



Proposed new language is underlined.
 Proposed deleted language is ~~stricken~~.

TA 2019-0003

ANALYSIS OF THE PROPOSED CHANGES BY CHAPTERS
 AMENDMENTS TO THE BEAVERTON DEVELOPMENT CODE
 OMNIBUS TEXT AMENDMENT

Proposed Text Amendment	Staff Comments
Chapter 10 - General Provisions	
<p>10.10. Purpose. 4.E. To provide an orderly, efficient and speedy process of reviewing applications for development activities and to avoid increased development costs borne by citizens-residents and consumers as a result of unnecessary delay.</p>	<p>Adding more inclusive language to the Beaverton Development Code (Code).</p>
<p>10.65. Conditions of Approvals. 6. Recordation of Conditions. All conditions of approval for a specific proposal shall be recorded in the Deed Records for the specific parcel with the Washington County Department of Assessment and Taxation. The conditions of approval to be recorded may be in the form of a Land Use Order or other City issued document. The City shall conduct the recordation and the applicant shall pay the applicable recording fee.</p>	<p>The existing language is to be removed since the current city process does not include the recordation of the land use order at Washington County. The City's archiving process incorporates the land use order as part of the final record. .</p>
<p>10.100. Publication. <u>In preparing revisions of the code for publication and distribution, the Director shall not alter the sense, meaning, effect, or substance of the Code. With regard to the Code, the Director may renumber or reletter sections and parts of sections; change the working of catch lines; rearrange sections; change reference numbers to agree with renumbered articles, chapters, sections or other parts; substitute proper subsection, chapter, article or other division numbers; strikeout figures or words that are merely repetitious; change capitalization for the purpose of uniformity; update language to be gender neutral; and correct clerical or typographical errors.</u></p>	<p>The proposed language is to allow staff the ability to make minor changes to the Development Code that do not warrant processing a Text Amendment. The proposed language provides a prescriptive list of what are considered minor changes.</p>

Proposed Text Amendment	Staff Comments
Chapter 20 – Land Uses	
20.05. RESIDENTIAL LAND USE DISTRICTS	
<p>20.05.20 Land Uses Commercial <u>5. Animal Care⁽¹³⁾</u> <u>A. Major B. Minor</u> R1 = <u>C</u> <u>C</u> R2 = <u>C</u> <u>C</u> R4 = <u>C</u> <u>C</u> R5 = <u>C</u> <u>C</u> R7 = <u>C</u> <u>C</u> R10 = <u>C</u> <u>C</u></p> <p>20.05.25 Use Restriction <u>13. Animal Care uses provided as a private amenity to residents in a multi-family developments or on a common area serving multiple households.</u></p>	<p>The proposed change provides for the opportunity for residential development to have amenities that are supportive to the development and create a more active neighborhood. The use is identified as a conditional use allowing the decision makers to assess the impacts associated with the use to the surrounding area. The use restriction also limits these uses as private amenities and would not permit commercial uses.</p>
<p>20.05.20 Land Uses 11. Recreation <u>A. Public Dog Parks or Dog Runs</u> R1 = <u>C</u> R2 = <u>C</u> R4 = <u>C</u> R5 = <u>C</u> R7 = <u>C</u> R10 = <u>C</u></p>	<p>The addition of public dog parks and dog runs addresses a desire by Tualatin Hills Park and Recreation patrons for a gathering place for their dogs. While the use encourages more active open spaces, there are impacts to be considered that are different for dog parks and dog runs than other public parks which warrant a separate review through the City’s conditional use process.</p>
<p>20.05.20 Land Uses Civic ⁽¹⁴⁾ 20.05.25 Use Restriction <u>14. Public Art shall be permitted pursuant to Section 60.50.25.13.</u></p>	<p>The proposed addition in the land use table allows for public art in the City with some limitations, including approval by the Beaverton Arts Commission as described in the definition of Public Art in the Code.</p>

Proposed Text Amendment	Staff Comments
20.10. COMMERCIAL LAND USE DISTRICTS	
<p>20.10.15 Site Development Standards.</p> <p>D. Minimum Yard Setbacks</p> <p>1. Front²</p> <p>NS = 20<u>None</u></p> <p>CS = 20<u>None</u></p> <p>GC = 20<u>None</u></p> <p>2. Side^{2,3}</p> <p>a. Abutting lot<u>Interior</u></p> <p>b. Abutting Street<u>Corner</u>(public or private)</p> <p>NS = 20<u>None</u></p> <p>CS = 20<u>None</u></p> <p>GC = 20<u>None</u></p> <p>Footnotes for the Site Development Table:</p> <p>1. For Attached, minimum parent parcel of land area per dwelling unit; For Detached, minimum land area per dwelling unit.</p> <p>2. Under the conditions outlined in<u>Maximum front and side yard setback applies to</u>Section 60.05.15.6. of this Code, buildings in commercial zones located on parcels that exceed 60,000 square feet shall be exempt from Section 20.10.15.D.1., minimum front setbacks pursuant to .<u>Front yard setbacks for parcels in excess of 60,000 gross square feet shall be governed by the Design Review Design Standard specified in</u> Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline.</p> <p>3. For buildings in commercial zones not abutting a residential use in a residential zone, minimum setback does not apply. Under the thresholds outlined in Section 40.30., application may be made for zero side yard setbacks <u>on parcels abutting residential use in a residential zone.</u></p> <p>6. Maximum building height of any a building or a portion of a building within 100<u>50</u> feet of a residentially zoned property, <u>measured from the residential property line,</u> is 35 feet or the maximum height permitted in the residential district whichever is greater.</p>	<ul style="list-style-type: none"> • Removing the minimum front yard setback for all commercial districts and for side yard setbacks that abut streets allows developments the opportunity to create a more pedestrian friendly design by pulling buildings closer to the sidewalks. The proposed amendment also removes conflicts with design standards that have maximum setback standards. • The amendment removes the use of interior and corner for abutting lot and abutting street to clarify the property line in which these site design standards apply. • Modification of the footnotes for the Site Development standards are to provide additional flexibility to the design of buildings in the commercial zoning districts, specifically removing the need for minimum setbacks for parcels not abutting residential uses and zones. • The proposed amendment looks to require the height restriction for buildings within 50 feet of a residentially zoned property instead of 100 feet. The reduction of the distance allows for a greater height to some buildings, while providing adequate mitigation to the abutting residential parcel and providing the opportunity for flexibility in the building design.

Proposed Text Amendment	Staff Comments
<p>20.10.20 Land Uses <u>Additional Requirements by Zone Districts</u> NS = <u>See Section 20.10.30</u> CS = <u>See Section 20.10.35</u> CC = <u>See Section 20.10.40</u></p>	<p>This modification is to the organization of the supplemental regulations. References to these supplemental requirements are to be added to the land use table to improve the visibility of these supplement regulations that have been easily missed due to its placement after the table.</p>
<p>20.10.20 Land Uses <u>11. Meeting Facilities</u> NS = <u>C</u> CS = <u>P C7</u> CC = <u>P</u> GC = <u>P</u></p>	<p>Meeting facilities are currently permitted in some Regional Center zoning district. Staff proposes to permit meeting facilities to other zoning districts in which this use would be compatible to the other uses in that zone and also aligns with the allowance of Religious Institutions in these zoning districts.</p>
<p>20.10.20 Land Uses 2324. <u>Recreation</u> <u>B. Public Dog Parks or Dog Runs</u> NS = <u>C</u> CS = <u>C</u> CC = <u>C</u> GC = <u>C</u></p>	<p>The addition of public dog parks and dog runs addresses a desire by Tualatin Hills Park and Recreation patrons for a gathering place for their dogs. While the use encourages more active open spaces, there are impacts to be considered that are different for dog parks and dog runs than other public parks which warrant a separate review through the City's conditional use process.</p>
<p>20.10.25 Use Restriction 13. Marijuana dispensary shall: a. be subject to the provisions of ORS 475B.450<u>858</u> 16. Retail Marijuana Sales shall: a. be subject to the provisions of ORS 475B.<u>109-119</u> 110-125 and OAR Chapter 845, division 25;</p>	<p>The proposed amendment updates references to the applicable Oregon Revised Statutes.</p>
<p>20.10.20 Land Uses Civic (17) 20.10.25 Use Restriction <u>17. Public Art shall be permitted pursuant to Section 60.50.25.13.</u></p>	<p>The proposed addition in the land use table allows for public art in the City with some limitations, including approval by the Beaverton Arts Commission as described in the definition of Public Art in the Code.</p>

Proposed Text Amendment	Staff Comments
<p>20.10.30 Other NS Zoning Requirements Uses shall be subject to the following (excludes food cart pods, parks, <u>recreational facilities</u>, and playgrounds):</p> <p>20.10.35 Other CS Zoning Requirements Uses shall be subject to the following (excludes food cart pods, parks, <u>recreational facilities</u>, and playgrounds):</p> <p>20.10.30 Other CC Zoning Requirements Uses shall be subject to the following (excludes food cart pods, parks, <u>recreational facilities</u>, and playgrounds):</p>	<p>Codifies Director’s Interpretation (DI2019-0001). Recreational facilities are a similar use as parks and playgrounds; thereby exemption from these supplemental requirements are warranted similar to parks and playgrounds.</p>
20.15. EMPLOYMENT / INDUSTRIAL LAND USE DISTRICTS	
<p>20.15.20 Land Uses 4. Retail and Service Business A. Bulk Retail OI = C³ OI-NC = N IND = N</p> <p>20.15.25 Use Restriction 3. Bulk retail shall not exceed 30,000 square feet and shall not abut an existing residential zone.</p>	<p>Bulk retail has been a listed used in the Code for over 30 years and was a specific retail use focused on large quantity purchases that were not open to the general public. Bulk retail, at that time, was more compatible to industrial uses than commercial uses. Staff finds many characteristics of Bulk Retail are consistent with the current operation of many commercial retail facilities today. Staff proposes removal of Bulk Retail as an obsolete use designation.</p>
<p>20.15.20 Land Uses 23. Recreation <u>B. Public Dog Parks or Dog Runs</u> OI = <u>C</u> OI-NC = <u>N</u> IND = <u>C</u></p>	<p>The addition of public dog parks and dog runs addresses a desire by Tualatin Hills Park and Recreation patrons for a gathering place for their dogs. While the use encourages more active open spaces, there are impacts to be considered that are different for dog parks and dog runs than other public parks which warrant a separate review through the City’s conditional uses process. For the OI-NC public parks are not permitted. To be consistent, dog parks and dog runs are also prohibited.</p>
<p>20.15.20 Land Uses Civic ⁽³⁾</p> <p>20.15.25 Use Restriction (3) Public Art shall be permitted pursuant to Section 60.50.25.13.</p>	<p>The proposed addition in the land use table allows for public art in the City with some limitations, including approval by the Beaverton Arts Commission as described in the definition of Public Art in the Code.</p>

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20.20. MULTIPLE USE LAND USE DISTRICTS													
<p>20.20.20 Land Uses 9. Meeting Facilities B Bulk Retail SC-S = <u>PC P²¹</u></p> <p>23. Places of Worship OI-WS = <u>PC^{48N}</u></p> <p>20.20.25 Use Restriction 21. <u>Buildings larger than 10,000 square feet, for a single use, are subject to approval of a Conditional Use.</u> Meeting facilities less than 20,000 sq ft are Permitted; exceeding 20,000 sq ft require Conditional Use approval. Use only accessory to temporary living facilities or office uses, except in the RC TO zone. Use may be a stand alone use in the RC TO zone. [ORD 4669; December 2015]</p>	<ul style="list-style-type: none"> Meeting facilities are currently permitted in some multiple use zoning districts. Staff proposes to permit meeting facilities to the SC-S zone in which this use would be compatible to the other uses in that zone and also aligns with how Religious Institutions are permitted. Staff proposes permitting Places of Worship in the OI-WS zoning district as Meeting Facilities are permitted. Staff proposes modifying the use restriction for Meeting Facilities requiring a conditional use if the building is greater than 10,000 square feet to ensure the issue of compatibility is addressed for impact associated with large scale meeting facilities such as traffic and noise. 												
<p>20.20.20 Land Uses 14. Retail and Service Business B Bulk Retail</p> <table border="0"> <tr><td>RC-TO = N</td><td>TC-MU = N</td></tr> <tr><td>RC-OT = N</td><td>TC-HDR = N</td></tr> <tr><td>RC-E = N</td><td>SC-MU = N</td></tr> <tr><td>OI-WS = N</td><td>SC-HDR = N</td></tr> <tr><td>C-WS = N</td><td>SC-S = N</td></tr> <tr><td>SC-E1 = N</td><td>SC-E2 = N</td></tr> </table>	RC-TO = N	TC-MU = N	RC-OT = N	TC-HDR = N	RC-E = N	SC-MU = N	OI-WS = N	SC-HDR = N	C-WS = N	SC-S = N	SC-E1 = N	SC-E2 = N	<p>Bulk retail has been a listed used in the Code for over 30 years and was a specific retail use focused on large quantity purchases that were restricted to the general public, a use that was more compatible to industrial uses than commercial uses at the time. Staff finds the type of uses associated with Bulk Retail are consistent with the current operation of many commercial retail facilities today. Staff proposes removal of Bulk Retail as an obsolete use.</p>
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<p>20.20.20 Land Uses 26. Recreation <u>B. Public Dog Parks or Dog Runs</u></p> <table border="0"> <tr><td>RC-TO = <u>C</u></td><td>TC-MU = <u>C</u></td></tr> <tr><td>RC-OT = <u>C</u></td><td>TC-HDR = <u>C</u></td></tr> <tr><td>RC-E = <u>C</u></td><td>SC-MU = <u>C</u></td></tr> <tr><td>OI-WS = <u>C</u></td><td>SC-HDR = <u>C</u></td></tr> <tr><td>C-WS = <u>C</u></td><td>SC-S = <u>C</u></td></tr> <tr><td>SC-E1 = <u>C</u></td><td>SC-E2 = <u>C</u></td></tr> </table>	RC-TO = <u>C</u>	TC-MU = <u>C</u>	RC-OT = <u>C</u>	TC-HDR = <u>C</u>	RC-E = <u>C</u>	SC-MU = <u>C</u>	OI-WS = <u>C</u>	SC-HDR = <u>C</u>	C-WS = <u>C</u>	SC-S = <u>C</u>	SC-E1 = <u>C</u>	SC-E2 = <u>C</u>	<p>The addition of public dog parks and dog runs addresses a desire by Tualatin Hills Park and Recreation patrons for a gathering place for their dogs. While the use encourages more active open spaces, there are impacts to be considered that are different for dog parks and dog runs than other public parks which warrant a separate review through the City's conditional uses process.</p>
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<p>20.20.25 Use Restriction 6. Only Compact Detached Dwellings on lots fronting common greens, shared courts, or public streets; or replacement of <u>or an expansion of 500 square feet or less of an existing</u> detached dwelling-are Permitted. [ORD 4576; January 2012] [ORD 4584; June 2012]</p>	<p>While higher-density residential uses are encouraged in the Multiple Use zone, there are existing detached dwellings in these zoning districts. This use restriction creates barriers for some home owners interested in updating their existing structure. Staff proposes allowing for minor expansions for existing detach buildings to provide the opportunity for these building to be better utilized.</p>												

Proposed Text Amendment	Staff Comments
<p>20.20.20 Land Uses Civic ⁽¹⁹⁾</p> <p>20.20.25 Use Restriction <u>19. Public Art shall be permitted pursuant to Section 60.50.25.13.</u></p>	<p>The proposed text in the land use table allows for public art in the City with some limitations, including approval by the Beaverton Arts Commission as described in the definition of Public Art in the Code.</p>
<p>20.20.25 Use Restriction 19. Comprising not more than 10% of gross building floor area, and provided that no individual eating or drinking establishment use exceeds 2,000 square feet of gross building floor area. No freestanding retail or eating or drinking establishment uses are allowed.</p>	<p>This use restriction does not apply to any of the uses in the Multiple Use Land Use Table. Staff proposes removal of this use restriction and the number to be used for the new use restrictions pertaining to Public Art.</p>
<p>20.20.25 Use Restriction 26. This activity is conducted wholly within an enclosed structure. Accessory open air sales or display related to the principal use may be permitted, provided that the outdoor space devoted to these uses does not occupy an area greater than the equivalent of 15% of the building gross floor area, <u>excluding activities associated with a Temporary Use Permit</u>. No outdoor sales or outdoor storage of animals or livestock are allowed with this use.</p>	<p>The proposed text is to provide flexibility for retail trade in the Multiple-Use zone by not limiting the size of Temporary Uses. In other zoning districts temporary uses are restricted not by the size of the existing building, but the available space on a site when parking and pedestrian connections have been considered.</p>
Chapter 30 – Nonconforming Uses	
30.25 Nonconforming Structures	
<p>3. Where an existing street setback <u>or required landscaping</u> must be reduced by a public dedication, rendering an existing structure nonconforming, the setback <u>or landscaping</u> requirements of this ordinance which are no longer met as a result of the dedication shall not apply to the structure. Further encroachment into the setback <u>or reduction of landscaping</u> beyond the reduction caused by the public dedication is not permitted.</p>	<p>The proposed text is to clarify how required landscaping effects nonconforming structures.</p>

Proposed Text Amendment	Staff Comments
Chapter 40 – Applications	
40.05 Accessory Dwelling Units	
<p>40.05.15. Application.</p> <p>1. Accessory Dwelling Unit.</p> <p>C. Approval Criteria</p> <p>6. There is only one detached dwelling on the subject site.</p> <p>7. The proposed accessory dwelling unit is no more than fifty percent (50%) of the gross floor area of the primary detached dwelling or 800 square feet, whichever is less.</p> <p>8. The proposal is not located over any easement.</p> <p>9. The exterior finish materials of the proposal is the same as the detached dwelling in terms of type, size, placement, and finish.</p> <p>10. The roof pitch of the proposal matches the roof pitch of the detached dwelling.</p> <p>11. The trim of the proposal is the same as the detached dwelling in type, size, location, and finish.</p> <p>12. The windows of the proposal match those on the detached dwelling in terms of proportion (height to width ratio) and orientation (vertical vs. horizontal).</p> <p>13. The eaves of the proposal project the same distance as the eaves on the detached dwelling.</p>	<p>The proposed text for removal is to comply with the state regulations related to accessory dwelling units, and limiting barriers to allowing for ADU, thereby encouraging other housing types.</p>
Chapter 40, Section 40.10 (Adjustment)	
<p>40.10.15.1 (Minor Adjustment)</p> <p>A. Threshold.</p> <p><u>4. Involves up to and including a 10% adjustment from the numerical Off-Street Parking standards specified in Section 60.30.10 of this Code.</u></p>	<p>Modification to all Off-Street Parking Standards require a Major Adjustment. The proposed text allows for changes up to 10% to be addressed through a Type 2 process.</p>
<p>C. Approval Criteria.</p> <p><u>7. Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved.</u></p> <p><u>14. The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B15.D. or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2. and .4. or 20.05.50.2.B.2. and .4.</u></p>	<ul style="list-style-type: none"> • The propose amendment includes modification of the approval criteria to include a criteria that encourages preservation of more trees. • The proposed text changes includes updating the section reference pertaining to lot averaging.

Proposed Text Amendment	Staff Comments
<p>40.10.15.2 (Major Adjustment) A. <u>Threshold.</u> 3. Involves an adjustment of more than 10% Any change from the numerical requirements contained in Section 60.30. (Off-Street Parking).</p>	<p>Modification to all Off-Street Parking Standards require a Major Adjustment. The proposed text allows for changes up to 10% to be addressed through a Type 2 process.</p>
<p>C. <u>Approval Criteria.</u> 7. Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved. 14. The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B15.D. or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2. and .4. or 20.05.50.2.B.2. and .4.</p>	<p>The proposed amendment includes modification of the approval criteria to include a criterion that encourages preservation of more trees. The proposed text changes includes updating the section reference pertaining to lot averaging.</p>
<p>Chapter 40, Section 40.15 (Conditional Use)</p>	
<p>40.15.15. Application. There are four<u>seven</u> (47) Conditional Use applications which are as follows: <u>Interim Washington County Use Type I</u>, Minor Modification of a Conditional Use, Major Modification of a Conditional Use, <u>Interim Washington County Use Type II</u>, New Conditional Use, Planned Unit Development, <u>and Modification of a Nonconforming Use</u>.</p>	<p>Codification of Director’s Interpretation (DI2019-0002). Parcels zoned Interim Washington County requires the City to review a change in use similar to the County process. Staff proposes two new Conditional Use application types for properties zoned interim Washington County in which there is no application process to review the change in use. Modification in this Code section includes updating the list of conditional use application identified in Section 40.15 of the Code.</p>
<p>1. <u>Interim Washington County Use Type I.</u> A. <u>Threshold. An application for an Interim Washington County Use shall be required when the following thresholds apply:</u> 1. <u>A proposed use located on parcel(s) designated Interim Washington County, which requires Type I approval through Washington County’s Development Code where no other Type 1 or greater review is required with the proposal.</u></p>	<p>Creates a new application type for uses proposed on parcels zoned interim Washington County that are require Type 1 review in Washington County’s Development Code.</p>
<p>B. <u>Procedure Type. The Type 1 procedure, as described in Section 50.35 of this Code, shall apply to an application for Interim Washington County Use Type 1. The decision making authority is the Director.</u></p>	<p>Setting procedure type for the application as a Type 1 procedure.</p>

Proposed Text Amendment	Staff Comments
<p><u>C. Approval Criteria. In order to approve a Minor Modification of a 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:</u></p> <ol style="list-style-type: none"> <u>1. The proposal satisfies the threshold requirements for an Interim Washington County Use application.</u> <u>2. All City application fees related to the application under consideration by the decision making authority have been submitted.</u> <u>3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.</u> <u>4. 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.</u> <u>5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.</u> 	<p>Criteria Nos. 1, 2, 3, and 5 are standard conditions of approval found for all land use applications.</p> <p>Criterion No. 4 ensures that the use proposed is consistent with a use permitted in the County.</p>
<p><u>D. Submission Requirements. An application for an Interim Washington County Use Type I shall be made by the owner of the subject property, or the owner’s authorized agent, on a form provided by the Director and shall be filed with the Director. The application shall be accompanied by the information required by the application form.</u></p>	<p>This section identifies who can make an application and what information is required with that application.</p>
<p><u>E. Conditions of Approval. The decision making authority may impose conditions on the approval of an Interim Washington County Use application to ensure compliance with the approval criteria.</u></p>	<p>This section identifies standard language indicating who can impose conditions of approval and the purpose of a condition.</p>

Proposed Text Amendment	Staff Comments
<p><u>3. Interim Washington County Use Type II.</u> <u>A. Threshold. An application for an Interim Washington County Use shall be required when the following thresholds apply:</u> <u>1. A proposed use located on parcel(s) designated Interim Washington County, which requires Type II approval through Washington County’s Development Code where no other Type II or greater review is required with the proposal.</u></p>	<p>Creates a new application type, Interim Washington County Use Type II and thresholds for the application. Thresholds addresses uses proposed on parcels zoned interim Washington County that are require Type II review in Washington County’s Development code.</p>
<p><u>B. Procedure Type. The Type 2 procedure, as described in Section 50.40 of this Code, shall apply to an application for Interim Washington County Use Type II. The decision making authority is the Director.</u></p>	<p>Setting procedure type for the application as a Type 2 procedure.</p>
<p><u>C. Approval Criteria. In order to approve a Minor Modification of a 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:</u></p> <ol style="list-style-type: none"> <u>1. The proposal satisfies the threshold requirements for an Interim Washington County Use application.</u> <u>2. All City application fees related to the application under consideration by the decision making authority have been submitted.</u> <u>3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.</u> <u>4. 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.</u> <u>5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.</u> 	<p>Criteria Nos. 1, 2, 3, and 5 are standard conditions of approval found for all land use applications.</p> <p>Criterion No. 4 ensures that the use proposed is consistent with a use permitted in the County.</p>

Proposed Text Amendment	Staff Comments
<p><u>D. Submission Requirements. An application for an Interim Washington County Use Type I shall be made by the owner of the subject property, or the owner’s authorized agent, on a form provided by the Director and shall be filed with the Director. The application shall be accompanied by the information required by the application form.</u></p>	<p>This section identifies who can make an application and what information is required with that application.</p>
<p><u>E. Conditions of Approval. The decision making authority may impose conditions on the approval of an Interim Washington County Use application to ensure compliance with the approval criteria.</u></p>	<p>This section identifies standard language indicating who can impose conditions of approval and the purpose of a condition.</p>
<p><u>35. New Conditional Use.</u> A. <u>Threshold</u> <u>2. The proposed permitted residential use is located in the floodway fringe on a lot greater than five acres in size. Planned Unit Developments, single-family and two family dwellings are exempt.</u> C. <u>Approval Criteria.</u> <u>6. The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.</u></p>	<p>The addition of floodway fringe to the Conditional Use threshold is to address the requirement in Section 60.10.25.2 of the Development Code that requires conditional use approval for certain residential uses. Approval Criterion No. 6 ensures that the floodway requirements are being met.</p>
<p><u>35. New Conditional Use.</u> A. <u>Threshold</u> <u>3. A proposed use located on parcel(s) designated Interim Washington County, which requires Type III approval through Washington County’s Development Code where no other Type 1 or greater review is required with the proposal.</u> C. <u>Approval Criteria.</u> <u>7. 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.</u></p>	<p>The addition of the change in use to the New Conditional Use threshold codifies the review process for Interim Washington County Use Type III similar to the review process for the County. Approval Criterion No. 6 ensures the County requirements are being met.</p>

Proposed Text Amendment	Staff Comments
Chapter 40, Section 40.20 (Design Review)	
<p>40.20.10. Applicability</p> <p>3. Design Review approval shall not be required for the following:</p> <p><u>C. Existing detached dwellings in Industrial and Multiple-Use zoning district.</u></p>	<p>Modifications made to existing detached dwellings are exempt from design review for residential and commercial zoning district, but are silent for the Industrial and Multiple Use zoning districts. Since there are a few homes located within these zoning districts, the proposed text would clarify this Design Review exemption applies to detached dwellings within the Industrial and Multiple Use zoning districts.</p>
<p>40.20.15. Application.</p> <p>1. Design Review Compliance Letter.</p> <p>A. <u>Threshold.</u></p> <p>1. Minor design changes to existing building or site including, but not limited to:</p> <p style="padding-left: 40px;">g. Modification of off-street parking <u>and maneuvering area</u> with no <u>increase reduction in required parking spaces or increase in paved area to the paved area of the site and the minimum and maximum parking requirements for the subject site are met.</u></p> <p style="padding-left: 40px;">m. <u>Construction or modification of a permanent structure, not considered a building, which covers up to 1,000 square feet and is a use permitted within the underlying zoning district.</u></p>	<p>The proposed text changes are to the thresholds of this application.</p> <ul style="list-style-type: none"> • The modification to the off-street parking threshold is to clarify that not only the parking spaces but the maneuvering area are to be evaluated through this Type 1 process. Modification of this threshold allows changes to the configuration of the parking spaces through the Type 1 process if the required parking spaces are met and no changes are made to the existing paved area. • A new threshold is proposed to require Design Review approval for structures that while do not fall under the definition of building, but warrants Design Review to address the potential impact of their mass.
<p>C. <u>Approval Criteria.</u></p> <p>6. If applicable, the proposed addition to an existing building <u>and/or site</u>, and only that portion of the building <u>and/or site</u> containing the proposed <u>addition/improvements</u>, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:</p> <p style="padding-left: 40px;">***</p> <p style="padding-left: 40px;">h. <u>Changes to the existing on-site vehicular parking, maneuvering, and circulation area does not require additional paving to the site and the minimum and maximum parking requirements for the subject site are met.</u></p> <p style="padding-left: 40px;">***</p> <p><u>8. The proposal complies with the grading standards outlined in Section 60.15.10 or approved with and Adjustment or Variance.</u></p>	<p>Modification to Approval Criterion No. 6 clarifies the criterion addresses not only the existing building but the site as well. Subsection h of this criterion aligns the criterion with the modified threshold regarding off-street parking. An additional approval criterion is proposed requiring compliance with grading standards when applicable.</p>

Proposed Text Amendment	Staff Comments
<p>2. Design Review Two.</p> <p>A. <u>Threshold.</u></p> <p>7. Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds pavingor parking spaces.</p> <p>9. New construction of non-habitable buildings or <u>construction of a permanent structure, not considered a building</u> in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, <u>which has a footprint greater larger than 1,000 square feet and up to 10,000 square feet in size and is a use permitted within the underlying zoning districtin gross building area.</u></p>	<p>The proposed changes to the thresholds of the Design Review Two include:</p> <ul style="list-style-type: none"> • The modification to the off-street parking threshold is to align with the proposed changes in the thresholds for the Design Review Compliance Letter. • The threshold for non-habitable buildings is to be modified to also require Design Review approval for structures that do not fall under the definition of building, but still warrant Design Review to address the potential impact of their mass.
<p>C. <u>Approval Criteria.</u> [ORD 4365; October 2005] 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:</p> <p>6. <u>The proposal complies with the grading standards outlined in Section 60.15.10 or approved with and Adjustment or Variance.</u></p>	<p>An additional approval criterion is proposed that clarifies compliance with grading standards are to be addressed through Design Review.</p>
<p>3. Design Review Three.</p> <p>A. <u>Threshold.</u> An application for Design Review Three shall be required when an application is subject to applicable design <u>standards and/or</u> guidelines and one or more of the following thresholds describe the proposal:</p> <p>***</p> <p>5. <u>Construction of a permanent structure, not considered a building, in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which exceeds 10,000 square feet in size and is a use permitted within the underlying zoning district.</u></p>	<p>A new threshold is proposed to require Design Review approval for structures that do not fall under the definition of building, but warrant Design Review to address the potential impact of their mass.</p>
<p>C. <u>Approval Criteria.</u></p> <p>5. <u>The proposal complies with the grading standards outlined in Section 60.15.10 or approved with and Adjustment or Variance.</u></p>	<p>An additional approval criterion is proposed that clarifies compliance with grading standard are to be addressed through Design Review.</p>

Proposed Text Amendment	Staff Comments
Chapter 40, Section 40.30 (Flexible Setback)	
<p>2. Flexible Setback for Individual Lot Without Endorsement.</p> <p>C. <u>Approval Criteria.</u></p> <p>5.—If an addition to an existing structure, the proposal is compatible in design, scale and building materials with the existing structure. If a new structure, the proposal is compatible with neighboring development with respect to scale, bulk, lot coverage, density, rooflines, and building materials.</p> <p>5. <u>The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal and will have minimal impact to the abutting properties.</u></p>	<p>The proposed modification of the approval criteria for Flexible Setback for Individual Lot without Endorsement replaces the current Approval Criterion No. 5 with improved language that allows the hearing body to consider how the proposed flexible setback impacts the abutting properties. The current criterion is proposed to be removed as it addresses design elements that are exempt from review for single-family development.</p>
Chapter 40, Section 40.40 (Home Occupation)	
<p>2. Home Occupation Two.</p> <p>C. <u>Approval Criteria.</u></p> <p>11. The proposed home occupation will not change the use classification of the dwelling unit or accessory structures as determined by the City Building Official applying the State Building Code.</p> <p>1312. <u>The subject property will continue to be used and maintained as a residence and the proposed home occupation will not change the use classification of the dwelling unit or accessory structures as determined by the City Building Official. The proposal and will conform to all requirements of this and other City Codes as they pertain to residential property.</u></p>	<p>The proposed changes include combining Criterion Nos. 11 and 13 to create a more clear and concise criterion.</p>
Chapter 40, Section 40.45 (Land Division and Reconfiguration)	
<p>2. Replat One.</p> <p>C. <u>Approval Criteria.</u></p> <p>6. If lot area averaging standards are proposed pursuant to Applications that apply the lot area averaging standards of Section 20.05.15.D, no further applications for, shall not require further Adjustment or Variance from this standard is required or permitted approvals for the Land Division.</p>	<p>The proposed amendments to the approval criteria for land divisions provide clarity that with the use of lot averaging, an adjustment or variance to the lot size is not needed as the averaging is to provide flexibility in the design of these lots.</p>

Proposed Text Amendment	Staff Comments
<p>3. Replat Two. C. <u>Approval Criteria.</u> 6. <u>If lot area averaging standards are proposed pursuant to Applications that apply the lot area averaging standards of Section 20.05.15.D, no further applications for, shall not require further Adjustment or Variance from this standard is required or permitted approvals for the Land Division.</u></p>	<p>The proposed amendments to the approval criteria for land divisions provide clarity that with the use of lot averaging, an adjustment or variance to the lot size is not needed as the averaging is to provide flexibility in the design of these lots.</p>
<p>4. Preliminary Partition. C. <u>Approval Criteria.</u> 6. <u>If lot area averaging standards are proposed pursuant to Applications that apply the lot area averaging standards of Section 20.05.15.D, no further applications for, shall not require further Adjustment or Variance from this standard is required or permitted approvals for the Land Division.</u> 7. <u>For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district. The proposal does not create a parcel which will have more than one (1) zoning designation.</u></p>	<p>The proposed text changes to the approval criteria include:</p> <ul style="list-style-type: none"> • Amendments to the approval criteria for land divisions provide clarity that with the use of lot averaging, an adjustment or variance to the lot size is not needed as the averaging is to provide flexibility in the design of these lots. • The addition of an approval criteria allowing for more than one zoning district on a parcel, as long as it meets the site development standards of the propose zones, provides flexibility in the development of some parcels and the requirements of each zoning district will still apply.
<p>5. Preliminary Subdivision. C. <u>Approval Criteria.</u> 7. <u>If lot area averaging standards are proposed pursuant to Applications that apply the lot area averaging standards of Section 20.05.15.D, no further applications for, shall not require further Adjustment or Variance from this standard is required or permitted approvals for the Land Division.</u> 8. <u>For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district. The proposal does not create a lot which will have more than one (1) zoning designation</u></p>	<p>The proposed text changes to the approval criteria include:</p> <ul style="list-style-type: none"> • The proposed amendments to the approval criteria for land divisions provide clarity that with the use of lot averaging, an adjustment or variance to the lot size is not needed as the averaging is to provide flexibility in the design of these lots. • The addition of an approval criteria allowing for more than one zoning district on a parcel, as long as it meets the site development standards of the propose zones, provides flexibility in the development of some parcels and the requirements of each zoning district will still apply.

Proposed Text Amendment	Staff Comments
<p>7. Preliminary Fee Ownership Partition. C. <u>Approval Criteria.</u> In order to approve a Preliminary Fee Ownership Partition 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: *** 5. <u>For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.</u> The proposal does not create a parcel which will have more than one (1) zoning designation</p>	<p>The modification of this approval criteria allows for more than one zoning district on a parcel, as long as it meets the site development standards of the proposed zones; the requirements of each zoning district will still apply.</p>
<p>7. Preliminary Fee Ownership Subdivision. C. <u>Approval Criteria.</u> In order to approve a Preliminary Fee Ownership Subdivision 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: *** 6. <u>For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.</u> The proposal does not create a lot which will have more than one (1) zoning designation. [ORD 4584; June-2012]</p>	<p>The modification of this approval criteria allows for more than one zoning district on a parcel, as long as it meets the site development standards of the proposed zones; the requirements of each zoning district will still apply.</p>

Proposed Text Amendment	Staff Comments
Chapter 40, Section 40.80.15 (Temporary Use)	
<p>1. Temporary Mobile Sales.</p> <p>C. <u>Approval Criteria.</u></p> <p>4. The proposal is located entirely within private property <u>and will not impact public infrastructure that includes, but is not limited to ADA ramps, sidewalk, fire hydrants.</u> in a Commercial, Industrial, or Multiple Use zoning district and theThe applicant has written permission from the property owner to utilize the subject property for the proposal.</p> <p>6. The proposal will not pose a threat to the public safety or convenience when the temporary use is proposed to be located on a public right-of-way.</p> <p>7. The use in which the proposed temporary use is engaged is listed as a Permitted use in the specific Commercial, <u>Industrial</u> or Multiple Use zoning district and complies with all applicable use restrictions of the zone.</p>	<p>The proposed changes to the approval criteria are to clarify the Temporary Mobile Sales are not to be located on public right-of-way and may not impact public infrastructure. The proposed changes adds Industrial zoning districts as other potential locations for Temporary Mobile Sales.</p>
<p>2. Temporary Non-Mobile Sales.</p> <p>C. <u>Approval Criteria.</u></p> <p>4. The proposal is located entirely within private property in a Commercial, Industrial, or Multiple Use zoning district and the applicant has written permission from the property owner to utilize the subject property for the proposal.</p> <p>5. <u>The proposed temporary use is located on property within a Commercial, Industrial or Multiple Use zoning district where permitted uses or conditional uses have been legally established</u> and complies with all applicable use restrictions of the zone.</p> <p>6. <u>The proposed temporary use is located on property within a Residential zoning district where non-residential uses have been legally established and are located on an Arterial or Collector.</u></p>	<p>The proposed changes to the approval criteria are to clarify the uses are not to be located on public right-of-way and may not impact public infrastructure. The proposed change adds Industrial zoning districts as other potential locations for Temporary Mobile Sales.</p>
<p>E. <u>Conditions of Approval.</u></p> <p>5. Signage shall be permitted for Temporary Non-Mobile Sales consistent with Section 60.40.15.127. of this Code.</p>	<p>The proposed change is to update Code references.</p>

Proposed Text Amendment	Staff Comments
<p>3. Temporary Structure. E. <u>Conditions of Approval.</u> The decision making authority may impose conditions on the approval of a Temporary Structure application... *** 2. Signage shall be permitted for a Temporary Structure consistent with Section 60.40.15.127. of this Code.</p>	<p>The proposed change is to update Code references.</p>
<p>4. Temporary Real Estate Office. E. <u>Conditions of Approval.</u> The decision making authority may impose conditions on the approval of a Temporary Real Estate Office application... *** 3. Signage shall be permitted for a Temporary Real Estate Office consistent with Section 60.40.15.127. of this Code.</p>	<p>The proposed change is to update Code references.</p>
Chapter 40, Section 40.90 (Tree Plan)	
<p>40.90.15. Application. There are four (4) Tree Plan applications which are as follows: Tree Plan One, Tree Plan Two, <u>and</u> Tree Plan Three,and Commercial Timber Harvest. *** 3. Tree Plan Three *** 4. Commercial timber harvest of trees which fail to meet the approval criterion specified in Section 40.90.15.4.C.4.</p>	<p>The proposed change is to update the Code to remove references to applications that don't apply.</p>
Chapter 40, Section 40.97.15 (Zoning Map Amendment)	
<p>1. Quasi-Judicial Zoning Map Amendment. C. <u>Approval Criteria.</u> 9. <u>For proposal which create a parcel with more than one (1) zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.</u></p>	<p>The modification of this approval criteria allows for more than one zoning district on a parcel, as long as it meets the site development standards of the proposed zones; the requirements of each zoning district will still apply.</p>
<p>2. Legislative Zoning Map Amendment C. <u>Approval Criteria.</u> 6. <u>For proposal which creates a parcel with more than one (1) zoning designation, the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.</u></p>	<p>The modification of this approval criteria allows for more than one zoning district on a parcel, as long as it meets the site development standards of the propose zones; the requirements of each zoning district will still apply.</p>

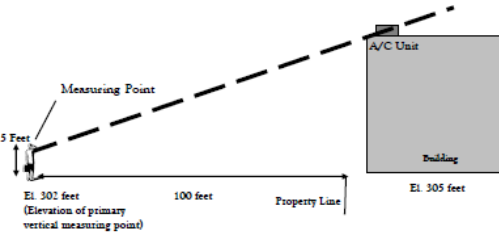
Proposed Text Amendment	Staff Comments
Chapter 50 – Procedures	
Chapter 50, Section 50.25 (Application Completeness)	
<p>1. A complete application is one which contains the information required by the Director to address the relevant criteria, development requirements,</p> <p>F. Documentation from <u>appropriate service providers</u> Clean Water Services stating that <u>essential and critical facilities are, can be made available, or water quality</u> will not be adversely affected by the proposal.</p>	<p>The proposed text is to update Completeness requirements to include other service provider letters (SPL). Currently, SPLs are required for critical facilities such as water. The modification to the language allows for other SPLs to be required.</p>
<p>4. The Director shall advise the applicant in writing whether an application is complete by sending <u>providing</u> a completeness notice by first class mail within thirty (30) calendar days after the City receives an application. To comply with this completeness notice requirement, the completeness notice must be postmarked <u>sent</u> by the thirtieth day.</p> <p>A. If an application is incomplete, the completeness notice shall list what information is missing.</p> <p>B. The completeness notice shall include a form, designed to be returned to the Director by the applicant indicating whether or not the applicant intends to amend or supplement the application, and instructing the applicant to mail, facsimile, or deliver the form or written equivalent to the Director so that the Director receives it before the thirty (30) calendar day completeness review period expires.</p>	<p>The proposed modification addresses the opportunity for staff to utilize other methods of notification outside of first class mail to contact the applicant. The other modification removes the procedure in which applicant receives a completeness option form from the City and requires that the applicant completes the form prior to the 30-day completeness review expiration. This is currently not a practice of staff and is not required by state statutes.</p>
<p>9. The 120 calendar day time line specified in Section 50.25.8. may be extended <u>for a specific amount of time</u> at the written request of the applicant. The total time to extend the final decision, including of all extensions may not to exceed 240-245 calendar days from the date <u>of the original 120-day period.</u> - the application was deemed complete.</p>	<p>ORS 227.178.5 states the following: <i>The 120-day period set in subsection (1) of this section or the 100-day period set in ORS 197.311 may be extended for a specified period of time at the written request of the applicant. The total of all extensions, except as provided in subsection (11) of this section for mediation, may not exceed 245 days.</i></p> <p>The proposed text is to codify this requirement.</p>

Proposed Text Amendment	Staff Comments
Chapter 50, Section 50.30 (Neighborhood Review Meeting)	
<p>3. Procedures.</p> <p>B. The applicant shall send by regular mail a written notice announcing the Neighborhood Review Meeting to: the Director, property owners within 500 feet of the property involved in the anticipated application and to representatives of all NACs <u>and Washington County's Community Participation Organizations (CPO)</u> whose boundaries are within 500 feet of the subject property. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The notice shall be mailed not less than 20 calendar days prior to the meeting date. The Director shall maintain on file in the Community Development Department, current addresses of NAC Officers and/or representatives and related NAC information, including regularly scheduled or monthly meeting dates, times and locations.</p>	<p>The proposed modification is to expand the noticing requirements to include the County's Community Participation Organization (CPO) within 500 feet of the project area. This includes stakeholders potentially interested in or impacted by a proposed development.</p>
Chapter 50, Section 50.35 (Type 1)	
<p>3. The written notice of decision for Type 1 applications, except for Non-Discretionary Annexation Related Zoning Map Amendment applications, shall be mailed-sent to the applicant and include the following information:</p>	<p>The proposed modification addresses the opportunity for staff to utilize other methods of notification outside of first class mail to contact the applicant.</p>
Chapter 50, Section 50.40 (Type 2)	
<p>2. <u>Once an application has been determined or deemed complete, the Director shall provide written notice a minimum of twenty (20) calendar days before the decision making authority's decision to:</u></p> <p><u>C. Washington County Department of Land Use and Transportation.</u></p> <p><u>D. The Chair of Washington County's Community Participation Organizations (CPO) in which the subject property is located and the Chair of any other CPO's whose boundaries are within three hundred (300) feet of the subject property.</u></p>	<p>The proposed modification is to expand the noticing requirements to include the County's Community Participation Organization (CPO) and Washington County's Department of Land Use and Transportation. This includes stakeholders potentially impacted or interested in the proposed project.</p>

Proposed Text Amendment	Staff Comments
<p>10. Within approximately fourteen (14) calendar days after the Facilities Review Committee meeting, the Director shall issue a written decision ...</p> <p>B. <u>The 120 calendar day time line specified in Section 50.25.8 may be extended for a specific amount of time at the written request of the applicant. The total time to extend the final decision, may not to exceed 245 calendar days from the date of the original 120-day period. An applicant may request in writing a continuance of time, not to exceed a total of 240 calendar days from the date the application was determined to be or deemed complete. The decision making authority shall issue a decision prior to the conclusion of the continuance of time.</u></p>	<p>As discussed above, the proposed text is to codify the requirement of ORS 227.178.5.</p>
Chapter 50, Section 50.45 (Type 3)	
<p>2. <u>Once an application has been determined or deemed complete, Within approximately seven (7) calendar days after the application has been deemed complete and in no case less than the Director shall provide written notice a minimum of twenty (20) calendar days before the decision making authority's decision, the Director shall mail a written notice to:</u></p> <p>C. <u>The Chair of Washington County's Community Participation Organizations (CPO) in which the subject property is located and the Chair of any other CPO's whose boundaries are within five hundred (500) feet of the subject property.</u></p>	<p>The proposed text is to clarify that written notice to the public is to occur 20 days prior to a decision and expand the noticing requirements to include the County's Community Participation Organization (CPO).</p>
<p>5. In addition to the provisions of Sections 50.45.2, 50.45.4, and 50.45.8, the following noticing timelines shall apply for the following applications: ***</p> <p>C. <u>For any Zoning Map Amendment application, notice shall be provided to the Department of Land Conservation and Development (DLCD), Metro, and Washington County, using the required inter-agency notice, at least thirty-five (35) calendar days prior to the initial hearing.</u></p>	<p>The proposed modification is to expand the noticing requirements to include the Metro, DLCD, and Washington county for Zoning Map Amendments. This includes stakeholders potentially interested in the proposed project.</p>

Proposed Text Amendment	Staff Comments
<p><u>15. The 120 calendar day time line specified in Section 50.25.8 may be extended for a specific amount of time at the written request of the applicant. The total time to extend the final decision, may not to exceed 245 calendar days from the date of the original 120-day period.</u></p>	<p>As discussed above, the proposed text is to codify the requirement of ORS 227.178.5.</p>
Chapter 50, Section 50.50 (Type 4)	
<p>2. [ORD 4462; January 2008] No less than thirty-five (35) calendar days before the date of the initial hearing of the decision making authority on an ordinance that proposes to legislatively change the zoning map or to amend the text of the Development Code, the Director shall mail notice of the hearing to: [ORD 4584; June 2012]</p> <p><u>B. The Chair of Washington County's Community Participation Organizations (CPO) in which the subject property is located and the Chair of any other CPO's whose boundaries are within five hundred (500) feet of the subject property.</u></p> <p>BC. The Chair of the Beaverton Committee for Citizen-Community Involvement.</p> <p>CD. <u>Department of Land Conservation and Development (DLCD), Metro, and</u> Washington County Department of Land Use and Transportation.</p>	<p>The proposed modification is to expand the noticing requirements to include the County's Community Participation Organization (CPO), Washington County's Department of Land Use and Transportation, DLCD and Metro. This includes stakeholders potentially impacted or interested in the proposed project. The modification includes update to the name of Beaverton's Community Organization.</p>
Chapter 50, Section 50.70 (Appeal of a Type 2 Decision)	
<p>2. <u>For a project that contains multiple applications approved concurrently, a separate appeal application is required to address each decision being appealed.</u></p>	<p>The proposed modification is to clarify the appeals process, specifically the required number of appeals for a project containing multiple applications. While projects containing multiple applications may be processed and reviewed concurrently, separate decisions are made for each application. Since the appeal is to the specific land use decision, an appeal application would be required for each decision being appealed.</p>

Proposed Text Amendment	Staff Comments
Chapter 50, Section 50.70 (Appeal of a Type 3 Decision)	
<p>2. <u>For a project that contains multiple applications approved concurrently, a separate appeal application is required to address each decision being appealed.</u></p>	<p>The proposed modification is to clarify the appeals process, specifically the required number of appeals for a project containing multiple applications. While projects containing multiple applications may be processed and reviewed concurrently, separate decisions are made for each application. Since the appeal is to the specific land use decision, an appeal application is required for each decision being appealed.</p>
Chapter 50, Section 50.90 (Expiration of a Decision)	
<p>3. <u>For a project that contains multiple applications approved concurrently, the expiration date for all these applications shall be on the same date using the latest expiration date.</u></p>	<p>Expiration dates for decisions vary between one to five years, based on the application type. For projects containing multiple applications, the result is renewals of the decisions would not be processed concurrently like the original approvals. This can cause confusion and the potential for the applicant to miss out on the opportunity to renew an application.</p>
Chapter 50, Section 50.99 (Re-Application or Supplemental Application after Denial)	
<p>2. Only a person whose application is denied following completion of all local procedures, including local appeals allowed by right, may submit to the City a supplemental application to allow any or all other uses allowed under the existing comprehensive plan map designation for the property, pursuant to ORS 227.184.</p> <p>B. Such an application shall be subject to a pre-application conference, a neighborhood review meeting, completeness review, and a Type 3 procedure, provided:</p> <ol style="list-style-type: none"> 1. The City shall issue a final decision regarding such an application, including all local appeals, not more than 240-120 days after the City finds or deems the application to be complete. <u>This 120 calendar day time line specified in Section 50.25.8 may be extended for a specific amount of time at the written request of the applicant. The total time to extend the final decision, may not to exceed 245 calendar days from the date of the original 120-day period.</u> 	<p>As discussed above, the proposed text is to codify the requirement of ORS 227.178.5.</p>

Proposed Text Amendment	Staff Comments
Chapter 60 – Special Requirements	
Chapter 60, Section 60.05 (Design Review Standards and Guidelines)	
<p>60.05.15. Building Design and Orientation Standards</p> <p>1. Building articulation and variety.</p> <p>C. The maximum spacing between permanent architectural features, <u>both vertically and horizontally</u>, shall be no more than:</p>	<p>Provides clarification that calculation of the maximum spacing of architectural features are to address both vertical and horizontal plane.</p>
<p>60.05.15. Building Design and Orientation Standards</p> <p>5. Roof-mounted equipment.</p> <p>A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:</p> <p><u>4. Screened from view by another building.</u></p> <p>B. <u>As shown in the diagram below,</u> tThe vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade of at the property line or public right-of-way...</p> 	<p>The proposed changes to the standards for roof-mounted equipment is to allow buildings to provide screening the equipment. A diagram is to be incorporated in the Code detailing how screening requirements are to be determined.</p>
<p>60.05.15. Building Design and Orientation Standards</p> <p><u>I</u> [ORD 4576; January 2012] Building elevations shall not be repeated across a street, shared court or common green from each other or on adjacent parcels. In these instances, elevations shall have at least 5 different design details as described in Section G<u>H</u>. above.</p>	<p>The proposed change is to update a Code reference.</p>

Proposed Text Amendment	Staff Comments
<p>60.05.15. Building Design and Orientation Standards</p> <p>10. Ground floor elevations on eligible residential-only buildings. [ORD 4758; March 2019]</p> <p>A.1.d <u>Building facades located on a shared property line are exempt from these standards.</u></p>	<p>The proposed change is to address building design requirements for design elements to a façade that in the future will be obscured by another building which share the property line. The proposed change is to add an exemption.</p>
<p>60.05.25. Landscape, Open Space, and Natural Areas Design Standards.</p> <p>4. Additional minimum landscape requirements for Attached Housing and Compact Detached Housing</p> <p>D. All street-facing building elevations shall have landscaping along their foundation, <u>excluding buildings facades that are placed at the property line or setback less than 12-inches from the property line.</u> When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards:</p>	<p>The proposed change is to exclude the standard that landscaping be required between the building and the public right-of-way if the spacing is 12 inches or less. Installation of planting within this area could potentially encroach in the public right-of-way or result in maintenance issue due to the size of the planting area.</p>
<p>60.05.25. Landscape, Open Space, and Natural Areas Design Standards.</p> <p>6. Common Greens. The purpose of the following standards, for compact detached housing is to allow tracts designed to provide access for only pedestrians and bicycles to abutting properties. Common greens are also intended to serve as a common open space amenity for residents. The following standards apply to common greens <u>for compact detached housing:</u></p> <p>A. 1. <u>The common green shall be placed in a tract and shall provide access for pedestrians and bicycles.</u></p>	<p>The proposed change looks to clarify the standard by removing language that addresses the purpose of the standard and now how it is to be implemented. The standard is to specify that common greens are for compact detached housing only and the common greens are to be placed in a tract accessible to pedestrians and bicycles.</p>

Proposed Text Amendment	Staff Comments
<p>60.05.25. Landscape, Open Space, and Natural Areas Design Standards.</p> <p>7. Shared Courts <u>for Compact Detached Housing</u>. The purpose of the shared court standards is to allow streets that accommodate<u>Shared courts are intended to serve</u> pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely... efficient use of land while preserving the landscape-intensive character of lower-density zones. The following standards apply to shared courts:</p> <p>A.4. Up to<u>No more than</u> 16 lots may have a front lot line on a shared court.;</p>	<p>The proposed change looks to clarify the standard by removing language that addresses the purpose of the standard and not how it is to be implemented. The standard is to specify Shared Courts are for compact detached housing only and the common greens are to serve pedestrians and bicycles and are limited 16 lots that can front the Shared Court.</p>
<p>60.05.25. Landscape, Open Space, and Natural Areas Design Standards.</p> <p>10. Minimize significant changes to existing on-site surface contours at residential property lines.</p> <p><u>A. Where grading is proposed, the requirements listed in Exempting the circumstances listed in Section 60.15.10-2, the following standards shall apply to design review proposals where grading is proposed: [ORD 4487; August 2008]</u></p> <p>A. When grading a site within twenty five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:</p> <ol style="list-style-type: none"> 1. 0 to 5 feet from property line. Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable. 2. More than 5 feet and up to and including 10 feet from property line. Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable. 3. More than 10 feet and up to and including 15 feet from property line. Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable. 	<p>The proposed amendment removes the grading standard from the Design Guidelines and references compliance to the grading standards found in Section 60.15.10 to limit conflicts between standards located in two separate locations of the code. The standards to remain in this section is specific grading standards associated with protected trees. References to the protected trees have been modified to be consistent with the terminology used in other sections of the Code.</p>

Proposed Text Amendment	Staff Comments
<p>4. More than 15 feet and up to and including 20 feet from property line. Maximum of eight (8) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.</p> <p>5. More than 20 feet and up to and including 25 feet from property line. Maximum of ten (10) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.</p> <p>B. Notwithstanding the requirements of subsection A. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified <u>Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area</u> significant grove or tree, or an identified historic tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.</p> <p>C. The grading standards listed in subsection A. above shall not apply to the following:</p> <p>1. Public right of way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.</p> <p>2. Storm water detention facilities subject to review and approval of the City Engineer.</p> <p>3. On Site grading where the grading will take place adjacent to an existing public street right of way, and will result in a finished grade that is below the elevation of the subject public street right of way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.</p>	

Proposed Text Amendment	Staff Comments
<p>60.05.25. Landscape, Open Space, and Natural Areas Design Standards.</p> <p>13. Landscape buffering and screening. All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2. and the following standards. For purposes of this Section, a landscape buffer is required along the side and rear of properties <u>property lines</u> between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in Residential zoning districts...</p> <p>B. B1-Low screen buffer: This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of: 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal linear <u>feet of buffer width</u>; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation...</p> <p>C. B2-Medium screen buffer: This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal linear <u>feet of buffer width</u>; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees...</p> <p>D. B3-High screen buffer: This buffer is intended to provide a high degree of visual screening between zones... The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal linear <u>feet of buffer width</u>, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting...</p>	<p>Provide clarity that the landscape buffer standards address all property lines and the standards associated with landscape trees should address the linear requirements and not buffer widths.</p>

Proposed Text Amendment	Staff Comments
<p>60.05.35. Building Design and Orientation Guidelines.</p> <p>2. Roof forms. [ORD 4584; June 2012]</p> <p>B. Flat roofs should include <u>a roofline that provides visual interest</u> distinctive such as cornice treatments. (Standard 60.05.15.2.C)</p>	<p>The current Design Guideline is more prescriptive than the standard. The proposed modification to this guideline is to allow more flexibly than the standard as intended for the discretionary process associated with utilizing Design Guidelines instead of the Standards.</p>
<p>60.05.35. Building Design and Orientation Guidelines.</p> <p>10. Ground floor elevations on eligible residential-only buildings.</p> <p>A.1. The primary use(s) on the ground floor should generate frequent human usage and incorporate sufficient glazing to allow high levels of visibility through window glazing into the building. <u>Building facades located on a shared property line are exempt from this guideline.</u></p>	<p>The proposed change is to address building design requirements for design elements on a façade that in the future will be obscured by another building. The proposed change is to add an exemption.</p>
<p>Table 60.05 -2. Minimum Landscape Buffer Requirements Between Contrasting Districts</p> <p>7. A minimum 20 foot buffer developed to a B3 standard is required for non-residential land uses and parks in Residential zoning districts <u>abutting a residential use in residential zoning district.</u> This standard shall apply only to side and rear property lines that abut residentially zoned properties. The Director is authorized to approve exceptions as described under Section 60.05.25.13.A., <i>Applicability of Buffer Standards</i>, otherwise all proposals to modify the 20-foot buffer width or B-3 standard are subject to public hearing consideration in review of applicable guidelines (Section 60.05.45.11.).</p> <p>8. Where a site proposed for development abuts property located outside City limits, the <u>buffering requirement for the</u> equivalent zone shall be applied to the property as described in Table 1, Section 1.5.2. of the Comprehensive Plan adopted pursuant to the Washington County – Beaverton Urban Planning Area Agreement (UPAA) or similar a zone as determined by the Director. [ORD 4531; April 2010] [ORD 4759; March 2019]</p>	<p>The proposed change is to provide clarification on the notes for the Landscape Buffer table, specifically the 20-foot B-3 buffer standard is only required for non-residential uses, such as schools and churches, if the use is abutting a residential use in a residential zone. There is less conflict to mitigate when the two uses abutting are non-residential.</p>

Proposed Text Amendment	Staff Comments
Chapter 60, Section 60.12 (Habitat Friendly Development Practices)	
<p>60.12.15. Engineered Techniques In some instances, proposed implementation of a HFDP will require an Engineering Design Manual Design Modification-Standard Exception approved by the City Engineer. The Design Modification-Standard Exception process is outlined in Section 145-160 of the <i>Engineering Design Manual and Standard Drawings</i> (EDM). An applicant may choose to receive request approval from the City Engineer prior to, or concurrent with, review of a land use application.</p>	<p>The proposed change is to update Code language to match the Engineering Design Manual.</p>
Chapter 60, Section 60.15.15 (Final Plat Standards)	
<p>1. Easements and rights-of-way. Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 120-130 of the <i>Beaverton Engineering Design Manual</i>. [ORD 4584; June 2012]</p> <p>6. Street trees. B. For all other land divisions, trees shall be planted <u>at a maximum linear spacing of 30 feet along street frontages or</u> in accordance with an approved street tree plan <u>approved by the City Arborist or City Engineer.</u></p>	<p>The proposed changes are to update Code references and to codify the spacing requirements for street trees.</p>
Chapter 60, Section 60.30 (Off-Street Parking)	
<p>60.30.10. Number of Required Parking Spaces. 5. Parking Tables. The following tables list the required minimum and maximum vehicle <u>(Table 60.30.10.5.A)</u> and bicycle parking requirements <u>(Table 60.30.10.5.B)</u> for listed land use types. <u>The vehicle parking table excludes uses located in Regional Center zoning districts (See Table 60.30.10.6).</u></p>	<p>The proposed text amendment will label the off-street parking (vehicles and bicycles) table.</p>
<p><u>Table 60.30.10.5.A</u> Parking Ratio Requirements for Motor Vehicles Dwelling, Accessory Unit Min (Multiple Use) = N/A<u>1.0</u> Min (All Other Zones) = N/A<u>1.0</u></p>	<p>The proposed changes are to update Code to comply with state regulations associated with ADU's.</p>

Proposed Text Amendment	Staff Comments
<p><u>Table 60.30.10.5.A</u> Parking Ratio Requirements for Motor Vehicles Fast Food with drive-through service in the RC-TO, SC-MU, and SC-HDR zones. Other eating, drinking establishments in the RC-TO, SC-MU, and SC-HDR zones.</p>	<p>Remove references to RC-TO District as there is a separate table for parking requirements for all regional center zoning districts (see Section 60.30.10.6)</p>
<p><u>Table 60.30.10.6</u> Parking Ratio Requirements for Motor Vehicles In The Regional Center Dwelling, Accessory Unit Min (Parking Districts 1, 2, 3) = N/A-75 Min (Parking Districts 4) = N/A+0 Min (Parking Districts 5) = N/A+0</p>	<p>The proposed changes are to update Code to comply with state regulations associated with ADU's.</p>
<p>Chapter 60, Section 60.40 (Sign Regulations)</p>	
<p>60.40.15. Signs not Subject to Permit but Subject to Regulation for Size, Dimensions, Location, Duration and Aesthetics 4. <u>Signs Located in Parking Lots for Traffic Safety, Parking Restrictions and Compliance with State and Federal Standards.</u> For the purpose of this section, signs for controlling traffic and parking, including but not limited to ADA posting and towing notification, are allowed in any zone. Signs for this purpose shall be placed outside the required vision-sight clearance areas specified in Chapter 2 <u>Section 210</u> of the City Engineering Design Manual and shall be limited to six (6) square feet in area and eight (8) feet in height as measured from the nearest parking lot surface where placed.</p>	<p>Update terminology to align City Engineering Deseing Manual</p>
<p>Chapter 60, Section 60.50.25 (Special Use Regulations)</p>	
<p>60.50.03. Accessory Dwelling Unit. 2. Design standards<u>Requirements.</u> The following design standards requirements are specific to the construction of an accessory dwelling unit. The standards and are intended to ensure that the accessory dwelling units are compatible in scale, architectural design, and accessory ancillary to the primary residence. Where development standards are absent in this section, the ddevelopment standards of the underlying zone <u>and the requirements in Section 40.05 Accessory Dwelling Unit</u> apply.</p>	<p>The proposed text updates the City's ADU standards to comply with state requirements. The proposed changes are to reduce limit barriers to allowing for ADU in the City.</p>

Proposed Text Amendment	Staff Comments
<p>A. An accessory dwelling unit may be created in the following manner:</p> <ol style="list-style-type: none"> 1. Conversion of existing living area, attic, basement or required parkinggarage; <p>B. <u>Size</u></p> <ol style="list-style-type: none"> 1. <u>The proposed accessory dwelling unit is no more than fifty percent (50%) of the gross floor area of the primary detached dwelling or 800 square feet, whichever is greater. However, accessory dwelling units that result from the conversion of a level or floor (e.g. basement, attic, or second story) of the primary dwelling may occupy the entire level or floor.</u> 2. <u>The floor area measurements are based on what the square footage of the primary dwelling and accessory dwelling unit will be after the accessory dwelling unit is created.</u> <p>BC. Parking.</p> <ol style="list-style-type: none"> 1. Where the accessory dwelling unit is built on parking areas required for the primary dwelling, the required parking <u>for the primary dwelling</u> shall be replaced on site. 2. One additional parking space is required on site. <p>CD. Location.</p> <ol style="list-style-type: none"> 1. Accessory dwelling unit must be attached by the floor, ceiling, wall, or portion thereof to the primary unit or must be separated by 8-feet from the primary unit. 2. <u>Accessory dwelling is not located over any easement.</u> 	<p>The proposed text updates the City’s ADU standards to comply with state requirements. The proposed standards are to limit barriers to allowing for ADU in the City and thereby encourage other housing types.</p>

Proposed Text Amendment	Staff Comments
<p>60.50.20. Fences. Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable vision clearance standards established in the Engineering Design Manual: for setback and height limits and meet the following standards:- [ORD 3162; April 1980] [ORD 3287; October 1982] [ORD 4365; October 2005]</p> <p><u>1. Fences and walls shall be constructed of materials such as wood, stone, rock, or brick.</u></p> <p><u>2. Fences and walls shall not exceed the following height:</u></p> <p><u>A. Six (6) feet in a required front yard along designated Collector and Arterial streets.</u></p> <p><u>B. Three (3) feet in height in a required front yard along all other street classifications.</u></p> <p><u>C. Four (4) feet in height in a required front yard for required above ground stormwater facilities.</u></p> <p><u>D. Eight (8) feet in height for all other yards.</u></p>	<p>The proposed amendment codifies fence standards that apply citywide. The standards limit height requirements based on function of the fencing as well as the street classification.</p>
<p>60.50.25. Uses Requiring Special Regulation.</p> <p>7. <u>Child Care or Day Care Facilities.</u> Child care or day care facilities shall provide and thereafter maintain outdoor play areas with a minimum area of 100 square feet per child for one-third <u>(1/3)</u> the total licensed capacity of children. The Director may approve reduction of this requirement if the facility cares only for infants up to 6 months in age. In all districts, a fence of at least five (5) feet but not more than six (6) feet in height shall be provided separating the outdoor play area from abutting lots.</p>	<p>Clarify the requirements for a minimum of 100 square feet of outdoor play area is per child.</p>

Proposed Text Amendment	Staff Comments
<p>60.50.25. Uses Requiring Special Regulation. <u>13. Public Art. Public Art as defined in Chapter 90 of the Development Code is permitted in all zoning districts when the following requirements are met, unless separately authorized through an adjustment or variance application, or Engineering Design Exception:</u> <u>A. Does not exceed the maximum building height of the underlying zoning district.</u> <u>B. In the public right-of-way, ADA requirements, and sight clearance requirements.</u></p>	<p>The proposed amendment permits Public Art in all zoning district, but establishes limitation in this Section of the Code and requires approval by the Beaverton Arts Commission.</p>
<p>Chapter 60, Section 60.55 (Transportation Facilities)</p>	
<p>60.55.10. General Provisions. 1. All <u>public and private</u> transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.</p>	<p>The amendment clarifies the standards within the EDM applies to public and private streets.</p>
<p>60.55.25. Street and Bicycle and Pedestrian Connection Requirements 10. Pedestrian Circulation. E. Walkways shall be paved and shall maintain at least four <u>five</u> feet (<u>5'</u>) of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway.</p>	<p>The proposed amendment to increase the minimum standards for sidewalks in Section 60.55 of the Code to 5 feet provides consistency between multiple sections of the Code related to this requirement. The 5-foot width will enhance pedestrian circulation by providing wider area for pedestrians to maneuver.</p>
<p>60.55.30. Minimum Street Widths. <u>3. Street trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist. Proposed tree wells shall be design to meet standards in the City Engineering Design Manual.</u></p>	<p>The proposed change is to codify the spacing requirements for street trees and reference the street standard standards in the EDM that are also applicable to the installation of the trees.</p>

Proposed Text Amendment	Staff Comments
Chapter 60 General Changes	
<p>60.12.40.4.B.2.b.(4)- Low Impact Development: (4)-The b</p> <p>60.15.15.1- Final Plat Standards: Easements and rights-of-way. Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 120-130 of the <i>Beaverton Engineering Design Manual</i>.</p> <p>60.55.20.4.G Traffic Impact Analysis: Recommendations. The Traffic Impact Analysis report shall clearly state the mitigation measures recommended by the analysis and shall summarize how the recommended mitigations are roughly proportional to the identified impacts.</p> <p>60.70.25.1.D Wireless Communication Facilities: [ORD 4596; Feb 21032013]</p>	<p><i>Scrivener's Errors</i></p>
Chapter 90 Definitions	
<p><u>Accessory Dwelling Unit. An interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. An accessory dwelling unit contains the minimum living facilities required by the current Oregon Structural Code or applicable ordinance to be classified as a dwelling unit.</u></p>	<p>The proposed text provides a definition for this in which the regulations in Chapter 40 and 60 of the Code have been updated.</p>
<p>Animal Care, Major. [ORD 4542; June 2010] Animal uses that provide outdoor facilities. Uses may include kennels dog parks, animal day care, and other similar uses.</p>	<p>Removal of dog parks as a use defined in Major Animal Care as the proposed text includes a specific definition for dog parks.</p>
<p>Building Height. [ORD 4542; June 2010] The vertical distance from grade plane to the highest point of <u>a sloped roof structure or, in the case of a flat roof, the vertical distance from grade plane to the highest point of the parapet.</u></p>	<p>Update the definition to clarify how building height is measured for flat roofs.</p>
<p>Bulk Retail Use. A retail use that is housed in a warehouse style building, is developed as a warehouse style building both on the interior and exterior, sells primarily institutional sized or multi-pack products in bulk quantities, has limited hours of operation and is not part of a larger shopping center. [ORD 3825; September 1982]</p>	<p>The text amendment proposes to remove bulk retail there removing the need for the definition.</p>

Proposed Text Amendment	Staff Comments
<p>Care Facilities. [ORD 4542; June 2010] General care located within a dwelling accommodating not more than five nonrelated persons, for children and seniors <u>s-citizens</u>.</p>	<p>Update the terminology for the elderly.</p>
<p>Laboratory. [ORD 4542; June 2010] A facility equipped for scientific research, experimentation or testing; or a facility where chemicals, <u>dental equipment and supplies, medical devices,</u> pharmaceuticals or explosives are prepared or manufactured.</p>	<p>Update the definition to include medical and dental equipment and supplies.</p>
<p>Manufactured Home. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction. [ORD 3846; May 1993]</p> <p>Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain regulation purposes the term "manufactured home" also includes recreational vehicles, park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days if permitted to be placed on a permanent foundation, permanently connected to utilities, or anchored to the land. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. [ORD 3563; May 1987] [ORD 4392; July 2006]</p>	<p>Modification is proposed to one of the manufactured home definitions to clarify the use of the definition for the implementation of floodplain review.</p>
<p>Marijuana Dispensary. Includes the sales of medical marijuana products that are authorized pursuant subject to the provisions of <u>ORS 475B.314</u>. [ORD 4674; Feb 2016]</p>	<p>Update the definition of marijuana dispensary reference the correct section of State statutes.</p>

Proposed Text Amendment	Staff Comments
<p>Mobile Home Park. Any lot which is utilized for the occupancy of more than two mobile homes.</p> <p>Mobile Home Park. Any place where two<u>four</u> or more mobile homes<u>manufactured homes</u> are located within 500 feet of one another on a lot, tract, or parcel of land not less than one acre under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person.</p>	<p>Update the definition of mobile home park to be consistent with the State’s definition.</p>
<p><u>Public Art. Any two or three dimensional physical art installation on public or private property recognized as Public Art by the Beaverton Arts Commission. This use is limited to installations expressly authorized by the Mayor under a program administered by the Mayor and established by Council resolution.</u></p>	<p>The proposed text provides a definition for this use which is identified in the land use tables in Chapter 20.</p>
<p><u>Public Dog Park or Dog Run. A component of a public park, containing a fenced area designated for dogs to exercise and socialize off leash. Elements of a dog park or dog run may include but are not limited: a perimeter fence, separate areas for small and large dogs, appropriate surfacing for the chosen location, seating (benches), shade, fountain or other appropriate water source, covered trash receptacles, dog waste bag dispensers, and regulatory signage.</u></p>	<p>The proposed text provides a definition for this use which is identified in the land use tables in Chapter 20.</p>
<p>Structure. Anything which is constructed, erected or built and located on or under the ground, or attached to something fixed to the ground.</p> <p>Structure. <u>For the purpose of floodplain review, a</u> A-walled and roofed building including a gas or liquid storage tank that is principally above ground. [ORD 3563; May 1987]</p>	<p>Modification is proposed to one of the structure definitions to clarify the use of the definition for the implementation of floodplain review.</p>