates, provides estimated traffic rates based on various land uses. The memo states that a Sikh Temple isn't defined in the ITE and has identified ITE land use code 560 Church, as the most reflective use of the Sikh Temple. The traffic memorandum also utilizes the existing single-detached dwelling on the property in the expected trip calculations as it will remain as a private residence. Table 2 of the traffic memorandum summarizes that net new site trips will increase by 30 on weekdays and 120 on Sundays because congregation of the temple is held on Sundays. Therefore, the threshold of 300 new daily trips is not satisfied to require a Traffic Impact Analysis.

Section 60.55.25 Street and Bicycle Pedestrian Connections Requirements: Access to the site will be via a one-way access driveway located at the eastern end of the site. There is also a pedestrian walkway connecting the site to the proposed sidewalk. The frontage of the site is less than 300 feet, therefore, only one pedestrian walkway is required to connect to the right of way. The county has conditioned the half street improvement along SW Division Street to include a buffered bike lane, which includes a six-foot-wide bike lane with a 2-foot buffer. The applicant's plan set dated April 11, 2024, indicates sidewalk width of 5 feet, a planter width of 6 feet and a half-foot between sidewalk and right of way. The Beaverton Engineering Design Manual states the minimum sidewalk and planter widths for a Collector are 6 and 7.5 feet respectively, with a half-foot between sidewalk and right of way. Additionally, Washington County requires the sidewalk to be located one foot from the right of way, one half foot greater than the City's requirement. To accommodate the additional two feet required to meet County and City standards staff recommend a condition of approval that the applicant submit new site plans displaying a half-street improvement consisting of pavement width per County Engineer, gutter/curb, 7-foot planter strip (7.5 feet with curb) with street trees and a 6-foot sidewalk located 1 foot from ROW prior to the issuance of the Site Development Permit.

The applicant will dedicate property along the site's frontage to provide for the 37 foot requirement from the centerline of SW Division Street to satisfy the required half-street

improvements conditioned by Washington County. The dedication and proposed condition of approval to provide a sidewalk and planter width in compliance with the Beaverton EDM and County requirements will ensure that adequate Street, Bicycle, and Pedestrian requirements serve the proposed development.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the approval criterion.

Section 40.03.1.E

Approval Criterion: *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.*

FINDING:

Sikh Center of Oregon will retain ownership of the site and provide regular maintenance of all private common facilities and areas. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.F

Approval Criterion: *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

FINDING:

The applicant proposes a new parking area to accommodate a proposed religious institution. Staff incorporates the findings prepared in response to criteria A, B and D in previous sections of this facilities review report. Staff has conditioned the project to dedicate right of way along the sites frontage to provide for the 37 foot requirement from the centerline of SW Division Street. The applicant will also be conditioned to provide half-street improvements consisting of pavement width per County Engineer, gutter/curb, 7-foot planter strip with street trees (7.5 feet with curb) and a 6-foot sidewalk located 1 foot from ROW prior to the issuance of the Site Development Permit.

The applicant's plans and turning diagrams demonstrate that the proposal will provide safe and efficient vehicular circulation patterns within the boundaries of the development for both emergency vehicles and trucks serving the proposed refuse container.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the approval criterion.

Section 40.03.1.G

Approval Criterion: *The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

FINDING:

In review of Criterion G, staff incorporates the findings prepared in response to A, B, D, and F above. The applicant's plans show vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval the proposal meets the approval criterion.

Section 40.03.1.H

Approval Criterion: *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

FINDING:

Fire protection will continue to be provided by TVF&R. TVF&R staff reviewed the applicant's materials and had no objections the proposal. The applicant has provided a Service Provider Letter (TVF&R Permit 2023-0138) from TVF&R that will require a site inspection to ensure adequate fire protection.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.I

Approval Criterion: *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard, or ill-designed development.*

FINDING:

The applicant states that all structures and public facilities serving the development site are designed in accordance with adopted City codes and standards. As of the date of this report, Beaverton Police have not raised any concerns about crime or accident at the development site. Any comments from Beaverton Police will be forwarded directly to the applicant, and the Committee finds the development is designed to provide adequate protection from crime and accident.

The applicant will be required to submit development permits for life and safety review as part of the building permit review process. Accordingly, the Committee finds that review of the construction documents at the building permit stage will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.J

Approval Criterion: *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

FINDING:

The Committee has reviewed the applicant's preliminary grading and erosion control plans and finds no adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system are anticipated. To mitigate adverse effects during construction the applicant will be required to provide sediment fencing along the project boundaries, trees that are proposed to remain and for inlets and catch basins. Additionally, the proposed grading of the site is designed so water runs off to the streets or the proposed collection facilities, to mitigate for adverse effect(s) on neighboring properties and adjacent public rights-of-way. Furthermore, the storm system has been designed to adequately accommodate surface drainage and necessary water storage facilities, consistent with the down-stream capacity of the existing public storm drainage system. Additionally, the Committee finds that review of the applicant's grading and erosion control plans at the building permit stage is sufficient to guarantee compliance with grading and contouring standards.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.K

Approval Criterion: *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

FINDING:

The applicant states the site will continue to comply with Americans with Disabilities Act (ADA) standards and facilitate efficient pedestrian travel. The applicant will also be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at the building permit stage is sufficient to guarantee compliance with accessibility standards.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.L

Approval Criterion: *The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.*

FINDING:

The applicant submitted the New Conditional Use, Design Review Two and Tree Plan Two application on September 14, 2023, and it was deemed complete by the applicant on February 12, 2024.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Residential Mixed C (RMC) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (RMC)			
Places of Worship	Conditionally Permitted	Proposed new conditional use for a religious institution and Design Review Two application for landscaping improvements and façade improvements to existing structures.	YES
Development Code Section 20.10.15			
Minimum Parcel Area – Non-Residential	5,000-7,000 square feet	1.99 Acres	YES
Lot Dimensions			
Minimum Width	20 feet	Applicant does not propose to modify existing lot dimensions.	N/A
Minimum Depth	None		
Minimum Yard Setbacks	Front: 10 Side: 0, 3, or 5 Rear: 15 feet	Applicant does not propose to modify building footprint or setbacks. The existing building nearest the front property line is 34 feet, the proposed community kitchen is 411 feet from the rear property line and 20 feet from the west property line and the existing structure which will be converted to the prayer hall is 22 feet from the east property line.	YES
Maximum Building Height	35 feet	The prayer hall is the tallest building on the site at 22 feet.	YES

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Convert an existing single-detached dwelling and accessory structures into a place of worship. Onsite improvements will consist of two driveways that provide one way ingress and egress. Additional site improvements include a parking lot of 80 spaces, landscaping improvements and a refuse container.	See DR Findings
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The applicant is not proposing a food cart or food cart pod.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			

Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property, and within 25 feet of a Significant Tree or Grove.	A Land Division is not proposed.	N/A
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Development Code Section 60.20

Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
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CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
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Development Code Section 60.30

Off-Street Motor Vehicle Parking	Refer to the Facilities Review Committee findings herein.	Refer to the Facilities Review Committee findings herein.	YES
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Development Code Section 60.30

Required Bicycle Parking	Refer to the Facilities Review Committee findings herein.	Refer to the Facilities Review Committee findings herein.	YES
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Development Code Section 60.33

Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
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Development Code Section 60.35

Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
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Development Code Section 60.40

Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	N/A
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Development Code Section 60.50.20

Fences	Height restrictions for fences and walls, eight feet for side yards.	The proposed fence along the eastern and western boundaries are 6 feet in height.	YES
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Development Code Section 60.50.25

Uses Requiring Special Regulation	Churches shall be located on a Collector or higher designation. All buildings shall be setback a minimum of 30 feet from a side or rear property line abutting a residential district.	Side yard setbacks of uses less than 30 feet. East structure approximately 22 feet away from east property line and west structure approximately 20 feet away from west property line. Staff not implementing provision due to federal RLUIPA compliance issues. See analysis in Section 40.03.1.D above.	N/A
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Development Code Section 60.55

Transportation Facilities	Refer to the Facilities Review Committee findings herein.	Refer to the Facilities Review Committee findings herein.	YES
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CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
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Development Code Section 60.60

Trees and Vegetation	Regulations pertaining to tree removal and preservation.	Applicant proposes to remove 64 Community Trees to accommodate the proposed development.	See Tree Plan Two Findings.
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Development Code Section 60.65

Utility Undergrounding	Requirements for placing overhead utilities underground.	All new utility lines are proposed to be undergrounded. The applicant has stated that any impact utility poles will be undergrounded.	YES
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Development Code Section 60.67

Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	No wetland or riparian corridors exist on site.	N/A
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Development Code Section 60.70

Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A
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Attachment B: New Conditional Use CUN32023-00644

ANALYSIS AND FINDINGS FOR NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CUN32023-00644**, subject to the applicable conditions identified in Attachment E.

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

Staff has reviewed the applicable Facilities Review Committee approval criteria in Attachment A of this report. Staff cites the findings presented in Attachment A in response to the Facilities Review Committee approval criteria. As identified in Attachment A, the proposal meets Approval Criteria 40.03.1.A through L, subject to conditions of approval identified in Attachment E.

Conclusion: Therefore, staff finds that, by meeting the conditions of approval, the proposal meets the Facilities Review Committee approval criteria.

Section 40.15.05 Purpose

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied.

Planning Commission Standards for Approval

Section 40.15.15.5.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on New Conditional Use applications. The Commission will determine whether the application as presented meets New Conditional Use Development approval criteria. The Commission may choose to adopt, not adopt, or modify staff's

findings. In this attachment to the staff report, staff evaluates the application in accordance with the approval criteria for New Conditional Use applications.

In order to approve a New Conditional Use application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.15.15.5.C.1

Approval Criterion: *The proposal satisfies the threshold requirements for a Conditional Use application.*

FINDING:

Threshold 1 for a New Conditional Use states that a New Conditional Use is an application process which:

- 1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.*

The subject site is located within the RMC zoning district. Pursuant to Table 20.05.20.A Land Uses, "Places of Worship," which the Beaverton Sikh Temple use most closely aligns with, is Conditionally permitted in the RMC zone. The applicant states and staff confirm that there isn't an approved Conditional Use application for the site that allows for "Places of Worship." Therefore, staff finds that the proposal meets threshold 1 for a New Conditional Use.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.15.15.5.C.2

Approval Criterion: *All City application fees related to the application under consideration by the decision-making authority have been submitted.*

FINDING:

The City of Beaverton received the appropriate fee for a New Conditional Use application.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.15.15.5.C.3

Approval Criterion: *The proposal complies with the applicable policies of the Comprehensive Plan.*

FINDING:

The following policies of the Beaverton Comprehensive Plan have been identified as being applicable to this New Conditional Use proposal.

Relevant Comprehensive Plan Policies

Chapter 3 (Land Use Element)

Goal 3.1.1 Encourage development and land use patterns that support a variety of transportation options.

Policy a. of 3.1.1 Emphasize pedestrian convenience and safety in all developments and transportation facilities.

The applicant's plans demonstrate compliance with applicable engineering standards of the City and County. The proposal includes a new sidewalk corridor that along the site's frontage with SW Division Street. The sidewalk corridor is comprised of a 6 foot sidewalk and 7.5 foot planter, as identified in Engineering Design Manual Standard Drawing 200-2. The sidewalk will be connected to the sites internal gathering places via a new pedestrian pathway that will be lit pursuant to the technical lighting standards found in Table 60.05-1.

Goal 3.2.1 Provide for thoughtful and strategic infill and redevelopment.

Policy b. Encourage and support quality redevelopment in target areas that is consistent with city goals.

iii. Manage transitions between different uses and housing types.

v. Encourage site and building design features, including setbacks and site lines, that minimize impacts to sunlight and privacy for existing adjacent homes.

The applicant's plans indicate that the proposed "place of worship" will be in a residential neighborhood. The properties directly abutting the property to the west, east, and south are developed with single-detached dwellings. To mitigate the potential for noise and light pollution to neighboring properties the applicant has provided a landscape plan that shows the construction of a new cedar fence along the western and eastern property lines as well as the planting of 109 buffer shrubs between the proposed parking lot and the cedar fence. The fence and buffer shrubs will also provide additional visual screening of the subject site from abutting properties. The properties abutting the site to the south will be screened by the preserved existing vegetation and trees, which is approximately a half-acre in size.

Goal 3.3.1 Promote sustainable development, resilience, and resource protection.

Policy a. Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

The applicant is proposing to utilize an existing, underutilized parcel in an established urban area. The parcel has direct access to a collector street, allowing it to accommodate any increased traffic use associated with the proposed place of worship. Redeveloping the site within an established urban area ensures the farms and forests in the areas outside the Urban Growth Boundary remain viable for their foreseeable future.

Policy c. Encourage and incentivize sustainable building and site design approaches that minimize environmental impacts of the built environment while creating healthy, safe places for people to live, work and play, through:
ii. Reducing resource consumption and waste
iv. Integration of stormwater and natural systems

The applicant is proposing to utilize existing structures of the site, rather than demolishing existing facilities and rebuilding. The existing single-detached dwelling will remain as the primary residence for the priest of the place of worship. Two existing accessory structures will be rehabilitated to a kitchen and a prayer hall. By making use of the existing structures, the site will reduce resource consumption and eliminate excess waste associated with the demolition of structures.

The applicant will be required to treat all stormwater associated with the site improvements, primarily due to the proposed parking lot. The project will incorporate a Contech Chambermaxx retention system, that will be installed in the eastern portion of the parking lot as seen on Sheet 8 of the preliminary plan set (Exhibit 3.04). The treated stormwater is then managed and routed via a new 12-inch storm sewer line that will connect to the existing infrastructure in SW Division Street.

Goal 3.4.1 Provide effective and inclusive planning and development review services.

Policy b. Ensure that land use planning, notification, and public involvement procedures and processes are inclusive and provide meaningful opportunities for engagement by all community members.

The applicant held a Neighborhood Review meeting with the surrounding neighbors on April 8, 2023. The applicant states in Neighborhood Meeting notes, (Exhibit 3.10) that 35 people attended the meeting and an additional 3 people called the applicant's representative. Additionally, a notice of the project was

mailed to all neighbors within 500 feet of the project site and a notice was posted in a local newspaper on May 16, 2024, 41 days prior to the scheduled Planning Commission meeting on June 26, 2024. During the scheduled Planning Commission hearing there will be an opportunity for members of the public to provide oral testimony concerning the project.

Goal 3.8.1 Complete and livable Neighborhoods.

Policy h. Use Crime Prevention through Environmental Design (design that provides opportunities for “eyes on the street” through street-facing windows and doors) to reduce graffiti, vandalism and other property crimes and to promote a feeling of safety for pedestrians.

The applicant is proposing to retrofit existing accessory buildings into a community kitchen and a prayer hall. As part of the rehabilitation of the site and to meet design standards which will be addressed in more detail in Attachment C, the applicant will be adding windows to the street facing facades of these structures. The structure which will become the prayer hall will be replacing two garage doors with approximately 336 square feet of windows. This will increase the visual connection between the occupants of the structure and the pedestrian environment along SW Division Street, meeting the intention of Policy h.

Chapter 6 (Transportation Element)

Goal 6.2.1 Transportation facilities designed and constructed in a manner to enhance Beaverton’s livability and meet federal, state, regional, and local requirements.

Policy a. Maintain the livability of Beaverton through proper location and design of Transportation facilities.

The applicant has been conditioned to dedicate property along SW Division Street to meet the cross section of a Collector Street pursuant to Standard Drawing 200-2 of the Engineering Design Manual. The proposed ingress and egress of the site has been designed in ways that will include the required right-of-way widths to provide for vehicular, bicycle, and pedestrian circulation along SW Division Street. Additionally, pedestrian access ways have been designed to accommodate the topography and required connectivity from the right of way (SW Division Street) to the on-site circulation network.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.15.15.5.C.4

Approval Criterion: *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

FINDING:

The applicant's proposal is designed with the existing topography and natural resource areas in mind. The applicant has provided 80 parking spaces, which is 40 less spaces than the allowed maximum based upon the size of the congregation and table found in section 60.30.10.5.A of the development code. By minimizing the parking lot spaces to below the maximum allowance but still meet the demand of the congregation, the applicant was able to preserve approximately a half-acre of natural area on the southern portion of the site. The size and dimensions of the existing lot meet or exceed the requirements of the development code as described in the findings to Facilities Review criteria in Attachment A of this report.

The site's frontage is currently below standard; it doesn't contain sidewalks, a planter strip and SW Division Street lacks the appropriate width for a Collector Street. The applicant has been conditioned to dedicate property along SW Division Street to meet the cross section of a Collector Street pursuant to Standard Drawing 200-2 of the Engineering Design Manual. The dedication will allow for enough space to provide a 6-foot sidewalk, 7.5-foot planter, and a buffered bike lane pursuant to both the City of Beaverton and Washington County standards. Staff finds that the size, dimensions, configuration, and topography of the site can reasonably accommodate the proposal.

Conclusion: Therefore, the Committee finds that, by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.15.15.5.C.5

Approval Criterion: *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*

FINDING:

The subject site is located with the RMB zone, which allows for places of worship through a conditional use permit. The applicants' plans and narrative indicate the proposed use and site improvements are reasonably compatible with and have minimal impact on the livability of the properties surrounding the area of the subject site. The applicant states that the proposed place of worship will essentially continue to operate as a single detached-dwelling Monday through Saturday.

On Sundays and Sikh holidays, the site may see an influx of 100-150 people for services related to a place of worship. Services will take place inside the proposed prayer hall and

food may be prepared for the congregation by its members using the proposed community kitchen. The applicant has proposed a parking lot of 80 spaces to reduce any on-street parking concerns associated with overflow onto SW Division Street and the surrounding local streets. To reduce the impact on abutting properties to the west and east the applicant has proposed a new 6 foot cedar fence and buffering shrubs. The combination of these two buffering methods will reduce both noise and light pollution from overwhelming the neighbors. Finally, the southern half acre of the site will retain its natural state to further reduce impacts on the surrounding properties.

Conclusion: Therefore, staff finds that the proposal meets the criterion for approval.

Section 40.15.15.5.C.6

Approval Criterion: The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

FINDING:

The subject property is not located with the floodway fringe.

Conclusion: Therefore, staff finds that the criterion is not applicable.

Section 40.15.15.5.C.7

Approval Criterion: For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code

FINDING:

The parcel is zoned RMB.

Conclusion: Therefore, staff finds that the criterion is not applicable.

Section 40.15.15.5.C.8

Approval Criterion: Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

FINDING:

The applicant has submitted the required application materials for review of a New Conditional Use application in the proper sequence. The CUN is being processed concurrently with the following applications Design Review Two (DR22023-00645) and Tree Plan Two (TP22023-00646). Therefore, staff recommends a condition of approval that DR22023-00645 and TP22023-00646 be approved for CUN32023-00644 to be approved.

Conclusion: Therefore, staff finds by meeting the Conditions of Approval, the proposal meets the criterion for approval.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented above, staff recommends **APPROVAL** of **CUN32023-00644**, subject to conditions of approval in Attachment E.

Attachment C: Design Review Two DR22023-00645

ANALYSIS AND FINDINGS FOR DESIGN REVIEW TWO

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR22023-00645**, subject to the applicable conditions identified in Attachment E.

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

Staff has reviewed the applicable Facilities Review Committee approval criteria in Attachment A of this report. Staff cites the findings presented in Attachment A in response to the Facilities Review Committee approval criteria. As identified in Attachment A, the proposal meets Approval Criteria 40.03.1.A through L, subject to conditions of approval identified in Attachment E.

Conclusion: Therefore, the Committee finds that the proposal meets the criteria.

Section 40.20.05 Purpose:

The purpose of Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary, and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by ensuring the proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development. The purpose of Design Review as summarized in this Section is carried out by the approval criteria listed herein.

Section 40.20.15.2.C Approval Criteria

In order to approve a Design Review Two application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.20.15.2.C.1

The proposal satisfies the threshold requirements for a Design Review Two application.

Finding:

The applicant requests Design Review Two approval for an addition and renovations to an existing single-detached dwelling and accessory structures associated with a change in use of the site from a residence to a place of worship. Additional improvements associated with the change of use include new landscaping, a new parking lot, and vehicle maneuvering areas. Threshold number two of Design Review Two reads “New construction of up to and including 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential District.” Therefore, the application meets Threshold number two for Design Review Two.

Conclusion: Therefore, staff finds the proposal satisfies this criterion.

Section 40.20.15.2.C.2

All City application fees related to the application under consideration by the decision-making authority have been submitted.

Finding:

The City of Beaverton received the appropriate fee for a Design Review Two application.

Conclusion: Therefore, staff finds the proposal satisfies this criterion.

Section 40.20.15.2.C.3

Approval Criteria: The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.

Finding:

Pursuant to Section 50.25.1, the application package includes all of the necessary submittal requirements.

Conclusion: Therefore, staff finds that the proposal satisfies this criterion.

Section 40.20.15.2.C.4

Approval Criteria: The proposal is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards).

Finding:

The applicant requests Design Review Two approval for an addition and renovations to an existing single-detached dwelling and accessory structures associated with a change in use of the site from a residence to a place of worship. Additional improvements associated with the change of use include new landscaping, a new parking lot, and

vehicle maneuvering areas. The existing eastern accessory structure will be renovated from a garage to prayer hall. The street facing garage doors will be retrofitted to new include new windows facing SW Division Street. The western accessory building will remove an existing covered parking space to create room for the proposed vehicular egress drive aisle. An addition to the building of approximately 960 square feet is proposed, that will include of the two entrances both covered with a four by six foot weather protection overhang. The addition isn't visible from the right of way as the existing single-detached dwelling is located between it and the right of way.

Site work includes a new driveway to facilitate a one way in one way out vehicular circulation network, a new 80 space parking lot, and new landscaping. The project is also conditioned to dedicate property that will allow for a new sidewalk corridor consisting of a 6 foot sidewalk and 7.5 foot planter, with three new street trees. Staff cites the findings in the Design Review Standard Analysis chart (Table 4) in this report which evaluate the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). In part, the chart provides a summary response to design review standards determined to be applicable in the subject case. The applicant's plans and materials show compliance with these standards. Certain conditions of approval are proposed to ensure the plan is constructed consistent with these standards.

Conclusion: Therefore, staff finds that the proposal satisfies this criterion by meeting the conditions of approval.

Section 40.20.15.2.C.5

Approval Criteria: For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Standards if any of the following conditions exist:

Finding:

The proposal is for an addition and renovations to an existing single-detached dwelling and accessory structures associated with a change in use of the site from a residence to a place of worship. Additional improvements associated with the change of use include new landscaping, a new parking lot, and vehicle maneuvering areas. Staff cites the Design Review Standard Analysis chart which evaluates the proposal's compliance with Design Review Standards. The applicant's plans and materials show compliance with these standards. Certain conditions of approval are proposed to ensure the plan is constructed consistent with these standards.

Conclusion: Therefore, staff finds that the proposal will satisfy this criterion by meeting the conditions of approval.

Section 40.20.15.2.C.6

Approval Criteria: For reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district, the reconstructed dwelling is no more than 500 sq. ft. larger in floor area than the original dwelling.

Finding:

The proposal does not include the reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district.

Conclusion: Therefore, staff finds that this criterion is not applicable.

Section 40.20.15.2.C.7

Approval Criteria: The proposal complies with grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance.

Finding:

The proposed project will result in minimal grading to accommodate the proposed parking lot and site improvements, new pedestrian walkways. The Facilities Review Committee concluded that the proposal complies with all technical approval criteria, including those related to grading.

Conclusion: Therefore, staff finds that the proposal satisfies this criterion.

Section 40.20.15.2.C.8

Approval Criteria: Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Finding:

The applicant has submitted all documents related to this request for Design Review Two approval.

Conclusion: Therefore, staff finds that the proposal satisfies this criterion.

Table 4: Sections 60.05.15 – 60.05.30 Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Design and Orientation		
<p>60.05.15.1.B-D Buildings visible from and within 200 feet on an adjacent street...the street-facing elevation(s) and the elevation(s) containing a primary building entrance.</p>	<p>The applicant states that the existing eastern and western accessory structures are non-conforming. Additionally, the building addition to the proposed community kitchen isn't visible from an adjacent public street because of the placement of the existing single-detached dwelling. Therefore, the applicant is invoking section 30.25.1.A which states "any structure or portion thereof may be altered in a way that will not change or will decrease its nonconformity." Therefore, standards for Building articulation and variety aren't applicable to the project because all improvements to these structures are bringing them closer to conformance. The improvements including removing garage doors on the proposed prayer hall and replacing with glazing that will cover 39% of the street facing façade of the structure. The new addition which isn't visible from the public street also contains windows on greater than 50 percent of its eastern and southern facades, as seen on Sheets 2 and 3 of the architectural plan set (Exhibit 3.05).</p>	<p>N/A</p>
Roof Forms		
<p>60.05.15.2.A-D Roof Forms</p>	<p>The applicant states that the existing roof slopes and forms will remain. Additionally, the new building addition will have a roof slope of 4/12 pitch that matches the existing roof slope.</p>	<p>YES</p>
Primary Building Entrances		
<p>60.05.15. 3 Primary Building Entrances</p>	<p>The proposed community kitchen and prayer hall each have an entrance cover that is six feet wide and four feet deep, as seen on Sheet 3 of the architectural plan set (Exhibit 3.05)</p>	<p>Yes</p>
Exterior Building Materials		
<p>60.05.15.4.B and C Exterior Materials</p>	<p>Of the three structures on the site only the proposed prayer hall and existing single-detached structure would be subject to these standards. The proposed community kitchen and its</p>	<p>N/A</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	addition aren't visible from the public right of way. Because the only changes to the existing facades for these structures include new glazing and the existing non-conforming additions are not being expanded or altered in a way that increases their non-conformity the standards aren't applicable to the proposal.	
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	No new rooftop equipment is proposed.	N/A
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A-F Street frontage Multiple Use Zones	The site is located in the RMB zone.	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A through C	The site is not located on a Major Pedestrian Route	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A-B Glazing and Weather Protection	The proposed use is for a place of worship in a residential zone.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The applicant demonstrates on sheet 3 of the Preliminary plan set (Exhibit 3.04) that a pedestrian sidewalk will connect to the proposed frontage improvements. The site is currently accessed by a driveway along the western portion of the site. This existing driveway will be modified to provide an exit for vehicles accessing the site. A new curb cut will be located along the eastern portion of the site to provide as an entrance to the site. Updated and new walkways will connect pedestrians between the existing buildings on the site as well as from the buildings to the abutting public right-of-way.	Yes
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A-E	The project includes a new	Yes

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	garbage/recycling enclosure that will be located along at the rear of the proposed community kitchen, which will screen it from the public right of way. The enclosure will be constructed of materials and at a height consistent with the requirements of this standard.	
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	The applicant demonstrates on sheet 3 of the Preliminary plan set (Exhibit 3.04) that new walkways interior to the site will connect via a new access point along SW Division Street. Updated and new walkways will connect pedestrians between the existing buildings on the site as well as from the buildings to the sidewalk along the abutting public right-of-way.	Yes
60.05.20.3.B Direct walkway connection	The applicant demonstrates on sheet 3 of the Preliminary plan set (Exhibit 3.04) that new walkways interior to the site will connect directly to the primary entrances of each structure.	Yes
60.05.20.3.C Walkways every 300 feet	The frontage of the site is approximately 168 feet, which will require one walkway to connect to the public street. The applicant demonstrates on sheet 3 of the Preliminary plan set (Exhibit 3.04) that there is one pedestrian walkway connecting to SW Division Street.	Yes
60.05.20.3.D Physical separation	Pedestrian connections through the area of the parking lot will be physically separated by curbs, as demonstrated on sheet 3 of the Preliminary plan set (Exhibit 3.04).	Yes
60.05.20.3.E Distinct paving	The applicant states the pedestrian walkway which crosses a vehicle drive aisle will be composed of concrete, to differentiate it from the asphalt of the parking lot.	Yes
60.05.20.3.F 5 foot minimum width	Proposed walkways will be constructed of concrete, will be at least 5 feet wide, and ADA-compliant.	Yes
Street Frontages and Parking Areas		
60.05.20.4.A.1-2	The proposed parking lot is at the rear of the site. Therefore, landscaping for parking lots abutting a public street isn't applicable to the proposal.	N/A
Parking and Landscaping		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p>60.05.20.5.A-D Parking Area Landscaping</p>	<p>The proposed parking lot provides a landscape planter for every 10 spaces, is 7 feet in width and approximately 120 square feet in area. Three of the planters are proposed to be planted with Jefferson Elms, which have a mature growth height of up to 50 feet as seen on the landscape plan (Exhibit 3.06). The six planters central to the parking lot don't show any trees, just light poles, and ground cover. The plan shows that only 33% (3 of 9 planters) have a tree. Pursuant to the standard at least 75% of the planters must have a tree. Therefore, staff recommends a condition of approval that the applicant submit a new landscape plan that shows at least 7 planters have a tree meeting the requirements of the section.</p>	<p>YES w/ COA</p>
<p>60.05.20.5.E Half Acre of New Parking</p>	<p>The applicant states the proposed parking and vehicle maneuvering area is 38,708 square feet, greater than one half acre in size. The standard states that the applicant shall provide for a minimum of 30% tree canopy coverage over the parking lot area. As seen on the Landscape plan (Exhibit 3.06) the applicant has provided tree canopy coverage of 40.3%.</p>	<p>YES</p>
Off-Street Parking Frontages in Multiple-Use Districts		
<p>60.05.20.6.A 50% Max on MPR 1 65% Max on MPR 2</p>	<p>The site is not located in Multiple-Use District</p>	<p>N/A</p>
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
<p>60.05.20.7.A -B Required sidewalk/internal pathway widths</p>	<p>The subject site is located within the RMB zone, the standard doesn't apply.</p>	<p>N/A</p>
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
<p>60.05.20.8.A Drive aisles to be designed as public streets, if applicable</p>	<p>The proposed drive aisles connect directly to perpendicular parking.</p>	<p>N/A</p>
Ground Floor uses in parking structures		
<p>60.05.20.9</p>	<p>No parking structures are proposed.</p>	<p>N/A</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Parking Structures		

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		

60.05.25.1-4 Residential minimum landscaping.	The site is not a residential development.	N/A
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Minimum Landscaping		
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60.05.25.5.A-D Non-residential minimum landscaping.	The applicant states the subject property is 87,242 square feet, which would require 13,086 square feet of landscaping. In addition to the proposed landscaping associated with the new parking lot and buffers the applicant proposes to preserve approximately 24,769 square feet of natural area in the southern portion of the site. Additionally, all facades facing and visible from the right of way will contain windows, negating the need for foundation landscaping. No pedestrian plazas are proposed for the site.	Yes
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Retaining Walls		
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60.05.25.8 Retaining Walls	The proposal does not include any retaining walls.	N/A
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Fences and Walls		
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60.05.25.9.A through E Materials	All fences are proposed to be constructed of Red Cedar and be a maximum of 6 feet in height.	YES
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Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
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60.05.25.10 Minimize grade changes	As identified in the associated Facilities Review report for this project, "stormwater runoff is being managed via a regional water quality facility for treatment and an on-site Chambermaxx system. There is no proposed grading that will direct stormwater runoff onto neighboring properties. The Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system."	YES
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Integrate water quality, quantity, or both facilities		
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DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.25.11 Location of facilities	As identified in the associated Facilities Review report for this project, “stormwater runoff is being managed via a regional water quality facility for treatment and an onsite Chambermaxx system. There is no proposed grading that will direct stormwater runoff onto neighboring properties. The Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system.”	N/A

Natural Areas

60.05.25.12 No encroachment into buffer areas.	No natural areas exist on site.	N/A
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Landscape Buffering Requirements

60.05.25.13 Landscape buffering between contrasting zoning districts	The proposal is for a New Conditional Use (Place of Worship) in a residential zone. The site abuts residential properties to the east, west and south. Pursuant to Table 60.05-2, subscript 7 requires a B3 standard for non-residential land uses abutting a residential use in a residential zoning district. Additionally, the buffer width shall not exceed a minimum setback pursuant to subscript 5. Therefore, the applicant is required to provide a B3 buffer standard of 5 feet along the east and west property lines and 15 feet along the southern property line. As seen on the Landscape Plan (Exhibit 3.06), the applicant has provided a 6 foot cedar fence and evergreen shrubs along the east and west for the length of the new development. The southern portion of the lot is buffered by the half acre of natural area that is being left undisturbed with this proposal.	YES
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Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1-2. Lighting complies with the City’s Technical Lighting Standards	The applicant has provided a photometric plan showing vehicle, and pedestrian areas will be properly lit. The height of all proposed luminaires will not exceed 15 feet	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	<p>for pedestrian ways or 20 feet for vehicular maneuvering areas. Additionally, the photometric plan indicates a maximum footcandle of 0.5 at the eastern and western property lines which is the maximum allowed by Table 60.05-1.</p>	

Attachment D: Tree Plan Two TP22023-00646

ANALYSIS AND FINDINGS FOR TREE PLAN TWO

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP22023-00646**, subject to the applicable conditions identified in Attachment E.

Section 40.90.05 Purpose:

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

In order to approve a Tree Plan Two application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.90.15.2.C.1

Approval Criteria: The proposal satisfies the threshold requirements for a Tree Plan Two application.

Finding:

The applicant's plans show the proposal includes the removal of 64 Community Trees, which meets threshold one (1) for a Tree Plan Two application.

1. *Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1.*

Community Trees are defined in Chapter 90 of the Beaverton Development Code as;

"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."

Conclusion: Therefore, staff find that the proposal meets the criterion for approval.

Section 40.90.15.2.C.2

Approval Criteria: All City application fees related to the application under consideration by the decision making authority have been submitted.

Finding:

The applicant has paid the required fee for a Tree Plan Two application.

Conclusion: Therefore, staff find that the proposal meets the criterion for approval.

Section 40.90.15.2.C.3

Approval Criteria: If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.

Finding:

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the development of the site, primarily for the construction of the parking and circulation areas.

Conclusion: Therefore, staff find that the criterion does not apply.

Section 40.90.15.2.C.4

Approval Criteria: If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.

Finding:

The applicant states that the removal of trees is necessary to accommodate the new parking area and associated vehicle maneuvering areas. The applicant's plans show that most of the Community Trees found on the subject site are located within the proposed parking area and vehicle maneuvering areas.

The applicant's plans show 26 Community Trees proposed for retention along the site's southern boundary. The applicant has provided a Landscape Plan (Exhibit 3.06) depicting a tree protection fence being positioned during development to protect the Community Trees proposed for retention.

Staff concur that the trees proposed to be removed are necessary to accommodate the proposed physical development.

Conclusion: Therefore, the proposal meets this criterion for approval.

Section 40.90.15.2.C.5

Approval Criteria: If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.

Finding:

The applicant states no trees are designated for removal purely due to their nuisance value. Staff find that trees are being removed to facilitate development of the site.

Conclusion: Therefore, staff find that this criterion for approval does not apply.

Section 40.90.15.2.C.6

Approval Criteria: If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.

Finding:

The applicant states that all the Community Trees proposed for removal are to facilitate private development.

Conclusion: Therefore, staff find that this criterion for approval does not apply.

Section 40.90.15.2.C.7

Approval Criteria: If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with structures or vehicles.

Finding:

The removal of trees is not necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with existing structures or vehicles. The subject site does not contain any designated Significant Groves and/or SNRAs (Significant Natural Resources Areas). The trees are proposed for removal to accommodate new development where no reasonable alternative exists.

Conclusion: Therefore, staff find that this criterion for approval does not apply.

Section 40.90.15.2.C.8

Approval Criteria: If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.

Finding:

No designated Significant Groves and/or SNRAs are present on the subject site. The trees are proposed for removal to accommodate new development where no reasonable alternative exists.

Conclusion: Therefore, staff find that this criterion for approval does not apply.

Section 40.90.15.2.C.9

Approval Criteria: If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.

Finding:

No designated Significant Groves and/or SNRAs are present on the subject site. The trees are proposed for removal to accommodate new development where no reasonable alternative exists.

Conclusion: Therefore, staff find that this criterion for approval does not apply.

Section 40.90.15.2.C.10

Approval Criteria: The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources

Finding:

Staff cites the applicable Development Code sections in the Development Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 60.60 and 60.67.

Conclusion: Therefore, staff find the proposal meets the criterion for approval.

Section 40.90.15.2.C.11

Approval Criteria: Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

Finding:

This approval criterion is identical to Facilities Review approval criterion J. The response contained within the Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's plans demonstrate a balance of accommodating the proposed use while minimizing the adverse effects on neighboring properties.

Conclusion: Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

Section 40.90.15.2.C.12

Approval Criteria: The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

Finding:

The applicant submitted the New Conditional Use, Design Review Two and Tree Plan Two application on September 14, 2023, and it was deemed complete by the applicant on February 12, 2024.

Conclusion: Therefore, staff find that the proposal meets this criterion for approval.

Section 40.90.15.2.C.13

Approval Criteria: Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Finding:

The applicant has submitted the required application materials for review of a Tree Plan Two application in the proper sequence. The Tree Plan Two is being processed concurrently with the following applications New Conditional Use (CUN32023-00644) and Design Review Two (DR22023-00645). Therefore, staff recommends a condition of approval that CUN32023-00644 and DR22023-00645 be approved in order for TP22023-00646 to be approved.

Conclusion: Therefore, staff find that the proposal meets this criterion for approval.

Code Conformance Analysis

Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards for Protected Trees	The subject site does not contain any Protected Trees.	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The subject site does not contain any Protected Trees.	N/A
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	The subject site does not contain any Protected Trees. No mitigation is required for Community Trees.	N/A
60.60.15.2.C.1-8	Standards for SNRA & Significant Groves	A SNRA (Significant Natural Resource Area) is not present on the site, not is a Significant Grove.	N/A
60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	The applicant proposes to retain Community Trees on the southern half acre of the site. To preserve the remaining Community Trees, the applicant has demonstrated compliance with Section 60.60.20, by providing a landscape plan (Exhibit 3.06) which depicts tree protection fencing dividing the property along southern edge of the proposed parking lot and the preserved Community Trees.	YES

Attachment E: RECOMMENDED CONDITIONS OF APPROVAL

Application: LU32023-00649 Beaverton Sikh Temple

Recommendation: APPROVE CUN32023-00644 / DR22023-00645 / TP22023-00646 subject to conditions.

Design Review Two (DR22023-00645)

A. General Conditions, the applicant shall:

1. Ensure that the New Conditional Use (CUN32023-00644) and Tree Plan Two (TP22023-00646) applications have been approved and are consistent with the submitted plans. (Planning / BC)
2. Ensure all site improvements, including landscaping, are completed in accordance with plans and detail drawings marked "Exhibit 3.04", except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BC)

B. Prior to issuance of the site development permit the applicant shall:

3. Submit photometric lighting analysis and revised site plans to demonstrate that adequate on-site parking lot and pedestrian walkway lighting will be installed in accordance with the City's illumination standards (BDC 60.05.30 and Table 60.05-1) (Transportation / FdF)
4. Submit the required plans in PDF format with either a wet signature or electronically stamped and sealed. Also in addition, submit electronically in AutoCad (latest version) format (.dxf or .dwg) compatible with City Windows software. All GPS-survey improvements shall be reflected as state plane coordinates corrected to the coordinates of the City's base station on Griffith Drive (Site Development Div. / HJ)
5. Submit application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div. / HJ)
6. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / HJ)

7. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / HJ)
8. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div. / HJ)
9. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the County right of way. (Site Development Div. / HJ)
10. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District (TVWD) for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div. / HJ)
11. Submit a copy of the approved TVF&R Service Provider permit for the project. The service provider permit shall have attached stamped and approved fire service plan sheets that match what is shown on the site development permit application plan sets. (Site Development Div. / HJ)
12. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. The City will route submittals to Clean Water Services on behalf of the applicant. (Site Development Div. / HJ)
13. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div. / HJ)
14. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / HJ)
15. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing

drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. (Site Development Div. / HJ)

16. Any extra-capacity water, sanitary, and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to the development. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer or as permitted per sections 307 and 311 of Oregon Uniform Plumbing Code. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div. / HJ)
17. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). The 100 year/emergency overflow path of the storm water management facility shall be shown on the plans. Grading shall direct storm water to a conveyance system or existing natural drainage. (Site Development Div. / HJ)
18. Any changes to approved grading must meet provisions of Beaverton Code 9.05.110 and 9.05.115, no grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. (Site Development Div. / HJ)
19. Provide plans showing a proprietary stormwater treatment system for treatment of the site's piped surface water runoff. Plans shall also show a trash capture water quality pre-treatment unit located directly upstream from any proprietary stormwater treatment system vaults or manholes. Plans shall also show a high flow bypass system to bypass surface water runoff high flows. (Site Development Div. / HJ)
20. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / HJ)
21. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div. / HJ)
22. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site and

individual lots/tracts. (Site Development Div. / HJ)

23. Provide plans for the placement of underground utility lines within the site. No overhead services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div. / HJ)
24. When required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / HJ)
25. Place the following stamp on only the sheets that show improvements in private property on the site development plans permit submittal. (Site Development Div. / HJ)

The approval of Site Development plans shall not constitute approval of improvements on private property that are to be constructed in accordance with plans in the approved plumbing and building permits. Private property improvements include, but are not limited to private: piping, ADA, sidewalk, parking, plumbing, signage, and electrical.

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26. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. Obtain necessary Design Exception(s) as identified during the Land Use Review process. (Site Development Div. / HJ)
 27. Provide an updated landscape plan showing conformance with the landscape planter island tree requirements identified in Section 60.05.20.5.B.
 28. Obtain a Washington County Facility Permit for the following public improvements on SW Division Street. (Washington County / NV)
 29. Submit Washington County Public Assurance Staff: A completed "Design Option" form (original copy), City's Notice of Decision (NOD) and County's Letter dated **May 23, 2024**. (Washington County / NV)
 30. **\$15,000** Administration Deposit
 - a. Note: The Administration Deposit is accost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and permit processing. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs

will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

31. Electronic submittal of engineering plans, Geotech/pavement report, engineer's estimate and the "Engineer's Checklist" (Appendix 'E' of County Road Standards) for construction of the following public improvements (30.b – f): (Washington County / NV)
 - a. Note: Improvements within the ROW may be required to be relocated or modified to permit the construction of public improvements. All public improvements and modifications shall meet current County and ADA standards. Public improvements that do not meet County standards shall submit a design exception to the County Engineer for approval.
 - b. Construction of a half-street improvement: pavement width per County Engineer, gutter/curb 7-foot planter strip with street trees (7.5' with curb), 6-foot sidewalk located 1 foot from ROW, and conduit per County/City standards. Note: Existing public/private improvements will be required to be relocated to allow for the half-street improvement. (Washington County / NV)
 - c. Installation of continuous street lighting along the site's frontage of SW Division Street to County standards.
 - d. Closure of existing driveway access on SW Division Street not approved with this land use.
 - e. Construction of a one-way access on SW Division Street to County standards. Include Preliminary Sight Distance Certification, signage and pavement markings for entrance and exit.
 - f. Construction access and traffic circulation plan (if proposed on County-maintained streets).

C. Prior to issuance of the building permit the applicant shall:

32. Commence construction on the required frontage improvements along the site's SW Division Street frontage. (BDC 40.03.1, 60.55.10, and EDM Chapter 2) (Transportation / FdF)
33. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / HJ)
34. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for initial inspection from the Building Division. (Site Development Div. / HJ)
35. Provide proof of recording the necessary documents associated with the lot consolidation with Washington County Records, including any necessary easement quit claim deeds and a filed survey consistent with the approved site plan. (Site

Development Div. / HJ)

D. Prior to final inspection/occupancy of any building permit, the applicant shall:

36. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / HJ)
37. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / HJ)
38. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / HJ)
39. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / HJ)
40. Submit to the City a copy of approval from Washington County stating that required improvements have been completed. (Site Development Div. / HJ)

E. Prior to Occupancy/release of performance security, the applicant shall:

41. Submit the required as built/record drawing plans with a wet signature or electronically stamped/sealed, and also electronically in AutoCad (latest version) format (.dxf or .dwg) compatible with City Window software. All GPS-survey improvements shall be reflected as state plane coordinates corrected to the coordinates of the City's base station on Griffith Drive. (Site Development Div. / HJ)
42. Have completed the site development improvements and verified that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / HJ)
43. Submit any required easements, executed and ready for recording, to the City. City will require approval of legal description and form prior to execution. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div. / HJ)
44. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer.

Additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / HJ)

45. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It is released 2 years after project acceptance or will be extended for a period determined by the City Engineer following the correction of any identified defects. (Site Development Div. / HJ)
46. The road improvements required in condition #30.a.-f. shall be completed and accepted by Washington County, including Final Sight Distance Certification for he access on SW Division Street.

F. Prior to issuance of the County’s Facility Permit, the applicant shall submit to the county survey:

47. The following shall be recorded with Washington County Survey Division (Survey Division 503.846.8723) (Washington County / NV).
 - a. Provision of a non-access restriction along the site’s frontage of SW Division Street.
 - b. Dedication of right-of-way to meet 37 feet from the centerline of SW Division Street
 - c. Dedication of an 8-foot PUE along the site’s frontage of SW Division Street.

New Conditional Use (CUN32023-00644)

A. General Conditions, the applicant shall:

48. Ensure that the Design Review Two (DR22023-00644) and Tree Plan Two (TP22023-00646) applications have been approved and are consistent with the submitted plans. (Planning / BC)

Tree Plan Two (TP22023-00646)

A. General Conditions, the applicant shall:

49. Ensure that the New Conditional Use (CUN32023-00644) and Design Review Two (DR22023-00645) applications have been approved and are consistent with the submitted plans. (Planning / BC)