



**CITY OF BEAVERTON**

Community Development  
 Department  
 Planning Division  
 12725 SW Millikan Way  
 PO Box 4755  
 Beaverton, OR. 97076  
 Tel: (503) 526-2420  
 Fax: (503) 526-2550  
[BeavertonOregon.gov](http://BeavertonOregon.gov)

**OFFICE USE ONLY**

**FILE #:** \_\_\_\_\_  
**FILE NAME:** \_\_\_\_\_  
 \_\_\_\_\_  
**TYPE:** \_\_\_\_\_ **RECEIVED BY:** \_\_\_\_\_  
**FEE PAID:** \_\_\_\_\_ **CHECK/CASH:** \_\_\_\_\_  
**SUBMITTED:** \_\_\_\_\_ **LWI DESIG:** \_\_\_\_\_  
**LAND USE DESIG:** \_\_\_\_\_ **NAC:** \_\_\_\_\_

**FLEXIBLE SETBACK APPLICATION**

PLEASE SELECT THE SPECIFIC TYPE OF FLEXIBLE SETBACK FROM THE FOLLOWING LIST:

- TYPE ONE FLEXIBLE SETBACK FOR INDIVIDUAL LOT WITH ENDORSEMENT
- TYPE TWO FLEXIBLE SETBACK FOR A PROPOSED RESIDENTIAL LAND DIVISION
- TYPE THREE FLEXIBLE SETBACK FOR INDIVIDUAL LOT WITHOUT ENDORSEMENT
- TYPE TWO ZERO SIDE/REAR YARD SETBACK FOR A PROPOSED RESIDENTIAL LAND DIVISION
- TYPE TWO ZERO SIDE YARD SETBACK FOR A PROPOSED NON-RESIDENTIAL LAND DIVISION

**APPLICANT:**  Use mailing address for meeting notification.  Check box if Primary Contact

COMPANY: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 (CITY, STATE, ZIP) \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_  
**SIGNATURE:** \_\_\_\_\_ **CONTACT:** \_\_\_\_\_  
 (Original Signature Required)

**APPLICANT'S REPRESENTATIVE:**  Check box if Primary Contact

COMPANY: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 (CITY, STATE, ZIP) \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_  
**SIGNATURE:** \_\_\_\_\_ **CONTACT:** \_\_\_\_\_  
 (Original Signature Required)

**PROPERTY OWNER(S):**  Attach separate sheet if needed.  Check box if Primary Contact

COMPANY: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 (CITY, STATE, ZIP) \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_  
**SIGNATURE:** \_\_\_\_\_ **CONTACT:** \_\_\_\_\_

*Note: A land use application must be signed by the property owner(s) or by someone authorized by the property owner(s) to act as an agent on their behalf. If someone is signing as the agent of the property owner(s), that person must submit a written statement signed by the property owner(s), authorizing the person to sign the application.*

**PROPERTY INFORMATION (REQUIRED)**

**SITE ADDRESS:** \_\_\_\_\_ **IS LOT VACANT?**  YES  NO  
**ASSESSOR'S MAP & TAX LOT #** **LOT SIZE** **ZONING DISTRICT** **EXISTING OR PROPOSED USE:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



**FLEXIBLE SETBACK SUBMITTAL CHECKLIST**

**WRITTEN STATEMENT REQUIREMENTS -**

REQUIRED FOR ALL FLEXIBLE SETBACK APPLICATIONS

- A. APPLICATION FORM.** Provide **one (1) completed** application form with original signature(s).
  - *Have you submitted for a permit from another division?*
- B. CHECKLIST.** Provide **one (1) completed copy** of this three (3) page checklist.
- C. WRITTEN STATEMENT.** Submit **three (3) copies** of a detailed description of the proposed project including, but not limited to, the changes to the site, structure, landscaping, parking, and land use. In the written statement, please:
  - Address all applicable provisions of Chapter 20 (Land Uses)
  - Provide individual findings specifically addressing how and why the proposal satisfies each of the criteria within the appropriate Approval Criteria Section of Chapter 40 of the City's *Development Code* (ORD 2050), attached.
- D. FEES,** as established by the City Council. Make checks payable to the City of Beaverton.
- E. SITE ANALYSIS INFORMATION.**

Existing Building Setbacks from Property Lines (feet, inches):

Front: \_\_\_\_\_ Rear: \_\_\_\_\_

Side: \_\_\_\_\_ Other Side: \_\_\_\_\_

Garage \_\_\_\_\_

Proposed Setbacks(s) - Attach separate sheet for multiple lots:

Front: \_\_\_\_\_ Rear: \_\_\_\_\_

Side: \_\_\_\_\_ Other Side: \_\_\_\_\_ Garage: \_\_\_\_\_

- F. PRE-APPLICATION CONFERENCE NOTES.** *(REQUIRED FOR TYPE 2, 3, & 4 APPLICATIONS ONLY)*  
 Provide a copy of the pre-application conference summary as required by the City's *Development Code Section 50.25.1.E*. The Pre-Application Conference must be held within the one (1) year prior to the submission date of the proposed project application.



**G. NEIGHBORHOOD REVIEW MEETING. (REQUIRED FOR TYPE 3 APPLICATIONS ONLY)**

Provide the following information as required by the City's *Development Code Section 50.30*. The Neighborhood Review Meeting must be held within the six (6) months prior to the submission date of the proposed project application.

Neighborhood Review Meeting Items:

- 1. A copy of the meeting notice mailed to surrounding property owners and the NAC Representative
- 2. A copy of the mailing list used to mail out the meeting notice.
- 3. A written statement representative of the on-site posting notice.
- 4. Affidavits of mailing and posting
- 5. Representative copies of written materials and plans presented at the Neighborhood Review Meeting.
- 6. Meeting minutes that include date, time and location, as well as, oral and written comments received
- 7. Meeting sign-in sheet that includes names and address of attendees.
- 8. Documentation verifying that the meeting minutes and sign-in sheets have been provided to the NAC representative.



**H. ABUTTING PROPERTY OWNERS ENDORSEMENT. (REQUIRED FOR TYPE 1 FLEXIBLE SETBACK APPLICATIONS ONLY)** Complete the following section:

We, the undersigned, hereby approve the request, as presented on Exhibit A & B, for flexible setback standards, as provided by Section 40.30 of the Development Code. The provision allows for a reduction of the \_\_\_\_\_(front, side or rear) yard setback from the current standard of \_\_\_\_\_ ft. to a minimum of \_\_\_\_\_ ft. The Code requires written approval of all abutting property owners.

**Only sign if you are the legally recorded property owner OR if you are the contract purchaser, but note that with your name.**

SIGNATURE: \_\_\_\_\_ NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(CITY, STATE, ZIP) \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(CITY, STATE, ZIP) \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

(CITY, STATE, ZIP) \_\_\_\_\_

**(FOR ADDITIONAL ABUTTING PROPERTY OWNERS, ATTACH ADDITIONAL PAGE**

**APPLICANT OR PROPERTY OWNER:**

I hereby attest that I have obtained the true signatures of all abutting property owners (or contract purchasers) as required by the Development Code.

\_\_\_\_\_  
Signature of Owner or Applicant Date

**NOTARY PUBLIC:**

Subscribe and sworn to me this day.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public Date

Notary Stamp

**PLANS & GRAPHIC REQUIREMENTS- REQUIRED FOR ALL FLEXIBLE SETBACK APPLICATIONS**

All plans, except architectural elevations, shall be presented at a minimum of 1" = 20' engineering scale and on a maximum sheet size of 24" x 36". Architectural elevations may be presented at an architectural scale. **All plans shall be folded to fit a legal size file jacket.**

***Include all of the following information:***

- A. SITE PLAN:** Submit **three (3) copies** of a current site plan of the entire property. If the plan is not to scale, it must be fully dimensioned. Label and show the location of:
  - abutting streets
  - parking
  - property lines
  - driveways
  - setbacks
  - areas of natural vegetation & landscaping
  - structures
  - proposed square footages
  - existing easements and utilities located within 100 feet of any proposed outside modifications
  - existing and approved vehicular, pedestrian, and bicycle connections

- B. ARCHITECTURAL ELEVATIONS:** Provide **three (3) copies** of drawings that depict the character of the proposed building(s) and structure(s) (these include buildings, retaining walls, refuse storage facilities, play structures, fences and the like). These drawing should include dimensions of the building(s) and structure(s) and indicate the materials, colors, and textures proposed for the structures.

***Note: Complete sets of plans reduced to 8 ½"x11" (11"x17" are not acceptable) will be required at the time the application is deemed complete.***

***I have provided all the items required by this three (3) page submittal checklist. I understand that any missing information, omissions or both may result in the application being deemed incomplete, which may lengthen the time required to process the application.***

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Telephone Number**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## **FLEXIBLE SETBACK FOR INDIVIDUAL LOT WITH ENDORSEMENT APPROVAL CRITERIA**

**PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.**

An applicant for a Flexible Setback for Individual Lot with Endorsement shall address compliance with all of the following Approval Criteria as specified in 40.30.15.1.C.1-6 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Flexible Setback on Individual Lot With Endorsement application.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
- 4. The proposal does not violate any recorded Solar Access requirements.
- 5. The proposal meets the minimum standards specified in Section 20.05.15.F of this Code.
- 6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

## **FLEXIBLE SETBACK FOR INDIVIDUAL LOT WITHOUT ENDORSEMENT APPROVAL CRITERIA**

**PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.**

An applicant for a Flexible Setback for Individual Lot without Endorsement shall address compliance with all of the following Approval Criteria as specified in 40.30.15.2.C.1-9:

- 1. The proposal satisfies the threshold requirements for a Flexible Setback on Individual Lot Without Endorsement application.
- 2. The application complies with all applicable submittal requirements as specified in Section 50.25.1 and includes all applicable fees.
- 3. The proposal does not violate any recorded Solar Access Permit requirements.
- 4. The proposal meets the minimum standards specified in Section 20.05.15.F of this Code.
- 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.
- 6. All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.
- 7. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.
- 8. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.
- 9. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

## **FLEXIBLE SETBACK FOR APPROVED RESIDENTIAL LAND SUBDIVISION APPROVAL CRITERIA**

**PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.**

An applicant for a Flexible Setback for a Proposed Residential Land Subdivision shall address compliance with all of the following Approval Criteria as specified in 40.30.15.3.C.1-7 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Flexible Setback for a Proposed Residential Land Division application.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposal is compatible with the surrounding area regarding topography, vegetation, building character, and site design. In determining compatibility, consideration shall be given to harmony in: scale, bulk, coverage, density, rooflines, and building materials.
- 4. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.
- 5. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.
- 6. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
- 7. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

## ZERO SIDE OR ZERO REAR YARD SETBACK FOR A PROPOSED RESIDENTIAL LAND DIVISION APPROVAL CRITERIA

**PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.**

An applicant for a Zero Side or Zero Rear Yard Setback for a Proposed Residential Land Division shall address compliance with all of the following Approval Criteria as specified in 40.30.15.4.C.1-13 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Zero Side Yard or Zero Rear Yard Setback for a Proposed Residential Land Division application.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The side or rear yard setback on all adjacent lots which abut the proposed zero side or rear setback are either zero feet (0') or ten feet (10') or more.
- 4. The zero side or zero rear yard is not abutting a public right-of-way or any access easement.
- 5. No portion of a structure or architectural feature shall project over a property line related to the zero side or rear yard setback unless a permanent easement allowing such projection has been granted.
- 6. A four foot (4') non-exclusive maintenance easement appears on the plat within the adjacent side or rear yard setback of the adjacent lot where it abuts the zero setback.
- 7. Satisfactory deed restrictions are submitted with the preliminary land division which address maintenance requirements for the zero setback wall.
- 8. Utility easements are provided, when required by a utility provider along any side, rear, or both property lines except where the zero setback is designated.



- ❑ 9. The proposal is compatible with the surrounding area regarding topography, vegetation, building character, and site design. In determining compatibility, consideration shall be given to harmony in: scale, bulk, coverage, density, rooflines, and building materials.
- ❑ 10. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or considered concurrently with the subject proposal.
- ❑ 11. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.
- ❑ 12. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
- ❑ 13. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

## ZERO SIDE OR ZERO REAR YARD SETBACK FOR A PROPOSED NON-RESIDENTIAL LAND DIVISION APPROVAL CRITERIA

**PER 50.25.1.B, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.**

An applicant for a Zero Side or Zero Rear Yard Setback for a Proposed Non-Residential Land Division shall address compliance with all of the following Approval Criteria as specified in 40.30.15.5.C.1-9 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Zero Side Yard Setback for a Proposed Non-Residential Land Division application in the Commercial, Industrial, or Multiple Use zoning districts.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The minimum adjacent side yard setback on all adjacent lots which abut the proposed zero setback parcel are either zero feet (0') as well or twenty feet (20') or more.
- 4. The zero side yard is not abutting a public right-of-way or any access easement.
- 5. The zero side yard does not abut any residential district.
- 6. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal.
- 7. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.
- 8. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
- 9. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.