



PLANNING AND
BUILDING SERVICES

LU 18-0035
 Planning Commission Public Hearing
 Annual Code Amendments - 2018
 October 8, 2018

2018 Schedule

PCWS #1	PCWS #2	Public Review Draft	PC Hearing	PC Hearing/ Findings	CCPH
May 30	July 23	September	Oct 8	Oct 22	Nov 6
<i>Concepts</i>	<i>Concepts</i>	<i>Draft Code</i>	<i>Hearings >>>></i>		

Solar Code Amendments

- Updates all “exempt” and “non-exempt” vegetation references to “solar-friendly” and “solar-unfriendly” vegetation
- Deletes Solar Access Permit
- Applies Solar Access Standard to residential subdivisions (4+ lots) and not partitions (2-3 lots)

Other Significant Amendments

- Utility Undergrounding: Identifies appropriate exceptions to undergrounding requirement (ADUs, remodels, partitions), and deletes superfluous references
- Increases setbacks on high-density lots that abut lots that will be low-density upon annexation
- Clarifies that Uplands Overlay standards on height and impervious surfaces apply to all lots (flag and non-flag)
- Testimony Deadline moved from 5 pm to noon

Remaining Amendments

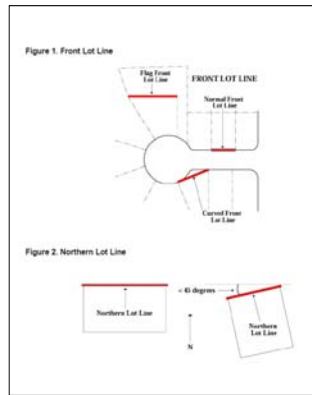
- Corrects adjacent/abutting reference
- Deletes reference to a Comp Plan policy that no longer exists
- Corrects a reference to the number of dwellings an access lane can serve (three)
- Deletes waiver for light trespass, per *Cosner v. Umatilla*
- Clarifies headings in Lighting standards table
- Updates decision deadline (100 days) for multi-family projects with 50% affordable units, per ORS
- Moves shrubs out of Tree section in Native Plant List

Solar Code/Metropolitan Access Project (1988)

- 21 jurisdictions in Portland/Vancouver metro area
- Developed uniform solar codes: Solar Access, Solar Balance Point, Solar Access Code, Solar Definitions
- 5 jurisdictions have all four components
- Beaverton only maintained Solar Access Permit
- Three maintained only Solar Access and Solar Design
- Twelve have no solar code (either never adopted, or deleted)

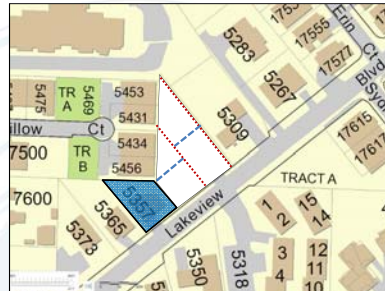
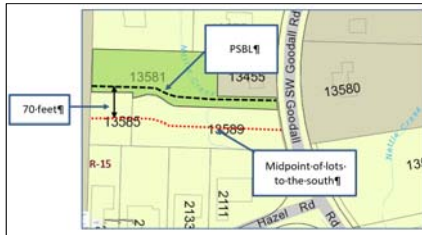
Solar Access

- 80% of lots must meet a Solar Access design (**Basic**, PSBL, Performance)



Solar Access

- **Protected Solar Building Line:** a line that identifies the location on a lot where a point 2 feet above may not be shaded.



Solar Access

- **Performance Option:** Dwelling orientation, shading, and glazing.

-Habitable structures have their long axis oriented within 30 degrees of true east-west AND at least 80% of the ground floor south wall is protected from shade.

-Habitable structures have at least 32% of their glazing and 500 sq. ft. of their roof area which faces 30 degrees of south AND is protected from shade.

Solar Access - Exemptions

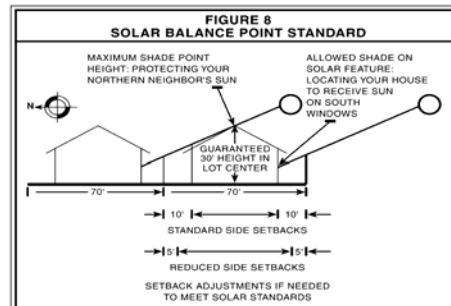
- Slope more than 20% more than 45 degrees of east-west
- On- or off-side shade that will remain

Solar Access - Adjustments

- Density affected by slope, significant natural feature, existing road patterns
- Site development cost increased by 5% per lot.
- Significant development amenities (undefined) lost by compliance and market value significantly diminished
- Existing shade over 80% of lot; shade to remain

Solar Design – Basic or Performance

- How does the dwelling (roof peak) shade the property to the north?



Solar Design – Basic or Performance

Performance

- Will not shade more than 20% of the south-facing glazing of existing habitable structures; or
- Complies with the PSBL of Solar Access, or
- Complies with the Performance Option of Solar Access

Solar Design - Exemptions

- Slope more than 20% more than 45 degrees of east-west
- Existing shade
- Insignificant benefit: shade hits undeveloped area, wall of an unheated space, or less than 20% of south-facing glazing

Solar Access - Adjustments

Height of Shade Point can be increased

- Physical conditions (lot size, soils, easements, rights-of-way) preclude compliance
- If structure meets Shade Point, its own solar feature will be shaded

Solar Access Permit

- Allows a property owner to protect a solar feature from future shade emanating on a different property
- The applicant records the height restrictions on all burdened properties, and the burdened property owner is responsible for paying all costs associated with keeping the vegetation from exceeding the solar access height limit
- No record of City issuing a Solar Access Permit

Solar Definitions

- Very technical
- No illustrations
- “Exempt” Tree = Solar Friendly
- “Non-Exempt” Tree = Solar Unfriendly

