



# TUALATIN CITY COUNCIL AND TUALATIN DEVELOPMENT COMMISSION

Monday, October 24, 2011

CITY COUNCIL CHAMBERS  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062

**WORK SESSION** begins at 6:00 p.m. **[NOTE START TIME]**  
**REGULAR MEETING** begins at 7:00 p.m.

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Mayor Lou Ogden  
Council President Monique Beikman  
Councilor Wade Brooksby    Councilor Frank Bubenik  
Councilor Joelle Davis    Councilor Nancy Grimes  
Councilor Ed Truax

**Welcome!** By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda - *Item C*, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at [www.ci.tualatin.or.us/government/CouncilPackets.cfm](http://www.ci.tualatin.or.us/government/CouncilPackets.cfm), the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at [www.tvctv.org](http://www.tvctv.org). Council meetings can also be viewed by live *streaming video* on the City's website, the day of the meeting at [www.ci.tualatin.or.us/government/CouncilPackets.cfm](http://www.ci.tualatin.or.us/government/CouncilPackets.cfm).

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

## PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

## PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
  - a) In support of the application
  - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

## TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

## EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* employment of personnel; *ORS 192.660(2)(b)* dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.



**OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL FOR  
OCTOBER 24, 2011**

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**A. CALL TO ORDER**  
Pledge of Allegiance

**B. ANNOUNCEMENTS**

1. Tualatin Winona Grange Activities Update - *Loyce Martinazzi*
2. Prescription Drug Turn-In Day Announcement
3. Employee Introduction - *Patrick Jackson, Operations Department*

**C. CITIZEN COMMENTS**

*This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

1. Approval of the Minutes for the Work Session and Meeting of October 10, 2011.
2. Approval of a Change of Ownership Liquor License Application for Game Time
3. Resolution No. **5072-11** Granting a Conditional Use Permit for Grimm's Fuel Company Located Within the General Manufacturing Planning District at 18850 Cipole Road (Tax Map 2S1 21A, Tax Lots 1800 & 1900) (CUP 11-03)
4. Resolution No. **5073-11** Authorizing the Mayor to Sign an Intergovernmental Agreement with Washington County for Improvements Associated with the Tualatin-Sherwood Road Improvements Project
5. Fiscal Year 2010/2011 Parks System Development Charge (SDC) Annual Report

**E. SPECIAL REPORTS**

1. Update on the Transportation System Plan
2. Tualatin Farmers Market Season Recap

**F. PUBLIC HEARINGS – Legislative or Other**

1. Amending the Sign Regulations to Allow Additional Types of Building Signs in the Central Design District, Major Commercial Centers and Multi-story Buildings in the Central and General Commercial Planning Districts; and Amending Tualatin Development Code Chapters 38.110 Sign Types, 38.220 Central Commercial and General Commercial Planning District Sign Standards and 31.060 Definitions. Plan Text Amendment (PTA-11-08). **-Continued Hearing-**

**G. PUBLIC HEARINGS – Quasi-Judicial**

**H. GENERAL BUSINESS**

**I. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**J. COMMUNICATIONS FROM COUNCILORS**

**K. EXECUTIVE SESSION**

**L. ADJOURNMENT**

**City Council Meeting**

**B. 1.**

**Meeting**  
**Date:** 10/24/2011

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**Information**

**ANNOUNCEMENTS**

Tualatin Grange Activities Update - *Loyce Martinazzi*

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**City Council Meeting**

**B. 2.**

**Meeting**           10/24/2011  
**Date:**

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**Information**

**ANNOUNCEMENTS**

Prescription Drug Turn-In Day Announcement

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**Attachments**

A - PowerPoint Prescription Drug Turn-In Day



*City of Tualatin*

# Prescription Drug Turn-In

**October 29**  
**10am - 2pm**

**Tualatin Police Department**

8650 SW Tualatin Rd.

Drive-thru convenience.  
No questions asked.

Dispose of your unused Medications safely.

Help protect your family, community, and environment!



dispose  
unused  
Rx

For more information, please visit [www.dea.gov](http://www.dea.gov)

For more info: 503-691-4846

Tualatin Together supports the Tualatin Police Department's efforts to help keep potentially dangerous unwanted prescription and non-prescription drugs from being misused and abused by youth. This event is part of a national effort by the US Office of National Drug Control Policy, the US Drug Enforcement Administration and communities across the country.



**City Council Meeting**

**B. 3.**

**Meeting**  
**Date:** 10/24/2011

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**Information**

**ANNOUNCEMENTS**

Employee Introduction - *Patrick Jackson, Operations Department*

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City of Tualatin

Jan doesn't want to pull it off consent.  
She just wants  
to make 2  
comment.

# City Council

## SPEAKER REQUEST FORM

**IMPORTANT:** Any citizen attending Council meetings may speak on any item on the agenda. If you wish to speak, please complete this form and return to the **City Recorder**. *This document is a public record.*

NAME Jan Giunta DATE 10/24/2011  
STREET ADDRESS 17655 SW Shawnee Tr  
STATE \_\_\_\_\_ ZIP 97062 E-MAIL jan.giunta@gmail.com

I wish to speak during **CITIZEN COMMENTS** on a subject that is not on the current Council agenda. *(3-minute time limit per speaker)*

Subject Grimm's Fuel CUP Consent Agenda

I wish to speak on **AGENDA ITEM No.** \_\_\_\_\_ (TESTIMONY TIME MAY BE LIMITED)

\_\_\_\_\_ IN FAVOR                      \_\_\_\_\_ OPPOSED                      X NEUTRAL

**NOTE:** IF WRITTEN DOCUMENTATION IS PRESENTED PLEASE FURNISH AT LEAST ONE (1) COPY, ALONG WITH THIS FORM, TO THE CITY RECORDER FOR THE OFFICIAL RECORD.



City of Tualatin

# City Council SPEAKER REQUEST FORM

**IMPORTANT:** Any citizen attending Council meetings may speak on any item on the agenda. If you wish to speak, please complete this form and return to the **City Recorder**. *This document is a public record.*

NAME Tom AKERS DATE 10-24-11  
STREET ADDRESS 22840 SW 104<sup>th</sup> Ter  
STATE OR ZIP 97062 E-MAIL \_\_\_\_\_

I wish to speak during **CITIZEN COMMENTS** on a subject that is not on the current Council agenda. **(3-minute time limit per speaker)**

Subject dog feces on private property

I wish to speak on **AGENDA ITEM No.** \_\_\_\_\_ (TESTIMONY TIME MAY BE LIMITED)

\_\_\_\_\_ IN FAVOR

\_\_\_\_\_ OPPOSED

\_\_\_\_\_ NEUTRAL

**NOTE:** IF WRITTEN DOCUMENTATION IS PRESENTED PLEASE FURNISH AT LEAST ONE (1) COPY, ALONG WITH THIS FORM, TO THE CITY RECORDER FOR THE OFFICIAL RECORD.



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL  
Date 10-24-11  
Recording Secretary MSmith

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Maureen Smith, Executive Assistant  
**DATE:** 10/24/2011  
**SUBJECT:** Approval of the Minutes for the Work Session and Meeting of October 10, 2011.

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### ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes of the Work Session and Meeting of October 10, 2011.

### RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

### FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

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**Attachments:** A - Work Session Minutes  
B - Meeting Minutes



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR  
OCTOBER 10, 2011

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Present: Mayor Lou Ogden (arrived at 5:16 p.m.); Council President Monique Beikman;  
Councilor Wade Brooksby (arrived at 6:05 p.m.); Councilor Frank Bubenik;  
Councilor Joelle Davis; Councilor Nancy Grimes

Absent: Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; Community  
Development Director Alice Rouyer; Operations Director Dan Boss; Community  
Services Director Paul Hennon; Finance Director Don Hudson; Planning Manager  
Aquilla Hurd-Ravich; Assistant to the City Manager Sara Singer; Senior Planner  
William Harper; Assistant Planner Colin Cortes; Associate Planner Cindy Hahn;  
Project Engineer Dayna Webb; Parks and Recreation Manager Carl Switzer;  
Police Captain Mark Gardner; Management Intern Ben Bryant; Executive  
Assistant Maureen Smith

**1. CALL TO ORDER**

Council President Beikman called the work session to order at 5:05 p.m.

**2. *Citizen Involvement Organization Implementation Update***

City Manager Sherilyn Lombos introduced CIO Organizational Committee members  
Mike Riley and Jan Giunta to give an update on the organizational meetings, etc.

Ms. Giunta distributed some information and said the first brochure of information  
has been put together, and their website is up. They are working on the organization  
of the meetings and to get enough people involved to begin the particular CIO. They  
will also be sending out a newsletter and other information pertaining to the initial  
set-up of each CIO.

Mr. Riley said information has been dispersed to the website, and inserts, lawn  
signs, and other avenues of distribution will be done. The bylaws are published on  
the CIO website: [www.tualatincio.org](http://www.tualatincio.org). When the organizational meetings are held  
that will determine which CIO a citizen is from and they will be given a copy of the  
bylaws as they arrive. Mr. Riley noted a staff person will be present at each of the  
organizational meetings to give the City's perspective. Mr. Riley continued with the  
review of the agenda for the organizational meetings. Ms. Giunta said a guest  
speaker, an attorney, will be attending the meetings to cover the portion of  
parliamentary procedure, etc.

Jonathan Crane was present and spoke on the business CIOs, which are much the same as the residential ones. The goal is to have an inclusive way of reaching out to the City and vice versa. Mr. Crane said the motivation is one voice - one business. Discussion followed. It was asked and explained that businesses, no matter how large, etc. will get only one vote. It was discussed how a business is determined to be a business, which is typically through the business license process. Having a business license is required, and it was suggested that it could be addressed in the bylaws in greater detail.

**3. *Outside Agencies Allocation of Funds for FY 2011/12***

City Manager Sherilyn Lombos began the discussion on outside agencies funding allocation. Discussion followed. A suggestion was made to fund only the Tualatin agencies, but it was also discussed how all the agencies help not only in Tualatin, but others. There was a concern expressed about the Sexual Assault Resource Center (SARC) not submitting an application this year and not recognizing their future needs. Discussion followed and it was decided to allocate the same amounts to the same agencies as was done last year, and reallocating the funding from the SARC to the Caring Closet.

**4. *Tonquin Trail / Blake Street Right-of-Way Update***

Community Services Director Paul Hennon and Parks and Recreation Manager Carl Switzer presented a PowerPoint on the Tonquin Trail / Blake Street Right-of-Way update.

Park Manager Switzer gave a brief review and background of the Tonquin Trail Master Plan. A number of different alignments have been reviewed over the past 18 months. Council discussed the master plan in February, with the direction given of no trails in residential areas, and to keep off-street as much as possible. Parks Manager Switzer said they went back to a previous alignment that could fit the bill as close as possible. The alignment was presented to the Project Steering Committee. The recommended route of the trail was reviewed and it was noted that it does not cross the Blake Street right-of-way. The proposed alignment shows the trail no longer through neighborhoods, and the vast majority of the trail is now off-street. Discussion followed on the proposed alignment, and review of the areas where the trail would be on street. Parks Manager Switzer reviewed what's next such as funding issues, alignment, etc. Parks Manager Switzer said the plan will be finalized and presented to the committee, and when completed public comments will be invited. After comment period concluded it will be put on a Council agenda for adoption by all three cities and submitted to Metro.

Community Services Director Hennon gave a recap on Blake Street, and the residents are still concerned that the right-of-way will not be used for vehicles. There is enough to do a master plan for that area and staff has hired a consultant. Neighbors like the idea of creating an asset of the area and that it won't be converted into a roadway. Director Hennon distributed an information sheet that was given to Blake Street area residents on a design workshop to be held on October 15, 2011 to offer comments, share ideas, etc. Brief discussion followed about funding and options, and options of the types of material that could be used.

City Manager Lombos said staff will be back to Council in January, 2012 with options and recommendations.

**5. *Planning Commission Research: Follow-up from July 27, 2011 Joint Special Meeting with the Tualatin Planning Advisory Committee (TPAC)***

Community Development Director Alice Rouyer, Planning Manager Aquilla Hurd-Ravich, and Assistant Planner Colin Cortes were present, along with five members of the Tualatin Planning Advisory Committee (TPAC) for discussion on the issue.

Assistant Planner Cortes referred to a summary of how other cities handle their Planning Commission and what are the various types of decisions and issues that are handled by each city. It was mentioned the attachments include comparative tables of other cities.

Discussion began with noting what types of issues could be heard by a Tualatin Planning Commission. It was reviewed what issues are required by law that need to be decided by Council, which typically are legislative in nature. What could be heard before a Tualatin Planning Commission are: Conditional use permit (CUP), Industrial master plan (IMP), Reinstatement of use, Sign variance (SVAR), Transitional use permit (TRP) and Variance (VAR). Annexations, plan map and text amendments need to be heard by Council with the way Tualatin's mapping system is done. Discussion followed and it was mentioned it appears that TPAC is already doing most of what a Planning Commission would do, except conditional use permits.

Discussion followed by Council on the issue of transferring conditional use permits to TPAC. Council President Beikman said as an elected official, she believes that conditional use permits should still be decided by Council. TPAC members said the biggest issue for them is duplication of effort and frustration of how the current process works. Discussion followed on how the current process is done with TPAC. It was suggested by Council that having a TPAC member come to Council meetings on particular issues would help Council understand the direction of how TPAC arrives at a particular recommendation. Discussion continued on the importance of TPAC representation at Council hearings, and it was requested to have a TPAC "report" be part of related public hearings.

The question was asked and explained by staff what it would entail and what would be required to change the advisory committee to a planning commission. It was asked and explained about the appeal process to the State Land Use Board of Appeals (LUBA) or to Council. Discussion followed and Council consensus was to shift all items as stated above, except for conditional use permits, to TPAC, and to change the name to Tualatin Planning Commission.

**6. *Council Meeting Agenda Review, Communications & Roundtable***

Council reviewed the Consent Agenda with no changes.

**7. *ADJOURNMENT***

Mayor Ogden adjourned the work session at 7:02 p.m.

**Vote: 6 - 0 MOTION CARRIED**

Sherilyn Lombos, City Manager

*Maureen Smith* Maureen Smith, Recording Secretary



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR  
OCTOBER 10, 2011

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Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes

Absent: Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Brenda Braden; Police Chief Kent Barker; Community Development Director Alice Rouyer; Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich; Assistant to the City Manager Sara Singer; Senior Planner William Harper; Civil Engineer Kaaren Hofmann; Teen Program Specialist Julie Ludemann; Management Intern Ben Bryant; Executive Assistant Maureen Smith

**A. CALL TO ORDER**

Mayor Ogden called the meeting to order at 7:07 p.m.

Pledge of Allegiance was led by Councilor Davis.

**B. ANNOUNCEMENTS**

**1. Tualatin Youth Advisory Council Update for October, 2011**

Tualatin Youth Advisory Council (YAC) members gave a brief PowerPoint update on recent events they participated in that included Walk + Bike to School Day, where approximately 400 kids participated. The YAC reviewed upcoming fall events, appearing in costume to promote their Halloween "Haunted House" fundraiser. Members will also be attending the upcoming National League of Cities Congress of Cities conference, and thanked Mayor Ogden for his fundraising efforts to enable members to attend.

**2. 8th Annual West Coast Giant Pumpkin Regatta**

Parks and Recreation Manager Carl Switzer presented information on Tualatin's 8th Annual Giant Pumpkin Regatta to be held on October 22, 2011, 10:00 a.m. to 4:00 p.m. Tualatin Chamber of Commerce CEO Linda Moholt was also present.

Linda Moholt presented information on the 3rd Annual Regatta 5K Run/Walk. It was created three years ago with various partners that came together in honor of Tualatin resident Matthew Lembke, who lost his life in Afghanistan. Ms. Moholt said \$10,000 was raised last year, which went directly to scholarships for Tualatin graduating seniors. The run starts at 9:00 a.m. More information is available at [www.tualatinchamber.com](http://www.tualatinchamber.com).

Parks and Recreation Manager Switzer reviewed the list of events happening at the Regatta and invited all to attend. It was asked and answered that media will be there, and a piece will be done by the Travel Channel for viewing in late October. Over the years various media outlets have covered the Regatta. Also noted this year's poster was done by the same local artist Brenda White, and there will be note cards of the poster available this year.

**3. Prescription Drug Turn-In Day Announcement**

Police Chief Kent Barker announced another "Prescription Drug Turn-In Day" on October 29, 2011 from 10:00 a.m. to 2:00 p.m. The event is held to dispose of unwanted and unused prescription medications properly. It has become such a popular event that the sponsor, the U.S. Drug Enforcement Administration (DEA), is scheduling additional events. Tualatin participated in the last event held in April.

Police Chief Barker also noted Legacy Meridian Park Hospital, a sponsor of the event, is holding a "Wellness Fair" that is open to the public on Sunday, October 30, 2011 where unwanted and outdated prescription medications can be turned in as well.

**4. Tualatin Citizen Involvement Organizations (CIO) Organizational Meetings Announcement**

Mike Riley, member of the Citizen Involvement Organization (CIO) spoke on the upcoming organizational meetings that are being held for CIOs 1, 2 and 5. Additional information is also available on their website at [www.tualatincio.org](http://www.tualatincio.org).

It was asked of staff to create a more detailed link/information on the City's website to the CIO website. Mr. Riley added they are working to solicit individuals to participate in the CIOs.

**C. CITIZEN COMMENTS**

None.

**D. CONSENT AGENDA**

1. Approval of the Minutes for the Work Session and Meeting of September 26, 2011

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to adopt the Consent Agenda as read.

**Vote: 6 - 0 MOTION CARRIED**

**E. SPECIAL REPORTS**

**1. Tualatin-Sherwood Road Improvements Project Update**

Engineering Manager Kaaren Hofmann and Community Development Director Alice Rouyer presented an update on the Tualatin-Sherwood Road Improvements project. Information on the project has been sent out to the surrounding neighbors within the project area. Construction will begin soon and all work will be done in the evening. Project completion is scheduled by end of February. Engineering Manager Hofmann also noted the artist for the gateway feature will be at the next Tualatin Arts Advisory Committee (TAAC) meeting if anyone is interested to attend.

**F. PUBLIC HEARINGS – Legislative or Other**

**G. PUBLIC HEARINGS – Quasi-Judicial**

**1. A Conditional Use Permit for Grimm's Fuel Company Modifying an Existing Conditional Use Permit for a Resource Recovery Operation (CUP-97-03) within the General Manufacturing Planning District at 18850 SW Cipole Road (Tax Map 2S1 21A, Tax Lots 1800 & 1900)(CUP-11-03)**

Mayor Ogden read language required by legislation before a comprehensive plan or land-use regulation [ORS 197.765(5) and (6)] and opened the public hearing. Councilor Bubenik noted he attended the second Open House held by Grimm's in July, but noted it will not affect his decision. No other bias or exparte contact noted.

Senior Planner Will Harper presented the staff report and comments that have been received and entered the entire staff report into the record. The request is from Grimm's Fuel for a Conditional Use Permit 11-03 to modify an existing permit for a resource recovery operation to add composting of residential food scrap material collected at curbside with yard debris by municipal franchise haulers at the Grimm's facility located in the General Manufacturing Planning District at 18850 SW Cipole Road.

The Oregon Department of Environmental Quality (DEQ) and Metro have been encouraging local governments and processors to look at separating food waste from the material that is taken to the landfills. Senior Planner Harper explained what is being done locally. The cities of Salem and Keizer have curbside programs that began in July 2010 and the City of Gresham is reportedly looking at a curbside composting program. A pilot program has been in place in Portland for over a year and is moving to city-wide in the near future. Grimm's proposes to use the same process that they use for their other recycling composting process. Two neighborhood meetings were held by Grimm's in July and both were well attended. Senior Planner Harper said summaries and explanations are found in Attachment

B of the staff report materials. Attachment D is a collection of materials in support/not in support of the proposed CUP. It was noted that Metro and DEQ would be the regulatory agencies to obtain compliance for regulation and requirements of the proposed use.

Grimm's Fuel Company does not propose accepting commercial food waste from market or restaurant sources at this time, except for a condition allowing a future "pilot project" in conjunction with Metro and DEQ, if the region moves toward mandatory programs for commercial sources. In response to trends and changes in the solid waste programs of Metro and member cities, Grimm's Fuel Company has decided to apply for the necessary permits to incorporate composting of municipal residential food scraps with their existing yard debris composting operation.

Staff recommends that the City Council consider the staff report and supporting attachments and direct staff to prepare a resolution granting Conditional Use Permit 11-03 with the four recommended conditions of approval.

#### **APPLICANT**

*Jeff Grimm, Grimm's Fuel Company, Tualatin, OR 97062*, said the company has been in Tualatin at its location since 1975. There have been many changes since then and the property was annexed into the City in 1982, and was granted a Conditional Use Permit in 1994. Mr. Grimm said approximately ten years ago Metro began a review of the rules regarding composting standards, and after a long process, the Department of Environmental Quality (DEQ) issued new rules. Mr. Grimm said it was suggested to get land use approval from Tualatin first if considering food waste composting in the future. Grimm's is not proposing to do anything at this time, and not proposing commercial food processing, only residential. He noted that Portland has been in a pilot project for a long while, which is a weekly pickup of yard debris/food scraps. Envisioning how it could work in Tualatin, Mr. Grimm said it would be approximately 3-5% of food scraps and would not increase volume overall. Portland is getting ready to go city-wide, and other cities are looking at the process. Mr. Grimm displayed a map of his facility and reviewed the process of the materials that currently come to Grimm's for composting and how it works through the curing process. It was mentioned that when Grimm's started composting in the early 1980s, there were no regulatory requirements, and over time has become heavily regulated. Mr. Grimm recited reasons for the request and mainly is for his business to stay current with the region. He recognized that the main concerns are vector and odor and went on to explain how the process would be done almost immediately, with the pile capped at the end of each day.

#### **PROPONENT**

*Linda Moholt, SW Martinazzi Avenue, Tualatin, OR*, CEO, Tualatin Chamber of Commerce, distributed a letter in support of Grimm's request. After reviewing the proposal, the Chamber elected to support the operation.

*Steve Titus, SW Sedlak Court, Tualatin, OR*, came to show his support of Grimm's request. He noted that Grimm's does a good job of recycling construction waste and for 17 years he has lived on Sedlak downwind from Grimm's and has not had any sense of odor. The neighborhood meetings were open and Mr. Titus said

Grimm's is a good neighbor and urged Council to grant the request.

## **OPPONENTS**

None.

## **OTHER PUBLIC COMMENT**

*Dan Hardy, SW Greengate Place, Sherwood, OR* , said he lived and still owns a home in Tualatin's Pony Ridge Subdivision. He said there were times some early mornings that there was a slight odor from Grimm's, but was of no concern. Mr. Hardy said he does have a concern about the food composting, and related odor. He elaborated on his concerns by asking if the City has spoken with other agencies that have a similar-type program and the repercussions from that.

*Ted Saedi, SW 135th Terrace, Tualatin, OR* said he also has a concern about odor.

*Jeff Wiren, SW 135th Terrace, Tualatin, OR* , asked to have the four conditions proposed in the staff report read.

Senior Planner Harper read the conditions proposed for the conditional use permit of what would be required by Grimm's if they were granted the permit. The question of odor was addressed and Mr. Grimm explained his goal is to keep any odor at least the same or even less and to continue addressing and responding to that issue.

It was asked and Mr. Grimm explained the type of compound and materials that are composted do not necessarily make any difference with regards to odor. It was asked and Mr. Grimm noted the other facilities he visited and that he doesn't know of any others that are proposing the composting process he is going to use. He believes it is the better way to address any odor issue.

It was asked if the Tualatin Wildlife Refuge located not far from Grimm's has been contacted and concern about attracting predators. Mr. Grimm replied he has not been in contact with the refuge but does not believe there will be a problem. It was also mentioned as a concern that although Grimm's is not proposing commercial food waste, there is the request for a pilot test program. Concern remained that if the CUP for residential food waste is granted at this time, it could be difficult to deny the commercial aspect in the future, if this CUP is granted. It was asked and answered by Mr. Grimm that he would have to go to an indoor facility if he were to process commercial waste. It was suggested to check what other communities have experienced with these types of processes and perhaps Council could visit some of the other facilities that are currently undertaking the food composting.

Council asked of staff if a condition could be included in the proposal to address that if there is an increased level of odor, the applicant would be required to respond to the City with a mitigation plan, etc. Senior Planner Harper said staff learned in looking at Metro's process in resource recovery and these types of facilities and also what DEQ requires in their permitting process, there is not a system in place to measure odor. It is however in the permit process to report complaints, etc. as part of the process, and staff relies on the other agencies enforcement that is built into the permit with Grimm's. It was asked if there is a mechanism that residents could come to Council to lodge a complaint, and Senior Planner Harper said all the agencies are connected and Council can also re-address the CUP with the applicant if there is a problem.

Planning Manager Aquilla Hurd-Ravich said that the Development Code addresses odor issues and that it could be asked by the applicant to address ways to mitigate odor. Also if the City receives a certain level of complaints, etc., it could be part of the conditional use conditions listed in the staff report. Mr. Grimm said that it is part of the other regulatory requirements from the other agencies. Mayor Ogden said it is more for a way to have a mechanism to address an issue directly with Council. It was also asked and answered that not Grimm's will not be laying out a capital investment for the proposed residential use.

It was asked if there is communication with other regulatory agencies on issues that are raised by residents. Senior Planner Harper said he hasn't received any complaints for a number of years about Grimm's, but he was told that DEQ has received two complaints in the past two years. It was explained how a complaint would be handled by city staff, and that it could be part of the comments that the City will be giving to Metro and other agencies.

*Jeff Wiren, SW 135th Terrace, Tualatin, OR* spoke again and said he is opposed to Condition #3 and said Council could look at limiting the amount of food waste that Grimm's will be processing. Nominal, incremental food waste is one thing, but commercial waste would be different, and he is concerned about it turning into commercial waste processing. He suggested it could be addressed by specifying a percentage limit of intake.

Mayor Ogden closed the oral testimony portion of the hearing.

#### **COUNCIL DELIBERATION**

Councilor Grimes suggested starting with residential, before doing any commercial (including a pilot program), and approve the CUP with that condition.

Councilor Bubenik said in reviewing Condition #3, there is a two-year period before such a pilot program could be started.

Councilor Davis said it is a difficult decision for her as she believes in recycling and composting and doesn't like the idea of taking waste hundreds of miles somewhere else. At the same time she has some concern about this request. The suggestion of limiting the percentage of waste and the two year window helps somewhat but it remains difficult.

Councilor Bubenik asked if the pilot program is on the radar, and Senior Planner Harper said he has heard that Metro is trying to introduce the program in the region, as there is currently not a place to take it to, except remote locations. He added it can also be expensive to build an indoor facility to address commercial food waste.

Mayor Ogden said the concern appears to be odor and Council wants to be in the position to revoke the CUP if it becomes a problem. He has confidence that whatever level the threshold becomes that the City will know about any problems, and Council has the ability to undo the conditional use permit if need be. He also added that Grimm's cannot do commercial food waste without doing another permit. He recommended the addition of another condition that if the odor starts to become a problem, the City has the ability to revisit the CUP, etc. Council President Beikman said adding a fifth condition is not needed and is onerous, as it is adequately addressed in the staff report.

MOTION by Councilor Nancy Grimes, SECONDED by Councilor Wade Brooksby to adopt the staff report and supporting attachments and direct staff to prepare a resolution granting Conditional Use Permit 11-03 with the four recommended conditions of approval as stated in the staff report and to add an additional condition addressing a review mechanism.

**Vote: 6 - 0 MOTION CARRIED**

**H. GENERAL BUSINESS**

**I. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**J. COMMUNICATIONS FROM COUNCILORS**

Council President Beikman thanked everyone that participated in the latest Walk + Bike to School Day, and she has seen an increase on a daily basis of kids continuing to walk and bike to their school.

**K. EXECUTIVE SESSION - None.**

**L. ADJOURNMENT**

MOTION by Council President Monique Beikman, SECONDED by Councilor Joelle Davis to adjourn the meeting at 9:21 p.m.

**Vote: 6 - 0 MOTION CARRIED**

Sherilyn Lombos, City Manager



Maureen Smith / Recording Secretary



## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council  
**THROUGH:** Sherilyn Lombos, City Manager  
**FROM:** Maureen Smith, Executive Assistant  
**DATE:** 10/24/2011  
**SUBJECT:** Approval of a Change of Ownership Liquor License Application for Game Time

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### ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a change of ownership liquor license application for Game Time.

### RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the change of ownership liquor license application for Game Time.

### EXECUTIVE SUMMARY:

Game Time Inc. has submitted a change of ownership liquor license application, formerly known as Players. The license is for Full On-Premises Sales - Commercial Establishment (which allows the sale and service of distilled spirits, malt beverages and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off of the licensed premises). The business is located at 17880 SW McEwan Road. The application is in accordance with provisions of Ordinance No. 680-85 which established a procedure for review of liquor licenses by the Council.

Ordinance No. 680-85 establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. *The Police Department has reviewed the new liquor license application and recommended approval.*

According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

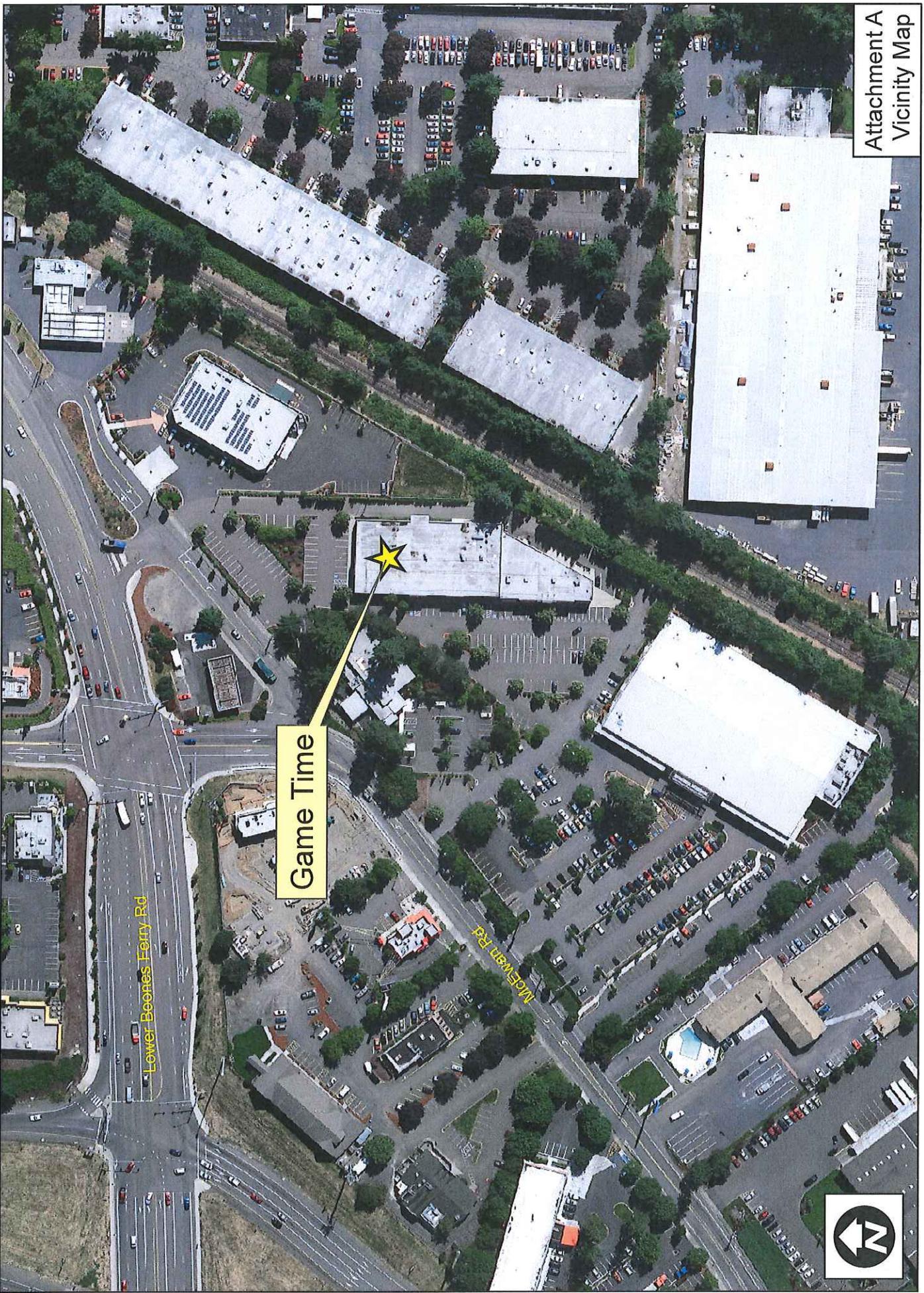
### FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

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**Attachments:** A - Vicinity Map  
B - Application  
C - OLCC License Types

Game Time - 17880 SW McEwan Rd



Game Time

Attachment A  
Vicinity Map





# CITY OF TUALATIN

## LIQUOR LICENSE APPLICATION

Date 9.30.2011

**IMPORTANT:** This is a three-page form. You are required to complete all sections of the form. If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.

Thank you for your assistance and cooperation.

### SECTION 1: TYPE OF APPLICATION

- Original (New) Application - \$100.00 Application Fee.
- Change in Previous Application - \$75.00 Application Fee.
- Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # \_\_\_\_\_
- Temporary License - \$35.00 Application Fee.

### SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): GAME TIME INC

Business address 17880 McEWAN City TUALATIN State OR Zip Code 97062

Mailing address 19600 SW CIRCLE RD City TUALATIN State OR Zip Code 97062

Telephone # 503-692-6080 Fax # 503-692-1799

Name(s) of business manager(s) First DAVID Middle PAUL Last NICOLI

Date of birth \_\_\_\_\_ Social Security # \_\_\_\_\_ ODL# \_\_\_\_\_ M  F \_\_\_\_\_

Home address \_\_\_\_\_ City LAKE OSWEGO State OR Zip Code 97035  
(attach additional pages if necessary)

Type of business FAMILY FUN CENTER

Type of food served FULL MENU (AMERICAN)

Type of entertainment (dancing, live music, exotic dancers, etc.) Bowling, sports bar, ARCADE

Days and hours of operation M-TH (11-10), FRIDAY (11-2AM), SAT (9-2AM), SUN (9AM-10)

Food service hours: Breakfast SAT-SUN 9-11 Lunch ALL DAYS 9-CLOSE Dinner ALL DAYS 9-CLOSE

Restaurant seating capacity 300+ Outside or patio seating capacity N/A

How late will you have outside seating? N/A How late will you sell alcohol? 2 PM or close

L

How many full-time employees do you have? 5 Part-time employees? 20

**SECTION 3: DESCRIPTION OF LIQUOR LICENSE**

Name of Individual, Partnership, Corporation, LLC, or Other applicants \_\_\_\_\_

GAME TIME INC ~~LLC~~

Type of liquor license (refer to OLCC form) FULL ON PREMISES

Form of entity holding license (check one and answer all related applicable questions):

**INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

**PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

Full name \_\_\_\_\_ Date of birth \_\_\_\_\_

Residence address \_\_\_\_\_

**CORPORATION:** If this box is checked, complete (a) through (c).

(a) Name and business address of registered agent.

Full name GAME TIME INC

Business address 19600 SW CIPOLU Rd TUALATIN OR 97062

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address. YES

Full name DAVID PAUL NICOLI Date of birth [REDACTED]

Residence address [REDACTED] LAEG OSWEGO OR 97035

(c) Are there more than 35 shareholders of this corporation? Yes X No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.

Full name of president: DAVID P NICOLI Date of birth: [REDACTED]

Residence address: \_\_\_\_\_

Full name of treasurer: N/A Date of birth: \_\_\_\_\_

Residence address: \_\_\_\_\_

Full name of secretary: DAVID P NICOLI Date of birth: [REDACTED]

Residence address: \_\_\_\_\_

**LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Residence address: \_\_\_\_\_

Full name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Residence address: \_\_\_\_\_

**OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

**SECTION 4: APPLICANT SIGNATURE**

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

  
Signature of Applicant \_\_\_\_\_ Date 9.30.2011

For City Use Only

Sources Checked:

DMV by   LEADS by   TuPD Records by   
 Public Records by 

Number of alcohol-related incidents during past year for location.  
 Number of Tualatin arrest/suspect contacts for \_\_\_\_\_

**It is recommended that this application be:**

**Granted**

**Denied**

Cause of unfavorable recommendation: \_\_\_\_\_

  
Signature \_\_\_\_\_ Date 10/10/11

Kent W. Barker  
Chief of Police  
Tualatin Police Department

## OREGON LIQUOR CONTROL COMMISSION LICENSE TYPES & PRIVILEGES

### **Brewery – public house**

Allows the manufacture & sale of malt beverages to wholesalers, & the sale of malt beverages, wine & cider for consumption on or off the premises. [ORS 471.200]

### **Brewery**

Allows the manufacture, importation, storage, transportation & wholesale sale of malt beverages to OLCC licensees. Malt beverages brewed on the premises may be sold for consumption on the premises & sold in kegs to the public. [ORS 471.220] designates a licensee that does not allow tastings or other on premises consumption.

### **Certificate of Approval**

This certificate allows an out-of-state manufacturer, or an importer of foreign wine or malt beverages, to import wine & malt beverages to Oregon licensees. [ORS 471.289]

### **Distillery**

Allows the holder to import, manufacture, distill, rectify, blend, denature & store distilled spirits. A distillery that produces distilled liquor may permit tastings by visitors. [ORS 471.230]

### **Direct Shipper Permit**

Allows manufacturers & retailers to ship wine & cider directly to Oregon residents for their personal use. [ORS 471.282]

### **Full On Premises Sales**

Allows the sale & service of distilled spirits, malt beverages & wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off of the licensed premises [ORS 471.175] license sub-type designates the type of business licensed: F-CAT- caterer; F-CLU- private club; F-COM - commercial establishment; F-PC - passenger carrier; F-PL - other public location.

### **Growers Sales Privilege**

Allows the importation, storage, transportation, export, & wholesale & retail sales of wines made from fruit or grapes grown in Oregon [ORS 471.227]. Designates a licensee that does not allow tastings or other on premises consumption.

### **Limited On Premises Sales**

Allows the sale of malt beverages, wine & cider for consumption on the licensed premises & the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off of the licensed premises. [ORS 471.178]

### **Off Premises Sales**

Allows the sale of malt beverages, wine & cider in factory sealed containers for consumption off the licensed premises & allows approved licensees to offer sample tasting of malt beverages, wine & cider. [ORS 471.186]

### **Warehouse**

Allows the storage, importing, exporting, bottling, producing, blending & transporting of wine & malt beverages. [ORS 471.242]

### **Wholesale Malt Beverage & Wine**

Allows the importation, storage, transportation & wholesale sale of malt beverages & wine to OLCC licensees & limited retail sales to the public (dock sales). [ORS 471.235]

### **Wine Self Distribution Permit**

Allows manufacturers to sell & ship wine & cider produced by the manufacturer directly to Oregon retailers for resale to consumers. May ship to businesses which have an OLCC endorsement to receive the shipments. [ORS 471.274]

### **Winery**

Allows the licensee to import, bottle, produce, blend, store, transport & export wines, & allows wholesale sales to OLCC & licensees, & retail sales of malt beverages & wine for consumption on or off the licensed premises. [ORS 471.223]



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date

10-24-11

Recording Secretary

*[Signature]*

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Linda Odermott, Paralegal  
Brenda Braden

**DATE:** 10/24/2011

**SUBJECT:** Resolution Granting a Conditional Use Permit for Grimm's Fuel Company Located Within the General Manufacturing Planning District at 18850 Cipole Road (Tax Map 2S1 21A, Tax Lots 1800 & 1900) (CUP 11-03)

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### ISSUE BEFORE THE COUNCIL:

The Council will consider a resolution that would grant a conditional use permit (CUP 11-03) to Grimm's Fuel Company to add composting of residential food scrap material collected at curbside with yard debris by municipal franchise haulers at the Grimm's Fuel Company facility located in the General Manufacturing Planning District at 18850 SW Cipole Road (Tax Map 2S1 21A, Tax Lots 1800 & 1900).

### RECOMMENDATION:

Staff recommends that the City Council approve the resolution granting CUP 11-03.

### EXECUTIVE SUMMARY:

On October 10, 2011 the Council held a quasi-judicial public hearing on CUP 11-03 to decide whether to grant a conditional use permit to Grimm's Fuel Company located within the General Manufacturing Planning District at 18850 Cipole Road. At the conclusion of the public hearing, the Council voted 6-0 (with Councilor Truax absent) to approve the conditional use permit, adopting the findings in the Staff Report, and directed Staff to bring back a resolution granting CUP 11-03 with an additional condition #5.

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**Attachments:** A - Resolution

RESOLUTION NO. 5072-11

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR GRIMM'S FUEL COMPANY MODIFYING AN EXISTING CONDITIONAL USE PERMIT FOR A RESOURCE RECOVERY OPERATION (CUP-97-03) WITHIN THE GENERAL MANUFACTURING PLANNING DISTRICT AT 18850 CIPOLE ROAD (TAX MAP 2S1 21A, TAX LOTS 1800 & 1900) (CUP 11-03).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on October 10, 2011, upon the application of Grimm's Fuel Company; and

WHEREAS notice of public hearing was given as required by the Tualatin Development Code by mailing a copy of the notice to affected property owners located within 1,00 feet of the property, which is evidenced by the Affidavit of Mailing marked "Exhibit A," attached and incorporated by this reference, and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B," attached and incorporated by this reference; and

WHEREAS the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 6-0] with Councilor Buberik absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated October 10, 2011, marked "Exhibit C," attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council agrees with staff recommendations.

Section 2. Grimm's Fuel Company is granted a Conditional Use Permit that would modify an existing conditional use permit for a resource recovery operation (approved in CUP-97-03) to add composting of residential food scrap material collected at curbside with yard debris by municipal franchise haulers at the Grimm's Fuel

Company facility located in the General Manufacturing Planning District at 18850 SW Cipole Road (Tax Map 2S1 21A, Tax Lots 1800 & 1900, subject to the following conditions:

1. The Grimm's Fuel Company resource recovery use for composting food scraps shall be limited to receiving material only from authorized residential food waste program sources from municipalities in the Metro region and collected by the municipalities' authorized franchise waste and recycling haulers.

2. Grimm's Fuel Company shall obtain authorization from Metro and from Oregon Department of Environmental Quality prior to accepting food waste for resource recovery composting at the subject property. If Grimm's Fuel Company loses or defaults on a permit authorization, no residential food scrap materials may be accepted or processed as the subject facility.

3. In response to the applicant's request for a limited exception to restrictions on receiving and composting commercial food waste, after a period of 2 years from the issuance of CUP-11-03 and with notice to the City of Tualatin Community Development Department and neighboring property owners, Grimm's Fuel may participate in a Metro-sponsored "Pilot Project to compost food waste from local commercial sources such as a restaurant or grocery. Beyond the completion of a Pilot Project and if Grimm's Fuel Company seeks to add commercial food waste material to the resource recovery operation approved in CUP-11-03, conditional use permit approval shall be obtained.

4. Grimm's Fuel Company or its successors shall remain in compliance with all conditions of approval of conditional use permit CuP-97-03 and Architectural Reviews for the subject property and all requirements of the Tualatin Development Code Chapter 63, Manufacturing Planning Districts – Environmental Regulations.

5. Applicant shall prepare and submit an odor mitigation program that documents existing efforts and identifies how to mitigate future complaints about odor. If there are unresolved odor complaints as verified by City staff, then the City Council may hold a hearing to determine whether the CUP should be allowed to remain as is, be modified with additional conditions, or revoked.

INTRODUCED AND ADOPTED this 24th day of October, 2011.

CITY OF TUALATIN, Oregon

By \_\_\_\_\_

Mayor

APPROVED AS TO LEGAL FORM

*Brenda L. Brader*

CITY ATTORNEY

ATTEST:

By \_\_\_\_\_

City Recorder



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 10-24-11

Recording Secretary [Signature]

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Kaaren Hofmann, Engineering Manager  
Alice Rouyer, Community Development Director

**DATE:** 10/24/2011

**SUBJECT:** Resolution Authorizing the Mayor to Sign an Intergovernmental Agreement with Washington County for Improvements Associated with the Tualatin-Sherwood Road Improvements Project

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### ISSUE BEFORE THE COUNCIL:

To consider entering into an intergovernmental agreement with Washington County to allow the installation of landscaping and illumination as a part of the Tualatin-Sherwood Road Improvements project.

### RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution directing the Mayor to sign the intergovernmental agreement between the City and Washington County dealing with the improvements that will be constructed as a part of the Tualatin-Sherwood Road Improvement project.

### EXECUTIVE SUMMARY:

This project is funded in the Central Urban Renewal budget. It will construct improvements along Tualatin-Sherwood Road from the Fred Meyer driveway signal to Boones Ferry Road.

As a part of the project, the Commission will be constructing improvements on Tualatin-Sherwood Road which is under Washington County's jurisdiction. Prior to commencing the project, the County requires an intergovernmental agreement with the City for construction in their right-of-way and to define the City's role in future on-going maintenance of the improvements.

This agreement outlines the City's agreement to maintain the irrigation systems, landscaping and power costs associated with the new street lights being installed. The City is prepared to fund this obligation.

### OUTCOMES OF DECISION:



RESOLUTION NO. 5073-11

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A  
INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON  
COUNTY FOR SW TUALATIN-SHERWOOD ROAD  
IMPROVEMENT PROJECT

WHEREAS this agreement will allow the installation of street lights, irrigation and landscape improvements in the planter strips and median of SW Tualatin-Sherwood Road as a part of the Tualatin Development Commission's SW Tualatin-Sherwood Road Improvement project; and

WHEREAS the Tualatin Development Commission will construct said improvements; and

WHEREAS the City will maintain the landscaping and irrigation to the area and be responsible for the power costs associated with the street lights and irrigation; and

WHEREAS the Mayor and City Recorder are authorized to enter into the Cooperative Improvement Agreement.

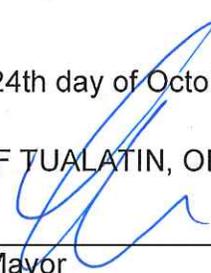
BE IT RESOLVED BY THE CITY COUNCIL, CITY OF TUALATIN, OREGON that:

Section 1. The attached Intergovernmental Agreement for Illumination and Landscape Installation and Maintenance for the median and planter strips on a portion of Tualatin-Sherwood Road is for the purpose of allowing the construction of improvements associated with the SW Tualatin-Sherwood Road Improvement project.

Section 2. The Mayor and City Recorder are authorized to sign the attached Intergovernmental Agreement.

ADOPTED AND APPROVED this 24th day of October, 2011.

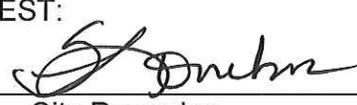
CITY OF TUALATIN, OREGON

By  \_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
CITY ATTORNEY

ATTEST:

By  \_\_\_\_\_  
City Recorder

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
WASHINGTON COUNTY AND CITY OF TUALATIN  
FOR ILLUMINATION AND LANDSCAPE INSTALLATION & MAINTENANCE FOR  
THE MEDIAN AND PLANTER STRIPS ON A PORTION OF  
TUALATIN-SHERWOOD ROAD**

THIS AGREEMENT is made and entered into by and between Washington County, ("County") and the City of Tualatin, ("City".)

**RECITALS**

1. Tualatin-Sherwood Road is a part of the County roadway system under the jurisdiction and control of County.
2. The City of Tualatin is interested in making illumination and landscaping improvements to the median and planter strips from SW Nyberg Street to SW Boones Ferry Road.
3. By the authority granted in ORS 190.110, County may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
4. The purpose of this agreement is to establish the responsibilities for the installation and maintenance of plantings, irrigation and illumination on Tualatin-Sherwood Road within the Project limits.

**NOW THEREFORE**, the parties agree as follows:

**TERMS OF AGREEMENT**

1. County and City agree to allow illumination and landscape improvements in the median and in the planter strips of Tualatin-Sherwood Road, ("Project") according to the approved plans associated with a county-issued Right-of-Way Permit. The City shall determine, based on its planning and development review recommendations, what landscaping shall be part of the development in the Project area and shall be subject to County approval. County will issue a Right-of-Way permit to City for approved work. The location of the Project is approximately as shown on the attached sketch map, marked Exhibit A, which is made a part of this agreement by this reference.
2. This Agreement shall become effective on the date all required signatures are obtained and shall remain in effect for the purpose of ongoing maintenance for the useful life of the facilities constructed as part of the Project.

## CITY OBLIGATIONS

1. City shall provide the Project's preliminary and final plans and specifications to County's Operations and Maintenance Division for review and written approval.
2. City shall install and maintain the contents of the median and adjacent planter strip areas including, but not limited to the landscaping, tree root barriers, irrigation, signal poles and illumination approved for the Project. Maintenance of the median and adjacent planter strip areas shall include removal and replacement of dead or dying plants and trees, removal of litter, removal of unpermitted signs, application of herbicides, removal of weeds, removal of leaves, tree trimming (to maintain a 17-foot high clear zone in all travel lanes, measured at the face of curb) and any other activity associated with the vegetation. All trees shall be firmly braced until securely rooted. Any vehicle accidents which cause repairable damage to vegetation, illumination, or irrigation systems, which also causes associated damage to the median and/or roadway will be repaired in conjunction with replacement of the vegetation, illumination, or irrigation systems. All costs of landscaping installation and maintenance, including water and power for irrigation and the power for the street lighting within the Project area shall be at City cost.
3. City shall repair or replace any public or private infrastructure in the right-of-way that is damaged due to the installation of Project's landscaping, lighting and irrigation or in the course of maintaining the median and planter strips.
4. City shall be responsible for painting and repainting of the decorative style illumination poles, fixtures and bases. City shall be responsible for any and all end-of-life cycle costs associated with replacement of decorative poles, which would include replacement with standard "Cobra Head" fixtures, which meet current County street lighting standards. If routine costs for decorative lighting fixtures exceed routine costs for standard Cobra Head fixtures, City shall be responsible for all additional routine costs.
5. City shall be responsible for the installation and maintenance of any and all traffic signal poles, mast arms, and associated signal equipment (heads, cabinets, cameras, etc.) associated with the Project.
6. City may require the adjacent property owners to fund or perform landscape maintenance for the Project. Regardless of such arrangements, City shall remain responsible for compliance with the terms of this agreement and any permit(s) associated with the Project.

7. City shall ensure that any party authorized to perform work in the right-of-way in association with the Project does so in accordance with any permits, provisions or conditions established by the County. In addition, City shall provide County with information (contact/company/organization name, mailing address and contact phone number) of any party performing work in the right-of-way for this project, that have not worked on this project previously. Notification of daily work schedules are not required. If City provides for work to be performed by anyone other than City employees, City shall require evidence of commercial liability insurance in an amount not less than the statutory tort claim limits, and shall cause the County to be an additional named insured on such policy.
8. City shall authorize execution of this Agreement during a regularly convened session of its City Council.
9. Hours of work for this project will be restricted to minimize traffic disruptions. Do not impede the flow of traffic or close any lanes of traffic between the hours of 6:00 am and 9:00 am, or between the hours of 3:30 pm and 6:00 pm, Monday through Saturday. No traffic restrictions or lane closures allowed from Noon on the day preceding a legal holiday or holiday weekend and midnight of the legal holiday or last day of a holiday weekend. This condition shall also apply to the continuing maintenance of the facility.
10. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, City shall indemnify, defend, save, and hold harmless Washington County, Oregon and its officers and employees from all claims, suits, and liabilities which may occur in the City's performance of work, or work authorized by City, relating to the installation and maintenance of this Project.
11. City's Project Manager for this project is Kaaren Hofmann, Civil Engineer, 18880 SW Martinazzi Avenue, Tualatin, OR 97062, phone 503 691-3043, or her assigned designee.

## **COUNTY OBLIGATIONS**

1. At the Project's expense, County shall review City's plans and specifications. Upon final review and approval of the plans and specifications, County shall issue the required permits.
2. In accordance with a Right-of-Way permit to be issued for the Project, County will grant permission to the City or others designated by the City, to access County right of way for the purpose of installing and maintaining the Project.
3. County's contact for this Project is Keith Lewis - Operations and Maintenance Superintendent (or his designee), 1400 SW Walnut Street, MS 51 Hillsboro, OR 97123; phone: 503-846-7685, or his assigned designee.

## GENERAL PROVISIONS

1. This Agreement may be terminated by mutual written consent of both parties.
2. County may terminate this Agreement effective upon delivery of written notice to City, or at such later date as may be established by County, under any of the following conditions:
  - a. If City fails to provide services called for by this Agreement within the time specified in this agreement or any extension of time.
  - b. If City fails to perform any provision of this Agreement, or fails to pursue the work in accordance with the terms in this agreement, and after receipt of written notice from County fails to correct such failures within ten (10) calendar days or such longer period as County may authorize.
3. Termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.
4. City shall have full responsibility to install and maintain all facilities in conjunction with plans, specifications and permits for this Project. If City fails to maintain facilities in accordance with this Agreement, County will maintain the facility and bill City, remove any project facilities and bill City, seek an injunction to enforce the duties and obligations of this Agreement, or take any other action allowed by law.
5. This Agreement may be executed in several counterparts all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
6. This Agreement and attached exhibits constitute the entire agreement between the parties on this subject. There are no understandings, agreements, or representations, oral or written, not specified regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of County to enforce any provision of this Agreement shall not constitute a waiver by County of that or any other provision.

ENTERED INTO ON THE DATE LAST SIGNED BELOW.

**City of Tualatin**

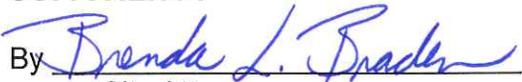
By   
Mayor - LOU OGDEN

Date October 24, 2011

ATTEST:   
City Recorder

Date October 24, 2011

**APPROVED AS TO LEGAL  
SUFFICIENCY**

By   
City Attorney

City Contact:  
Kaaren Hofmann, Civil Engineer  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062

**Washington County**

By \_\_\_\_\_  
Chair

Date \_\_\_\_\_

By \_\_\_\_\_

Date \_\_\_\_\_

**APPROVED AS TO LEGAL  
SUFFICIENCY**

By \_\_\_\_\_  
County Counsel

County Contact:  
Keith Lewis, Superintendent  
Operations and Maintenance Division  
1400 SW Walnut Street  
Hillsboro, OR 97123



## STAFF REPORT

### CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Becky Savino, Program Coordinator  
Paul Hennon, Community Services Director

**DATE:** 10/24/2011

**SUBJECT:** Fiscal Year 2010/2011 Parks System Development Charge (SDC) Annual Report

---

#### ISSUE BEFORE THE COUNCIL:

The Council will review the FY 10/11 Parks System Development Charge (Parks SDC) report and consider staff recommendations.

#### RECOMMENDATION:

- Staff respectfully recommends that Council accept the attached report including the recommendation that the Community Services Director continue to monitor issues that may arise and review their impact on the Parks SDC legislation or fee, and update the Parks and Recreation Master Plan as soon as is practical.
- No changes to the SDC ordinance or Park SDC methods, procedures, or fees are recommended at this time.

#### EXECUTIVE SUMMARY:

- Council established the current Parks SDC by adopting Ordinance 833-91 in 1991. The attached report fulfills the requirement of ORS 223.311 to provide an annual accounting of the Parks SDC and to recommend any changes to the SDC ordinance.
- In FY 2010/2011, \$83,142.96 was collected, including \$82,448.00 in Parks SDC fees and \$694.96 in interest. No credits or installment payments were authorized.
- Expenditures on qualified parks system improvements totaled \$61,495.56. The specific improvements are listed on page 2 of the attached report.

#### FINANCIAL IMPLICATIONS:

The Parks SDC beginning fund balance, revenues and expenditures are budgeted in the Park Development Fund (Fund 36).

---

**Attachments:** A. FY 10/11 Parks System Development Charge Report

## **PARKS SYSTEM DEVELOPMENT CHARGE (Parks SDC) ANNUAL REPORT FY 10/11**

### **Introduction**

The Parks System Development Charge (Parks SDC) consists of an "improvement fee" that covers the cost of new capacity to meet the demands of new development, based on adopted standards and a capital improvement list. The Parks SDC does not include a "reimbursement fee" since the park system does not include any excess capacity that would be used by new development. The fee is charged per new residential dwelling unit.

Council approved the original Parks SDC in 1984 by adoption of Ordinance 655-84. In 1989 the Legislature enacted House Bill 3224 requiring local governments to meet specific statutory requirements and that system development charges be based upon past and future capital improvements to the system for which it is being collected. In 1991, Council adopted Ordinance 833-91 to repeal the original ordinance and bring the City in compliance with ORS 223.297 through 223.314 (System Development Charges). The fee established in the new ordinance went into effect on July 1, 1991.

In January 2004, Council authorized two actions affecting the Parks SDC. First, by adoption of Resolution 4192-04, the 1991 fee was adjusted to present value by applying an adjustment factor consisting of indexes for both land and construction. The second action taken by Council in January 2004, by adoption of Ordinance 1154-04, was to establish an annual adjustment factor indexing both land and construction costs to enable the Parks SDC to have the purchasing power to pay for park projects it is intended to fund. These changes have been incorporated into the Tualatin Municipal Code, Chapter 2-6, System Development Charges.

### **Purpose**

The purpose of this report is to fulfill the requirements of ORS 223.311, which requires an annual accounting of Park SDC's be performed, and to recommend any changes in the Parks SDC as adopted by the City of Tualatin.

### **Revenue**

During the period covered by this report (July 1, 2010 to June 30, 2011), the City of Tualatin collected \$83,142.96 in Parks SDC fees and interest on the fee income (\$82,448.00 in fees and \$694.96 in interest).

### **Credits**

No credits were authorized.

### **Installment Payment Agreements**

No installment payment agreements were authorized.

**Expenditures**

Parks SDC funds were used in the following projects in FY 10/11.

<b><u>Project Description</u></b>	<b><u>Parks SDC Amount</u></b>
1. Van Rijn property holding costs	13,701.51
2. Tualatin River Greenway Trail connection - Community Park	
a. North parking lot to Ki-a-Kuts Bicycle and Pedestrian Bridge	13,333.00
b. At Juanita Pohl Center Addition & Remodel	2,104.08
3. Tonquin Trail Master Plan	13,333.00
4. <u>Reimbursement to General Fund</u>	<u>19,024.00</u>
<b>Total Expenditures</b>	<b>61,495.56</b>

**Recommendation**

It is recommended the Community Services Director continue to monitor issues that may arise and review their impact on the Parks SDC legislation or fee, and update the Parks and Recreation Master Plan as soon as is practical.

No changes to the methodology, procedures, or fees for the Parks SDC are recommended at this time.

**City Council Meeting**

**E. 1.**

**Meeting**  
**Date:** 10/24/2011

**SPECIAL** Transportation System Plan Update  
**REPORTS:**

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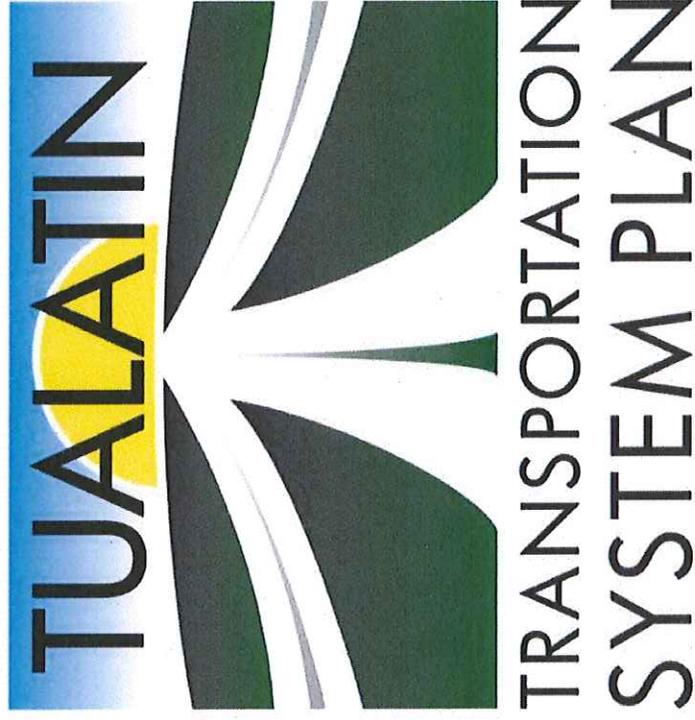
**Information**

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**Attachments**

PowerPoint Presentation

City of Tualatin  
Transportation System Plan Update



October 24, 2011



# Public Involvement



**Get the Free iPhone App!**



Search "Tualatin TSP" in the App Store & download the **jla** App

# MOVING TUALATIN Transportation VIDEO Contest





# Transportation Task Force

Purpose is to provide advice and guidance to inform three priority projects:

- Transportation System Plan Update
- Tualatin's High Capacity Transit Study
- Washington County transportation planning in the SW Concept Plan and Basalt Creek areas

Applications Received:

12 Citizen, 5 Large Employer & 2 Small Employer



# Online Mapping



Español | Website Map | Font A A+

Home

About the Project

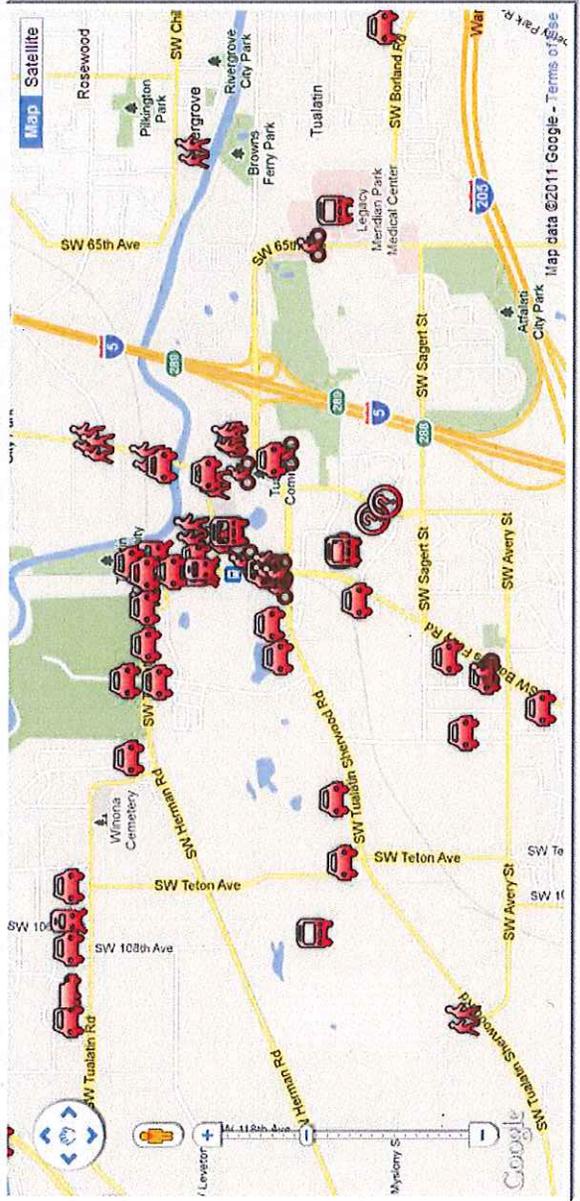
Public Involvement

Comments

## Comment Map

Submit a Comment

Share this page:





# Technical Work Underway!

# CH2MHILL



*Collaborative planning,  
decisions & communication*



## Summary

The Transportation System Plan (TSP) is a blueprint for building and maintaining Tualatin's transportation network. To update the TSP, we will study what we have and envision what we want in 2035. We must balance the needs of those using cars, buses, trucks, trains, bikes and walking paths and consider our place in the region, while working diligently to protect what we love about Tualatin.

## Project News

We will post news, project notices, and other information here as it becomes available. Have something you think we should post? Let us know.

### Join the Conversation

July 22, 2011

#### Talk about transportation using our interactive map

The first step in updating the Transportation System Plan is assessing what we have. Use our interactive comment map to share your perspective on Tualatin's transportation system.

- How do you get around?
- What makes getting around Tualatin easy? What makes it hard?
- What frustrates you?
- What would you change? What would you repeat?

Come back and share as many comments as you would like. You can agree and disagree with other people's comments and share

under the same conditions. Tell it now!



## Stay in touch

- [RSS News Feed](#)
- [Mailing List](#)

City of Tualatin links

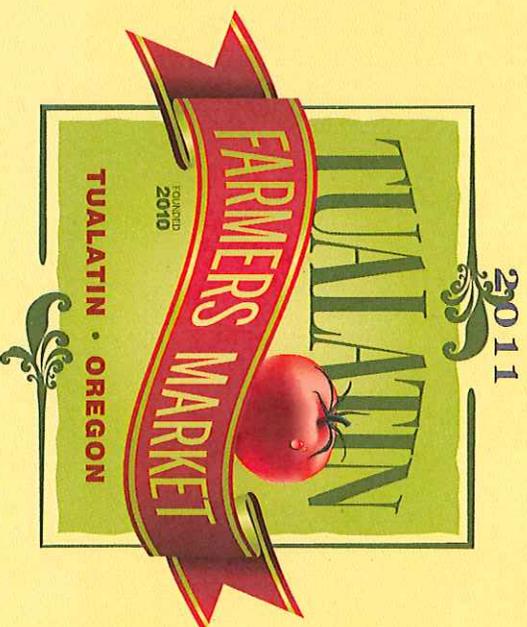
- [Twitter](#)
- [Facebook](#)
- [Tualatin Homepage](#)

## Mailing List

First Name

Last Name

# Tualatin Farmers Market 2011 Recap



Feeding Community

[Tualatinfarmersmarket.com](http://Tualatinfarmersmarket.com)

# 12 Member Organizing Committee



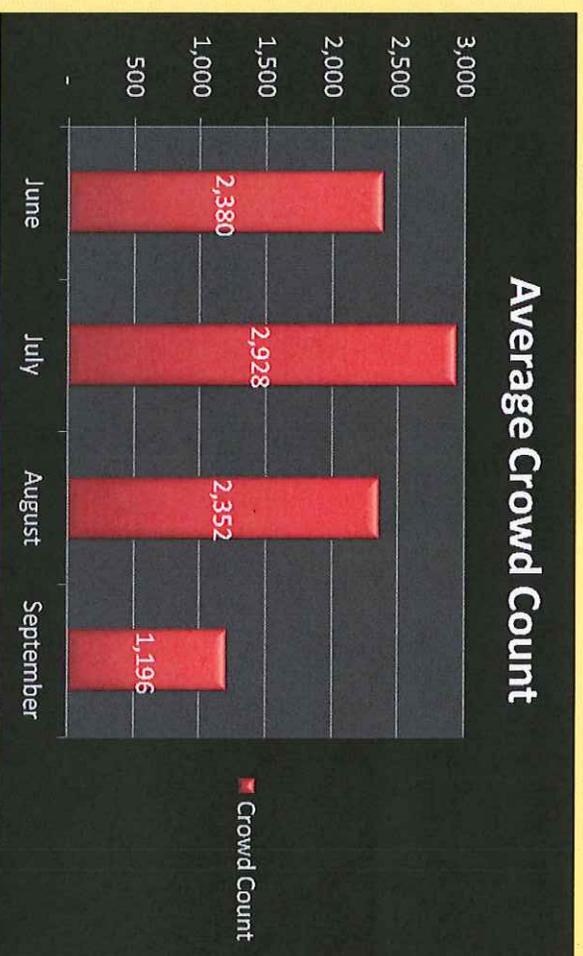
- Tualatin Farmers Market Manager: Melanie Whitt
- Tualatin Farmers Market Committee:

- President  
Beth Roach
- Vice President  
Tonya Peterson
- Secretary  
Kirin Nelson
- Treasurer  
Jodie Krivens
- VP Marketing  
Jane Morrill
- Logistics/Recycling  
Chris Burchill
- Volunteers  
Melinda Fish
- Community Booth -  
Jan Guinta, CIO
- Music  
Robert Richter
- SNAP (EBT)  
Cristina Payne
- Business Liaison  
Dr. Anya Chang

# 2011 Attendance



- Attendance more than doubled
- Every week in June, July and August higher than 2<sup>nd</sup> best attendance last year!

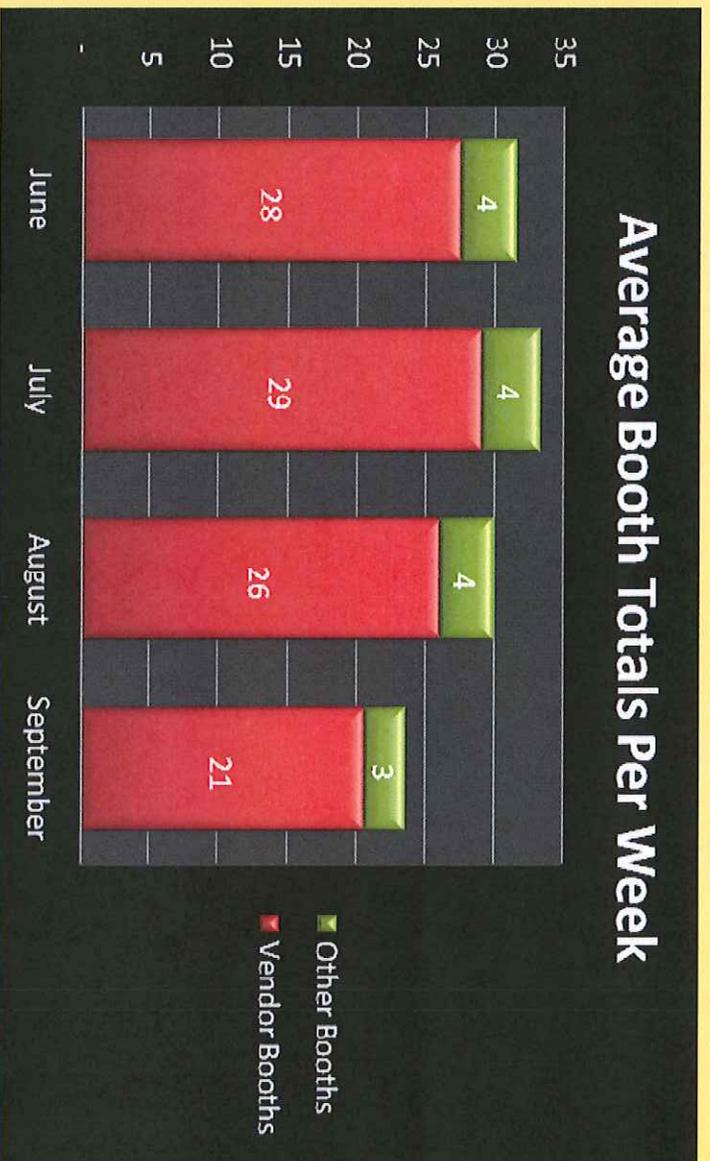


# 2011 Booths



- Expanded our Booths by 20% including additional farmers, hot food and Community Booth
- 3 Vendors had single best days at any market ever at our market
- Vendors said they had a great September and want to continue it next year

**Average Booth Totals Per Week**



# 2011 Market Hours



1266 Total Hours



- Market Manager
- Volunteer At Market
- Volunteer Outside Market

- Over 900 Hours by 28 Volunteers
- Market Manager 356 Hours

# Increased Marketing – Jane Morrill



- Developed Market Plan
- Increased Internet Presence
  - City of Tualatin
  - Google Maps
  - Yahoo Local
  - Yelp
  - FarmersMarketOnline.com
  - ...
- Started a Twitter Account – 65 followers already
- More Interactive Facebook Page - 721 followers
- Increased our Advertising
  - Tualatin Life
  - Tualatin Times
  - Every City Newsletter (thanks Sara!)

# Increased Marketing – Jane Morrill



- Established an Email Newsletter with 290 subscribers already!
- More flyers around town in English and Spanish
  - Library
  - Apartment Complexes
  - School Backpacks
- Attended Chamber and City Council Sessions
- Increased our signage on Tualatin Sherwood Road
- Partnering with Art Institute of Portland, Senior Graphic Design Student to improve quality of printed materials

# Expanded Services for Community



Feeding Community

- **Kiwanis collection for the Food Pantry each week:**
  - Money and Market Tokens Donated to the Food Pantry
  - Vendors donated fresh produce
  - Gardeners brought extra vegetables
- **Oregon Trail Card Match program participation increased by 500% (from \$500 to \$2500)**
- **Professional Musicians at the Market each week, coordinated by Robert Richter**

# Thank You!



Feeding Community

- 28 Volunteers
- 5 Organizations
- City of Tualatin
- Local Businesses

Thanks again to Whole Foods, Pacific Natural Foods, The Times, City of Tualatin, Providence, Paragon Automotive, Legacy Meridian Park, Tualatin Life, Launa Helton, Attorney at Law, Hayden's Lakefront Grill, Tualatin Chamber of Commerce, Parallel 45, West Coast Bank, Tualatin Web, The Grange, Kiwanis Club, Citizen Involvement Organization, and Tualatin Tomorrow!



# STAFF REPORT

## CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL  
Date 10-24-11  
Recording Secretary M. Smith

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** William Harper, Senior Planner  
Alice Rouyer, Community Development Director

**DATE:** 10/24/2011

**SUBJECT:** Amending the Sign Regulations to Allow Additional Types of Building Signs in the Central Design District, Major Commercial Centers and Multi-story Buildings in the Central and General Commercial Planning Districts; and Amending Tualatin Development Code Chapters 38.110 Sign Types, 38.220 Central Commercial and General Commercial Planning District Sign Standards and 31.060 Definitions. Plan Text Amendment (PTA-11-08). **-Continued Hearing-**

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### ISSUE BEFORE THE COUNCIL:

Council consideration of a request for a Plan Text Amendment (PTA) 11-08 to the Tualatin Development Code (TDC), Chapter 38 Sign Regulations to:

- Amend TDC 38.220 to allow additional building sign options in the Central Design District, Major Commercial Centers and Multi-story Buildings in the Central (CC) and General (CG) Commercial Planning Districts;
- Amend 38.110, 38.220 and 31.060-Definitions to provide standards and definitions for the proposed additional sign options.

### RECOMMENDATION:

At their meeting on October 4, 2011, the Tualatin Planning Advisory Committee (TPAC) reviewed the proposed Plan Text Amendment and made the following recommendation:

- Recommend Council Approve PTA-11-08 as shown in the staff report. 4 Yes, 1 No (Herriges)

TPAC member Herriges agreed that the proposed building sign options are a good idea, but he believed that the size of building signs, including wall signs, should be further reduced in keeping with the scale and pedestrian orientation of the Downtown area.

TPAC Minutes are included in Attachment E.

Staff recommends the Council consider the application and staff report and approve PTA-11-08 amending the Sign Regulations.

## EXECUTIVE SUMMARY:

- This matter is a Plan Text Amendment to the Tualatin Development Code and a decision by the City Council is a legislative action.
- The applicant is the Community Development Department.
- The request is to amend the Sign Regulations in the Tualatin Development Code Chapter 38 to allow additional building sign options in the Central Design District portion of downtown Tualatin, in Major Commercial Centers and on multi-story buildings in the Central and General Commercial Planning Districts. The amendment was initiated by the Community Development Department in response to concerns by downtown building owners and tenants about the suitability of existing standards for wall signs allowed for multi-story, multi-tenant, and pedestrian-oriented commercial buildings in the downtown area.
- Downtown building owners and business tenants have raised concerns about the limitations of current wall sign standards for new and existing multi-story, multi-tenant buildings that are located next to public sidewalks and streets. The Tualatin Commons area features architecturally-complex, multi-story buildings with a pedestrian scale (rather than automobile-scale development). The buildings are oriented more to pedestrian areas and the nearby public areas than to parking lots and higher volume streets. This kind of development design is also exemplified at the Bridgeport Village commercial center.
- Current Sign Standards for the Commercial Planning Districts and the Downtown Area allow wall signs attached to a building wall (See Attachment D-Summary Table). Wall sign standards are based on the retail center or "strip center" form of commercial buildings that are typically:
  - Single-story buildings;
  - Multi-tenant occupied with a mix of primarily retail uses;
  - Buildings are set back from the street and fronted by a parking area.

Building signs that hang (shingle), project (blade) or extend above a roof or canopy feature are currently restricted from the downtown area. Vertically-oriented (taller) signs are also restricted. The **current wall sign standards require:**

- **Horizontal Orientation** (left to right, limited vertical height) (no signs taller than eight feet without a 50% reduction in sign area);
  - All signs are **restricted to a "sign band"**, a single horizontal area across building walls;
  - **Flush mounting to the building wall** or fascia (cannot extend 16 inches beyond wall surface) (no blade or shingle signs);
  - **No portion of a wall sign may extend below or above the wall or fascia surface** (no roof signs, no hanging signs, no signs extending above a canopy or awning fascia).
- Additional types of Building Signs are allowed by the existing Sign Code for the large pedestrian-oriented/mixed-use commercial center development in Bridgeport Village. The

additional sign types allowed there through the Mixed Use Commercial Overlay District, and proposed in this amendment include (see Attachments A, D, and F):

- Blade Signs (in place of one wall sign)
  - Shingle Signs (in place of one wall sign)
  - Canopy or Marquee Signs (See below)
- The Multi-story building owners also expressed a need to have a sign naming or identifying the building that can be located at a building entrance without taking away from the individual tenant wall signs typically found on the ground floor tenant walls. This would be similar to a canopy sign currently allowed in Bridgeport Village and a building identification wall sign allowed on multi-story buildings in the Commercial Office Planning District. Because the current wall sign program favors ground floor retail tenants, *a need for a vertically oriented directory-style wall sign able to display upper floor tenants of a multi-story building was identified.* The proposed amendment also includes two building sign options not currently available in the Commercial Planning Districts (see Attachments D and F):
    - Canopy-mounted Building Identification Signs (up to two per multi-story building)
    - Directory-style Wall Signs (taller sign height with room for multiple tenant sign panels)
    - Wall signs located above the building sign band (2nd Floor Tenant Wall Signs)
- The proposed amendments will allow the following in place of one of the current wall sign provisions (in the Central Design District, Major Commercial Centers and multi-story Buildings in the Central and General Commercial Planning Districts - see Summary Table in Attachment D and examples in Attachment F):
    - A **Blade Sign** (*in place of one wall sign*), or
    - A **Shingle Sign** (*in place of one wall sign*), or
    - A taller **Directory-style Wall Sign** (*in place of one wall sign*).

In addition to the wall signs and building sign options listed above:

- A **Canopy-mounted Building Identification Sign** (one per primary entrance of multi-story building, a maximum of two per building).
- Wall signs on the 2nd floor and above of multi-story buildings (termed **2nd Floor Tenant Wall Signs**) (a maximum of two per building elevation and four per building, dimensional-letter signs only). This is intended to address concerns regarding upper floor tenant signage while proposing standards that will limit the number of wall signs above the ground floor and avoid allowing a wall sign for every upper floor tenant where there may be 3 or more office tenants per building floor.
- One **Small Projecting (Blade or Shingle-style) Sign** per tenant wall (first floor only). This will give tenants of buildings that are located adjacent or near to the public street identification to approaching pedestrians or drivers from a public sidewalk or street) as well as with wall or other buildings signage that may be best viewed from directly across from the tenant location.

The proposed additional sign types are intended to create better sign design with respect to the design of buildings in the downtown area, while providing better exposure for business tenants without a significant increase in signage on buildings. As proposed, and in keeping with the desired pedestrian scale of downtown development and buildings, the size standards or sign area for the projecting, hanging, and taller directory style signs will be smaller than the full 40 square foot maximum allowed for a "wall" sign and the supplemental small projecting (blade/shingle) signs are limited to 1.5 ft. height and 4.5 sq. ft. sign face area.

- Before granting the proposed Plan Text Amendment, the City Council must find that the application meets the plan amendment criteria listed in Tualatin Development Code 1.032. The Analysis and Findings section of this report (Attachment B) examines the application.
- Because the amendment is a legislative action, the 120-day rule codified in Oregon Revised Statutes (ORS)227.178(2) is not applicable.

### **OUTCOMES OF DECISION:**

Approval of the Plan Text Amendment request would result in the following:

1. Building owners and tenants in the Central Design District, Major Commercial Centers and Multi-story Buildings in the Central and General Commercial Planning Districts will be able to obtain sign permits for a Blade Sign, Shingle Sign, or a Directory-Style Wall Sign in place of a tenant wall sign in compliance with the proposed standards of Tualatin Development Code 38.220. Canopy-mounted Building Identification Sign (maximum of two) will be allowed for buildings with two or more floors.
2. The proposed amendment will allow additional building sign types to provide a more effective and attractive way of identifying commercial tenants in the downtown and larger centers.
3. The existing standards for small blade/shingle signs allowed in the Central Design District will be revised to allow one small projecting (blade/shingle-style) sign (1.5 feet in height/4.5 square feet in area) in addition to a wall sign and will apply also to Major Commercial Centers and multi-story buildings.

Denial of the Plan Text Amendment request would result in the following:

1. Existing and Future commercial building development in the Central Design District and in the Central and General Commercial Planning Districts would be limited to wall signs subject to the current standards for location and size.

### **ALTERNATIVES TO RECOMMENDATION:**

The alternatives to the Planning Advisory Committee and staff recommendations are:

Approve the proposed Plan Text Amendment with alterations.

Deny the request for the proposed Plan Text Amendment.

Continue the discussion of the proposed Plan Text Amendment and return to the matter at a later date.

## **FINANCIAL IMPLICATIONS:**

The Fiscal Year 2011/2012 budgets account for the cost of City-initiated plan amendment applications.

---

- Attachments:**
- A - Proposed Amendment
  - B - Background & Public Involvement
  - C - Analysis & Findings
  - D - Amendment Summary Table
  - Council Work Session & TPAC Minutes
  - F- Building Sign Examples & Graphics
  - G - CentralGeneralCommercialDistrictMap
  - H - PowerPoint

**Section 31.060 Definitions.**

Canopy. A rigid nonmovable roof-like structure supported only by columns or posts permanently affixed to the ground, or by a building at one or more points or extremities and by columns or posts in the ground at other points or extremities.

Canopy Sign. A type of wall sign painted or printed on, or attached to the canopy fascia.

Central Design District. The Central Design District as identified in Section F of the Central Urban Renewal Plan.

Marquee. A projecting, permanent, roofed structure attached to and supported only by a building.

Marquee Sign. A type of wall sign painted, printed on, or attached to the marquee fascia.

Shingle/Blade Sign. A rigid sign hanging from an awning, canopy, marquee or building overhang or attached to a wall and perpendicular or at an angle to that wall.

**Small Projecting Sign**. **A rigid sign hanging from an awning, canopy, marquee or building overhang (shingle-style) or attached to a wall and perpendicular or at an angle to that wall (blade-style).**

Sign Band. An area on each elevation of a building that establishes the location for permanent wall signs.

Sign Band, Main Building Entrance. An area located on the wall within a distance of no more than eight feet of the main building entrance doorway. A main building entrance is one grade level entrance to a building that is the primary building entrance for occupants and visitors.

**Sign Band, Primary**. **The sign band associated with the first floor or ground level floor of a multi-story building.**

Wall (for signs). The vertical face elements of a building from the perspective of an architectural elevation, including parapet walls and appurtenances such as projecting fins, columns, pilasters, canopies, marquees, showcases or decorations, wing walls, and windows, doors and other openings.

Wall Area. The measurement in square feet of a building wall based on the height and width of an architectural elevation.

Wall Sign. A sign which is affixed to or painted on a wall of a building.

**Wall Sign, Directory-style**. **A type of wall sign with a taller sign face height and with a capability to list messages for more than one building tenant.**

Wall Sign, Hospital Identification. A wall sign located on one hospital building wall intended for visibility from the I-5/SW Nyberg Avenue Interchange.

Wall Sign, Main Building Entrance. A wall sign located on the main building entrance sign band.

**Other Definitions** NO CHANGE PROPOSED

-----End 31.060-----

**Section 38.110 Sign Types.**

**(4) Shingle Sign and, Blade Sign and Small Projecting Sign Provisions.**

Shingle signs and blade signs may be erected in the Mixed Use Commercial Overlay District subject to TDC 38.225.

**Shingle Signs, Blade Signs and Small Projecting Signs** may be erected in the Central Design District **and in Major**

**Commercial Centers and on Multi-story Buildings in the Central and General Commercial Planning Districts subject to TDC 38.220(2)(b, e)** and subject to the following limitations after first obtaining a sign permit.

(a) Location: Shingle signs and blade signs **and Small Projecting Signs** need not be placed within the **primary** sign band for wall signs. Shingle signs and blade signs **and Small Projecting Signs** shall be attached to a wall or the underside of an awning, canopy, marquee or building overhang.

(b) Shingle signs **and Small Projecting Signs (Shingle-style)** attached to the underside of an awning, canopy, marquee or building overhang shall not extend out beyond the outer edge of the element to which they are attached.

(c) Blade signs **and Small Projecting Signs (Blade-style)** attached to a wall shall be perpendicular to that wall and shall extend no greater than four feet.

~~(e) Number of Sides: No more than two.~~

~~(d) Height of Sign Face: 1.5 feet in the Central Design District.~~

~~(e) Width of Sign Face: Three feet in the Central Design District.~~

~~(f) Sign Face Area: 4.5 square feet in the Central Design District.~~

~~(g) Height of Sign: The distance from the sidewalk or grade up to the bottom of the sign shall be at least eight feet.~~

~~(h) Illumination: Indirect in the Central Design District.~~

(i) Guy wires cables and similar stabilization methods are not permitted.

**(5-9) -----No Change Proposed-----**

**Section 38.220 Signs Permitted in the Central Commercial (CC) and General Commercial (CG) Planning Districts.**

(1) Section 38.220 does not apply to the Mixed Use Commercial Overlay District, see Section 38.225. **Additional sign types are allowed on Multi-story Buildings, on buildings within a Major Commercial Center, and within the Central Design District.** No sign shall be permitted in the CC or CG Planning Districts for permitted and conditional uses except the following:

**(a-c)----- No Change Proposed-----**

**(d) Wall Signs** Are Permitted. If used, the following standards apply:

(i) Number: One on each owned or leased wall not to exceed four walls of a building. For walls not oriented toward and not located within 150 feet of the Wetland Protected Area or a Natural Resource Protection Overlay District (NRPO) as shown on Map 72-1, two wall signs are allowed on an owned or leased wall of 4,000-4,999.99 square feet provided the distance between the two signs is greater than 25 feet, and three wall signs on an owned or leased wall equal to or greater than 5,000 square feet.

(ii) Number of Sides: No more than one.

(iii) Height Above Grade: No higher than the height of the sign band on the owned or leased space.

(iv) Height of Sign Face: No higher than four feet provided no letter or number (does not include logos, caricatures, scenes, non-letters and non-numerical symbols) shall be more than two feet when erected on owned or leased walls whose area is less than 4,000 square feet, and no higher than four feet for letters, numbers, logos, caricatures, scenes and symbols when erected on owned or leased walls equal to or greater than 4,000 square feet. If a

sign's square footage is less than 1/2 the maximum area allowed, then the height of the sign can be doubled. If the sign height is doubled, the height of any logo, symbols, caricatures or scenes may be up to five feet.

(v) Area: For owned or leased walls whose area is 0 to 400 square feet, a sign area of at least 24 square feet or 10 per cent of the wall area is allowed, whichever is greater. For walls whose area is 400 to 3,999.9 square feet, a sign area of no more than 40 square feet is allowed. For walls not oriented toward and not located within 150 feet of the Wetland Protected Area or a NRPO District as shown on Map 72-1, a total sign area of up to 100 square feet is allowed for a wall 4,000-4,999.9 square feet provided that when two wall signs are erected neither sign is larger than 75 square feet, and for walls equal to or greater than 5,000 square feet, a sign area of up to 150 square feet is allowed.

(vi) Illumination: Direct, indirect or internal.

(vii) Mechanical Readerboard: For churches, cinemas and theaters the sign may be a mechanical readerboard.

(viii) In the Central Design, for each owned or leased space in place of one wall sign, one shingle sign or blade sign may be erected in accordance with TDC 38.110(4).

**(2) On Multi-story Buildings and on buildings within a Major Commercial Center or within the Central Design District, additional building sign types are permitted subject to the following standards:**

**(a) Directory-style Wall Signs. One directory-style wall sign may be erected in place of one wall sign allowed in TDC 38.220(1)(d) or a blade**

**or shingle sign allowed in 38.220(2)(b). If used, the following standards apply:**

**(i) Location: Directory-style wall signs shall be placed within the primary sign band or in place of a 2<sup>nd</sup> Floor Tenant Wall sign as allowed in 38.220(2)(c).**

**(ii) Number: In place of one wall sign allowed in TDC, 38.220(1)(d), one directory-style wall sign.**

**(iii) Number of Sides: No more than one.**

**(iv) Height of Sign Face: Directory-style wall signs shall be no higher than eight feet.**

**(v) Width of Sign Face: Directory-style Wall signs shall not extend greater than 16 inches beyond the building wall.**

**(vi) Sign Face Area: No more than 32 square feet.**

**(vii) Illumination: Direct, indirect or internal.**

**(b) Shingle or Blade Signs. Except for buildings that adjoin the Lake of the Commons, for each owned or leased space with ground floor frontage and in place of one wall sign or Directory-style wall sign, one shingle sign or blade sign may be erected. If used, the following standards apply:**

**(i) Location: Shingle signs and blade signs need not be placed within the tenant wall primary sign band, but shall be located on the tenant wall or wall appurtenances. Blade signs shall be attached to the wall of a building and shingle signs shall be attached to the underside of an awning, canopy, marquee or building overhang.**

**(ii) Number: In place of one wall sign allowed in TDC, 38.220(1)(d), one shingle sign or one blade sign.**

**(iii) Number of Sides: No more than two sides.**

**(iv) Height of Sign Face: Shingle signs shall be no higher than three feet. Blade signs shall be no higher than 10 feet.**

**(v) Width of Sign Face: Shingle signs attached to the underside of an awning, canopy, marquee or building overhang shall not extend out beyond the outer edge of the element to which they are attached. Blade signs shall not extend greater than four feet beyond the building wall.**

**(vi) Sign Face Area: No more than 24 square feet.**

**(vii) Height of Sign: The distance from the sidewalk or grade up to the bottom of the sign shall be at least eight feet.**

**(viii) Illumination: Direct, indirect or internal.**

**(vii) Blade and shingle signs shall be constructed with three-dimensional letters, numbers and graphic elements.**

**(c) 2<sup>nd</sup> Floor Tenant Wall Signs are permitted. If used, the following standards apply:**

**(i) Number: On a 2-story or more building, one per floor above the first floor with a maximum of two per building wall provided the signs are separated by a minimum of 25 ft. The maximum number of 2<sup>nd</sup> Floor Tenant Wall signs is four on the building.**

**(ii) Number of Sides: No more than one.**

**(iii) Height of Sign Face: No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.**

**(iv) Area: No more than 40 square feet.**

**(v) Illumination: Direct, indirect or halo.**

**(vi) Location: On the building wall of the building's 2<sup>nd</sup> Floor or above.**

**(vii) An internally illuminated cabinet sign is not allowed.**

**(d) Canopy-mounted Building Identification Signs are permitted. If used, the following standards apply:**

**(i) Number: One per primary entrance of a 2-story or more building, with a maximum of two on the building when separated by two elevations or a minimum of 50 ft. distance measured on the building wall surfaces.**

**(ii) Number of Sides: No more than one.**

**(iii) Height of Sign Face: No higher than the height of the canopy fascia. For a canopy with signage on top of the fascia, no more than 16 inches.**

**(iv) Area: No more than 35 percent of the area of a canopy fascia provided the total canopy signage is no more than 24 square feet. For a canopy with signage on top of the fascia, the area to be used in calculating the 35 percent is the allowed height of the sign, 16 inches, multiplied by the length of the front and sides of the canopy fascia.**

**(v) Illumination: Direct, indirect or halo.**

**(vi) Location: The signage shall be on the wall above the primary entrance, on the primary entrance canopy fascia or on top of the canopy fascia**

**(vii) Signage located on top of a canopy or as a marquee shall not be an internally-illuminated cabinet sign.**

**(e) Small Projecting Signs (shingle or blade style). For each owned or leased space with ground floor frontage, one**

CDD Signs TDC Chapters 31 & 38 -- **DRAFT** -- October 14, 2011  
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**small projecting sign may be erected. If used, the following standards apply:**  
**(i) Location: Small Projecting Signs (shingle or blade style) need not be placed within the tenant wall primary sign band. The signs shall be attached to the wall of a building or attached to the underside of an awning, canopy, marquee or building overhang.**  
**(ii) Number: One per ground floor tenant wall.**  
**(iii) Number of Sides: No more than two sides.**  
**(iv) Height of Sign Face: No higher than 1.5 feet.**  
**(v) Width of Sign Face: Three feet.**  
**(vi) Sign Face Area: No more than 4.5 square feet.**  
**(vii) Height of Sign: The distance from the sidewalk or grade up to the bottom of the sign shall be at least eight feet.**  
**(viii) Illumination: Direct, indirect or internal.**

(3) No Change Proposed

**ATTACHMENT B**  
**PTA-11-08: BACKGROUND INFORMATION**

Pertinent background information for the proposed PTA-11-08 and other supporting documents is summarized in this section.

The amendment was initiated by the Community Development Department in response to concerns about the suitability and limitations of the existing standards for wall signs allowed for multi-story, multi-tenant and pedestrian-oriented commercial buildings in the downtown area. Over the past two years, downtown building owners and business tenants have been asking for other building sign options in addition to the wall signs currently allowed in the Central and General Commercial Planning Districts.

The central part of Tualatin's downtown is the Tualatin Commons area, which features architecturally-complex, multi-story buildings with a pedestrian scale (rather than automobile-scale development). The buildings are often located adjacent to the public sidewalk and are oriented more to pedestrian areas and the nearby public areas than to parking lots and higher volume streets. This kind of development design for "downtown" is encouraged in the Central Design District with the 41 Design Objectives (TDC 73.610) addressing four categories of downtown design: "Central Tualatin Concept", "City Connections", "Spaces and Landscapes" and "Buildings". It is also exemplified at the Bridgeport Village commercial center where the Mixed Use Commercial Center Overlay District (MUCOD) provides specific development and sign standards emphasizing similar Central Design District features.

The Current Sign Standards in Tualatin Development Code (TDC) Chapter 38 for the Commercial Planning Districts and the Downtown Area allow wall signs attached to a building wall (See Attachment A). Wall sign standards are based on the retail center or "strip center" form of commercial buildings that are typically:

- Single-story buildings;
- Multi-tenant occupied with a mix of primarily retail uses;
- With the building set back from the street and fronted by a parking area.

The current wall sign standards require:

- Horizontal Orientation (left to right, limited vertical height),
- All signs restricted to location on a horizontal sign band on building wall,
- Flush mounting to the building wall or fascia (cannot extend 16 inches beyond wall surface),
- No portion of wall sign may extend below or above the wall or fascia surface (no roof signs, no hanging signs).

Building signs that hang (shingle-style), project (blade-style) or extend above a roof or canopy feature are currently restricted from the downtown area. Vertically-oriented (taller than 4 ft.) signs are also restricted.

For owners and tenants of architecturally complex, multi-story, multi-tenant buildings that are pedestrian-oriented and located adjacent to the public sidewalk, the current wall sign standards for the Central (and General) Commercial Planning Districts have presented problems of:

- Poor wall sign visibility to the sidewalk or public street,
- No options for mounting a wall sign in a location that is visibly contiguous or associated with the tenant space entrance, and
- Restrictions on wall sign dimensions that results in a size, shape or orientation that is impractical or appears out of proportion in relation to a particular building wall.

The Sign Code for the MUCOD allows a number of sign options for the buildings and tenants of Bridgeport Village. The proposed Building Sign Program amendment incorporates the provisions for blade signs, shingle signs, canopy signs and taller wall signs that are in the MUCOD sign standards.

Following review by the Tualatin Planning Advisory Committee (TPAC) on July 5, 2011 and a City Council Work Session on July 11, 2011, concerns about the proposed downtown sign amendments were raised by downtown developers and property owners in regard to:

1. Using the existing "sign band" concept for wall signs (allows wall signs to be located in one relatively consistent position on the walls of a building, eg. above the windows of ground floor tenant storefronts) and the building sign types proposed in the amendment would unfairly restrict wall signage for upper-floor tenants of multi-story buildings;
2. The proposed vertically-oriented (taller) Blade signs and Directory-style Wall signs would not be adequate as a means of displaying information about multiple tenants on upper floors of a building, and;
3. The proposed standards for the new sign standards were smaller than currently allowed for traditional wall signs, believing that larger and taller sign dimensions should be proposed.

There was interest expressed by Council at the July 11 Work Session and following that by the developers of Nyberg Woods and the Pointe at Bridgeport to expand the sign options proposed in PTA-11-08 to commercial centers and to multi-story/multi-tenant buildings in the CC and CG Planning Districts. In response to the Version I concerns and interests, the July 25 public hearing for PTA-11-08 was continued (to October 24, 2011) and the amendment was revised as Version II to include provisions for:

Tenant wall signs on a multi-story building 2<sup>nd</sup> floor and above;

Allowing small projecting signs in addition to tenant wall signs;

Expanding the eligibility for Version I and II to Major Commercial Centers and multi-story buildings in the Central and General Commercial Planning Districts.

## **PUBLIC INVOLVEMENT**

In May, staff met with the CEO of the Tualatin Chamber of Commerce, Linda Moholt. In the meeting, CEO Moholt expressed support for the additional sign options and raised the business community's interest in allowing more on-street signage such as A-frame signs and banners. A presentation of the Downtown Sign Program to the Chamber's Economic Development Committee was scheduled for June 28 and was rescheduled by the Chamber to July 26.

In June, the Community Development Department began the process of contacting building owners and certain building tenants in the Central Design District to introduce the Downtown Sign Program project and solicit comments and support. The contact included mailing and distributing a 6-page handout about the project to individual building and business owners, scheduled meetings and informal discussions with various building owners, and invitations for further comment by phone, email or in person. Staff met in person with eight property owners (or a representative) of 13 multi-story downtown buildings.

A summary of the comments received in staff's discussions with building owners and copies of the messages and comments received to date are collected in Attachment E.

A notice of the July 25 Council Hearing meeting (later continued) was sent to property owners in the Central Design District.

As reviewed by the Tualatin Planning Advisory Committee (TPAC) at the July 5, 2011 meeting, Plan Text Amendment PTA-11-08 proposed to allow additional building sign options in the Central Design District of Downtown Tualatin. The additional sign types allowed in addition to "wall signs" that were proposed in the first Version (I) of the Downtown Sign Program. TPAC voted 6-1 to recommend that Council approve PTA-11-08 as proposed in the Staff Report. A copy of the minutes of TPAC review of PTA-11-08 is Attachment E.

At the July 11, 2011 Council Work Session, staff presented the Council with a brief overview of the proposed Downtown Building Sign provisions, reported on the TPAC discussion and solicited the Council's questions and comments. The Council was supportive of additional types of building signs in the downtown, explored the idea of expanding the additional building sign provisions to other commercial developments in the Central (CC) and General (CG) Commercial Planning Districts, and agreed to consider PTA-11-08 in a public hearing at the July 25 meeting. A copy of the minutes of the Work Session review of PTA-11-08 is Attachment E.

Following the July 11 Work Session meeting, David and Diana Emami of Barrington Development met with Community Development Department staff and expressed their concerns about the building sign provisions proposed in PTA-11-08 (Version I). To allow time to respond to the issues raised and to prepare some alternatives that would address

their concerns, as well as to incorporate comments by the Council at Work Session and others, Staff requested and the Council granted a continuance of the July 25, 2011 public hearing for PTA-11-08.

On July 26, 2011 the Version I Downtown Sign program was presented to the Tualatin Chamber of Commerce Economic Development Task Force in a meeting at the Countrywide Insurance offices. The meeting was well attended by Tualatin business representatives including Diana Emami of Barrington Development. The Task Force discussed the importance of adequate signage for commercial businesses, a concern about 2nd floor tenant signage, and support for clear and specific standards to keep the downtown attractive. There was a discussion about having standards for placing building addresses at the corner of downtown buildings to promote wayfinding for the public and business, similar to European styles of street addressing.

On August 30, staff met with Mr. David Emami to go over the proposed Version II revisions that included 2<sup>nd</sup> Floor Tenant Wall Signs and allowing small projecting signs in addition to tenant wall signs. Mr. Emami indicated that some of his concerns were adequately addressed in the Version II. He suggested that the proposed blade and shingle sign standards should allow for more sign face height and face area than proposed in Version II.

The proposed Version II revisions were presented as an update to TPAC at the September 6 meeting and to the City Council in a work session on September 10. Both TPAC and the Council had comments on the proposed revisions that are incorporated in the Version II of PTA-11-08. The Council expressed interest in the 2<sup>nd</sup> Floor Tenant Wall signs, additional small projecting signs and expansion of the Version II provisions to Major Commercial Centers and multi-story buildings in Central and General Commercial Planning Districts. A copy of the September TPAC and Council Work Session updates on PTA-11-08 is Attachment E.

TPAC reviewed the Version II PTA-11-08 at their meeting on October 4, 2011, and made the following recommendation:

Recommend Council Approve PTA-11-08 as shown in the staff report.

Approval of PTA-11-08: 4 Yes, 1 No (Herriges)

TPAC member Herriges again agreed that the proposed building sign options are a good idea, but he believed that the size of building signs, including wall signs, should be further reduced in keeping with the scale and pedestrian orientation of the Downtown area.

## ATTACHMENT C

### PTA-11-08: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 1.032 must be met if the proposed PTA is to be granted. The Plan Amendment criteria are addressed below.

#### A. Granting the amendment is in the public interest.

The proposed Building Sign Program Version II amendment to the Tualatin Development Code (TDC) Chapter 38 Sign Regulations and related sections of TDC 31.060 Definitions adds provisions to the Sign Code to allow Blade Signs, Shingle Signs, Canopy-Mounted Building Identification Signs, Directory-style Wall Signs, 2<sup>nd</sup> Floor Tenant Wall Signs and Small Projecting Signs in the Central Design District portion of the CC (Central Commercial) Planning District, in Major Commercial Centers and on Multi-story buildings in the Central and General (CG) Commercial Planning Districts.

The public interest is to:

- 1) Allow types of signage that adequately identify commercial buildings and business tenants in the downtown area with consideration to the Design Objectives of the Central Design District, the architecture of multi-story and pedestrian-oriented development in the downtown and the needs of larger commercial centers with multiple tenants;
- 2) Retain the attractive visual appearance of the community and the downtown and commercial areas by setting specific standards for the number, location, design and size of building signs in the Central Design District, Major Commercial Centers and multi-story buildings in the Central (CC) and General (CG) Commercial Planning Districts;
- 3) Have sign code provisions appropriate for multi-story, multi-tenant and pedestrian oriented buildings in the downtown and other commercial areas;
- 4) Retain elements of existing wall sign standards that control tenant sign location on a building wall (the "sign band" restriction) in order to avoid unattractive and ineffective sign clutter caused when signs are dispersed anywhere on a building wall.

Public Interest #1. The existing Tualatin sign regulations limit building signage to wall signs in the CC and CG (General Commercial) Planning District. Other types of signs that can be attached to a building in other ways such as blade signs (perpendicular to the wall), shingle signs (suspended from a building feature such as a canopy or overhang), canopy/marquee signs (mounted on the canopy or marquee) are not allowed in the CC and CG Planning Districts, except for small blade or shingle style signs allowed in the Tualatin Commons and Central Design District (Attachment F). Wall signs are attached flush to a building wall and are typically horizontally-oriented (left to right), best suited for single-level "strip center" buildings that are typically separated from the public street with surface parking areas and have uninterrupted wall surfaces facing the parking lot or street.

The architecture of multi-story/multi-tenant buildings in the pedestrian-oriented development of the Tualatin Commons/downtown area and in other larger developments of the Central (CC) and General (CG) Commercial Planning Districts does not always provide wall surfaces that are suitable for a wall sign in respect to the design of the building and from the perspective of the building's commercial tenants. The Design Objectives for the Central Design District (TDC 73.610) encourage building designs that utilize more complex and diverse features and materials and an orientation to the public street and sidewalk. Existing and newer buildings in the Central Design District as well as Major Commercial Centers and multi-story commercial buildings exhibit varied wall surfaces at the street level, extensive use of storefront windows, higher floor-ceiling modules (up to 14 ft to second floor), use of canopies and overhangs and use of architectural detail or ornamentation. Each of the architectural features listed are encouraged by the Design Objectives and a more pedestrian oriented downtown design, but relatively unsuitable for flush or raceway mounted wall signs. Owners and tenants of the multi-story buildings that are located adjacent to the public sidewalk have expressed their desire to locate and design building signs that would provide better visibility for commercial customers compared to wall signs.

The proposed Building Sign Program Version II amendment would allow options for other types of building signs that are more suitable for the multi-story/multi-tenant buildings in the Downtown area and other larger commercial developments. It would apply to both the Tualatin Commons/Central Design District of downtown where guidelines encouraging multi-level, mixed use, pedestrian oriented and architecturally complex development is in place and for buildings in Major Commercial Centers and multi-story buildings in the Central (CC) and General (CG) Planning Districts. The additional sign types proposed in the Version I Building Sign Program include (See Attachments D & F):

- Blade Signs (in place of one wall sign)
- Shingle Signs (in place of one wall sign)
- Canopy-mounted Building Identification Signs (one per multi-level building)
- Directory-style Wall Signs (in place of one wall sign)

The four different types of signs proposed will provide a building owner or commercial tenant options for displaying signs that is most appropriate for them given the design of the building exterior walls associated with the individual tenant space or building entrance. For example, a building such as the 3-story Robinson II multi-tenant Building has lower level retail space entrances and walls in a covered entry walk that is recessed 8 ft. from the sidewalk edge and face of the building's colonnade and upper floors. Wall signs on the tenant spaces would not be visible from the public street or sidewalk due to the zero-setback to the sidewalk, the wall configuration and recessed entries. A blade or shingle sign is a very suitable option to display a ground floor tenant's message on the downtown-style of building.

The Version II amendment expands the Version I sign provisions to Major Commercial Centers (3 acre site and larger with 2 or more large buildings) and multi-story buildings in Central CC) and General (CG) Commercial Planning Districts, adding provisions for

2<sup>nd</sup> Floor tenant wall signs and an additional projecting sign for individual ground floor tenants.

Allowing the proposed building sign options in the Central Design District, in Major Commercial Centers and multi-story buildings in CC and CG Planning Districts will provide more suitable signage for tenants of the multi-story, more architecturally complex buildings and development in the downtown area and meets Public Interest #1.

Public Interest #2, #3 & #4. The Version II amendment provides standards for the number, position/location, dimensions and face area of the proposed additional building signs in the Central Design District and Major Commercial Centers and multi-story buildings in the CC and CG Planning Districts [Attachment A, 38.220(1)(d) & (2)(a-e)]. The proposed Version II standards would allow a Blade, Shingle or Directory-style Wall Signs on the primary sign band in place of one tenant wall sign, canopy-mounted building identification signs (multi-story building primary entrance), 2<sup>nd</sup> Floor Tenant Wall signs (Up to two per multi-story building elevation, four per building) and an additional small projecting sign (in addition to a ground floor tenant wall sign) with the dimensional standards described in Attachment D.

- The proposed **blade, shingle or Directory-Style wall signs are in place of** (not in addition to) a tenant wall sign and have a smaller maximum sign face area allowed.
- The **canopy-mounted building identification sign, the Version II 2<sup>nd</sup> Floor Tenant Wall Signs and small Projecting Tenant Signs are in addition to** existing and proposed building wall signs.
- The number of signs allowed on a building could increase by up to two canopy-mounted signs, four 2<sup>nd</sup> floor tenant wall signs and small projecting tenant signs (one per ground-floor tenant).
- The proposed maximum sign face area for the blade, shingle, Directory-style sign types is **8-16 square feet less** than the maximum 40 square feet allowed for a tenant wall sign. (Attachment D)

The proposed Canopy-Mounted Building Identification Sign would be a new sign type in the downtown area and would not be restricted to replacing a wall sign. One per multi-story building primary entrance (up to two per building) would be allowed with similar standards to a building identification sign allowed on larger two-story buildings in the Commercial Office (CO) Planning District. (Attachment D & F)

The proposed 2<sup>nd</sup> Floor Tenant Wall sign would be allowed on multi-story buildings with restrictions on the number (one per 2 floor and above up to 2 per elevation maximum and 4 per building), size (3 foot face height, 40 sq. ft. maximum) and on internally illuminated "cabinet" style signs. (Attachment D & F)

The proposed small Projecting blade or shingle style sign is based on the small sign allowed in the Central Design District and one would be allowed for each ground floor tenant of a multi-story building or in a Major Commercial Center. (Attachments D & F)

The proposed standards for building signs are intended to continue the limitations on building signage intended to create a consistent and attractive look in the City's commercial areas and retain reasonable limits on the number, size and location of building signs to avoid a cluttered and distracting commercial environment. The provisions allowing building identification signs and 2<sup>nd</sup> Floor tenant wall signs on a multi-story building and small projecting signs in addition to tenant building signs each have a smaller maximum sign area than allowed for the current wall signs and represent new signage that is consistent and in scale with higher intensity (multiple tenants, mixed uses, multi-story buildings), pedestrian- oriented commercial development.

The standards are intended to allow for types of signage that are more compatible with the design of multi-story buildings in the downtown and larger commercial areas of Tualatin, both in terms of development design for multiple tenants, mixed use and a desired pedestrian orientation. It also recognizes the need for effective and attractive identification for the business tenants in the downtown buildings that may not be available with wall signs alone.

The proposed building sign standards help insure an attractive appearance for building signage in the downtown area and are appropriate for multi-level, multi-tenant, pedestrian- oriented commercial developments. Public Interest #2 and #3 are satisfied.

The existing wall sign standards that control tenant sign location on a building wall (the "sign band" restriction) are retained. The sign location standards are designed to avoid unattractive and ineffective sign clutter caused when there is no basic standard for locating wall or building signs on a multi-level building wall. There is no consistency if building signs are dispersed anywhere on a building wall and each tenant wall eligible for a wall sign of some type. The proposed standards satisfy Public Interest #4.

Granting the amendment is in the public interest. Criterion "A" is met.

**B. The public interest is best protected by granting the amendment at this time.**

The proposed sign code amendments respond to the new and soon to be completed development projects in the Central Design District as well as a resurgence in new tenant leasing in existing major commercial centers and multi-story buildings. New or prospective tenants of the downtown buildings and in centers such as Nyberg Woods and The Pointe at Bridgeport are demanding adequate signage to identify their business investment and the building owners have spoken up about the need for building sign options that will be available as new tenants come on line. An example of new construction in the downtown area is the Robinson II Building that is expected to be completed in early 2012 and where leasing activity has already begun.

If adopted at this time, the proposed amendment would allow the building sign options for building owners and tenants in the downtown area that are more effective as well as more attractive in the pedestrian oriented setting of the Central Design District and

apply as well to Major Commercial Centers and multi-story buildings in Central and General Commercial Planning Districts.

The public interest is best protected by granting the amendment at this time.

Criterion "B" is met.

**C. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.**

TDC Chapter 38 is City of Tualatin's Sign regulations that are intended to implement the Sign Objectives of TDC Chapter 20, ensure orderly signage and establish reasonable regulations for sign design (TDC 38.030). The applicable objectives of the Tualatin Community Plan are presented below.

**TDC 20.030(2): "Protect the public health, safety and welfare."** The proposed amendment will provide specific standards for building signs in the Central Design District, Major Commercial Centers and multi story buildings to ensure the public health, safety and welfare is protected. The proposed amendments limit the number, location, and size of building signs to avoid distraction and be compatible with the mix of commercial and residential and public uses of the Lake of the Commons area and the larger commercial centers. The proposed amendments conform to TDC 20.030(2).

**TDC 20.030 Objectives (6) "Protect and enhance the visual appearance of the City as a place to live, work, recreate, visit and drive through." (7) "Protect and enhance the quality streetscapes, architecture, landscaping and urban character in Tualatin."**

The proposed amendment will protect the appearance of the City and quality streetscapes, landscaping and urban character by allowing appropriate signage for larger commercial development and multi-story buildings in the downtown and other commercial areas, with limits on the number, location and size of building signage. The standards are consistent with the pedestrian orientation of private and public development in the downtown and in newer development.

The proposed amendments will better inform the public of the location and service of businesses located in the downtown area or in the larger and multi-story commercial developments.

The proposed amendment conforms to TDC 20.030(6-7).

**TDC 20.030 Objectives "(10) Ensure the number, height and dimensions of signs allowed adequately identifies a business or use and does not result in sign clutter."**

The proposed amendment will allow one wall, blade, shingle or Directory-style wall sign for a tenant wall with limitations on location, sign face height, sign face area. The existing CC and CG Planning District wall sign standards allow a building tenant a wall sign with 4 ft. sign height and up to 40 sq. ft. sign face area. The proposed provisions

for blade and shingle signs require the sign be associated with the tenant wall and the directory-style wall sign be positioned in the primary sign band. The provisions reduce the sign face area allowed of the proposed building sign options (reduced from the 40 square foot tenant wall sign maximum) while improving the visibility of the sign to the public. The proposed building identification sign helps multi-story building owners and their tenants by adding a sign type intended to name the building without taking away from an individual tenant wall sign. The canopy sign and the building directory wall sign provisions will assist upper floor tenants that do not have a sidewalk level entry and may not be eligible for a tenant wall sign due to sign band restrictions.

The Version II provisions add 2<sup>nd</sup> Floor tenant wall sign to accommodate the identification needs of upper floor tenants of multi-story buildings while limiting the size and number of the wall signs to avoid one for each small upstairs tenant, remain in scale to a larger building and to avoid a cluttered appearance on a building. The Version II Small Projecting Signs are very limited in height and size and on larger buildings or centers will not promote a cluttered appearance.

With the building sign standards proposed, the number, height and dimensions of building signs will adequately identify a commercial tenant in a consistent and effective manner. The proposed standards limit the type, location and size of signs that will avoid a cluttered appearance. The proposed amendment conforms to TDC 20.030(10).

The proposed amendments conform to the applicable objectives of the Tualatin Community Plan.

Criterion "C" is met.

**D. The factors listed in Section 1.032(4) were consciously considered:**

**The various characteristics of areas in the City.**

The characteristics of the area of the City affected by this amendment are the commercial and public developments around the Lake of the Commons, within the Central Design District in the downtown area of Tualatin and in the Central and General Commercial Planning Districts. The Central Design District includes a mix of retail, restaurant, office, public open space and multi-family residential uses. The Major Commercial Centers and larger multi-story buildings have similar characteristics:

The proposed amendment is intended to allow a additional building sign types to provide a more effective and attractive way of identifying commercial tenants in the downtown and larger centers. The proposed amendment is intended to avoid increasing the amount of signage while providing reasonable options for building owners and tenants.

**The suitability of the area for particular land uses and improvements.**

The downtown area of Tualatin is designed to mix commercial, residential and public uses in a diverse and business-stimulating way. Signage is especially important to the commercial uses that need to attract their customers from the public streets and ways

while the public spaces are to an extent supported by the commercial activity and services nearby.

**Trends in land improvement and development.**

The proposed sign amendments are related to the design intentions of the Tualatin Commons and Central Design District that encourages the trend in multi-story, multi-tenant commercial development with a downtown, pedestrian-oriented emphasis. This type of development creates different needs and constraints than the traditional strip center retail concepts which cannot adequately be addressed with wall signs. An example is the Bridgeport Village development where the integration of commercial tenants in a private pedestrian “village” has gone beyond just wall signs for building signage with success for businesses as well as benefits for the public. This is also true in the larger commercial centers such as Nyberg Woods, the Pointe at Bridgeport, Martinazzi Square and Hedges Greene Retail Center.

**Property values.**

The proposed amendment will allow additional sign types on buildings in the downtown and other commercial areas. There is no evidence that this will have a negative effect on property values.

**The needs of economic enterprises and the future development of the area.**

The proposed sign amendments will add to the options for commercial development and business tenants in the downtown area. This will contribute to the interest and feasibility of future development or redevelopment in the downtown area.

**Needed right-of-way and access for and to particular sites in the area.**

The proposed sign amendment does not affect right of way and access.

**Natural resources of the City and the protection and conservation of said resources.**

Not applicable because the proposed sign regulation amendments do not impact or alter natural resources associated with a development.

**Prospective requirements for the development of natural resources in the City.**

Not applicable because proposed sign regulation amendment does not impact or alter natural resources associated with a development.

**The public need for healthful, safe, aesthetic surroundings and conditions.**

The purpose of the proposed amendment is to provide more effective signage on the multi-story, pedestrian oriented commercial developments in the downtown area and commercial centers. A primary consideration in developing standards for this type of signage is to retain the high quality of design for the Lake of the Commons area and the

surrounding Central Design District. It is also important for larger, multiple tenant commercial developments. The standards proposed will avoid creating sign clutter and control signage on buildings that would be incompatible with the Lake of the Commons area and the larger multiple tenant, multi-story commercial developments. The result is intended to retain the aesthetic surroundings and conditions in the City.

**Proof of a change in a neighborhood or area.**

Does not apply to revisions to the sign standards. While development and redevelopment are occurring in the commercial areas, there is no evidence of significant change in the uses or kinds of development allowed in the downtown and commercial areas that would be relevant to the proposed amendment.

**A mistake in the plan map or text.**

None is alleged.

The factors listed in Section 1.032(4) were consciously considered.

Criterion "D" is met.

**E. The criteria in the Tigard-Tualatin School District Facility Plan were considered.**

The criteria in the Facility Plan were considered and found to not be applicable to this amendment regarding signs because adoption will not harm or conflict with existing school sites and does not represent a constraint or conflict with land available for future school sites.

**F. Oregon Statewide Planning Goals**

Of the 14 Statewide Goals, each of the goals were considered and found to not be applicable to this amendment regarding signs.

**G. Metro's Urban Growth Management Functional Plan (UGMFP).**

The UGMFP was considered and found to not be applicable to this amendment regarding signs.

**H. (Criterion 8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's Planning Area.**

Criterion 8 was considered and found to not be applicable to this amendment regarding signs because it does not have any impact on Level of Service on transportation facilities.

Sign Type	Applies to:	Location	Number of Signs	Sign Face Height Maximum	Sign Width or Exposure Maximum	Sign Face Area Maximum	Sign Elements	Increase in Allowed Signage
Wall (Existing Standards)	All CC & CG	Tenant Wall-Primary Sign Band of the Building	1 per tenant wall. 2 per wall on tenant walls larger than 4,000 sq.ft 3 per wall on tenant walls larger than 5,000 sq.ft	4 ft.	16 inches from wall	24 sq. ft. or 10% of tenant wall up to 40 sq. ft. maximum. 100 sq. ft. on walls greater than 4,000 sq.ft. 150 sq. ft. on walls greater than 4,000 sq.ft.		Does Not Apply
Central Design District-Small Blade or Shingle (Existing Standards)	Central Design District	Tenant Wall-Primary Sign Band of the Building	No more than (1) per Tenant Wall	1.5 ft.	4 ft.	4.5 square feet	Indirect Illumination only	Does Not Apply
Blade	Central Design District, Major Commercial Centers & Multi-story Buildings	Tenant Wall	In place of a Wall Sign, no more than (1) per Tenant Wall	10 ft.	4 ft. from Wall	24 square feet	Dimensional or Cut-out Copy only	No Increase
Shingle	Central Design District, Major Commercial Centers & Multi-story Buildings	Tenant Wall	In place of a Wall Sign, no more than (1) per Tenant Wall	3 ft.	Must not Extend beyond Wall or Fascia Surface	24 square feet	Dimensional or Cut-out Copy Only	No Increase
Directory-Style Wall Sign	Central Design District, Major Commercial Centers & Multi-story Buildings	On primary sign band or as a 2 <sup>nd</sup> Floor Tenant Wall Sign	In place of one Wall Sign or one 2 <sup>nd</sup> Floor Tenant Wall Sign.	8 ft.	16 inches from wall	32 square feet		No Increase
Canopy-Mounted Building Identification Sign	Multi-story Buildings in CC & CG	On wall above the primary building entrance, on the fascia or on top of a primary building entrance canopy	(1) per primary entrance of a 2-story or more building, with a maximum of (2) on the building. (1) per building wall on a two-story building and (2) on a three or four-story building, provided the signs are separated by a minimum of 25 ft. The maximum number of 2nd Floor Tenant wall signs is (4) on the building	Height of Canopy Fascia to a maximum of 16 inches	NA	35% of Canopy Fascia with maximum of 24 sq. ft. On top of Canopy, 35% of the fascia area, with maximum of 24 sq. ft.	Internally-illuminated Cabinet-Style Not allowed.	Increase of up to two (2) signs per Multi-story Building
2 <sup>nd</sup> Floor Tenant Wall Signs	Multi-story Buildings in CC & CG	On the wall of a building's 2 <sup>nd</sup> Floor or above.		3 ft.	NA	40 square feet	Cabinet-Style Not allowed.	Increase of up to four (4) signs per Multi-story Building
Small Projecting Tenant Signs	Central Design District, Major Commercial Centers & Multi-story Buildings	Ground-Floor Tenant Wall	(1) per ground-floor tenant wall.	1.5 ft.	4 ft. from wall	4.5 square feet	Direct, Indirect or Internal Illumination	Increase of up to one (1) sign per ground floor tenant wall

Version II Summary Table PTA-11-08 10/14/11  
Attachment D

**PORTIONS OF MEETING MINUTES FROM:**

**COUNCIL WORK SESSIONS - JULY 11, 2011 AND SEPTEMBER 12, 2011**

**TPAC MEETINGS - JULY 11, 2011 AND SEPTEMBER 6, 2011**

**Copy of Portion of the Minutes of the July 11, 2011 Council Work Session**

**Amending the Sign Code to Allow Additional Types of Building Signs in Downtown/Central Design District**

Planning Manager Aquilla Hurd-Ravich and Senior Planner Will Harper gave a PowerPoint presentation regarding amending the sign code to allow new options in the downtown central design district.

Senior Planner Harper said the downtown is evolving and mention has been made about the limitation of the current signs allowed in the downtown district. The request came from tenants, buildings owners, and developers to take a look at signs and re-evaluate how the City's current sign code works for today's situation.

The proposal is to change the rules in the Central Design District to accommodate a variety of signage for businesses by amending the Sign Standards to allow additional building sign options that can provide better identification for commercial tenants of the existing and planned for multi-story, multi-tenant and pedestrian-oriented buildings. Senior Planner Harper reviewed the currently allowed wall signs and the proposed new sign options. The PowerPoint displayed examples of the current wall sign standards, and other types that are used at Bridgeport Village that could be used such as shingle, blade, directory-style, etc. Public outreach that's been done was also reviewed and Senior Planner Harper said the proposal has been reviewed and recommended approval by the Tualatin Planning Advisory Committee. If Council agrees, staff will schedule the plan map amendment for the July 25, 2011 Council meeting.

Discussion followed and questions were asked and explained about how the different types of signage could be used. Council also discussed and suggested extending the sign options to other planning districts, but to first see how it works with the central district. At conclusion of the discussion it was determined that staff will bring the Plan Map Amendment 11-08 as a public hearing at the July 25, 2011 Council meeting.

**Copy of Portion of the Minutes of the September 12, 2011 Council Work Session**

**2. Downtown Building Signs Update City Manager Sherilyn Lombos noted this is an update on proposed revisions to Downtown Building Signs being considered.**

Senior Planner Will Harper gave a brief review of the sign amendment to date. Council held a previous discussion in July about the proposed options on signs for downtown core area businesses. A concern had been raised stemming from that discussion by Barrington Development on the adequacy of signage allowed for upper floor tenants of multi-story buildings and the limitations inherent in the "sign band" requirements for wall signs, etc., resulting in continuance of the hearing to allow time for more review.

The Tualatin Planning Advisory Committee (TPAC) reviewed the proposed Downtown Sign Program in July, and voted 6-1 to recommend that Council approve PTA-11-08 as proposed. It is scheduled to return to TPAC at their October meeting. The program was also presented to the Chamber of Commerce Economic Development Task Force on July 25, which was well attended by businesses. Senior Planner Harper went on to explain what types of changes are proposed.

Senior Planner Harper went on to explain what types of changes are proposed. The sign types allowed in addition to "wall signs" that were proposed in Version I include blade, shingle, and directory-style wall signs (in place of one wall sign), and canopy-mounted building identification signs (one per multi-level building). The types of signage that would not be allowed on the upper story of buildings was also reviewed. Planning Manager Aquilla Hurd-Ravich noted that the proposal that is presented does not include the option of businesses outside the downtown core area to have a shingle and wall sign, but only for one or the other. Council discussed being allowed to have small blade (shingle) sign, in addition to the shop signs in other businesses than the downtown core.

Council suggested not to have an either/or for signage outside the downtown area businesses. It was suggested there could be a type of "building sign" branding, other than having signage for each tenant of a building. Staff explained that the building owner would determine where and what signage would be placed. Some concern was expressed about the signage and visual impact, and while it could be a matter of scale versus quantity, concern remained. It was asked and explained that the TPAC member that voted against the proposal thought the options were fine, but size, scope and scale were concerns that came up.

City Manager Lombos summarized the discussion and said staff will take the issue back and address the concerns mentioned, and not looking to amplify more signs. Also noted Council's interest in expanding to other businesses besides the downtown core. Staff will plan to bring back in ordinance form at the October 24, 2011 Council meeting.

**Copy of Portion of Minutes of July 5, 2011 TPAC Meeting**

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**1. Amending the Sign Regulations to Allow Additional Types of Building Signs in the Central District; and Amending Tualatin Development Code Chapters 38.110 Sign Types, 38.220 Central Commercial and General Commercial Planning District Sign Standards and 31.060 Definitions. A legislative action.**

Mr. Harper provided background information and explained the proposed amendments to the current sign ordinance. This proposal would allow additional building sign options in the Central Design District of downtown Tualatin. This change is being proposed by the City of Tualatin with the intent to address concerns from local downtown building and business owners, especially those who have multi-story buildings. The Central Design District is bounded by Hedges Creek on the north and Boones Ferry on the west and Martinazzi Avenue on the east and Tualatin-Sherwood Road on the south. Mr. Harper provided background about how this proposal was spurred. He said that the buildings in the Tualatin Commons area are more related to pedestrian traffic like the buildings in the Central Design District that are multistory, multi-tenant and more architecturally interesting. Mr. Harper explained that the proposed amendment would add four types of building signs to the current sign standards for this region, where currently only wall signs are allowed. These signs are already addressed in the code and are used at Bridgeport.

Discussion continued with questions being asked and answered as follows:

Mr. Harper presented a PowerPoint that provided a visual of the four types of proposed signs. Mr. Harper and Mr. Herriges discussed the details of current sign allowances and requirements. Mr. Harper said that currently tenants in stand alone buildings are allowed one sign per tenant wall unless the tenant wall on the building is larger than 4,000 square feet; he gave Kmart as an example. However, strip mall tenants get one sign on each tenant wall, often in the front and one in the back, or if they are on the end then they get three signs, still upholding the one sign on each wall rule.

In the PowerPoint presentation, Mr. Harper had a picture of a sign that is located on the outside of the Martinazzi Avenue building (where the City has its administration offices). This particular sign sparked dialogue between Mr. Harper and the Committee because although it is one sign it is composed of six different business's signage. Mr. Harper explained that technically this is one sign and that it is not regulated how signs are broken down into wording.

Mr. Herriges asked Mr. Harper about what sign size is currently allowed. Mr. Harper explained that around the Tualatin Commons (and in the Central Commercial and General Commercial Planning Districts), tenant wall signs are

allowed a minimum of a 24 square feet (10% of tenant wall area up to 40 square feet) and in the Central Design District blade/shingle signs are allowed to be four and one half square feet and can be either a blade or shingle.

He continued that one problem is that in the downtown area upstairs business owners have raised the question about what their sign can look like and where can they put it. It is foreseeable that more of these multistory and multi-tenant type buildings will be built. Currently, there are two under construction, Robinson Crossing II and Aspen Place. As places like this are developed the landlords are questioning where tenants will put their signs.

Mr. Harper showed examples of current signs in the downtown area. He stated that for the most part the new sign types will be in place of traditional wall signs. However, the proposed canopy design will only be allowed over a business's primary entrance.

It was discussed if a business can have different types of these signs on it and specifically if it can have both a canopy and a wall sign. Mr. Harper said a business can have one sign but a choice between design options. He reminded the Committee that the building owner has to sign off on the permit before the Planning Department will approve the sign.

Ms. Hurd-Ravich reminded that there is a sign band regulation, meaning all signs have to be displayed within a certain region on the outside of the building. Also, there is still a regulation on the size and there is an individual process to make sure each sign complies with the standards.

Mr. Klingerman asked Staff who enforces that signs comply with the rules? Mr. Harper explained that it is a shared duty between the Planning and Police Departments. Often times, the Planning Department will take the complaint and research it and then the code enforcement officer speaks to the offender. Mr. Klingerman continued that there are currently many signs that don't meet the standards because they are hung on fences. Mr. Beers wondered if the enforcement is all complaint driven. Mr. Harper stated that it is mostly a complaint driven process.

Mr. Harper gave details and examples about a building's wall size and how to figure the percentage of a sign's size that is allowed. Mr. Klingerman questioned the process and regulations for temporary signs. Mr. Harper said these types of signs are allowed for 60 days if attached to the building.

Mr. Herriges asked if each tenant gets one wall sign per 40 square feet. Mr. Harper said that one sign is allowed per tenant wall. A sign can be at least 24 square feet and can occupy up to 10% of the wall space up to 40 square feet. Mr. Herriges wondered how this changes for a second story tenant. Mr. Harper stated that there is a sign band on the building that is established by the landlord,

where the signs must be hung. He continued that blade signs can start somewhere in the sign band. Mr. Aplin asked Mr. Harper if this sign code could later affect the area adjacent to Kmart area. Mr. Harper said not with this proposal but these standards can be applied later to other areas.

Mr. Harper summarized that some of the new proposed sign designs are borrowed from the Bridgeport Village area and are some of the same things that is wanted in the downtown plan. The proposed wall sign options are slightly smaller in square footage then the current wall signs.

Mr. Harper continued that public contact for this idea began with a visit to the Chamber. The Chamber thought the changes would be a good idea. At the end of this month these proposals will be shared with the Chamber's committee to get feedback from the downtown business owners and offer to meet with them individually. Mr. Harper suggested that so far, these changes have been well received.

Mr. Klingerman wondered if any of the new standards and regulations addressed the new types of sign technology like flashing or LED lighting. Mr. Harper said that it was addressed during the high school's light issue. During that process LED was added to the mix but movement/animated signs are not allowed.

Mr. Aplin stated that the sign approval process at Bridgeport Village does have some architectural review so that you can gain a sense of quality. Thinking forward to downtown development led him to ask if there is any way to review the beauty of a sign or quality. Mr. Harper explained the history around sign standards. He continued that in his experience by the time an applicant has been approved the Bridgeport Village management that it will pass through the Planning Department. Lastly, free standing signs now have design standards and it's becoming more possible to apply design standards to wall signs. He continued that this project will help give us experience for the new downtown plan.

Mr. Herriges stated that it is good to give more options to the environment but that he is not certain about the sign sizes. He said that signs should be big enough to do the job and no bigger. Mr. Aplin asked Mr. Herriges if he is saying that the starting point is too big. Mr. Herriges said yes. Chair Sivley thought these changes were a good idea and he applauded the Planning Department's outreach to both the public and the Chamber.

**MOTION by Riley SECONDED by DeHaan to recommend to City Council to adopt the recommended amendments to the sign code. MOTION PASSED**

**Copy of Portion of Minutes of September 6, 2011 TPAC Meeting**

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**B. Update on Proposed Revisions to the Plan Text Amendment PTA-11-08 Downtown Building Signs (previously reviewed by TPAC at the July 5, 2011 meeting)**

Senior Planner Harper's presentation included a PowerPoint. Tonight's presentation serves as an update after the review at TPAC's July 5<sup>th</sup> meeting and Council Work Session on July 11. A revised version will be returned to TPAC at the October 4<sup>th</sup> meeting and a continued public hearing before Council on October 24<sup>th</sup>.

During Council's discussion at Work Session (July 11) regarding downtown signs, Council was interested in ideas about the different types of signs for downtown and gave staff direction to move forward. During the following couple of weeks, a developer expressed concern how the code was written. Blade, shingle, and directory-type wall signs and the prospect of building identification on awnings, etc. – they did NOT feel it would be adequate to identify individual tenants, especially those on upper floors. They felt it was unattractive to keep signs on a sign band. In response to the downtown developer's concerns and some comments raised by Council that were supportive and possibly expand the ability of this program to go to other parts of the commercial district, staff has now revised "Revision #2".

The proposed revisions to PTA-11-08 include in addition to blade, shingle, wall signs, or directory-style building signs on a sign band associated with the first floor tenants of multi-story buildings: 1) up to 4 wall per building on the 2<sup>nd</sup> floor and above (example: 6 tenants on the main floor – possibility of 2 more signs on a building wall to be used by landlord or tenants); 2) allowing additional building signs on building in Major Commercial Centers (3 acres and larger site and 2 or more buildings) and on multi-story commercial building in the Central and General commercial Planning Districts; 3) expanding the existing provisions for small blade or shingle signs and allow as small tenant signage in addition to the building signs proposed in PTA-11-08, and 4) Table A, attached to the Staff Report, reflects the standards for building sign face height and sign face area that are basically unchanged from the standards proposed in Versions 1 of PTA-11-08. The proposed building sign dimensions would be more appropriately scaled to pedestrian commercial areas when smaller than existing wall sign dimensions that were intended for automobile-oriented "strip center" application.

If there are a number of tenants on an upper level, there are limits and the landlord may have to make choices. Planning Manager Hurd-Ravich noted that instead of having one wall sign on an upper floor, they could have a directory sign with all tenants of the upper floor listed. Mr. Klingerman commented that the blade/shingle signs shown are of similar size, but different colors and styles. At a large development, such as Bridgeport Village, this works. In a single smaller building with a number of tenants, a variety of signs may not be visually appealing. It was noted that the sign cannot be a "box"

illuminated from within. Discussion followed regarding a different style commercial center, such as Nyberg Woods, where all storefronts are "interior" (facing parking area). Mr. Riley noted if there were businesses that had main entrances on the street side, yet parking behind, possibly modify regulations to address that situation. Mr. Riley talked about the utility of tenants in major commercial centers having the ability to have two signs; a wall sign and a small shingle sign... similar to what is proposed for the Central Commercial Area.

Discussion followed regarding different situations where there might be several tenant spaces owned by the same owner and then a few others or a pad or two that have separate owners. This could create many different styles/colors of signs.

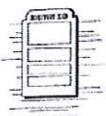
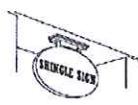
Senior Planner Harper noted that some years ago large businesses or "malls" needed to have a sign program for all their tenants. That went away with the whole sign design idea. This was a very slow process and most did not favor it. The City then went to a numeric system as we now have. Mr. Klingerman asked if there is a method for a sign variance; Senior Planner Harper stated that there is - they must go before Council for final decision.

Mr. Beers questioned the rationale for not allowing cabinet signs on upper floors. Senior Planner Harper explained that signs with individual letters are far more attractive than vinyl cutout letters on a lexan panel, lit from behind. Almost none in town are designed as such other than as big lit boxes on a wall. It was clarified that it is acceptable to have a sign that has each letter illuminated. It was asked if window signage is allowed; Senior Planner Harper stated that it is and that the City allows up to 35% of window space to be signage. He also noted that it is not common for tenants to use that type of signage in the downtown area. (ex: Mario's 310 in Bridgeport Village).

Mr. Klingerman asked for clarification on what TPAC is to advise on. Senior Planner Harper noted that the next step is going to Council Work Session on September 26, then back to TPAC with revisions at the October 4 meeting, and then to Council in a continued hearing on October 24.



# Proposed Sign Options

<p><b>DIRECTORY-STYLE WALL SIGN</b></p> <p>MAX HEIGHT: 8 ft          MAX EXPOSURE: 16 in          MAX AREA: 32 sq. ft.</p> 	<p><b>SHINGLE SIGN</b></p> <p>MAX HEIGHT: 3 ft          MAX WIDTH: Must not extend beyond Wall or Fascia surface          MAX AREA: 24 sq. ft.</p> 
<p><b>WALL SIGN</b></p> <p>MAX HEIGHT: 4 ft          MAX WIDTH: NA          MAX AREA: 24 sq. ft. (or 10% of building wall up to 400 sq. ft.)          100 sq. ft. on walls &gt; 4000 sq. ft.          150 sq. ft. on walls &gt; 4000 sq. ft.</p> 	<p><b>CANOPY-MOUNTED BUILDING IDENTIFICATION SIGN</b></p> <p>MAX HEIGHT: Height of Canopy Fascia or 16 in          MAX WIDTH: NA          MAX AREA: 35% of Canopy Fascia with max of 24 sq. ft.</p> <p>On top of Canopy - 35% of Fascia area (calculated from the length of Canopy Fascia + 16 in) with max of 24 sq. ft.</p> 
<p><b>BLADE SIGN</b></p> <p>MAX HEIGHT: 10 ft          MAX WIDTH: 4 ft from Wall          MAX AREA: 24 sq. ft.</p> 	

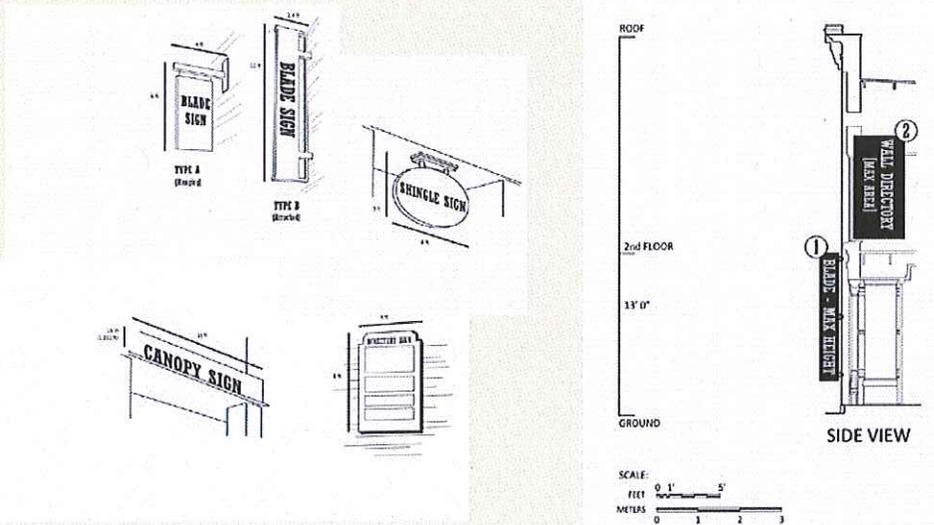
October, 2011

City of Tualatin

3



# Proposed Sign Options



The diagrams illustrate various sign types and their placement on a building facade. The 'Blade Sign' is shown in two types: Type A (horizontal) and Type B (vertical). The 'Shingle Sign' is shown as a curved sign mounted on a wall. The 'Canopy Sign' is shown as a sign mounted on a canopy structure. The 'Side View' diagram shows a building facade with a sign mounted on the wall, with a height of 13 feet from the ground to the top of the sign. A scale bar indicates 1 inch equals 50 feet.

October, 2011

City of Tualatin

4



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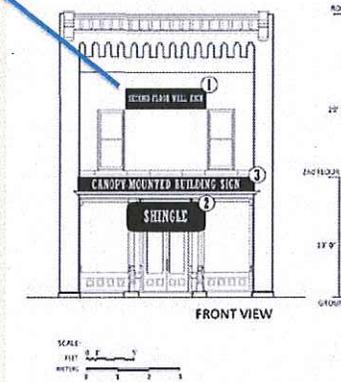
## Proposed Sign Options

- Three proposed revisions:
  1. Multi-story buildings allowed up to four (4) wall signs on the 2nd floor and above –one per upper floor, a maximum of two per building elevation-(termed 2nd Floor Tenant Wall Signs).



October, 2011

City of Tualatin



5



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## PTA-11-08 Sign Options

2. Allows additional building signs (blade, shingle, canopy-mounted building identification, directory-style wall signs, 2nd floor tenant wall signs and small projecting tenant signs) on:

- Buildings in Central Design District (Version I)
- Buildings in Major Commercial Centers, and
- Multi-story commercial buildings

in the Central (CC) and General (CG) Commercial Planning Districts (See Map - Attachment G)

### Major Commercial Centers In CC and CG

Big KMart  
Club Sport  
Fred Meyer  
Hedges Green  
(Haggen's)  
Martinazzi Square  
Meridian Shopping Center (Safeway)  
Nyberg Retail  
Nyberg Woods  
Pointe at Bridgeport  
South Lake Center

October 2011

City of Tualatin

7



City of Tualatin

3. Expand the existing provisions for **small blade or shingle signs (1.5 foot high/4.5 square feet)** currently allowed in the Central Design District and allow as **Small Projecting Tenant signage in addition to** the Building Signs proposed in PTA-11-08.



October, 2011

City of Tualatin

8



# Building Sign Options Plan Text Amendment (PTA-11-08)

October 24, 2011

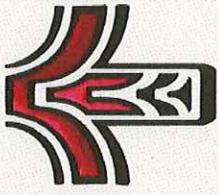




*City of Tualatin*

# PTA-11-08 Sign Options

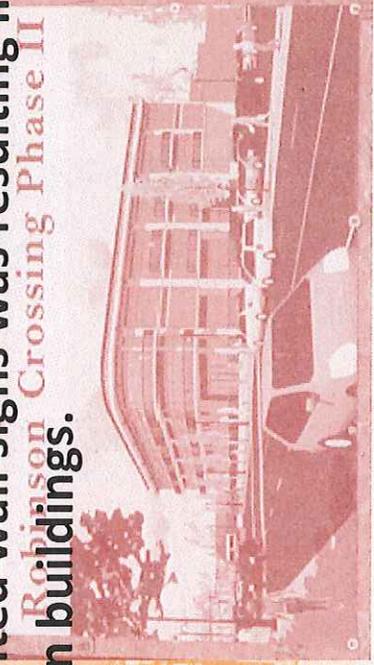
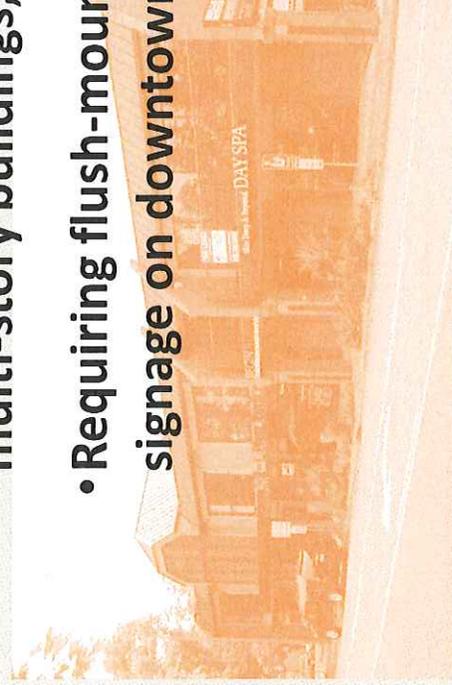
- PTA-11-08 is an amendment to the Sign Standards for the Central & General Commercial Planning Districts to provide additional building sign options for pedestrian-oriented and multi-story commercial development.
- In July and September Work Sessions, the Council reviewed proposed Sign Code revisions allowing additional building sign options.
- Commercial Developers and Business Owners provided comments that are incorporated into the proposed amendments.
- TPAC recommended approval of PTA-11-08 at the October 4 Meeting.



City of Tualatin

# PTA-11-08 Sign Options

- The amendment to the sign standards for Central and General Commercial Planning Districts was initiated to respond to:
  - The “strip center” based standards of the existing building wall sign requirements were not well suited for multi-story commercial buildings that are pedestrian-oriented with mixed retail and office tenants;
  - Wall signs (mounted flush to a building wall on a single sign band) were seen as inadequate to identify retail and office tenants in multi-tenant, multi-story buildings, and;
  - Requiring flush-mounted wall signs was resulting in unattractive signage on downtown buildings.



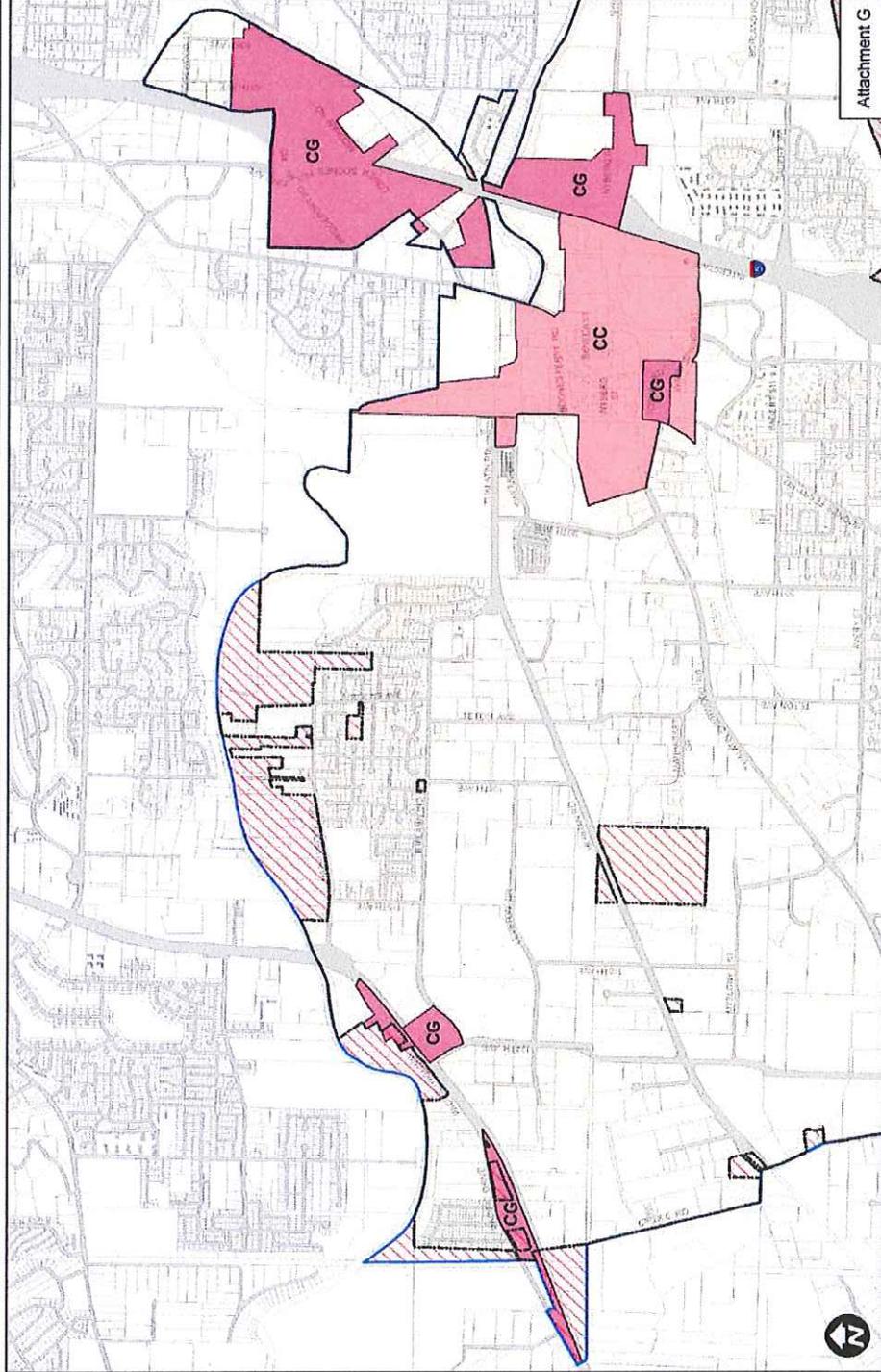


City of Tualatin

# Where PTA-11-08 will Apply

Central and General Commercial Planning Districts

TUALGIS



Applies to

- Central Design District
- Major Commercial Centers
- Multi-story Buildings

in the

- Central (CC) and General (CG)

Commercial Planning Districts



*City of Tualatin*

# PTA-11-08 Sign Options

Allows additional building signs (blade, shingle, canopy-mounted building identification, directory-style wall signs, 2nd floor tenant wall signs and small projecting tenant signs) on:

- Buildings in Central Design District (Version I)
- Buildings in Major Commercial Centers, and
- Multi-story commercial buildings

in the Central (CC) and General (CG) Commercial Planning Districts.

## Major Commercial Centers

### In CC and CG

Big KMart  
Club Sport  
Fred Meyer  
Hedges Green (Haggen's)  
Martinazzi Square  
Meridian Shopping Center (Safeway)  
Nyberg Retail  
Nyberg Woods  
Pointe at Bridgeport  
South Lake Center

# Building Sign Options



Wall



Directory-Style

• Wall Signs (Existing Standards)

• Directory-Style Wall Signs



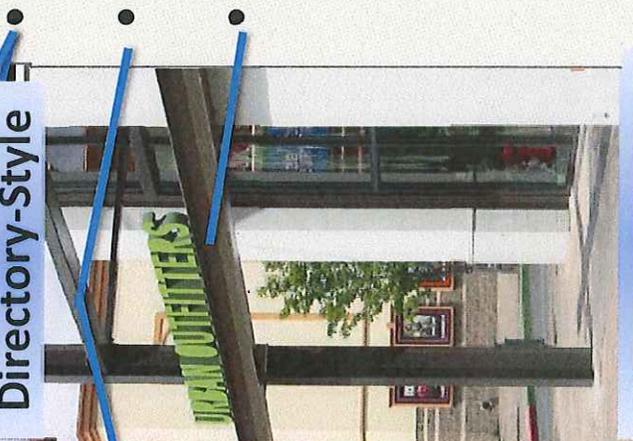
Blade

• Blade Signs



Shingle

• Shingle Signs



Canopy-Mount

• Canopy-Mounted Building Identification Sign



Blade

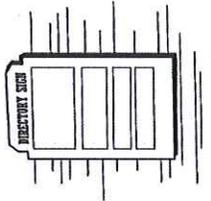


City of Tualatin

# Proposed Sign Options

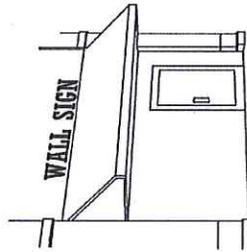
## DIRECTORY-STYLE WALL SIGN

MAX HEIGHT: 8 ft  
MAX EXPOSURE: 16 in  
MAX AREA: 32 sq. ft



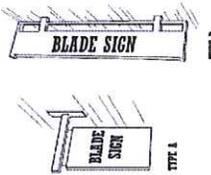
## WALL SIGN

MAX HEIGHT: 4 ft  
MAX WIDTH: NA  
MAX AREA: **24 sq. ft** [or **10%** of tenant wall up to **40 sq. ft**]  
100 sq. ft on walls > 4000 sq. ft  
150 sq. ft on walls > 4000 sq. ft



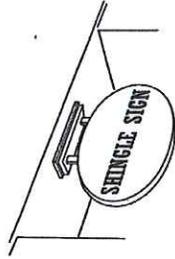
## BLADE SIGN

MAX HEIGHT: 10 ft  
MAX WIDTH: 4 ft from Wall  
MAX AREA: 24 sq. ft



## SHINGLE SIGN

MAX HEIGHT: 3 ft  
MAX WIDTH: Must not extend beyond Wall or Fascia surface  
MAX AREA: 24 sq. ft

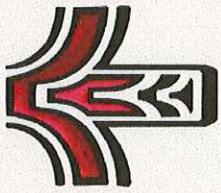


## CANOPY-MOUNTED BUILDING IDENTIFICATION SIGN

MAX HEIGHT: Height of Canopy Fascia or 16 in  
MAX WIDTH: NA  
MAX AREA: 35% of Canopy Fascia with **max of 24 sq. ft**

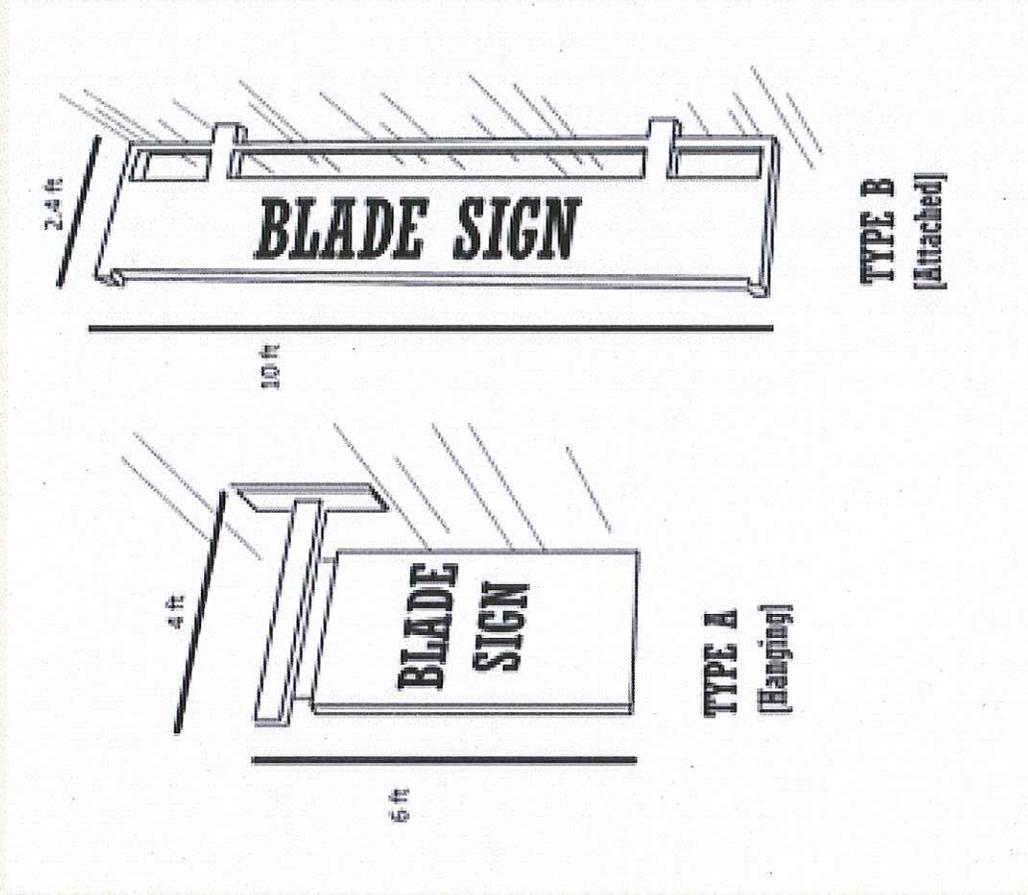


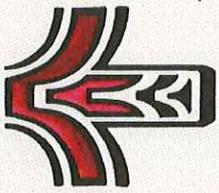
On top of Canopy - 35% of Fascia area [calculated from the length of Canopy Fascia x 16in] with **max of 24 sq. ft**



City of Tualatin

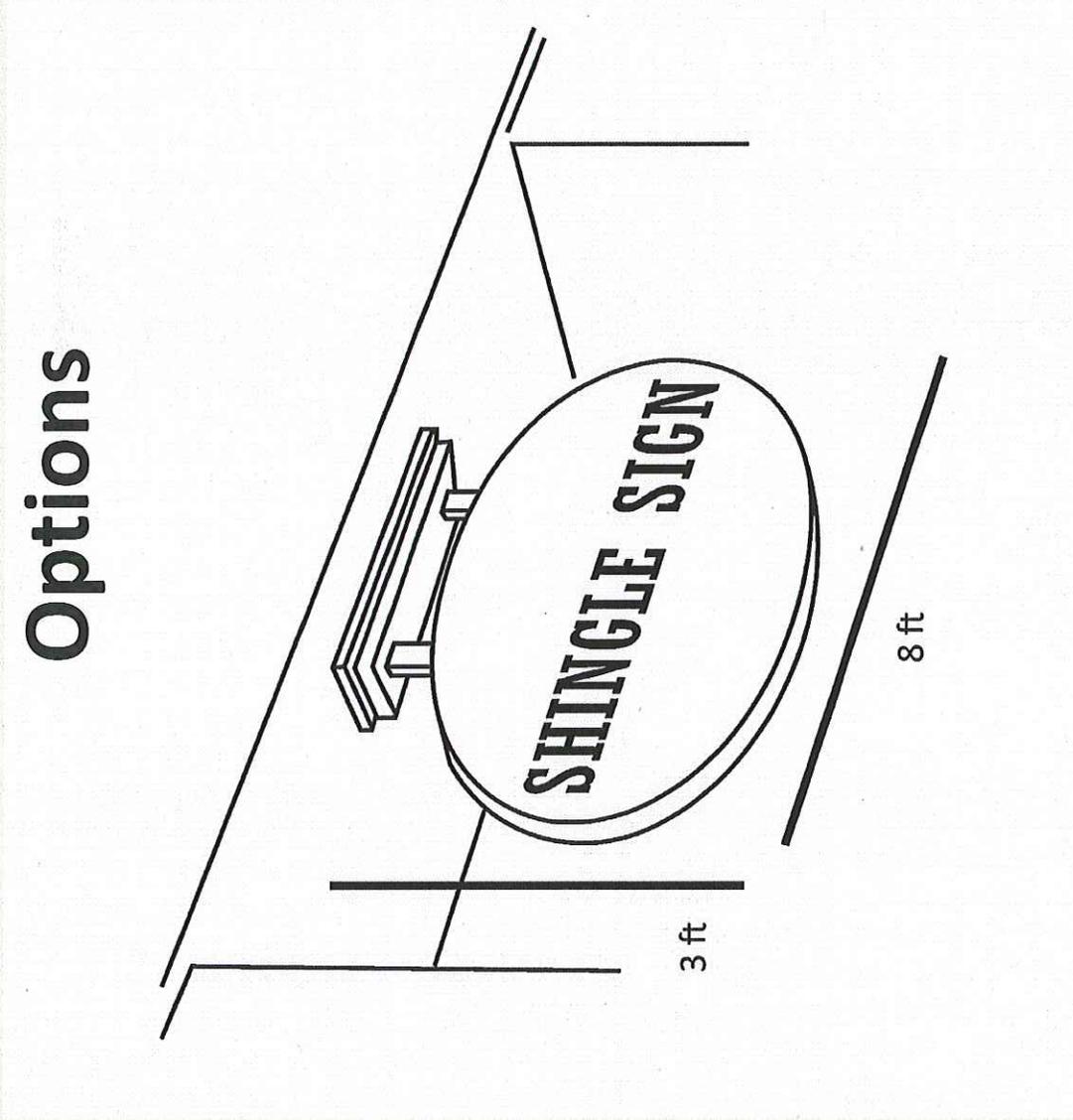
# Proposed Sign Options

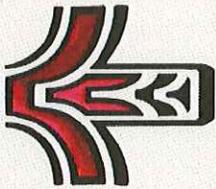




City of Tualatin

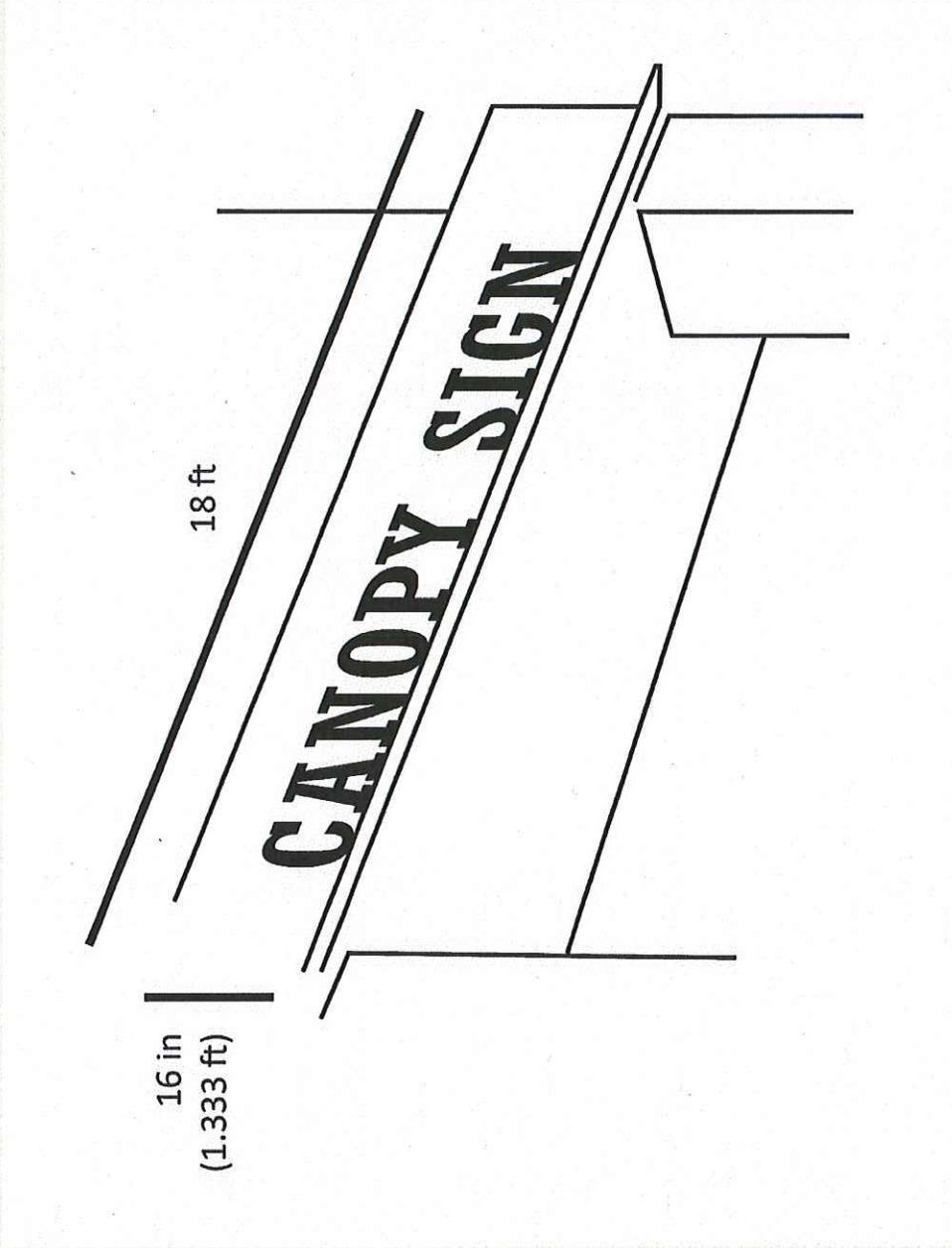
# Proposed Sign Options





City of Tualatin

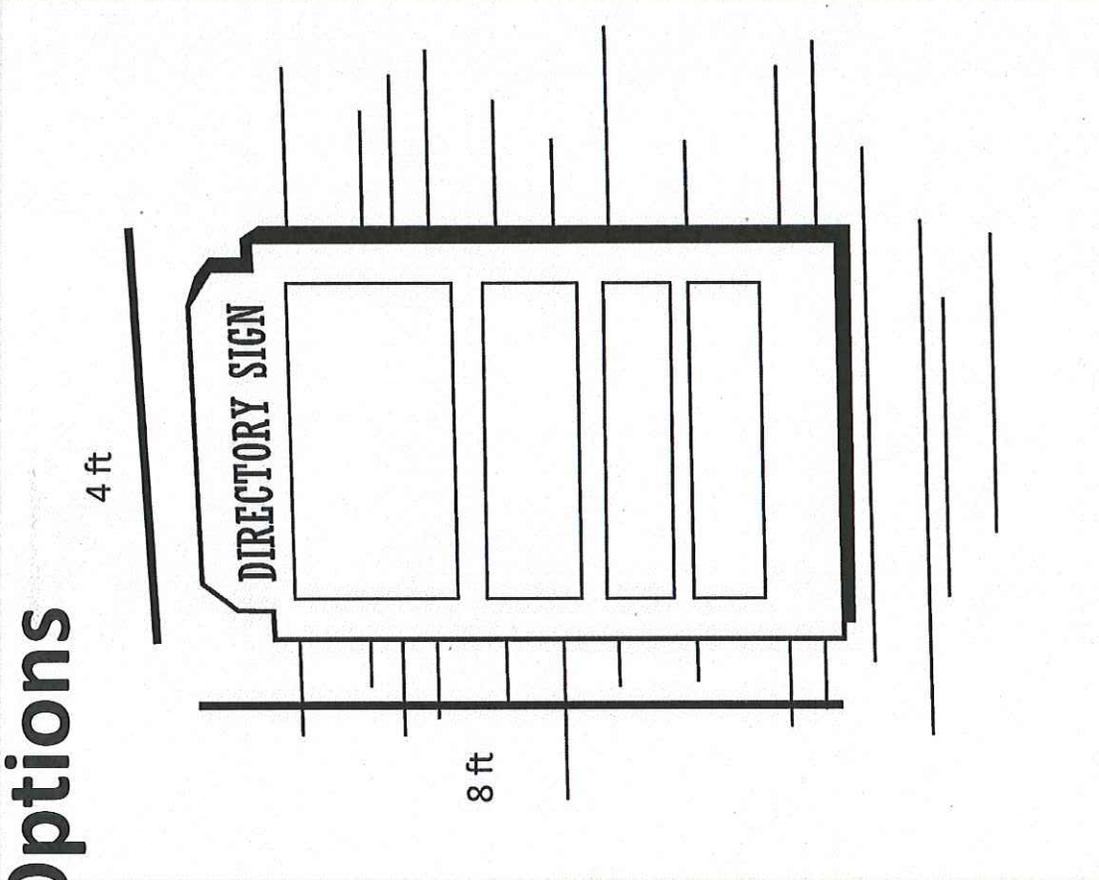
# Proposed Sign Options

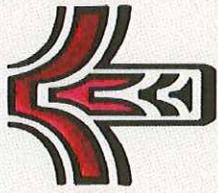




City of Tualatin

# Proposed Sign Options

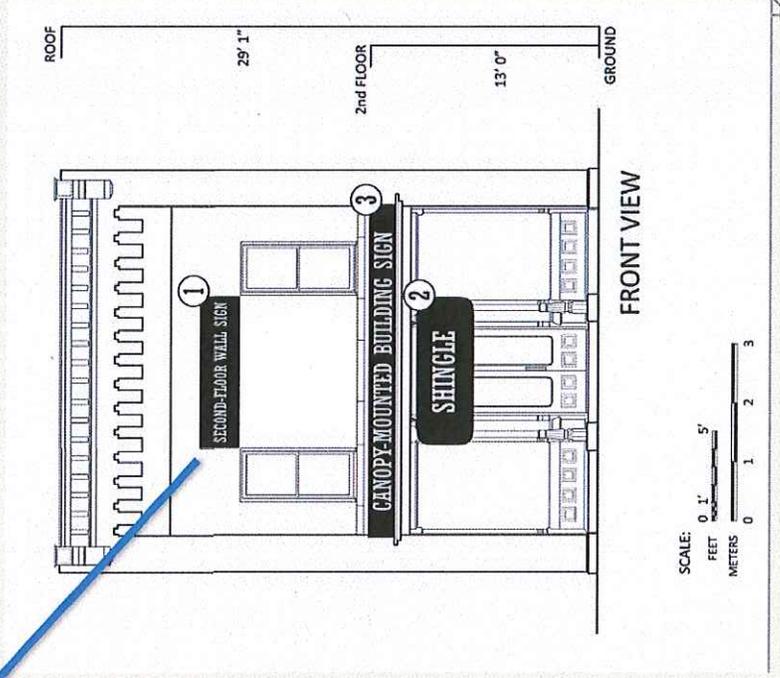
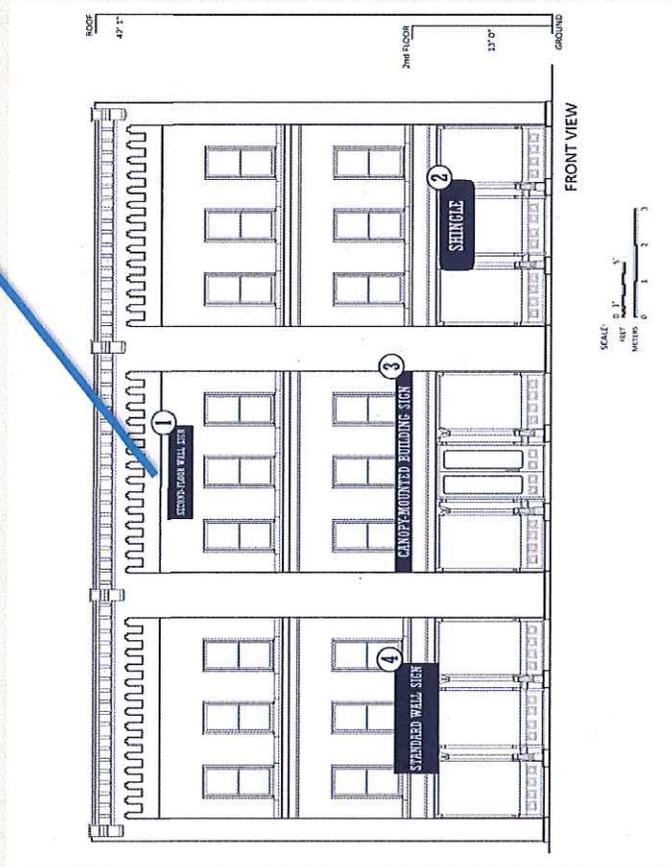




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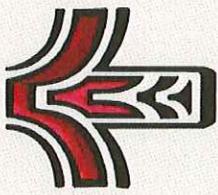
# Proposed Sign Options

Multi-story buildings are allowed wall signs on the 2nd floor and above –one per upper floor, maximum of two per building elevation and 4 per building.



October, 2011

City of Tualatin



City of Tualatin

**Small Projecting (blade or shingle-style) Tenant Signs** currently allowed in place of wall signs in the Central Design District would be allowed in **addition** to the Building Sign options proposed in PTA-11-08.



October, 2011

City of Tualatin



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# Council Discussion

July 2011

City of Tualatin